

RULES AND RULERS: THE HINDU EDITORIAL ON SOCIAL MEDIA CURBS

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It does seem that [most if not all global social media giants will miss complying](#) with the [new IT rules of intermediaries](#), which come into effect today. It would be unfortunate if this non-compliance were to trigger a further worsening of the already poor relationship between some social media players and the Government. The [new rules were introduced in February](#). Among other things, they require the bigger social media platforms, which the rules referred to as significant social media intermediaries, to adhere to a vastly tighter set of rules within three months, which ended on May 25. They require these platforms to appoint chief compliance officers, in order to make sure the rules are followed, nodal officers, to coordinate with law enforcement agencies, and grievance officers. Another rule requires messaging platforms such as WhatsApp to trace problematic messages to its originators, raising uneasy questions about how services that are end-to-end encrypted can adhere to this. There are indeed many problems with the new rules, not the least of which is the manner in which they were introduced without much public consultation. There has also been criticism about bringing in a plethora of new rules that ought to be normally triggered only via legislative action.

But non-compliance can only make things worse, especially in a situation in which the relationship between some platforms such as Twitter and the Government seems to have broken down. The latest stand-off between them, over Twitter tagging certain posts by BJP spokespeople as 'manipulated media', has even resulted in the Delhi Police visiting the company's offices. Separately, the Government has been fighting WhatsApp over its new privacy rules. Whatever the back-story, it is important that social media companies fight the new rules in a court of law if they find them to be problematic. The other option, that of engaging with the Government, may not work in these strained times. But stonewalling on the question of compliance can never be justified, even if it is to be assumed that the U.S. Government has their back. Facebook, on its part, has made all the right noises. It has said that it aims to comply with the new rules but also needs to engage with the Government on a few issues. What is important is that the genuine concerns of social media companies are taken on board. Apart from issues about the rules, there have been problems about creating conditions for compliance during the pandemic. [As reported by The Hindu](#), five industry bodies, including the CII, FICCI and the U.S.-India Business Council have sought an extension of 6-12 months for compliance. This is an opportunity for the Government to hear out the industry, and also shed its high-handed way of rule-making.

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