

GOVERNMENT OF INDIA
MINISTRY OF INFORMATION & BROADCASTING
LOK SABHA
UNSTARRED QUESTION NO. 3214

TO BE ANSWERED ON THE 06th AUGUST, 2021

REGULATION OF OTT PLATFORMS

3214 SHRI MALOOK NAGAR

SHRIMATI SHARDABEN ANILBHAI PATEL

SHRI MITESH RAMESHBHAI PATEL (BAKABHAI)

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the lack of rules/law to prevent the broadcast of objectionable contents streaming on Over-The-Top (OTT) platforms is harming the rich cultural traditions and beliefs of the people and if so, the details thereof;

(b) whether the Government has taken note that contents available on the said platforms are transmitting negativity in the minds of adolescent and if so, the reaction of the Government thereto;

(c) whether, as per the earlier released notification of the Government, the OTT platform comes under the ambit of his Ministry and if so, the details thereof;

(d) the details of any specific laws which regulate the OTT platform and ensure that public are not hurt by their content/programmes; and

(e) the policy of the Government to check the issues relating to piracy of movies?

ANSWER

THE MINISTER OF INFORMATION AND BROADCASTING; AND MINISTER OF YOUTH AFFAIRS AND SPORTS (SHRI ANURAG SINGH THAKUR):

(a) to (d) : Government has notified Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, on 25th February, 2021 under Information Technology Act, 2000. A copy of the Rules is available on the website of the Ministry i.e. www.mib.gov.in.

Part-III of the Rules, inter- alia, provide for Code of Ethics to be followed by publishers of news & current affairs on digital media and publishers of online curated content (OTT Platforms). The Code of Ethics for OTT platforms specifies general principles to be followed by the platforms for carriage of content, classification of content into five age based categories, display of such classification, and restricting access to children of higher rated content. Schedule to the Rules lays down guiding principles for content classification.

The Rules also provide for a three-level Grievance Redressal Mechanism relating to the violation of Code of Ethics by the publishers.

As per the Allocation of Business Rules (as amended on 9.11.2020) the subject relating to content of news and current affairs and audio-visual content on online platforms is under the mandate of Ministry of Information & Broadcasting.

(e) : Government has introduced the Cinematograph (Amendment) Bill, in Rajya Sabha on 12.2.2019, inter-alia having provisions for curbing of piracy of films.

The Copyright Act, 1957, as amended in 2012, provides civil as well as criminal remedies to the copyright holder.

The Information Technology (Intermediaries Guidelines and Digital Media Ethics Code) Rules 2021, notified under Information Technology Act, 2000, inter alia, specifies that the intermediaries shall inform the users of their computer resource not to host, display, upload, modify, publish, transmit, update or share any information that infringes any patent, trademark, copyright or other proprietary rights.
