

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

UNSTARRED QUESTION NO:528

ANSWERED ON:27.02.2013

FREEDOM OF SPEECH IN IT

Annayyagari Shri Sai Prathap;Natarajan Shri P.R.

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

- (a) whether the Right to Freedom of Speech which was guaranteed under Article 19(1) of the Constitution is safeguard in the Information Technology Rules-2011;
- (b) if so, the details thereof and the action taken by the Government to resolve the issue arising out of the restrictions by section 66A of IT rules;
- (c) whether grievances have been received by the Union Government regarding prohibition of the contents to reproduce on the Internet Media which have been published in the newspaper; and
- (d) if so, the reasons therefor and reaction of the Government thereon?

Answer

MINISTER OF STATE FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI M1LIND DEORA)

(a) and (b) : The provisions of the Information Technology Act, 2000 protect the democratic processes and freedom of speech and expression as well as citizen's rights as enshrined in the Constitution of India. The provisions are also based on the international best practices and similar provisions in the legislation of other countries.

The new medium of Internet and social media are expanding and the balance required between rights and obligations of different stakeholders is going to resolve over a period of time. In such a technology advancement arena, there could be a need for consultation on the emerging issues, time and again, to refine understanding on such issues.

The Government has held discussions with stakeholders including the Industry Associations, intermediaries and users to address the issue of proper implementation of the provisions of the Act. It has been agreed to provide necessary guidelines to prevent misinterpretation of the provisions of the Act and to minimize the unintended consequences. Government has issued an Advisory to all the State Governments and Union Territories to ensure citizen's right to freedom of speech and expression and proper implementation of provisions of section 66A of the Information Technology Act, 2000.

(c): No, Sir.

(d) : Does not arise.