

CONTROL AND DELETE: THE HINDU EDITORIAL ON GOVERNMENT APPELLATE PANELS FOR SOCIAL MEDIA

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The [Government's plan to set up a panel that can overturn content moderation decisions made by social media platforms](#) is problematic in many ways. The idea, which has been proposed as an amendment to the controversial [IT Rules, 2021](#), is to constitute one or more appellate committees which will have the final word on any content moderation issue facing a social media platform. The trigger for these Government-appointed committees to come to life will be, say, an appeal by a social media user who feels aggrieved by an order of the platform's grievance officer. "Government policies and rulemaking are committed to ensure an open, safe, and trusted and accountable Internet for its users. As Internet access continues to rapidly expand in India, new issues related to the above commitments also keep emerging," the draft reportedly says. It will be naive to think of such an aggrieved user as someone who has no axe to grind. With billions of users, social media is well and truly an influencing machine, and filled with influencers of all hues and shades. It is, therefore, important for democracy's sake that it is not taken over by any one influential player, even if it is the Government, with an agenda.

But this is exactly what the mechanism will help to serve — tighten the Government's grip on messaging on social media intermediaries, which not long ago served to disseminate alternative voices. Imagine how absurd it will be, for instance, if a Government-appointed committee sits to decide on an issue in which the aggrieved user is a Government entity or a ruling party member. How fair can that be? What makes it worse is in recent years, the Government has not covered itself with glory when dealing with dissent, in the real world and on social media. This will not only add another layer of complexity to the problematic IT rules that were introduced last year but also another lever of Government control. The IT rules were widely criticised, including by this newspaper as "deeply unsettling" for the kind of leverage that they give to the Government over digital channels, with troubling implications for freedom of expression and right to information. Ironically, they were launched by the then-Minister as a "soft-touch oversight mechanism". It should be noted that the last word has not been said on those rules, what with pending legal challenges to them. All this is not to say that social media platforms should not be regulated. Far from it. What should be clear after all these years is that a Government committee is not the right answer for many woes, let alone social media ones. And in this case, it comes with dangerous implications for free speech. It is best, therefore, that the proposal is dropped.

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