



INFORMATION & COMMUNICATION  
TECHNOLOGIES AUTHORITY

## COMMUNIQUE

The ICT Authority wishes to draw the attention of the public to section 32(4) of the INFORMATION AND COMMUNICATION TECHNOLOGIES ACT 2001(ICT Act) which is reproduced below –

*(4) Any person who, otherwise than in the course of his duties, makes use of, or records, a message or any information relating to a message that comes to his knowledge, or to which he has access, by reason of his position as a licensee, or as an employee or agent of a licensee, shall commit an offence.*

The public is further informed that it is solely under the limited statutory exceptions provided under section 32(5) and (6) of the ICT Act and under other statutory exceptions provided under any other relevant enactment that a message may be intercepted, withheld or otherwise dealt with.

Furthermore, the ICT Authority wishes to draw the public's attention to section 46(1) (ga) and (ha) of the ICT Act which are reproduced below –

*(1) Any person who –*

*(ga) uses a telecommunication equipment, an information and communication service, a telecommunication service or information and communication technologies to send, transmit, transfer, post, publish, deliver, show or otherwise communicates by means of the telecommunication equipment a message which is obscene, indecent, offensive, abusive, threatening, menacing, false or misleading, which is likely to cause or causes harm to a person;*

*(ha) uses a telecommunication equipment, an information and communication service, a telecommunication service or information and communication technologies to impersonate, or by any other means impersonates, another person which is likely to cause or causes harm to that person,*

*shall commit an offence.*

The public is hereby reminded of its duty to act in strict compliance with the above provisions of the ICT Act failing which the severe sanction provided under the ICT Act, i.e. **penal servitude for a term not exceeding 10 years and to a fine not exceeding one million rupees** will be applicable in case of conviction following a breach of the ICT Act.

**19 October 2024**