



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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