

TREAD CAREFULLY: THE HINDU EDITORIAL ON THE POWER TO REMOVE ONLINE CONTENT

Relevant for: Security Related Matters | Topic: Basics of Cyber Security and related matters

The [Government's order asking YouTube to remove 45 videos](#) from 10 channels can be seen as a justified response to growing concern over the propagation of hate and communally sensitive material over the free video sharing website, but the frequent exercise of such a power is not without concerns. The Ministry of Information and Broadcasting (I&B) has asked for the removal of the content in these videos based on intelligence inputs and the ostensible reasons are not limited to dissemination of hate against religious communities. They also relate to issues the Government considers "sensitive": references to Kashmir, the Agnipath scheme, and what it says are false claims about the rights of religious minorities being taken away and dissemination of material portending civil war. If these claims are true, and if the content transgresses the boundaries of free speech or threatens public order and security, such take-down orders may be justified. However, the manner of their passing remains an unrevealed process, as it is not known if the originators of the content were given an opportunity to explain their stand before the blocking orders were issued. [Section 69A of the IT Act](#), which empowers the Government to block content, was upheld by the Supreme Court only after it noted that the rules provided procedural safeguards, including the need to issue notice to the originators or the intermediary, before a blocking order.

The latest order invokes the [Information Technology \(Intermediary Guidelines and Digital Media Ethics Code\) Rules, 2021](#). It has a procedure by which an inter-departmental committee considers complaints on content and makes recommendations. The Authorised Officer has to take the approval of the Secretary, I&B, before directing the publisher or intermediary to block the relevant content. There is an emergency provision under which the Secretary may order content blocking as an interim measure, and thereafter confirm it after getting the committee's views. All such blocking orders are meant to be examined by a review committee, which ought to meet once in two months, but it is not known whether the panel meets regularly. The Government, which discloses how many videos it has got removed, must also reveal the outcome of such reviews, if any. India ranks quite high in the list of countries that make regular requests for removal of online content. There is no doubt that offensive content, as hate speech, incitement to violence and child pornography — posing a challenge to the dignified use of online space — ought to be removed. However, the power to block online content must be used sparingly and with sensitivity towards key freedoms and due process.

[Our code of editorial values](#)

END

Downloaded from crackIAS.com

© Zuccess App by crackIAS.com