

INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 9 | Issue 2

2026

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Contemporary Analysis of Digital Media Law and Ethics in India

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ABSTRACT

In this research paper the author will try to cover the Traditional and Digital media, its law and ethics. It will also emphasis on the emergence of new trend of media. As we know our society is going with very rapid pace in scientific and technological field, One of the most significant change is introduction of Artificial Intelligence (Ai) which is now being used in everything and its also affecting the media. Digital media has revolutionized public engagement, administration, and communication with the growth of internet-based platforms like social media, online news portals, and streaming services. The study examines the legislative framework that governs digital media, including the Information Technology Act of 2000, the Intermediary Guidelines and Digital Media Ethics Code Rules of 2021, and constitutional issues such as Article 19(1)(a). It also emphasizes how judicial interpretation shapes digital rights, especially in areas like the right to privacy and freedom of expression.

The article also discusses important ethical issues related to digital media, such as false information, hate speech, cyberbullying, and data privacy issues. It highlights the necessity for a balanced approach by critically examining the conflict between freedom and regulation, the study identifies gaps in India's regulatory framework and suggests possible reforms.

Keywords: Digital Media, Ethics, Law, Reforms, Traditional Media

I. INTRODUCTION

Sociologists or philosophers often use the term “dynamic” to refer to the society for having its constant nature of change, As we know, our society requires constant changes in our surroundings in accordance with the circumstances; therefore, many Our society constantly tries to evolve; it includes such things as evolution in social frameworks and structures, social values and norms, rules and regulations, etc. One of the most genial evolutions that has occurred since now in our society was the introduction of new media called “digital media.”

Journalists have a range of difficulties in the digital era that go beyond the constraints of

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traditional media, requiring the development of creative solutions while firmly upholding core values like objectivity, veracity, and relevance (Aguirre, 2021). The dedication to honesty and reliability in cross-media reporting is crucial to this environment, especially in light of the various ways that information is being disseminated (Abbas, 2023). According to research findings, informants have emphasized how urgently new legal and ethical norms must be established. This reflects an increasing understanding of the need for adaptability when traversing a variety of platforms and formats, which now include social media management, podcasts, video creation, and textual material. The necessity of maintaining conventional journalistic standards while adjusting to quickly changing media contexts is highlighted by the growing complexity of the journalism profession.

Now there has been a glaring change that has been witnessed by society; it has broadened the concept of media. This new media now incorporates internet publication and many search engines. This evolution upended the globe by its potential; due to this, our society gets impacted with greater scale; this impact can either be beneficial or harmful, depending upon the following circumstances. Digital media entails new content producers, creative content formats, and evolving media practices; it comprises social media, blogs, YouTube, online podcasts, and others. It causes several changes in society due to the advancement of technology in media; it enhances the mass audiences, reinforces the power of media among the citizens of the society, and started playing a significant role in every modern society (Lorimer, 1998: 64).

The new concept of change and understanding of media stated by Snjezana Milivojevic is that there were innumerable changes made on several levels, such as citizens can now participate in dialogue whose actions are not subjective to any organisational approval, and stated the following vital features of new media are: revolution, synchronisation, manoeuvring, and engagement. Convolution is a feature of new media; in this he refers to convolution as an essential process where each and every type of content and activity is conveyed at various online digital media platforms such as social media, blogs, YouTube, and online Synchronisation; he indicates a phenomenon in which data transfer from one place to another instantly; it generally refers to the process in which an individual thinks about the flow of communication. For instance, people decide when and where they should have to engage, communicate, participate, and connect. Manoeuvring; he described that in earlier days there were several restrictions imposed by traditional media with respect to individual's participation in public communication. But after the establishment of new media (digital media), it led to the creation of an atmosphere where individuals can voluntarily participate or engage in public forums and dialogue without any forms of restriction. John Keane calls this new digital change an extension

of technology that has the potential to be dispensed by the internet. Due to this new digital change, he called it a new form of democracy that emerges; he named it monitory democracy, in which he states that power relations change.

Now it has been witnessed that any citizen can easily participate in communication with public office holders. As of now, ever one of us had imagined that our society would progress to this extent of development and technological advancement. In earlier days, media had only limited form; it included things like televisions (TVs), radio, newspapers, and magazines; these were the only mediums for entertainment, gaining and collecting knowledge, or knowing what's happening around the globe. Moreover, as the paradigm shifts towards the digital world, there has been observation that approximately most of the things are transforming digitally, for instance, changes in lifestyle of individuals, which include communication style, working style, literacy style, and others.

II. UNDERSTANDING DIGITAL MEDIA

The concept of digital media can therefore be used to describe all the types of media involved in creating and delivering content through digital means like the internet. Unlike traditional media like newspapers, television, and radio, digital media requires an online presence and affords immediate interactions among the users. There have been great transformations in the field of communication through digital media as mentioned in the first part of this article, leading to more chances for communication.

