

A LIGHT TOUCH: THE HINDU EDITORIAL ON REGULATION OF DIGITAL MEDIA SPACE

Relevant for: Security Related Matters | Topic: Role of Media and Social Networking Sites in internal security challenges

The Government has, in recent days, twice signalled that more rules to tackle the problems of unlawful content and harm-causing disinformation in the digital media space are in the offing. On Monday, in an affidavit filed in the case involving Sudarshan TV, responding to the Supreme Court's call for suggestions to improve the self-regulatory mechanism for electronic media, the Centre said that the [regulation of web-based digital media is the need of the hour](#), instead. Without any checks, it told the Court, digital media can spread "venomous hatred", terror and violence. On the same day, the Minister of State for Electronics and IT Sanjay Dhotre said in a written reply to the Lok Sabha that his ministry is [working to amend the Information Technology \(Intermediaries Guidelines\) Rules, 2011](#), to make intermediaries more responsive and accountable. It is difficult to disagree with the view that the Internet is a space where finding truthful facts can be often challenging, and that polarising opinions, hate speech, and disinformation abound. Many lives have been lost to such disinformation-fuelled violence in India in recent years. But it is also difficult to agree with the view that more rules are an answer to an age-old problem, only, now amplified by technology-based platforms. That more regulation will solve this is a fanciful idea.

For one, the laws to tackle incendiary content and hate speech that fuels violence are already in place. What is seen lacking is a will to uniformly apply these rules, irrespective of political affiliations. The flip side is that the net is a place where there is a free sharing of information and ideas. So, the question worth asking is if it is possible to ever regulate the Internet without throttling it, like China has done. The fear that bringing more rules is a euphemism for censorship cannot be brushed away. These questions are all the more important because there has been a wave of investments in the digital news media space in recent years. A large number of these media sites and magazines pursue legitimate journalism initiatives, which not only have the proper mechanisms to deliver quality but also operate with a high degree of accountability. Attempts at making new rules for intermediaries such as Google and Facebook need to be well thought-out and measured. Earlier attempts at imposing a high degree of liability on them for content posted on their platforms have not survived legal scrutiny, with Section 79(1) of the IT Act, 2000, giving them some immunity in this regard. An intervention that is light and well considered is what will work.

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