

**GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA**

UNSTARRED QUESTION NO:2372
ANSWERED ON:28.03.2012
PROSECUTION OF NETWORKING WEBSITES
Bhagora Shri Tarachand

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

- (a) whether the Government has given sanction for prosecution of networking sites i.e. Google and Facebook;
- (b) if so, the details thereof;
- (c) whether these websites have raised their objection to the move of the Government; and
- (d) if so, the reaction of the Government thereto?

Answer

MINISTER OF STATE FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY

(SHRI SACHIN PILOT)

(a) and (b): In a criminal case no. 136/1 of 2011- Vinay Rai vs. Facebook, Hon'ble Metropolitan Magistrate, Patiala House Court in his order dated 23.12.2012 has directed that:

“I find prima facie that the accused persons are liable to be summoned for offences u/s J53-A, 153-B and 295-A IPC. However, owing to the embargo under section 196 Cr. PC which prohibits taking of cognizance under the said provisions except with previous sanction of the Central Government or State Government or District Magistrate, the accused persons are not summoned for the said offences. AH the accused persons however, be summoned for facing trial u/s 292, 293 and 120-B IPC on PF for J3.0J.20J2”.

On request of the plaintiff, Government has accorded sanction under section 196 of Cr. PC to proceed against the accused persons in national harmony, integration and national interest.

- (c): Regarding the sanction, Government has not received any objection from these websites,
- (d): Does not arise.