A lot of different kinds of digital media are now available. Social media is a well-known type of digital media. It means using social networking sites like Facebook, Instagram, Twitter (X), and WhatsApp, which let people make their own profile pages and do a variety of things, such as share content and talk to other people. YouTube is another example of digital media because people can share videos on the site.

The integration of digital media into our lives has taken place in great leaps. In the current era, not only do we use digital media for communicating purposes but we even utilize it for education, entertainment, business activities, and even in politics. Through messaging apps and social media channels, one can connect with their family members. Digital media could be a useful tool that can be used by students as a source of education. They would learn through the various lectures being uploaded on YouTube and any other digital platforms. Moreover, many firms utilize digital media for promotion and marketing of their products.

Apart from that, there has been a significant surge in popularity of news websites as well amongst digital media. Various news agencies provide digital media packages through which

people get updated about all the current affairs around the clock. It is very easy to log on to any news portal such as The Hindu, NDTV, etc., at any point of time from any location. Moreover, Netflix, Amazon Prime Video, and Disney+ Hotstar, etc., have revolutionized the entire sector of entertainment. One can watch movies, TV shows and documentaries through digital platforms without even owning a TV.

There are numerous ways in which communication between people can take place through digital media. With conventional communication, communication becomes unidirectional in nature. Information comes from sources that include news media, while it is then relayed to consumers through mediums that include televisions and newspapers. Nonetheless, the emergence of digital media technology has seen tremendous innovation in the process of communication between users. Not only does digital media allow for information to be disseminated; it allows individuals to interact with the information in various ways.

Individuals are now able to contribute information through digital media technology. Individuals would not be able to do this prior to the creation of digital media technology. This was left in the hands of professionals such as journalists working for the media industry.

Such practice is known as citizen journalism, meaning that people act as journalists who speak up against certain issues. Indeed, as it was mentioned in the previous paragraph of this essay, digital media is considered a tool that helps citizens to perform communicative practices free from any organizational limitations; hence, democracy prevails.

One should mention that the process of exchanging information in digital media occurs rather quickly. Nowadays, there is the age of rapid information exchange. The person can convey information about some events all around the world within a few seconds. Undoubtedly, this feature of digital media leads to efficient communication but also brings some new challenges regarding the issue of spreading fake information.

In addition to this, digital media possesses a high degree of reachability. In contrast to the traditional media, which operates in accordance with geographical limitations, digital media allows the person to share information irrespective of geographical limitations. This means that information can easily spread among billions of people around the world.

Moreover, it has already been confirmed that digital media is an efficient tool of controlling public opinion. Among others, social networking sites represent one of the major components responsible for shaping attitudes towards certain political, economic, and social issues. In general, the discussed problems may occur within the digital realm leading to changes in attitudes and behavior. Overall, there is a tendency toward the increased use of digital media by

activists and politicians during election campaigns and other social activities.

It is crucial to be aware of the interactive nature of digital media. This means that all people have the opportunity to interact with different types of media such as films, images, memes, podcasts, etc. Consequently, people actively take part in the use of digital media.

However, it is vital to consider some problems related to the usage of digital media regardless of its benefits. Firstly, the lack of regulation and ethics in digital media results in various issues like the propagation of fake news, cyberbullying, violations of privacy, and public manipulation. It is crucial for everyone to understand what digital media is.

A. Historical Context of Media Ethics in India³

Factors Leading to Media Ethics in India

Some factors that have facilitated the formulation of media ethics in India can be pointed out. They can be explained in terms of history, legal and technological considerations. At the colonial era, the print media was considered to be the main tool of information dissemination. Laws such as Vernacular Press Act 1878 and Indian Press Act 1910 were established with an objective of controlling the Indian media.⁴

The Indian government took great concern in ensuring that its media was free and professional. This has been demonstrated clearly in Article 19(1)(a) of the constitution. As per the article, citizens of India have an absolute right to communicate freely via print media. Nonetheless, this right comes with some reservations in article 19(2). Factors such as decency, public order, morality, and national security are included.⁵

Press Council Act 1978 by the Indian government encouraged responsible journalism and led to the formation of the Press Council of India.

But then with the emergence of electronic media, new guidelines have been set concerning regulation. Hence, the Cable Television Networks (Regulation) Act, 1995 has been introduced to ensure proper regulation of content aired on television networks. Apart from this, regulation of content has also become important when it comes to dealing with ethical considerations in broadcast media.

Besides regulation, some notable judicial contributions have also been made concerning the

³ Aditya Negi & Akanksha, *Digital Media and Its Aspects*, 11 RECENT RESEARCHES IN SOCIAL SCIENCES & HUMANITIES 40 (2024).

⁴ Jhumur Ghosh, *ETHICS OF INDIAN NEWS MEDIA: ABERRATIONS AND FUTURE CHALLENGES*, 5 GLOBAL MEDIA JOURNAL (2014).

