

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

STARRED QUESTION NO:92
ANSWERED ON:11.12.2013
OBJECTIONABLE CONTENTS
Das Shri Ram Sundar;Karwariya Shri Kapil Muni

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

- (a) whether the Government has directed any social networking / media sites to remove certain objectionable contents, from their websites;
- (b) if so, the details thereof including the number of such requests made to these sites during each of the last three years and the current year and their response thereto along with the details of web pages blocked by the Government recently and the reasons therefor;
- (c) the number of individuals booked in the country under section 66-A of the Information Technology Act during each of the last three years and the current year along with the reasons therefor;
- (d) whether there is any monitoring mechanism in place to regulate the contents posted in social networking sites; and
- (e) if so, the details thereof and if not, the steps taken by the Government to check the posting of objectionable contents on such sites?

Answer

MINISTER FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI KAPIL SIBAL)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 92 FOR 11.12.2013 REGARDING OBJECTIONABLE CONTENTS

(a) and (b): Section 69A of the Information Technology Act 2000 empowers Government to block any information generated, transmitted, received, stored or hosted in any Computer Resource in the interest of Sovereignty and Integrity of India, defence of India, security of the State, friendly relations with foreign States or public order or for preventing incitement to the Commission of any cognizable offence relating to above. Provisions of Section 69A of the Information Technology Act 2000 have been invoked during the calendar year 2012 and 2013. A total of 362 Uniform Resource Locators (URLs) were blocked in the year 2012. out of which 312 URLs were blocked in a single instance at the time of exodus of North East people from different parts of the country. A total of 62 URLs have been blocked so far during the current year. The Web pages were hosting objectionable information and had the potential to disturb the public order in the country and blocked for access to Public in the country on the request of Law Enforcement Agencies. Further Social Networking sites were requested to block 8, 21, 352. 1208 URLs during 2010, 2011, 2012 and 2013 respectively to comply with the Court orders. Besides, Indian Computer Emergency Response Team (CERT-In) gets requests for blocking of objectionable content from individuals and organisations, which merely forwards those requests to the Social Networking Sites for appropriate action. The Rule 16 of the Information Technology (Procedure and Safeguards for access of Information by public) Rules, 2009 requires strict confidentiality to be maintained regarding all such requests and complaints received and action taken thereof.

(c): National Crime Record Bureau (NCRB) does not maintain crime data / information relating to Section 66A of the Information Technology Act. Further, Police and Public Order are State subjects under the Constitution and as such the State Governments and Union Territory Administrations are primarily responsible for prevention, detection, registration and investigation of crime including Cyber Crime and for prosecuting the criminals through Law Enforcement machinery within their jurisdictions.

(d) and (e): There is no institutional monitoring mechanism for monitoring social networking sites. At present, Law Enforcement and Intelligence / Security Agencies make searches on the Internet on specific case-to-case basis.

Further, the Information Technology (Intermediary Guidelines) Rules 2011 under Section 79 of the Information Technology Act requires that the Intermediaries shall observe due diligence while discharging their duties and shall inform the users of Computer resources not to host, display, upload, modify, publish, transmit, update or share any information that is harmful, objectionable, affect minors and unlawful in any way. The said rules also require the intermediaries to appoint Grievance Officers to address the grievances received from users and affected individuals / organizations as and when received by them.