

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY
RAJYA SABHA
UNSTARRED QUESTION NO. 538
TO BE ANSWERED ON : 29.11.2024

INITIATIVES TO COUNTER DEEPMFAKE TECHNOLOGY

538. SHRI IRANNA KADADI:

Will the Minister of Electronics and Information Technology be pleased to state:

- (a) the current measures and initiatives taken by Government to counter deepfake technology in the country; and
- (b) the legislative or regulatory frameworks that are being considered to address the spread and misuse of deepfake technology?

ANSWER

MINISTER OF STATE FOR ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI JITIN PRASADA)

(a) to (b): The Information Technology Act, 2000 (“IT Act”) and the rules made there under along with their regular amendments have created a legal framework designed to protect the internet from unlawful activities to ensure safety and trust among the users. Such steps notably include the notification of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 ('IT Rules, 2021') on 25.02.2021 which was subsequently amended on 28.10.2022 and 6.4.2023.

The IT Act provides for punishment various offences considered as cybercrimes such as identity theft (section 66C), cheating by personation (section 66D), violation of privacy (section 66E), publishing/transmitting material that is obscene/ containing sexually explicit act, etc. (sections 67, 67A), depicting children in sexually explicit act/transmitting/ browsing child sexual abuse material (section 67B), non-compliance with the Central Government's direction for blocking for access of information by public (section 69A), cyber terrorism (section 66F), etc. It may be noted that the IT Act and the rules made thereunder do not distinguish between any information that is generated using Artificial Intelligence (“AI”) tools or any other technology and those which are generated by users themselves for the purpose of defining offences

The IT Rules, 2021 cast specific legal obligations on intermediaries, including social media intermediaries and platforms, to ensure their accountability towards safe & trusted Internet including their expeditious action towards removal of the unlawful information categorised under the IT Rules, 2021 or on the basis of grievances received against any information that, among other things, deceives or misleads the addressee about the origin of the message or knowingly and intentionally communicates any misinformation or information which is patently false and untrue or misleading in nature. Deepfakes are another form of misinformation powered by Artificial Intelligence.

Where any information falls within the categories prohibited under this Rule, any user may make a request to the Grievance Officer of the concerned intermediary on whose platform such unlawful information is made available to the public. Upon receipt of such request, the intermediary is required to act expeditiously within the timelines prescribed under IT Rules, 2021.

Also, under the IT Rules, the Government has established Grievance Appellate Committees to allow users and victims to appeal online on www.gac.gov.in against decisions taken by the Grievance Officers of intermediaries in case they are dissatisfied with the decision of the Grievance Officer.

MeitY has also issued advisories from time to time to intermediaries/platforms for ensuring compliance on using Artificial Intelligence foundational model(s) /Large Language Model (LLM)/Generative AI (Artificial Intelligence), software(s) or algorithm(s). These advisories were issued under the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.