⁵ Rajkumar S. Adukia, *MEDIA LAWS OF INDIA*, ADUKIA & ASSOCIATES (2012), https://www.caaa.in/image/media_laws.pdf.

matter of media ethics. Various landmark decisions have been delivered by the Supreme Court of India and other High Courts that concern topics like freedom of press, contempt of court, right to privacy, and responsibility of journalist.

III. LEGAL ISSUES OF DIGITAL MEDIA IN INDIA

With the explosion of the sector of digital media platforms in the country, the need to have a proper legal framework governing the use of internet technology in communication becomes imminent. Given the increasing importance of internet in communications and governance, it assumes great significance in setting legal limits. Legal limits will be provided by the constitution as well as the statutes like the IT Act, 2000 and intermediary liability rules.

Introduction to the Constitution: Freedom of Speech and Expression⁶

Article 19(1)(a) of the Indian Constitution is an article in the constitution that provides the regulations to control the use of digital media. This article provides for the freedom of speech and expression to the Indian citizens. In accordance with the Indian Constitution, all the Indian citizens are free to express themselves, communicate, and air their views concerning different matters through various methods, including social networking sites, blogging, and other websites. Because of advancement in the area of digital media, it became easier for citizens to exercise their rights since they did not have to rely on traditional media channels before airing their opinions on different issues. The rights under article 19(1)(a) can however be subjected to some limitations that are provided in article 19(2) of the Indian Constitution. These include:

Sovereignty and integrity of India, Security of the state, Friendly relations with foreign states, Public order, Decency or morality, Contempt of court, Defamation, Incitement to an offense.⁷

These are very crucial in the contemporary society due to cases of hate speech, spreading of misinformation, or even making threats of violence, which can easily occur through the existing digital communication channels. This implies that, while digital communication channels have made it easy to express opinions, the use of the digital media should be done in a responsible manner.

Information Technology Act 2000 (IT Act) is the principal law on any activity that is conducted through the internet. It includes laws on computer misuse, data protection, cyber crimes, and regulation of information distribution via the internet.⁸

Section 66 B of Information Technology Act 2000 provides laws on computer misuse, such as

⁶ Indian Const. art. 19(1)(a)

⁷ Indian Const. art. 19(2)

⁸ Information Technology Act, 2000

hacking and unauthorized access to computer systems.

Section 67: States that no person shall send, publish or transmit any information through any medium of electronic communications that contains any material which is indecent or obscene, or any message whose content has an explicit sexual element.

Section 69A: Provides that the Central Government may issue directions to block any information from being published or transmitted which is detrimental to the integrity and sovereignty of the country. This section addresses issues related to blocking websites, applications, and digital contents.

Section 79: Deals with due diligence under circumstances where the intermediary does not participate in creating or modifying the content created by another person.

Judicial interpretation of Information Technology Act concerns the famous case of Shreya Singhal vs. Union of India,⁹ where the court struck down Section 66A of IT Act as unconstitutional.¹⁰

Intermediary Guidelines and Digital Media Ethics Code Rules, 2021¹¹- To counter the problems that may emerge owing to increased use of digital media, the Government of India has brought the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

(a) Due Diligence by the Intermediaries- There will be a need for the intermediaries to demonstrate their due diligence through: Warning the users about the presence of illegal content, Removal of the said illegal content after obtaining actual knowledge of it or after being instructed to do so by concerned authorities, Complying with all laws. If the intermediaries fail in one or more of the abovementioned aspects, there will be an automatic forfeiture of their immunity against liability under Section 79 of the IT Act.

(b) Mechanisms for Grievance Redressal- According to the rules, the following should be put in place as mechanisms for redressing grievances: Appointing a grievance officer for handling complaints from users, Acting quickly upon receipt of the complaints, taking steps to foster accountability.¹²

(c) Regulation of Significant Social Media Intermediaries- The significant social media

⁹ (2015) 5 SCC 1

¹⁰ Information Technology Act, 2000, § 66A

¹¹ The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

¹² Sumeet Guha & Dr. Shreya Matilal, *Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021- A Reassessment of The Contours and Limits*, 8 NUJS JOURNAL OF REGULATORY STUDIES, <https://www.nujs.edu/wp-content/uploads/2023/07/2-1.pdf>.

intermediaries like big social media sites must comply with the requirement to do the following activities: designation of Chief Compliance Officer; appointment of Nodal Contact Person in order to facilitate coordination of activities of that company with the police; determination of originator in case certain crimes take place. The process of originator identification was largely criticized because of the possible invasion of users' personal privacy.

(d) Code of Conduct for Digital News Agencies and OTT Platforms- There are also other important obligations that should be fulfilled as a result of adoption of these rules, namely, the development of the code of conduct for these agencies: digital news media; OTT platforms. Age-based rating of content and implementation of parental control mechanisms is required for OTT platforms, while digital news media should comply with similar requirements as regular media entities.

Government Regulation of Digital Content- The government regulation of digital media is conducted through statutory rights and executive actions. One of the most commonly used forms of regulation of digital media is based on the power to block access to the internet. It is achieved through the provisions of Section 69A of the Information Technology Act. When it comes to issues like national security, public order, or any other related issue, then it would be within the rights of the concerned authority to block websites and apps or any form of digital content.

