

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA
UNSTARRED QUESTION NO. 1536
TO BE ANSWERED ON 04.12.2024

CASES OF MISINFORMATION AND FAKE NEWS

**1536. DR. M P ABDUSSAMAD SAMADANI:
SHRI BENNY BEHANAN:**

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

- (a) the steps taken by the government to combat fake news and misinformation;
- (b) the number of reported cases of misinformation and fake news in 2024 alongwith the action taken by the government in this regard;
- (c) the details of collaboration with technology companies to ensure compliance with India's IT laws on content moderation and misinformation;
- (d) the measures taken to enhance digital literacy among citizens to help them identify and avoid misinformation; and
- (e) the steps taken by the government to monitor and evaluate the effectiveness of these initiatives in reducing the spread of fake news and misinformation online?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI JITIN PRASADA)

(a) to (e): The policies of Government of India are aimed at ensuring an open, safe, trusted and accountable cyberspace for users in the country. The key initiatives taken by Government of India to address challenges of fake news and misinformation in the cyberspace are as under:

The Ministry of Electronics and Information Technology ("Ministry") after extensive consultations with relevant stakeholders, has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ("IT Rules, 2021") in exercise of the powers given under the Information Technology Act, 2000. The IT Rules, 2021 cast specific due diligence obligations on intermediaries, including social media intermediaries, with respect to the information to make reasonable efforts by itself and to cause the user of their computer resource that is not to be hosted, displayed, uploaded, published, transmitted, stored or shared on the platforms. Intermediaries are required to ensure their accountability that includes their expeditious action towards removal of the unlawful information within the timelines prescribed under Rules. For this purpose, unlawful information comprises prohibited misinformation, patently false information, untrue or misleading in nature.

IT Rules, 2021 also require the appointment of a Grievance Officer by intermediaries to resolve the complaints. Such Officer is required to provide time-bound redressal of the grievances of the victim / complainant against the violation of these rules. In case the victim / complainant is aggrieved by the decision of an intermediary's Grievance Officer or does not receive timely redressal, he may prefer an appeal to the Grievance Appellate Committee within thirty days of the receipt of communication from the Grievance Officer. In case of failure to observe due diligence as provided in the IT Rules, 2021, intermediaries lose the exemption from liability for any third-party information, data or communication link, under IT Act.

As an additional due diligence measure in IT Rules, 2021, the significant social media intermediaries (“SSMI”) (i.e. a social media intermediary having 50 lakhs or above number of registered users in India) publish periodic compliance reports mentioning the information links that it has removed or disabled using automated tools. An SSMI, among other additional due diligences, is also required to cooperate with Law Enforcement Agencies (LEA) for prevention, detection, investigation, prosecution or punishment by enabling identification of the first originator of information related to the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, or public order, or of incitement to an offence relating to the above or in relation with rape, sexually explicit material or child sexual abuse material (CSAM).

Further, to address the emerging harms in the cyberspace like misinformation Ministry has conducted multiple consultations with industry stakeholders/ social media platforms and issued advisories through which the intermediaries were reminded about their due-diligence obligations outlined under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. The government regularly engages with technology companies to sensitise them on the due diligence requirements under these Rules.

The Ministry has launched a program titled Information Security Education & Awareness (ISEA) to generate awareness among users while using internet. A dedicated website has been created for information security awareness that generates and upgrades relevant awareness material on a regular basis, and can be accessed at <https://www.infosecawareness.in>.
