

# New social media rules in 3 months, govt to SC

The court, in the last hearing, had asked the govt to come up with norms in 3 weeks

AASHISH ARYAN & NEHA ALAWADHI  
New Delhi, 21 October

The Centre has asked the Supreme Court (SC) for three months more to finalise rules on preventing misuse of social media profiles.

In an affidavit filed with the apex court on Monday, the ministry of electronics and information technology (MeitY) argued that though "technology has led to economic growth and societal development, on the other hand, there has been an exponential rise in hate speech, fake news, public order, anti-national activities, defamatory postings, and other unlawful activities using internet/social media platforms."

The affidavit also mentioned that the internet had emerged as a "potent tool to cause unimaginable disruption to the democratic polity". There have been several rounds of consultations on the issue. These rules have to be revised so as to effectively regulate social media companies "keeping in view the ever growing threats to individual rights and nation's integrity, sovereignty, and security."

The information technology (IT) ministry, the affidavit said, has so far had discussions with several other ministries, individuals, and other stakeholders. The updated draft containing suggestions received from various stakeholders is



## WHAT THE AFFIDAVIT SAYS

- A rise in hate speech, fake news, public order, anti-national activities, defamatory postings due to technology
- Internet emerged as a 'potent tool to cause unimaginable disruption to the democratic polity'
- The IT ministry has had talks with other ministries, stakeholders and the suggestions received from them are being deliberated upon

being currently deliberated on by the government.

A two-judge Bench of the SC, comprising Justices Deepak Gupta and Aniruddha Bose, had during the last hearing, said that government must, within three weeks, come up with the guidelines needed to curb the misuse of social media.

Observing that technology had taken a "dangerous turn", the Bench had said that social media firms expressing inability in tracing the origin of morphed photos, pornographic content, or terror messages was a serious concern which the government must look into.

There have been several public interest litigations (PILs) filed in the case, with the earliest being moved before the Madras High Court in July 2018. The petitioner, Antony Clement Rubin, had sought directions from the court to ask the government to make it mandatory

to link Aadhaar or any other government authorised identity (ID) proof for authentication of social media profiles. Other similar PILs sought that Facebook should seek some similar ID proof before allowing any person to open an account on its platform.

The MeitY had proposed changes to Section 79 of the Information Technology Act, 2000 and asked for public comments on the draft amendments that seek to regulate a set of companies that qualify as intermediaries.

The consultation was primarily aimed at the spread of fake news through companies like Facebook-owned WhatsApp. Among other things, the proposed amendments ask the intermediary to trace the origin of a fake message. This would mean platforms such as WhatsApp would have to weaken their encryp-

tion and undermine user privacy. The proposed changes also required an intermediary to provide access to the origin of a message within 72 hours of a government agency making a request for information.

WhatsApp has maintained that tracing the origin of messages would mean breaking end-to-end encryption on the platform, which is what makes WhatsApp a trusted source of communication.

"Encryption and backdoors can't go together. There is an argument that there are technical ways to give access to law enforcement agencies when they ask for it. But as long you have built a backdoor, it may lead to unauthorised surveillance and misuse of it by various government and private actors," said Sarvjeet Singh, executive director, Centre for Communication Governance at National Law University, Delhi.

## Aarey Metro car shed work can continue, says SC

The SC on Monday made it clear it was not going to stop the construction of a Metro car shed in Aarey Colony in Mumbai. The apex court, however, said its standing order to not cut any more trees would continue.

A two-judge Bench of Justices Arun Mishra and

Deepak Gupta also asked the Brihanmumbai Municipal Corporation (BMC) to submit a status report with pictures and details of the plantation, transplantation, and felling of trees in Aarey Colony. The matter will be next heard in November.

AASHISH ARYAN

### SALE OF CABLE MANUFACTURING UNIT, SHYAMNAGAR

SHYAMNAGAR Shyamnagar Cable Manufacturing Unit, West Bengal

[with freehold land of 15 acres]

Product profile: Power cables, special cables, irradiated rubber cables, EB cables

[Reserve Price: Rs. 37.75 crores]

\*All areas are approximates and are unmeasured, on the basis of records available.

All EOIs/bids subject to Invitation dated 21.10.2019.

Please visit [www.vinodkothari.com/nicco-liquidation](http://www.vinodkothari.com/nicco-liquidation) for details,

or drop e-mail to [niccoliquidation@gmail.com](mailto:niccoliquidation@gmail.com).

Last date for submission of EOI is 30.10.2019.

All communication to be addressed to [niccoliquidation@gmail.com](mailto:niccoliquidation@gmail.com)

Vinod Kumar Kothari, Liquidator

NICCO Corporation Limited - in Liquidation

Nicco House, 2, Hare Street, Kolkata-700001

R- 1006-1009, Krishna Building, 224 AJC Bose Road, Kolkata-700017

e-mail: [niccoliquidation@gmail.com](mailto:niccoliquidation@gmail.com)/[resolution@vinodkothari.com](mailto:resolution@vinodkothari.com)

Registration No.: IBBI/PA-002/IP-N00019/2016-17/10033

Date: 21.10.2019