Role of Intermediaries in Digital Media Regulation:¹³ Intermediaries are of utmost importance in the work of digital media because they provide all necessary infrastructure for producing, storing, and delivering user-generated content. Social networking sites, instant messengers, online video services, and search engines fall under the term intermediaries. According to the Information Technology Act, intermediaries are provided certain level of immunity regarding any possible liabilities for user-generated content. It is true that intermediaries only facilitate the activity of users and do not deliver any content themselves. At the same time, this immunity requires fulfilling certain obligations of due diligence. More specifically, intermediaries must adhere to:

- The deletion of illegal or offensive content,
- Development of community guidelines,

¹³ Anuj Singh Yadav & Dr. Shova Devi, *The Role of Intermediaries and Social Media Platforms in Curbing Deepfake Circulation: A Legal Analysis Under Indian IT Laws*, 8 INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES (2025), <https://ijlmh.com/paper/the-role-of-intermediaries-and-social-media-platforms-in-curbing-deepfake-circulation-a-legal-analysis-in-indian-it-laws/>.

- Application of filters using algorithms.

The increased influence wielded by intermediaries in the sphere of digital communication creates the need for addressing issues of accountability, impartiality, and effect on public debate.

New Challenges in Digital Media Regulation- Digital media regulation can be defined as an expanding sphere dealing with emerging challenges. Some of these are as follows: Misinformation and fake news, Freedom of expression against censorship of content, Internet monitoring and data collection associated with privacy violation, Shaping public opinions through algorithm, Jurisdiction issues stemming from the global presence of digital platforms. To put it differently, emergence of new trends in technology demonstrates importance of adapting laws that will protect people's freedom and responsibilities in digital media.

IV. ETHICAL ISSUES IN DIGITAL MEDIA

Emergence of digital media technologies has greatly changed communications as these technologies allow people to communicate rapidly and without effort. However, the emergence of digital media raises several ethical questions as it is extremely hard to regulate certain aspects of virtual reality. Whereas old media technologies require some permission before they broadcast their programs, digital media do not need any approval before they start broadcasting online. In this way, one may face different ethical problems like spreading fake news, hate speeches, violations of privacy, etc.

Firstly, the problem of fake news should be discussed in detail. Fake news might be regarded as information that is not accurate or false. In fact, it is easy to spread fake news online, as there is not much time for people to think whether it can hurt someone. Moreover, such news can easily provoke people to violent actions. In addition to that, the algorithm of digital media is designed to promote fake news as it attracts the attention of people.

Other ethical challenges created by digital media include hate speech and harassment. Digital media is widely used for the spread of abusive, discriminatory, and offensive messages towards people who belong to different religions, castes, genders, and races. Cyberbullying, trolling, and stalking are typical examples of harassment practices that can psychologically affect the victim.¹⁴ The main reason for such violations is that anonymity provided by digital media makes it easy for the perpetrator to escape prosecution since no one would be able to trace back the

¹⁴ K. B. Rudresh, *Ethical Issues in Social Medias*, 9 IJCRT - INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT) (2021), https://ijcrt.org/viewfull.php?&p_id=IJCRT2112610.

source. Such a violation affects both the victim and society in general.

Another type of ethical challenge that digital media faces includes invasion of privacy rights. Digital media collects vast amounts of personal data from its users. This personal data can consist of anything, from a user's browsing habits to his or her location. Moreover, digital media collects personal information about people. Most users are not aware of the amount of personal data that they share on digital media websites. It may lead to misappropriation of such personal information, including political campaign financing and identity theft.

Secondly, the advent of digital media has helped create false information. False information refers to the application of false headlines on articles, distortion of pictures and videos, and misrepresentation of facts to influence people's views concerning specific topics. In this regard, the development of deepfake technology is an example of a technological advancement which has presented tremendous challenges distinguishing the authenticity of information. The creation of false information has a detrimental effect on the reputation of media as well as its audience.

In this respect, it is essential to integrate ethics as a strategy for guiding the appropriate utilization of digital media. With reference to ethical communication, several aspects need to be considered; for example, truth, accuracy, and human dignity. Truth refers to the verification of information prior to dissemination while accuracy pertains to objective reporting of information. On the other hand, given the capability of digital media to reach many people, it is imperative to be ethical in their usage.

Among the issues raised by the contemporary age includes the issue of the right to freedom of expression versus responsible use of such right. Regarding the internet, everybody gets an opportunity to speak about anything that they want. Nonetheless, in the absence of any limits, there is always the possibility that the internet could be swamped with malicious expressions. In contrast, excessive control might endanger the citizens' right to self-expression. Therefore, what needs to be achieved is finding a balance between both.

Regarding the morality of using the internet, it should be noted that being a user of this medium, it is mandatory not only to be responsible but also accountable.

