

Ministry of Electronics & IT



Government notifies amendments to Rule 3(1)(d) of the IT Rules, 2021 to enhance transparency, accountability and safeguards

New Framework Ensures Senior-Level Authorisation, Reasoned Intimations, and Periodic Review for Proportionate and Lawful Action

Amendments Reinforce Transparency, Proportionality and Accountability in the Removal of Unlawful Online Content by Intermediaries

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The Ministry of Electronics and Information Technology (MeitY) has notified the *Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2025* to amend the *Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021* (“**IT Rules, 2021**”). These amendments strengthen the framework of due diligence obligations of intermediaries under the Information Technology Act, 2000 (“**IT Act**”). Specifically, the amendments to **Rule 3(1)(d)** introduce additional safeguards to ensure that removal of unlawful content by intermediaries is carried out in a transparent, proportionate and accountable manner. The amended Rules will come into effect from **15th November, 2025**.

Background

The IT Rules, 2021 were originally notified on **25th February, 2021** and subsequently amended on **28th October, 2022** and **6th April, 2023**. They prescribe due diligence obligations on intermediaries, including social media intermediaries, with the objective of ensuring online safety, security and accountability.

Under Rule 3(1)(d), intermediaries are required to remove unlawful information upon receiving actual knowledge either through a court order or notification from the Appropriate Government.

The review undertaken by MeitY highlighted the need for additional safeguards to ensure **senior-level accountability, precise specification of unlawful content, and periodic review of government directions at higher level**.

Key Features of the Amendments

1. Senior-level Authorisation:

- Any intimation to intermediaries for removal of unlawful information can now only be issued by a senior officer **not below the rank of Joint Secretary, or equivalent, or, where such rank is not appointed, a Director or an officer equivalent in rank—and, where so authorised, acting through a single corresponding officer in its authorised agency, where such agency is so appointed.**
- In case of police authorities, only an officer **not below the rank of Deputy Inspector General of Police (DIG)**, specially authorised, can issue such intimation.

2. Reasoned Intimation with Specific Details:

- The intimation must clearly specify the **legal basis and statutory provision**, the **nature of the unlawful act**, and the **specific URL/identifier** or other electronic location of the information, data or communication link (“content”) to be removed.
- This replaces the earlier broad reference to ‘notifications’ with ‘reasoned intimation’ to align the Rules with the requirement of ‘actual knowledge’ as mandated under section 79(3)(b) of the IT Act, bringing clarity and precision.

3. Periodic Review Mechanism:

- All intimations issued under Rule 3(1)(d) will be subject to a **monthly review** by an officer not below the rank of Secretary of the Appropriate Government.
- This ensures that such actions remain **necessary, proportionate, and consistent with law.**

4. Balance of Rights and Responsibilities:

- The amendments strike a balance between the **constitutional rights of citizens** and the **legitimate regulatory powers of the State**, ensuring that enforcement actions are transparent and do not lead to arbitrary restrictions.

Expected Impact

- **Transparency & Accountability:** Clear guidelines on who can issue directions and how, with periodic review, ensures checks and balances.
- **Clarity for Intermediaries:** By mandating detailed and reasoned intimations, intermediaries will have better guidance to act in compliance with law.
- **Safeguards and Proportionality:** The reforms ensure proportionality and uphold the principles of natural justice while reinforcing lawful restrictions under the IT Act, 2000.

For details, please refer to the Gazette Notification and the consolidated IT Rules, 2021 as amended up to October 2025, available on <https://egazette.gov.in> : / the MeitY website: <https://www.meity.gov.in/>

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