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By : Piyali Mandal (<http://www.sify.com/topics/piyali-mandal.html>)

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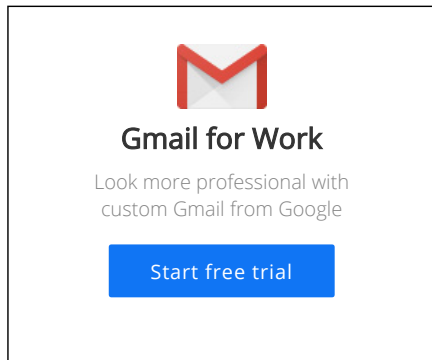
When Amlan Chakrovorty tried to open a file-sharing website he used to visit frequently, a 'page not found' error message flashed before him. The web page Chakrovorty was trying to access had been blocked. Blocking by the government is not uncommon in India. It has blocked 11 websites and received requests for blocking more. The recent remark by Delhi High Court that India can go the China way and block Google and Facebook if they do not remove objectionable content has got netizens worrying.

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There is no central online content monitoring agency in India. Action is taken when a government body or an association or an individual complains. The Amended Information Technology Act of 2008 has a provision that allows the government to block public access of information. Section 69 (A) of the IT Act states a site can be blocked "in the interest of sovereignty and integrity of India, security of the state, friendly relations with foreign states or public order for preventing incitement."

A court of law or a committee headed by the group coordinator (cyber law) - that takes a final call on the sites to be blocked - can direct the blocking of a site.

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When a request for blocking is received, it goes to the committee for examination. At present, the committee comprises of a designated officer (group coordinator, cyber law), joint secretary (Ministry of Home Affairs), joint secretary (Ministry of Information and Broadcasting), additional secretary (Ministry of Law and Justice) and senior director, Indian Computer Emergency Response Team. According to the power vested in him, the group coordinator, cyber law (a post held by Gulshan Rai) can direct any intermediary to block a website in India. Rai is also the director general

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According to cyber law expert Pavan Duggal, the decision to block a site rests with the group coordinator.

If national security is involved, the government can ask him to block. At present, an individual cannot request blocking of website through him.

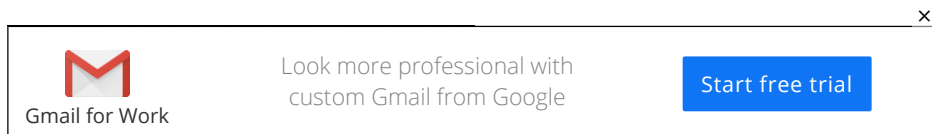
The individual has to approach the court to get a site blocked.

Ramesh K Vaidyanathan, partner in Advaya Legal, pointed the government has notified in the Information Technology (Intermediaries Guidelines) Rules, 2011 that an intermediary (a site) will have to disable objectionable content in 36 hours.



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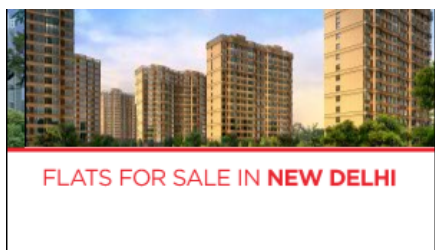
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