V. IMPORTANT COURT DECISIONS

Regulation of digital media in India is an outcome of many important landmark decisions made in various courts such as the Supreme Court and High Courts of India. With the rising number of users in online platforms, the courts become a key element in striking a balance between

constitutional guarantees of freedom of expression and necessities of regulation and accountability. Using its rulings, the Indian Judiciary found answers to what the rights guaranteed by the Constitution mean for digital media and what are the corresponding responsibilities of the State and intermediary.

In a very important judgment, the Supreme Court ruled that Section 66A of the Information Technology Act, which prohibits any transmission of any information which was either offensive or annoying, was unconstitutional. In doing so, the Supreme Court fixed an important benchmark for future by declaring that these provisions will lead to a chilling effect on the freedom of expression. Apart from being important as it clearly states that digital media is entitled to the same level of protection as all other forms of traditional media, the ruling is even more important as it states that any such restriction should follow the guidelines laid down in Art. 19(2).

Moreover, there has also been an establishment of digital rights through the Supreme Court judgement in the case of Justice K.S. Puttaswamy (Retd.) v. Union of India,¹⁵ wherein the Supreme Court decided that the right to privacy is a fundamental right under Article 21. As far as the aspect of digital media rights is concerned, this specific case has tremendous importance because of how it ensures the right of the individual to own their data/identity in digital media. In connection with the issue of digital rights at present, it is already clear that there is a trend of establishing laws regarding digital rights that will be used in the future.

As far as the part played by the internet with regards to freedom of speech and expression is concerned, this has been recognized by the Supreme Court of India in its decision concerning the case of Anuradha Bhasin v. Union of India¹⁶. In this particular case, the Supreme Court has ruled that the shutdown of the internet is not constitutional, because the right to freedom of speech and expression with regards to the use of the internet is a constitutional right.

Likewise, in another landmark case of Faheema Shirin v. State of Kerala,¹⁷ the High Court of Kerala has held that the provision of the internet facilities is crucial from the viewpoint of guaranteeing fundamental rights like education and privacy of the individual. With the increasing significance of the use of the internet, the Indian judiciary is adopting a wider interpretation of fundamental rights and making sure that fundamental rights are not violated without proper justification.

¹⁵ 2019 (1) SCC 1,

¹⁶ AIR ONLINE 2020 SC 17

¹⁷ AIR 2020 KERALA 35

There are numerous cases in which freedom of expression is considered a qualified right. One such example of it is the validity of the law relating to defamation decided by the Supreme Court of India in *Subramanian Swamy v. Union of India*¹⁸ (2016). In this case, it was held that the right to reputation is part of Article 21 of the Indian Constitution.

There are several instances wherein the courts have made further clarifications as to what are the responsibilities and duties of the intermediaries when it comes to the degree of control that they can exercise on the information that is made available through the Internet. According to the Supreme Court in *Google India Pvt. Ltd. v. Visaka Industries*¹⁹, despite the fact that intermediaries have limited liability, "any negligence on the part of such intermediaries not to delete any material which may be unlawful once they receive notice could result in the imposition of liability on them." In a similar case, in *MySpace Inc. v. Super Cassettes Industries Ltd.*,²⁰ the Delhi High Court held that the "notice and takedown" policy shall apply to social networking websites after receiving information concerning the violation of copyright laws.

Considering the aforementioned judgments, one can safely say that the judiciary of India has taken a pragmatic stance regarding the issue of regulating digital media. On one hand, it guarantees that the fundamental rights of the citizens remain safeguarded, including the freedom of expression and privacy rights; on the other hand, the need for regulation of any undesirable content being disseminated via digital media was recognized by the courts as well. Thus, it will not be wrong to say that the role played by Indian judiciary in making digital media regulations is quite significant.

VI. COMPARISON WITH OTHER COUNTRIES

Nevertheless, the regulations for the usage of digital media vary from place to place depending on the constitutional values and policies of various countries. For example, India has a medium stance where it tries to balance the idea of freedom of expression by enforcing certain regulations and limitations. On the other hand, USA emphasizes complete freedom of expression while the EU takes into consideration the rights of individuals along with certain regulations especially related to privacy and responsibility of platforms. Analysis of these three models would provide better insights as well as possible improvements for India.

¹⁸ (2016) 7 SCC 221

¹⁹ AIR ONLINE 2019 SC 1708

²⁰ (2017) 236 DLT 478 (DB)

Freedom of Speech: India vs United States vs European Union²¹

There is a constitutional provision for freedom of expression in India under Article 19(1)(a). Nonetheless, there are certain limitations on the right to freedom of expression in India which are mentioned under Article 19(2). Some of the limitations include national security, morality, defamation and public order etc.

In the US, the freedom of speech is considered sacred and guaranteed by the constitution in its First Amendment.²² Restrictions concerning freedom of speech are limited to particular cases of incitement of imminent violence, threat, and obscenity. In fact, the number of limitations regarding freedom of speech is virtually nonexistent in the US, where any offensive message remains legally protected, and the law guarantees almost no government intrusion into the internet activities, providing the US model as the most liberal concerning freedom of speech.

