

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

UNSTARRED QUESTION NO:6751

ANSWERED ON:08.05.2013

OBSCENITY AND PORNOGRAPHY ON NETWORKING SITES

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

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- (a) whether computer or cyber crimes are continuously increasing in the country;
- (b) if so, whether the Government proposes to amend the relevant laws and make provisions in IPC and CrPC in this regard;
- (c) if so, the details thereof;
- (d) whether the obscene, pornography materials and communally provocative substances are being uploaded on the internet;
- (e) if so, whether the Government proposes to ban said pornography and other sites and amend the Information Technology Act to incorporate stringent punishment for the same; and
- (f) if so, the details thereof?

Answer

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

(a): With the increase in the proliferation of Information Technology and related services there is a rise in number of computer/cyber crimes. The trend in increase in cyber incidents is similar to that worldwide.

(b) and (c): The Information Technology Act 2000 has already been amended by the Information Technology (Amendment) Act, 2008 w.e.f. 27.10.2009. The amendment includes the related provisions of Indian Penal Code and Indian Evidence Act. The Act is a comprehensive law at par with established cyber laws in developed countries and addresses the prevalent cyber crimes.

(d): Internet infrastructure/service may be used for hosting variety of applications and content of any nature by anybody from anywhere in the world. Several groups often assume false identities to post such content on the Internet. The technology is, therefore, used for variety of purposes, which may be liked by one section of society and not liked by other sections of society. Obscene, pornographic and communally provocative are such nature of content that are targeting global audience across many countries. Such content can be accessed on the Internet by all sections of users. Most of such content is hosted outside India.

(e) and (f): Internet by its very nature is borderless, virtual and anonymous. The pornographic and objectionable content can be hosted and rehosted on different URLs. The virtualness and anonymity of Internet, makes it technologically very difficult to stop uploading of such content. Nevertheless, the Information Technology Act 2000 together with the Indian Penal Code 1860, provides legal framework for countering pornographic content including child pornography. Sections 67, 67A and 67B of the Information Technology Act provide for stringent punishment and fine for publishing or transmission of pornography in electronic form as well as hosting on website any information which is lascivious, or contains sexually explicit act or conduct, or depicts children engaged in sexually explicit act.