

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
STARRED QUESTION NO.*396
TO BE ANSWERED ON: 30.03.2022

BANNING PORNOGRAPHIC WEBSITES

***396. SHRI PARVESH SAHIB SINGH VERMA:**

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

- (a) the details of the current stance of the Government with regard to adult films and pornographic content;
- (b) the details about appropriate bans/measures that have been put in place to regulate such content;
- (c) whether the internet traffic directed towards pornographic websites has reduced in the country and if so, the details thereof, State-wise; and
- (d) if not, the details of the steps taken/being taken by the Government to reduce it during the last three years?

ANSWER

MINISTER FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI ASHWINI VAISHNAW)

(a) to (d): A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION
NO. *396 FOR 30-03-2022 REGARDING BANNING PORNOGRAPHIC WEBSITES**

.....

(a) to (d): Government is committed to have an Open, Safe & Trusted and Accountable internet for the citizens of India. There are legal provisions in Information Technology (IT) Act, 2000 that define publishing or transmitting online pornography as a cyber crime. Further, publishing or transmitting or viewing of material depicting children in sexually explicit act is also a crime as per the IT Act.

To ensure the good and healthy entertainment in accordance with the provisions of the Cinematograph Act 1952 and the Cinematograph (Certification) Rules 1983, Central Board of Film Certification (CBFC), a Statutory body under Ministry of Information and Broadcasting, regulates the public exhibition of films including adult films. According to the guidelines issued by them, films which are considered unsuitable for exhibition to non-adults shall be certified for exhibition to adult audiences only.

For online publishers of curated content, The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (IT Rules 2021) prescribe the code of ethics. This code requires the publishers to classify content in specified age-appropriate categories, restrict access of age-inappropriate content by children, and implement an age verification mechanism for content classified as 'Adult'.

To strengthen the mechanism to deal with such cyber crimes including adult content and pornography in a coordinated manner, the Government has taken several measures in consultation with various stakeholders which, *inter-alia*, include the following:

- (i) Rule 3(2)(b) of The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 notified under the IT Act particularly provides that on a complaint by an individual intermediary shall, within 24 hours, remove any content which prima facie exposes the private area of such individual, shows such individual in full or partial nudity or shows or depicts such individual in any sexual act or conduct, or is in the nature of impersonation in an electronic form, including artificially morphed images of such individual.
- (ii) Government has been periodically blocking the websites containing extreme child sexual abuse material (CSAM) based on INTERPOL's "worst of list" received through Central Bureau of Investigation (CBI), the national nodal agency for Interpol in India since 2016.
- (iii) Government has issued an order in April 2017 to concerned Internet Service Providers (ISPs) ordering them to implement Internet Watch Foundation (IWF), UK or Project Arachnid, Canada list of CSAM websites/webpages on a dynamic basis and block access to such webpages/websites.
- (iv) A MoU has been signed between the National Crimes Record Bureau (NCRB), Ministry of Home Affairs (MHA) and National Center for Missing and Exploited Children (NCMEC),

USA regarding sharing of Tipline reports on online child explicit material and child sexual exploitation contents from NCMEC. The Tip lines, as received from NCMEC, are being shared with States/UTs online through Nation Cybercrime Reporting Portal for taking further action.

- (v) In 2018, Government directed Internet Service Providers (ISP) to block 827 websites that host pornographic content following an order by the Uttarakhand High Court.