The EU, in turn, applies an intermediary policy towards regulating freedom of speech online. Indeed, although Article 10 of the European Convention on Human Rights guarantees freedom of expression, it is balanced against such values as dignity and equality of all people, which means that more regulations are provided for hate speech and misinformation compared to the US.

Regulation of Intermediary Liability and Platforms

The Indian legislation regulating the activity of intermediaries includes the Information Technology Act, 2000, and the Intermediary Guidelines Rules, 2021. The safe harbour provision is granted under particular circumstances, which include, among others, the removal of content regarded as illegal and decisions made by the competent authorities.

However, in the case of the USA, there is quite broad intermediary immunity granted under the section 230 of the Communications Decency Act. It means that intermediaries are not publishers of users' content, and they remain immune despite any actions they take, such as removing the content, done in good faith. Even though it offers an element of independence from any oversight, it raises worries about accountability and dissemination of dangerous information.

However, the EU has been more stringent when regulating online platforms. Such regulations were adopted via legislation, such as the Digital Services Act (DSA) 2022. It stipulates the following:

- The rapid deletion of the illegal content

²¹ Saumya Dwivedi, *SPEAKING LIBERTIES: A COMPARATIVE STUDY OF FREEDOM OF SPEECH AND EXPRESSION IN INDIA, USA AND UK*, 12 INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS.

²² <https://www.ijfmr.com/papers/2023/4/8066.pdf>

- Conscientiousness concerning content moderation
- Very Large Online Platforms' responsibilities
- Harmful content's risk assessment

Thus, it may be seen that EU's regulations concerning internet regulation are more focused on the platform itself than India and the US.

Privacy and data protection

It is the sphere in which the EU differs from both discussed countries significantly. In the first place, the EU acknowledges the existence of a right to privacy in general. Second, it has adopted the Digital Personal Data Protection Act 2023, defining the requirements for personal data processing and the user's consent to do so.

Among countries having some of the best privacy laws in the world is Europe Union via GDPR²³, 2018 which involves: The rights include right to access, right to correct and right to erase data "right to be forgotten". Harsh consent laws, the principles of data minimization and purpose limitation, tough sanctions in case of non-compliance with the rules

United States of America does not have any particular privacy law in connection with personal data protection as compared to that of Europe. For the USA, the approach for regulating the privacy of personal data (information related to health care, minor etc.) is based on sectors.

Contents Regulation & Powers of Government

The government has extensive powers in blocking the contents under Section 69A of IT Act in India. It is a very important aspect but there have been many criticisms against the issue of transparency and proportionality in this regard.

The US Government avoids taking any action towards regulating the content as per the provisions of its constitution.

In the same vein, the European Union takes the middle path of regulating the content while at the same time providing other alternatives for keeping the process transparent and accountable. This is done to avoid any arbitrariness in the process of regulation and to provide recourse for redressal to the users.

Lessons for India from Comparative Analysis

²³ Abhimanyu Paliwal, *Constitutional Approaches To Data Protection And Privacy In The Age Of Surveillance: A Comparative Analysis Of India, The Usa And The European Union*, 5 INDIAN JOURNAL OF INTEGRATED RESEARCH IN LAW, <https://ijirl.com/wp-content/uploads/2025/03/CONSTITUTIONAL-APPROACHES-TO-DATA-PROTECTION-AND-PRIVACY-IN-THE-AGE-OF-SURVEILLANCE-A-COMPARATIVE-ANALYSIS-OF-INDIA-THE-USA-AND-THE-EUROPEAN-UNION.pdf>.

Upon conducting the comparative analysis, it is evident that India adopts a middle path that lies between the US and EU approaches. Although India tries to strike a balance between freedom and regulation, it needs to learn some lessons from the two countries. India may learn from the European Union on: Data protection, Blockage of content and transparency in it, Digital platforms' responsibility.

The United States can serve as an example for India in some aspects: The use of strict methods to make sure there is no arbitrary curtailment of freedom of speech and expression Clear guidelines to prevent any misuse of the regulatory system. As far as India is concerned, these principles will need to be modified in accordance with the socio-political and constitutional setup of the country. India is a pluralistic country, hence a purely liberal or regulatory policy may not apply.

VII. IMPACT OF DIGITAL MEDIA ON SOCIETY

Digital media encompasses social networks, short video applications such as Instagram Reels and Moj, messaging services, and news aggregators, which have infiltrated all aspects of Indian life, reaching over 1.01 billion internet users by the second quarter of FY2026²⁴, based on TRAI data, with strong growth already apparent in early 2026. With smartphone penetration nearing 70–75% in urban areas²⁵, and the rapid expansion of data-driven platforms, digital media acts as both a catalyst for societal change and a source of disruption. This in-depth analysis examines its positive contributions to awareness and engagement while juxtaposing them against significant drawbacks such as misinformation, social fragmentation, and mental health issues, and illustrates the inherent benefits–risks spectrum through empirical evidence and legal precedents.

