

Prudent and Clear Exercise of Powers with Clarity under Sections 69A and 79(3)(b) Essential for Effective Implementation of IT Act : Shri S Krishnan Secretary, MeitY

Notices issued to Intermediaries under 79(3)(b) must be standardized & include essential elements like relevant legal provisions, clarity & consistency to help Curb Unlawful Information

MeitY Organises Workshop on “Management of Information on Intermediary Platforms” to Streamline Notices to Intermediaries.

Workshop Brings Together Experts to Standardise Notice Formats, Ensure Clarity, Consistency and Effective Implementation Across Government

Posted On: 07 OCT 2025 6:58PM by PIB Delhi

With the rapid growth of digital platforms, there has been a surge in unlawful information on IT intermediaries and social media platforms, violating various legal provisions. To curb this unlawful information, Section 79(3)(b) of the IT Act, 2000 read along with Rule 3(1)(d) of the IT Rules 2021 empowers the concerned Ministries, Departments, and State/UT to send notices to IT intermediaries to remove or disable the access of such information.

In this context, the Ministry of Electronics and Information Technology (MeitY) organised a workshop on Management of Information on Intermediary Platforms on 7th October, 2025, at New Delhi. The workshop aimed to sensitise participants on key provisions of the IT Act, 2000, and IT Rules, 2021, particularly Sections 69A and 79(3)(b), and Rule 3(1)(d), and to promote a clear understanding of their application in ensuring responsible digital governance and effective content management.



Addressing the gathering, **Shri S. Krishnan, Secretary, Ministry of Electronics and Information Technology**, elaborated on the scope and intent of Sections 69A and 79(3)(b) of the IT Act. He explained that Section 69A empowers the Government, in its executive capacity, to block online content in cases where it threatens national security, public order or friendly relations with foreign States. Section 79, on the other hand, places intermediaries on notice regarding their obligations and potential liability in case of non-compliance, while final adjudication rests with the judiciary.

He also stressed upon the need for a suitable format; notices under Section 79(3)(b) containing directions/orders similar to Section 69A must be carefully avoided as the scope of both the provisions are entirely different. The language must be clear coupled with relevant legal provisions. He added that the appropriate Government or its agency, as custodians of power, must exercise the powers cautiously. In other words, the powers must be exercised in a prudent manner so that they withstand the judicial scrutiny and also balance the fundamental rights guaranteed under the Constitution of India.

In his welcome address, **Shri Ajit Kumar, Joint Secretary (Cyber Laws)**, highlighted the increasing challenges arising from fake news, misinformation, and the misuse of information technology. He noted that deficiencies in notices often lead to judicial challenges, underscoring the need for a comprehensive and standardised approach while drafting them.

The workshop also sought to bring about a consensus among Government Departments on adopting a standardised format for drafting qualitative notices, thereby ensuring greater clarity, consistency, and effectiveness in implementation.

The event brought together subject matter experts from Indian Crime Coordination Centre (I4C); Department of Legal Affairs (DoLA); Indian Army; MeitY and representatives from various Ministries and Government Departments. The Government called upon all stakeholders to follow standardised practices and include essential elements in notices to promote clarity, consistency, and effective implementation.

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(Release ID: 2175963)