

GOVERNMENT OF INDIA  
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY  
**LOK SABHA**  
**UNSTARRED QUESTION NO. 595**  
TO BE ANSWERED ON: 06.12.2023

**COMPLAINTS OF DEEPPFAKE TECHNIQUE**

**595. SHRI RAM KRIPAL YADAV:  
SHRI JANARDAN MISHRA:  
SHRI HARISH DWIVEDI:  
DR. RAM SHANKAR KATHERIA:**

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

- (a) whether the Government has received any complaints related to the deepfake technique;
- (b) if so, the details thereof along with the steps taken by the Government to resolve the complaints;
- (c) whether the Government has enacted any law or constituted any Inquiry Committee to prevent crimes committed with the deepfake technique; and
- (d) if so, the details thereof and if not, the reasons therefor?

**ANSWER**

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

(a): The policies of the Government are aimed at ensuring an Open, Safe and Trusted and Accountable Internet for its users.

The Government is cognizant of the benefits as well as risks associated with new and evolving technologies including Artificial Intelligence (AI) which has immense potential to revolutionize various fields, but it also poses certain challenges and risks. However, the same technology of the AI may generate misinformation through deepfake. The Internet technology and Internet used to be seen as force for good, but in recent years, technology is also exploited for causing user harms and criminality. The number of Internet users in India are expected to increase from 88 crores today to 120 crore users by 2026.

To ensure that Internet in India is Open, Safe and Trusted and Accountable, the Central Government has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. ("IT Rules, 2021") on 25.02.2021 which was subsequently amended 28.10.2022 and 6.4.2023. These rules cast specific obligation on intermediaries, including social media intermediaries or platforms, to observe due diligence and in case of failure to follow diligence as provided in the IT Rules, 2021, by intermediaries, they shall lose their safe harbour protection under section 79 of the IT Act and shall be liable for consequential action as provided in such law. Sub-clauses (v) and (vi) of clause (b) of sub-rule (1) of rule 3 provides that an intermediary including a social media intermediary shall observe due diligence while discharging its duties by making reasonable efforts by itself and to cause the user of its computer resource not to host, display, upload, modify, publish, transmit, store, update or share any illegal information that deceives or misleads the addressee about the origin of the message or knowingly and intentionally communicates any misinformation or information which is patently false and untrue or misleading in nature or that impersonates another person or violates any law. The Government has zero tolerance policy towards any online information which is patently false, misinformation and against the national security.

(b) to (d): Deepfakes are misinformation that are powered by AI. To prevent the harms caused by such misinformation through deepfakes, the Ministry of Electronics and

Information Technology has issued advisories to significant social media intermediaries or platforms, drawing their attention to the above provisions and advising them as under:

- (i) That they should ensure that their rules and regulations and the user agreement contain appropriate provisions for the users not to host, display, upload, modify, publish, transmit, store, update or share any information which are prohibited under IT Rules;
- (ii) That they shall align their terms of use to ensure that all users are aware and they shall play a proactive role in sensitizing their users about what is permissible or not on their platforms under the IT Rules;
- (iii) That, as part of the reasonable efforts made by them in this regard, they may also put in place appropriate technology and processes for identifying information that may violate the provisions of rules and regulations or user agreement; and
- (iv) That they are advised to ensure expeditious action, well within the timeframes stipulated under the IT Rules, 2021, to remove or disable access to information/content that violates the aforesaid provisions of the IT Rules, 2021, upon receipt of court orders or notification from the Appropriate Government or its authorised agency or on complaint made by the impersonated individual or person authorised by him in this behalf.
- (v) That in case of failure to follow diligence as provided in the IT Rules, 2021, by intermediaries, they shall lose their safe harbour protection under section 79 of the IT Act and shall be liable for consequential action as provided in IT Act, 2000, IT Rules, 2021, Indian Penal Code, 1860 and other applicable laws, as per the rule 7 of the IT Rules, 2021.

Government has also established Grievance Appellate Committees under the IT Rules, 2021 to allow users and victims to appeal online on [www.gac.gov.in](http://www.gac.gov.in) against decisions taken by the Grievance Officers of intermediaries in case they are dissatisfied with the decision of the Grievance Officer. In addition, the Ministry of Home Affairs operates a National Cyber Crime Reporting Portal ([www.cybercrime.gov.in](http://www.cybercrime.gov.in)) to enable citizens to report complaints pertaining to all types of cybercrimes, and also operates a toll-free helpline (1930).

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