Positive Influences: Empowering Awareness and Civic Participation

Digital media has transformed the flow of information, empowering the disenfranchised and strengthening constitutional rights under Article 21 (dignity) and Article 19(1)(a) (freedom of speech), turning passive citizens into active participants. It has helped close some of the information gap between urban and rural areas by enabling real-time, vernacular material. Global digital trend data indicates that women and young people from smaller towns are mostly responsible for the growth of social media in India.

²⁴ The Indian Telecom Services Performance Indicators October-December, 2025, https://traai.gov.in/sites/default/files/2026-03/QPIR_03032026_0.pdf

²⁵ *Crime in India 2022: Volume-II* (no date) *People's Archive of Rural India*. Available at: <https://ruralindiaonline.org/en/library/resource/crime-in-india-2022-volume-ii/> (Accessed: 03 May 2026).

Catalysing Social Awareness Campaigns- Platforms have democratized activism by igniting national movements. Tens of thousands of messages on Twitter and cross-platform content contributed to increased public awareness and diplomatic attention, notably from prominent foreign individuals, during the 2020–2021 Farmers’ Protests, making the hashtag #FarmersProtest a global rallying point. Three farm regulations were eventually repealed and policies were revised as a result of the persistent online mobilization and on-the-ground demonstrations, demonstrating how digital platforms can channel public pressure into real political results. Similar to this, the #MeTooIndia campaign (2018) encouraged thousands of women to share their stories and prompted institutional investigations and changes pertaining to sexual harassment policies by using social media to uncover systemic abuse in the media, politics, and workplace. These campaigns demonstrate how digital algorithms, when controlled positively, can accelerate public interest discourse, a value reinforced by judicial emphasis on freedom of expression in public interest contexts, as described in *Kaushal Kishor v. State of Uttar Pradesh & Ors*²⁶.

Public Health and Education Amplification- Digital tools played a key role in public health communication during the COVID-19 pandemic. Within a few weeks of its release, India's Aarogya Setu app, which helps in tracing connections and spread guidelines which showed a strong download rate. Modelling studies indicate that digital health tools may have helped reduce early transmission in important hotspots. Short videos and hashtags have been used by ongoing hygiene and sanitation campaigns, like the larger Swachh Bharat Mission and associated social media outreach, to reach millions of people after the pandemic. However, exact metrics of “SwachhBharat2.0” impressions should be regarded as illustrative unless you cite an official government or UN sourced evaluation. In education, YouTube and similar platforms have become critical learning resources, with global reports noting that digital learning platforms in India served hundreds of millions of students during the lockdown period, helping to narrow gaps for those without access to private coaching. Government portals like MyGov have also collected millions of citizen inputs on policy design, including the National Education Policy (NEP) 2020²⁷, reflecting a growing trend towards participatory policy-making through digital channels.

Political and Electoral Participation- Studies show that social media use among 18 to 25-

²⁶ (2023) 4 SCC 1

²⁷ Cabinet approves National Education policy 2020, paving way for transformational reforms in school and higher education systems in the country | prime minister of India. Available at: https://www.pmindia.gov.in/en/news_updates/cabinet-approves-national-education-policy-2020-paving-way-for-transformational-reforms-in-school-and-higher-education-systems-in-the-country/ (Accessed: 03 May 2026).

year-olds has affected voter awareness and turnout, particularly in the 2024 Lok Sabha elections, demonstrating a rise in youth involvement in elections. The entry hurdle for first-time voters has been lowered by using platforms like Instagram and local applications to showcase candidate manifestos, streamline voter registration, and explain processes like VVPAT usage. Experiments with online candidate debates on websites like Facebook online helped raise the profile of female candidates in Kerala's 2021 local elections and promoted more public engagement in local democracy.

Sector-Specific Expansions- Campaigns like #SaveAarey, which mobilized Mumbai residents to oppose tree-cutting for metro line expansion, resulted in public interest interventions and National Green Tribunal (NGT) orders that temporarily suspended or altered the project. Another example of how digital tools support youth-led environmental campaigning is the #FridaysForFutureIndia student climate movement, which has utilized social media to organize protests and awareness campaigns against coal projects and environmental destruction.

In the area of gender justice, #PinjraTod (2015) used social media to oppose harsh dormitory curfew regulations for female students, combining online campaigns with in-person demonstrations and putting pressure on academic institutions like Delhi University to reevaluate specific practices. Similar hashtags, such #WhyLoiter, have persisted in challenging gendered access to public areas, linking online discourse to more general constitutional considerations under Article 15.

Economically, digital media has contributed to micro-entrepreneurship and informal economy growth. Platforms tied to UPI (Unified Payments Interface) and influencer driven marketing have enabled lakhs of small sellers and content creators to reach new customers, although the exact figure of “5 million micro-entrepreneurs” is best treated as indicative of rapid growth rather than a formally published RBI statistic²⁸. Campaigns like #ShopLocal during natural disaster or crisis periods have helped small businesses survive by boosting online visibility and sales, while broader #MakeInIndia style digital campaigns have projected domestic startups and brands to a wider public, supporting job creation and innovation.

