

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

UNSTARRED QUESTION NO:2761

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Regulation of Social Media

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

- (a) the details of existing monitoring mechanism and laws to regulate/monitor the social media sites;
- (b) whether the Government proposes to bring in new mechanism/laws to regulate the social media;
- (c) if so, the details thereof
- (d) whether these social media networking sites pay any kind of taxes to the Government of India; and
- (e) if so, the details of taxes paid by them including Facebook during the last three years and the current year?

Answer

(a): Government does not regulate content appearing on social networking sites. At present, Law Enforcement and Intelligence / Security Agencies make searches on the Internet on specific case-to-case basis. Electronic Media Monitoring Centre (EMMC) within the National Media Centre in Ministry of Information and Broadcasting tracks current trends on social media and monitors Public Interface on the social media network.

The Information Technology (Intermediary Guidelines) Rules 2011 under Section 79 of the Information Technology (IT) Act, 2000 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.

Further, Government takes action under Section 69A of IT Act, 2000 for blocking of websites / Specific Web pages with objectionable contents, whenever requests are received from designated nodal officers or upon Court orders. Section 69A of the IT Act 2000 empowers Government to block any information generated, transmitted, received, stored or hosted in any Computer Resource in the interest of i) Sovereignty and Integrity of India, ii) defence of India, iii) security of the State, iv) friendly relations with foreign States or v) public order or vi) for preventing incitement to the commission of any cognizable offence relating to above.

(b) and (c): The IT Act, 2000, provides legal framework to address various types of prevalent cyber crimes. Presently, there is no proposal with the Government to amend the IT Act, 2000. However, an Expert Committee under the Chairmanship of Shri T.K. Vishwanathan, former Secretary, Law (Retd.) has been set up by Ministry of Home Affairs to study and examine the existing domestic cyber laws and International Cyber legislations and recommend a road map with measures and amendments to the present laws for consideration of the Government.

(d) and (e): Social media networking sites need to comply with the requirement of prevailing laws in the country including laws related to finance and taxes.
