

IT MINISTRY NOTIFIES OFFICIALS TO HEAR SOCIAL MEDIA COMPLAINT APPEALS

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The Ministry of Electronics and Information Technology on Friday notified nine officials to act as members of the Grievance Appellate Committees set up by the Union government, to hear appeals by social media users. The committees, which were formulated under a 2022 amendment of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, will be able to pass orders to ask social media platforms to overrule moderation decisions. The decisions included taking down or restoring content upon complaints by users who will be able to escalate complaints to the bodies, if they are not satisfied with the outcome of a first appeal with the self-regulatory body of which the social media platforms are a part.

Three members have been appointed to each of the three committees. They are: the Chief Executive Officer of the Indian Cyber Crime Coordination Centre (I4C), retired IPS officer Ashutosh Shukla and former Chief General Manager and Chief Information Officer of Punjab National Bank; the Joint Secretary in charge of the Ministry of Information and Broadcasting's Policy and Administrative Division, retired Commodore Sunil Kumar Gupta and Kavindra Sharma, former Vice President (Consulting) of L&T Infotech Limited; and Kavita Bhatia, Scientist G in the IT Ministry, retired Indian Railway Traffic Service officer Sanjay Goel and former Managing Director and Chief Executive Officer of IDBI Intech Limited Krishnagiri Ragothamarao Murali Mohan.

The appointment of these committees allows the government to operationalise its anti-deplatforming provision under the IT Rules, a concept that has been struck down by the courts in the United States; an ongoing U.S. Supreme Court case may change the situation, however. As private platforms, social media companies have been given a wide berth to remove content and suspend users, something they have argued is needed to combat hate speech and safety on their sites. The IT Ministry, however, has said that they will have to respect users' constitutional right to free speech, which may soon result in platforms having to host speech that they would otherwise choose to punish.

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