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calcutta, india



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Law tweak must to track content

PINAK GHOSH AND SHAOLI CHAKRABARTY



Pavan Duggal in Calcutta on Friday. A Telegraph picture

Calcutta, Dec. 9: The Information Technology Act of India needs a makeover to incorporate new provisions which will suggest ways to filter online content.

"The IT act of 2000 in its current form cannot address the issue of filtering online content that are objectionable. The policy was last amended in 2008, but since then there has been a lot of development in the cyber arena in India," said Pavan Duggal, a Supreme Court advocate and chairman of the cyber law committee, Assocham.

"With social networking growing by leaps and bounds in India, I firmly believe that time has come to make changes in the policy once again," Duggal told **The Telegraph** on the sidelines of Infocom 2011.

North Block has asked Internet companies such as Yahoo, Facebook and Microsoft to remove disparaging or defamatory content on their sites even before it goes online.

"The pre-filtering of data is humanly and technologically impossible. Crores of messages are generated on social networking sites from India alone and this would require an army to keep a check. Who will bear the cost?" Duggal said.

Duggal said while the government's ire on social networking companies was justified, data was often stored in servers located in different territorial boundaries where multiple jurisdiction became an issue. Also, no dedicated cloud computing law has been passed yet.

According to the IT Act, intermediaries such as Internet service providers should remove content that is found objectionable within 36 hours of being notified. Intermediaries are also required to warn users against posting or uploading a variety of unsuitable content in their user agreements and other rules and regulations.

Duggal said the real problem lay in the absence of clear specification in the act on what content was disparaging.

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