GOVERNMENT OF INDIA
COMMUNICATIONS AND INFORMATION TECHNOLOGY
LOK SABHA

STARRED QUESTION NO:371
ANSWERED ON:04.08.2014
MISUSE OF INTERNET CYBER CAFE
Muddahanumegowda Shri S.P.;Panda Shri Baijayant "Jay"

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

(a) whether rampant misuse of Cyber Cafes to commit cyber offences including uploading of obscene pictures, surfing on indecent websites such as child pornography and instigating anti-Indian feelings among youths etc. has come to the notice of the Government;

(b) if so, the details thereof including the number of such cases reported during the last three years and the current year and the action taken against the cyber cafÃ© operators;

(c) whether the Government proposes to regulate the functioning of Cyber Cafes to check misuse and if so, the details thereof; and

(d) the further corrective steps taken / being taken by the Government to address the issue?

Answer

MINISTER FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

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

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.371 FOR 04.08.2014 REGARDING MISUSE OF INTERNET CYBER CAFÃ‰

(a) and (b): The Cyber Crimes of different nature relating to Internet services including uploading of obscene pictures, surfing of Child Pornography and instigating anti-Indian feelings among youths, are dealt with by State Police. As per the data maintained by National Crime Records Bureau (NCRB), 496, 589 and 1203 cyber crime cases relating to obscene publication /transmission in electronic form under Section 67 of the Information Technology Act 2000 have been registered during the years 2011,2012 and 2013 respectively. Data specific to Cyber CafÃ© operators is not maintained by NCRB. However, the Government, as and when reported by the Law Enforcement Agencies, takes steps to block the objectionable content from Public access in the country on the Internet.

The Cyber Space is virtual, borderless and unanimous. These unique characteristics facilitate anyone to post any information and access the same from anywhere, hiding his / her own identity and originality. The techniques for posting and accessing the information on the web has become further complex with the use of sophisticated techniques called TOR (The Onion Routing). The later techniques make it extremely difficult to trace the origin of posting of information and the system used for access. The Perpetrators and Adversaries are now commonly using such techniques to post objectionable content on the websites and thus avoid detection.

Further, the use of Cyber Cafes for posting and accessing objectionable pictures and instigating anti − Indian feelings among youth is generally avoided by the users for the fear of being detected as the usage of Cyber Cafes by any user is recorded and maintained.

(c) and (d): The Government do not regulate the functioning of Cyber Cafes. However, the Government as part of Sub-Section 2(C) of Section 79 of the Information Technology Act 2000 has prescribed (Information Technology Guidelines for Cyber Cafes) Rules, 2011 regarding due diligence to be observed by Intermediaries including Cyber Cafes while discharging their duties under the Act. As per the Guidelines, the Cyber Cafes are to be registered with registering Agencies appointed by the respective State Governments. Further, Cyber Cafes have to adhere to the Rules of keeping the Know Your Customer (KYC) of the users visiting the Cyber Cafes and the logs of the activities and the usage of Computer Resources by the users for a period of one year. The Rules also specify that all the Computers in the Cyber Cafes may be equipped with commercially available safety or filtering software so as to avoid access to the websites relating to pornography including child pornography or obscene information. Cyber Cafes are also required to take sufficient precautions to ensure that their computer resources are not utilized for any illegal activity. Cyber Cafes have been repeatedly advised to follow the above guidelines to prevent the misuse of resources in the Cyber Cafes and identify such persons who misuse the Cyber Cafes. The Government has been working with Industry Associations including Cyber Cafes Association and organize Workshops periodically to create and spread awareness among the user about the possible misuse of the Cyber Cafes' facilities for up-loading any objectionable content, the Cyber Security breaches and the precaution's the users need to take for protection of their personal information while accessing Internet from Cyber Cafe.