



Ministry of Electronics & IT



Objective of Amendment in Information Technology Rules

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The Government's objective is to ensure an Open, Safe, Trusted and Accountable Internet for *Digital Nagrik* or citizens.

With the expansion of the Internet and more and more Indians coming online, the possibility that *Digital Nagrik* or citizens being exposed to user harms, disinformation and criminality has also increased. As the digital eco-system and connected Internet users in India expand, so do the challenges and problems faced by them, as well as some of the infirmities and gaps that exist in the previous rule vis-a-vis Big Tech platform, the Central Government, in exercise of powers conferred by the Information Technology Act, 2000, has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2022.

These rules cast specific obligation on intermediaries vis-à-vis what kind of information is to be hosted, displayed, uploaded, published, transmitted, stored or shared. Intermediaries are also required to remove any content violative of any law for the time being in force as and when brought to their knowledge either through a court order or through a notice by appropriate government or its authorised agency. Further, the amended rules also provide for the establishment of Grievance Appellate Committee(s) to allow users to appeal against the inaction of or decisions taken by Grievance Officers of intermediaries on user complaints. In case of failure to follow diligence as provided in the said rules, by intermediaries, they shall lose their exemption from liability under section 79 of the IT Act and shall be liable for consequential action as provided in such law.

The criticisms of this nature, if any, are unfounded and incorrect as the Supreme Court of India, itself, observed that fundamental rights are not absolute rights and they are subject to reasonable restrictions.

Government's rule making policy aims at ensuring the constitutionally guaranteed right accorded to our citizen. Following that objective, the amended rules also have made it explicit for the intermediary, including social media intermediaries, to respect the rights accorded to the citizens of India under the Constitution.

This information was given by the Minister of State for Electronics and Information Technology, Shri Rajeev Chandrasekhar in a written reply to a question in Rajya Sabha today.

RKJ/M



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