



## Social Media Regulation in India

**For Prelims:** [Supreme Court of India](#), [Social media](#), [Information Technology Act, 2000](#), Section 69A of the IT Act, 2000, Section 79(1) of the IT Act, 2000, [Information Technology \(Intermediary Guidelines and Digital Media Ethics Code\) Rules, 2021](#), [LGBTQIA+](#)

**For Mains:** Regulation of Social Media in India, Impacts of Social Media on Different Sections of Society.

**Source:** [TOI](#)

### Why in News?

Recently, the [Supreme Court of India](#) has raised concerns about the growing misuse of [social media](#) to spread [misinformation](#) about ongoing court cases. The court believes this "fake news" interferes with judicial proceedings and needs to be addressed.

### How Social Media is Regulated in India?

- **[Information Technology Act, 2000 \(IT Act\)](#):** It is the principal law that by establishing a legal foundation for **electronic governance** and governs all areas of electronic communication, including social media
  - **[Section 69A of the IT Act, 2000](#)** empowers Government to block information from public access under specific conditions of
    - interest of sovereignty and integrity of India
    - defence of India
    - security of the State
    - friendly relations with foreign States
    - public order
    - for preventing incitement to the commission of any cognizable offense relating to above.
  - **[Section 79\(1\) of the IT Act, 2000](#)** grants intermediaries (like social media platforms) exemption from liability for **third-party information**, subject to certain conditions:
    - The intermediary's role is limited to providing access to a communication system through which third-party information is transmitted, hosted, or stored.
    - The intermediary does not initiate or control the transmission, recipient selection, or content modification.
  - However, some controversial sections like **[Section 66A \(dealing with online content\)](#)** were struck down by the Supreme Court due to concerns about freedom of speech in ***Shreya Singhal V/s Union of India Case***.
- **[Information Technology \(Intermediary Guidelines and Digital Media Ethics Code\) Rules, 2021](#):** The IT Rules (2021) mandate social media platforms to exercise greater diligence in content moderation, ensuring online safety by promptly removing inappropriate content.
  - Users must be educated about privacy policies, avoiding copyrighted material, defamatory content, or anything that threatens national security or friendly relations.
  - The **[2023 Amendment](#)** to these rules states that online intermediaries, including social

- media platforms like Facebook and internet service providers like Airtel, must prevent the spread of inaccurate information about the Indian government.
- They should also remove content flagged as false by **fact-checking units** to maintain legal protection from third-party content.
    - However, the implementation of amended provisions was recently halted by the Supreme Court.

## What are the Impacts of Social Media on Different Sections of Society?

- **Youth and Students:**
  - **Pros:** Access to information, educational resources, networking opportunities, and platforms for self-expression and activism.
  - **Cons:** Risk of **cyberbullying**, distraction from studies, mental health issues due to comparison and social pressure.
    - **Example:** Blue whale game.
- **Women:**
  - **Pros:** Social media provides a platform for women to voice their opinions, share experiences, and advocate for gender equality, women's rights, and social issues.
    - **Example:** Me Too movement
  - **Cons:** Perpetuates **unrealistic beauty ideals**, leading to body image issues, self-esteem issues, harassment leading to cyberbullying and mental health concerns.
- **LGBTQIA+:**
  - **Pros:** Social media empowers LGBTQIA individuals by providing **visibility, advocacy platforms, education**, and community networking.
  - **Cons:** However, it also exposes them to cyberbullying, privacy risks and stigmatisation.
- **Businesses and Entrepreneurs:**
  - **Pros:** Cost-effective marketing, customer engagement, brand promotion, and access to a global market.
  - **Cons:** Negative feedback and public relations crises can spread rapidly, competition from online platforms, dependence on algorithms for visibility.
- **Government and Politics:**
  - **Pros:** Enhanced communication with citizens, transparency, mobilization of support for policies and campaigns.
  - **Cons:** Spread of misinformation, polarisation, privacy concerns, potential for foreign interference in elections.
    - **Example:** Cambridge Analytica Scandal.
- **Judiciary:**
  - **Pros:** Social media can enhance transparency by providing real-time updates on court proceedings, judgments, and legal developments to the public.
  - **Cons:** Risk of misinterpretation or **distortion of legal information** shared on social platforms, potentially leading to misinformation.
- **Media and Journalism:**
  - **Pros:** Instant news dissemination, audience engagement, citizen journalism, and diverse perspectives.
  - **Cons:** Fake news and misinformation challenges, loss of traditional revenue models, **echo chambers affecting objectivity**.
- **Elderly and Less Tech-Savvy Individuals:**
  - **Pros:** Connectivity with family and friends, access to information and services.
  - **Cons:** Digital divide, susceptibility to online scams and misinformation, privacy concerns due to lack of technical knowledge.

## What Measures can be Taken to Improve Utility and Credibility of Social Media?

- **Algorithmic Transparency:** Requiring platforms to disclose and explain their algorithms' functioning to mitigate biases and improve content visibility.
  - Requiring platforms to publish regular transparency **reports on content moderation, data practices, and compliance** with regulatory standards to enhance accountability.

- **Digital Literacy Programs:** Implementing comprehensive digital literacy education to empower users in identifying and **combating misinformation and [online harassment](#)**.
- **AI Moderation Tools:** Developing advanced AI tools for content moderation to swiftly detect and remove harmful content while protecting freedom of expression.
- **Privacy-Enhancing Technologies:** Investing in technologies such as **end-to-end encryption and data anonymisation** to bolster user privacy and security.
- **Ethical Design Practices:** Encouraging ethical design practices that prioritise user well-being, mental health, and meaningful engagement over maximising user attention.
- **Rewarding Positive Content Creation:** Implementing mechanisms to incentivize users who create **informative, educational, or community-building content**.
  - India's **National Creators Award 2024** is a significant step in this direction.

**Drishti Mains Question:**

Discuss the challenges and prospects of regulating social media platforms in India, considering the balance between freedom of expression, privacy concerns, and the need for accountability.

**UPSC Civil Services Examination Previous Year Question:**

**Q.** What are social networking sites and what security implications do these sites present? **(2013)**

**Q.** Child cuddling is now being replaced by mobile phones. Discuss its impact on the socialization of children. **(2023)**

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