



Safe Harbour Provision for Social Media

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Recently, French police arrested (later released on conditional bail) Telegram CEO Pavel Durov near Paris, marking a significant shift in tech accountability.

- This action highlights growing scrutiny over tech executives regarding their platforms' role in illicit activities.
- **Charges Against Durov: Telegram is alleged to have enabled the distribution of content related to drug trafficking, child pornography, violent propaganda, and organised crime.**
 - Authorities accused Telegram of not cooperating with law enforcement efforts to **moderate and control objectionable content** on Telegram.
- **Safe Harbour Rules:** Social media platforms are not held legally liable for **user-generated content**, as long as they **act to remove or address flagged objectionable content**, thus supporting free speech and ensuring platforms are not responsible for preemptive content control.
 - **United States:** Safe harbour protection is provided under **Section 230** of the **Communications Decency Act**, which shields platforms from being held liable for user content.
 - **India:** Section **79** of the [Information Technology Act, 2000](#) offers similar protection.
 - [The Information Technology Rules, 2021](#), require social media companies with over **5 million users to appoint a chief compliance officer**, who can be held criminally liable for non-compliance with takedown requests or other regulations.

Read More: [Information Technology Act's Section 69A](#), [Digital Personal Data Protection Bill 2022](#), [New IT Rules 2021](#)

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