

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 545
TO BE ANSWERED ON 01.12.2021

FAKE NEWS

**545 SHRI NAYAB SINGH:
SHRI UDAY PRATAP SINGH:
DR. RAM SHANKAR KATHERIA**

Will the Minister of Electronics and Information Technology be pleased to state:

- (a) whether the Government is going to take concrete step to prevent the spread of rumors and fake news through various medium and if so, the details thereof;
- (b) whether the Government has formulated any plan to set up any monitoring system in this regard and if so, the details thereof; and
- (c) the details of the plan of the Government to ensure data protection of Indians?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI RAJEEV CHANDRASEKHAR)

- (a) and (b): Government has taken several steps to address the challenges to prevent the spread of rumours and fake news through various media. These, *inter alia*, include:
 - (i) A Fact Check Unit has been setup under Press Information Bureau of Ministry of Information and Broadcasting in November, 2019. This Unit takes cognizance of fake news both suo-motu and by way of queries sent by citizens on its portal or through e-mail and whatsapp. The Unit responds to the relevant queries with correct information when the same pertains to Central Government or forwards them to States/UTs in other cases. The Unit also maintains a twitter account @PIBFactcheck and posts cases of fake news, being busted, on the same on regular basis. The Fact Check Unit of PIB covers news on various media platforms, including electronic media.
 - (ii) With regards to complaint of fake news in print media, the Press Council of India (PCI) takes action under the Press Council Act, 1978 and Press Council (Procedure for Inquiry) Regulations, 1979. PCI has also developed the Norms of Journalists Conduct for adherence by the print media to restrain publication of fake/defamatory/misleading news.
 - (iii) With regard to electronic media, the Cable Television Networks (Regulations) Act, 1995 and the Rules made there under *inter alia* provide that no programme shall be carried out which contains anything obscene, defamatory, deliberate, false and suggesting innuendoes and half truths.

- (iv) The Government has notified the Cable TV Network (Amendment) Rule, 2021 dated 17-06-2021 laying down a statutory mechanism for redressal of grievances relating to violation of the Programme Code and Advertising Code and for action by Government for such violation.

Government takes action in cases where Programme/ Advertising Codes are found to be violated by the private TV Channels, including issuance of advisory, warning, running an apology scroll and in extreme cases, directing the channel to be off air for a certain time duration.

- (v) Government, on 25.02.2021 has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 under the Information Technology Act, 2000. These Rules require that the intermediaries follow certain due diligence as prescribed. They are required to publish privacy policy and terms of use of their platform. They are required to inform their users not to host, display, upload, modify, publish, transmit, update or share any information that is harmful, objectionable, and unlawful in any way. They are also required to remove any unlawful content related to Article 19(2) of the Constitution of India or violative of any law, as and when brought to their knowledge either through a court order or through a notice by appropriate government or its agency. The Rules also require that publishers of news shall observe the Code of Ethics which includes adherence to :

- (a) Norms of Journalistic Conduct of the Press Council of India under the Press Council Act, 1978;

- (b) Programme Code under section 5 of the Cable Television Networks Regulation) Act, 1995;

- (c) Content which is prohibited under any law for the time being in force shall not be published or transmitted.

- (vi) Section 69A of the IT Act, 2000 empowers Government to block any information generated, transmitted, received, stored or hosted in any computer resource in the interest of sovereignty and integrity of India, defence of India, security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of any cognizable offence relating to above.

- (vii) Ministry of Electronics and Information Technology (MeitY) through a programme, namely, Information Security Education & Awareness (ISEA), has been creating awareness among users highlighting the importance of following the ethics while using Internet and advising them not to share rumors/fake news. A dedicated website for information security awareness (<https://www.infosecawareness.in>) provides all the relevant awareness material.

(c): Section 43A of the Information Technology Act, 2000 establishes a legal framework for data protection in India. Section 43A provides for compensation to be paid to the victim in case of wrongful loss or wrongful gain caused due to negligence in implementing and maintaining reasonable security practices and procedures by a body corporate in dealing with sensitive personal data.

Further, this Ministry has already introduced the Personal Data protection Bill, 2019 in Parliament during the winter session of 2019. The Bill has been referred to a Joint Committee of the Parliament.
