



## 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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