



KAMARAJ IAS ACADEMY
Only IAS Academy by Grandson of "Perunthalaivar Kamarajar"

Toon Trouble

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Context

The order of the Ministry of Information and Broadcasting, directing the removal of a cartoon featuring the Prime Minister, Narendra Modi, from a Tamil magazine's website, is unwarranted and may not fall under any of the permissible grounds for such removal.

Vikatan Plus, an online-only magazine published by the Vikatan group, has decided to take legal steps to challenge the order.

It had earlier defended the content at a hearing before an inter-departmental committee constituted under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

Section 69A of the Information Technology (IT) Act, 2000

Section 69A of the Information Technology (IT) Act, 2000 **allows the government to block content from online intermediaries**

The government can issue content-blocking orders to online intermediaries like search engines, ISPs, and online marketplaces

The government **must provide reasons in writing** for blocking content and must issue a well-reasoned order

The government **must provide notice to both the intermediary and the originator** of the content being blocked

The grounds on which these powers may be exercised are:

1 In the interest of the **sovereignty or integrity** of India, defense of India, the security of the state.

2 **Friendly relations with foreign states.**

3 **Public order**, or for preventing incitement to the commission of any cognizable offence relating to these.

4 **For investigating any offence.**

Intermediaries under Section 69 of IT Act are

1 Telecom service providers

2 Internet service providers (ISPs)

3 Web hosting services

4 Search engines

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5Online marketplaces

6Online payment and auction sites

7Cyber cafes

Intermediaries who don't comply with the blocking order can be **imprisoned for up to seven years** and fined

Positives of Section 69A

Cooperation between technology services companies and law enforcement agencies is now deemed a vital part of **fightingcybercrime** and various other crimes that are committed using computer resources These cover **hacking, digital impersonation and theft of data.**

To **Prevent potential of the misuse of internet** which has led to law enforcement officials constantly seeking to curb the ill-effects of using the medium.

To maintain **public order** and friendly relations with foreign states.

Criticisms of Section 69A

Pre-censorship and Political censorship is being used as a political tool and it is against **Freedom of Speech & Expression**

Lack of transparency and clear guidelines

Government's **broad discretionary powers** in blocking websites raise concerns over **potential misuse.**

Lack of public acknowledgment since government doesn't publicly acknowledge blocking orders.