



## Wikipedia Content Moderation

**For Prelims:** Wikipedia & Content Moderation, IT Act 2000, IT Rules 2021, Section 69A

**For Mains:** Regulation of Content on Internet, Power of Government to Regulate Online Content

### Why in the News?

Recently, India summoned officials of Wikipedia, in response to a national cricketer's Wikipedia page being edited with misleading information.

- The Minister of State for Electronics and IT has expressed that no **intermediary operating in India can permit this type of misinformation**, as it violated the government's expectation of a safe and trusted internet.
- **Content Moderation** refers to the process of ensuring user-generated content upholds platform-specific guidelines and rules to establish the suitability of the content for publishing.

### What is Wikipedia?

- **About:**
  - Wikipedia is a **free Internet-based encyclopedia**, started in 2001, that **operates under an open-source management style**.
  - It is overseen by the nonprofit "**Wikimedia Foundation**".
  - It is maintained by a **community of volunteers** through open collaboration and a wiki-based editing system.
    - **Anyone can contribute** to their pool of knowledge by making edits to existing pages for updating or correction and can even add new pages.
- **Structure of Wikipedia:**
  - The architecture of Wikipedia is that of an **intermediary** i.e., **it hosts content generated by its users**.
- **Responsibility for Content:**
  - Under the majority of laws regulating online content, **intermediaries are endowed with immunity** from the user generated content they host, provided they maintain **some due diligence over their platforms**.
  - **In previous challenges to the content on wikipedia**, it has been ruled that the **Wikimedia Foundation does not own the content**, and does not have the **legal responsibility for it**.
    - However, administrators or editors **have taken notice of the content concerns** arising out of the situation and have made suitable edits.
    - **Wikimedia** can also "contribute, monitor or delete content" for legal compliance.
      - Therefore, it is arguable that **since Wikimedia can exercise such power, it can be held responsible for illegal content being hosted on Wikipedia**.

### What can the Government do regarding Online Content?

- **Section 69A of IT Act 2000:**
  - **Section 69 (A) of the Information Technology Act** confers on the **Central and State governments** the power to issue directions **“to intercept, monitor or decrypt any information generated, transmitted, received or stored in any computer resource”**.
  - **Section 69A** enables the Centre to ask any **agency** of the government, or any **intermediary**, to **block access** to the public of any information generated, transmitted, received or stored or hosted on any computer resource.
    - **The term ‘intermediaries’ includes** providers of telecom service, network service, Internet service and web hosting, besides search engines, online payment and auction sites, online marketplaces and cyber cafes.
  - Any such request for blocking access **must be based on reasons given in writing**
    - In 2020, the government had asked the **Wikimedia Foundation to remove a map** from one of its pages that incorrectly showed **Aksai Chin to be a part of China**.
    - In that instance, the government had proposed the use of section 69A, IT Act, 2000 for violating the territorial integrity of India.
- **Section 79 of IT Act 2000:**
  - Under **Section 79 of Information Technology Act 2000**, intermediaries can claim the **“safe harbour”** of not being responsible for the content they host, **considering they abide by due diligence requirements under the Act and its Rules**.
- **IT Rules 2021:**
  - As per the **Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021**, there are certain categories of information that an intermediary **should not allow to be hosted or uploaded on its platform which includes:**
    - Information that is **“patently false and untrue, and is written or published in any form, with the intent to mislead or harass a person, entity or agency for financial gain or to cause any injury to any person”**.
  - **In the Context of Wikimedia Foundation:**
    - Although Wikimedia Foundation does not own the information hosted on Wikipedia, **once Wikimedia Foundation has “actual knowledge”** of such content being hosted on its platform, **it would be held responsible for the same according to Indian Law**.
      - **Actual Knowledge** means when an intermediary has been notified by either a court order or through an order of the appropriate agency demanding removal of the offending content.

## UPSC Civil Services Examination, Previous Year Questions (PYQs)

**Q. In India, it is legally mandatory for which of the following to report on cyber security incidents? (2017)**

1. Service providers
2. Data centres
3. Body corporate

**Select the correct answer using the code given below:**

- (a) 1 only
- (b) 1 and 2 only
- (c) 3 only
- (d) 1, 2 and 3

**Ans: (d)**

**Explanation:**

- According to section 70B of the Information Technology Act, 2000 (IT Act), the Union Government by notification should appoint an agency named Indian Computer Emergency Response Team (CERT-In) to serve as the national agency for incident response.
- The Union Government under section 70B of the IT Act, 2000 established and notified rules of CERT-In in 2014. According to Rule 12(1)(a), it is mandatory for service providers, intermediaries, data centers and corporate bodies to report cyber security incidences to CERT-In within a reasonable time of occurrence of the incident. **Hence, 1, 2 and 3 are correct.**
- **Therefore, option (d) is the correct answer.**

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