



Information Technology Act's Section 69A

For Prelims: Right to Free Speech, Cyber Crime

For Mains: Information Technology Act's Section 69A and Intermediaries

Why in News?

Ministry of Electronics & Information Technology (MeitY) issued orders under **Section 69 (A) of the Information Technology Act, 2000** to take down certain posts from [Twitter \(Microblogging Site\)](#).

- Twitter has moved to Karnataka High Court, claiming that many of the blocking orders are procedurally and substantively deficient under Section 69 (A) of the Act.

What is the Current Issue?

- The Ministry said under Section 69 (A) of the IT Act, the company has “failed to comply with the directions on multiple occasions”.
- Twitter submitted a list of over 80 accounts and tweets that it had blocked based on a request from the government in 2021.
- Twitter claims that **the basis on which multiple accounts and posts have been flagged** by the Ministry are **either “overbroad and arbitrary” or “disproportionate”**.
- According to Twitter, some of the content flagged by the ministry **may pertain to official accounts of political parties, blocking which could be violative of the [Right to Free Speech](#)**.

What is Section 69 (A) of the Information Technology Act?

- **About:**
 - It **confers on the Central and State governments the power to issue directions** “to intercept, monitor or decrypt any information generated, transmitted, received or stored in any computer resource”.
 - The **grounds on which these powers may be exercised are:**
 - In the interest of the sovereignty or integrity of India, defence of India, the security of the state.
 - Friendly relations with foreign states.
 - Public order, or for preventing incitement to the commission of any cognizable offence relating to these.
 - For investigating any offence.
- **Process of Blocking Internet Websites:**
 - Section 69A, for similar reasons and grounds (as stated above), **enables the Centre to ask any agency of the government, or any intermediary, to block access** to the public of any information generated, transmitted, received or stored or hosted on any computer resource.
 - The term **‘intermediaries’ includes providers of telecom service, network service, Internet service and web hosting, besides search engines, online**

- payment and auction sites, online marketplaces and cyber cafes.
- Any such request for blocking access **must be based on reasons given in writing.**

What are the other Related Laws?

- In India, the [Information Technology \(IT\) Act, 2000](#), as amended from time to time, governs all activities related to the use of computer resources.
- It **covers all 'intermediaries' who play a role in the use of computer resources** and electronic records.
- The role of the intermediaries has been spelt out in separate rules framed for the purpose in 2011- **The Information Technology (Intermediaries Guidelines) Rules, 2011.**

What is the Reason for Intermediaries to Show Compliance to IT Act?

- **International Requirement:**
 - Most nations have framed laws mandating cooperation by Internet service providers or web hosting service providers and other intermediaries to cooperate with law-and-order authorities in certain circumstances.
- **To Fight Cybercrime:**
 - Cooperation between technology services companies and law enforcement agencies is now deemed a vital part of **fighting [cybercrime](#)** and various other crimes that are committed using computer resources.
 - These cover hacking, digital impersonation and theft of data.
- **To Prevent Misuse of Internet:**
 - The potential of the misuse has led to law enforcement officials constantly seeking to curb the ill-effects of using the medium.

[Source: IE](#)

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