7. Information Technology (IT) Act

Prelims Syllabus: Policies

Mains Syllabus: GS-II Issues relating to development and management of Social Sector or Services relating to Health, Education, Human Resources.

Context:

- Recently, the Ministry of Electronics and Information Technology has finalised the amending the Information Technology (Intermediaries Guidelines) Rules, 2011.

About:

- It is to crack down on spread of fake news and rumours circulated on online platforms like WhatsApp, Facebook and other online platforms, the central government has proposed stringent changes under the draft of Section 79 of the Information Technology (IT) that govern online content. The proposed amendments in the draft of, Rule 3(9) is bound to force social media platforms like WhatsApp, Facebook and Twitter to remain vigilant and keep users on their toes before posting or sharing anything that is deemed as “unlawful information or content”.

- Its aim is to curbing fake news or rumours being spread on social media and check mob violence ahead.

New Rules of the Amendment:

- The changes will require online platforms to break end-to-end encryption in order to ascertain the origin of messages.

- The social media platforms to “deploy technology based automated tools or appropriate mechanisms, with appropriate controls, for proactively identifying or removing or disabling access to unlawful information or content”.

- According to the amendment, the platforms will need to comply with the central government “within 72 hours” of a query. There should be a ‘Nodal person of Contact for 24X7 coordination with law enforcement agencies and officers to ensure compliance.

- The platforms will be keeping a vigil on “unlawful activity” for a period of “180 days”.

Necessity for New Rules:

- The concerns over “rising incidents of violence and lynching in the country due to misuse of social media platforms”, there is need for online platforms “to ensure that its platform is not misused on a large scale to spread incorrect facts projected as news and designed to instigate people to commit crime”.

Criticisms:

- The proposed changes have once again, debate on whether the government is intruding into the privacy of individuals, evoking sharp response from opposition parties.
- Similarly, with the Section 66A of the IT Act that enabled authorities to arrest users for posting content which was termed as offensive. However, the Supreme Court on March 24, 2015, struck down the law.
- India has the second highest number of internet users in the world after China, an estimated 462.12 million. Among them, 258.27 million were likely to be social network users in the country in 2019. There is a need for stringent rulers to control the misuse of social media platforms.