While government agencies and urban planning departments occasionally cite social media pressure when announcing improvements in public access facilities, hashtags like #AccessibleIndia and digital campaign-driven awareness have brought attention to the need for accessible infrastructure in disability inclusion. However, the precise number of "1,000 urban

²⁸ NATIONAL STRATEGY FOR FINANCIAL INCLUSION 2025-30, <https://www.medianama.com/wp-content/uploads/2025/12/NSFI01122025FC58ED2464D754F9B9AAA14DF525FDB00.pdf>

upgrades" is better framed as a rounded estimate unless tied to a specific Ministry of Social Justice notification or report.

Mental Health Peer Support Networks with Case Study: JusticeForSSR (2020)- On the positive side, internet platforms have developed into pathways for mental health assistance. Millions of people in India are reportedly served by online forums and helplines like YourDOST and similar services, which are frequently advertised on Reddit and Instagram. These services offer information and counseling that lessens stigma and promotes early intervention. According to recent rulings recognizing the state's responsibilities for mental health protection and digital space, these activities are in line with the fundamental right to health and dignity under Article 21. Research organizations have noted that internet penetration in rural India has increased dramatically over the past few years, showing that digital media-driven awareness and services are reaching more remote communities. Rural internet users have also expanded significantly. Actor Sushant Singh Rajput's death in 2020 sparked a public controversy that garnered enormous online attention, with linked hashtags and threads receiving billions of views worldwide. In addition to forcing the courts and investigating authorities to look more closely at several parts of the case, the #JusticeForSSR movement sparked broader discussions about mental health, celebrity pressures, and stigma surrounding mental health, which were frequently exacerbated by hashtags like #BreakTheStigma.

Negative Impacts and Misinformation: Eroding Trust and Inciting Violence

Digital media promises connectivity, but its darker aspects—which are fueled by algorithmic amplification and anonymity—have caused real harm to society, frequently leading to or accompanying criminal prosecutions under the Information Technology Act of 2000 and the Indian Penal Code (IPC). The same democratic fabric that Article 19(1)(a) aims to preserve may be strained by these repercussions, which show up as disinformation epidemics, widening social divisions, and an increasing mental health crisis. Misinformation proliferates unchecked on end-to-end-encrypted platforms like WhatsApp, with tens of billions of messages exchanged daily. Viral hoaxes about “child lifters” and other threats have, in the past, led to mob violence and lynchings, with reports documenting dozens of incidents across states like Maharashtra and Jharkhand, often linked to forwarded WhatsApp messages. In the context of ethnic and communal violence, such as the 2023 Manipur clashes, digitally circulated videos and posts were manipulated or mis-contextualised, contributing to fear, displacement, and hate-driven retaliation. During elections, concerns have grown about deepfakes and fake-news campaigns, with India is a high-risk country for digital disinformation, according to election safety analysts, who have predicted "15,000 deepfake instances" in 2024. However, this estimate should be

considered speculative until official reports support it. Although the provisions pertaining to intermediaries, particularly Section 79 of the IT Act, 2000, remain controversial, particularly when platforms fail to adequately respond to takedown requests, the Supreme Court's decision in the case of *Amish Devgan v. Union of India*²⁹ emphasized that any restrictions on speech must be reasonable and proportionate.

Social Division: Polarization and Communal Fractures- The examination of social media usage reveals a notable polarization in Indian society, which shows itself as sectarian divisions where algorithms favor politically and emotionally charged content. Data shows a high frequency of hate speech complaints, especially those that incite tensions based on caste or religion. Prior to the 2020 Delhi riots, investigations showed that numerous false narratives and anti-Muslim content fueled social unrest. This led to legal actions under IPC Sections 153A and 505, which are intended to prohibit enmity and public mischief, respectively. Driven by viral material and incendiary postings, emerging caste and regional polarization in state protests has also increased social tensions, sometimes resulting in fatalities and police enforcement mobilization.

Mental Health Deterioration - Concern over how digital media affects mental health is also on the rise. Excessive screen time among Indian teenagers is correlated with the addictive nature of social media platforms, which are typified by continuous scrolling and the quest of "likes." Many people spend a significant portion of their day on these platforms, according to surveys, which can result in problems including stress, sleep difficulties, and concentration deficiencies. According to research, cyberbullying is very common among teenagers, and a sizable percentage of them report having experienced online harassment, which is associated with a rise in depressed symptoms. Although the National Crime Records Bureau has identified a general increase in student suicides and mental health issues frequently attributed to online pressures, speculative predictions of "14,000 suicides linked to cyberbullying in 2025" lack official statistical basis.

According to a Lancet study, teens who use social media frequently—especially when using beauty filters—are more likely to experience body dysmorphic disorder (BDD) and anxiety connected to appearance, with prevalence rates as high as 30%, including image-based harassment and cyberstalking, which have been shown to cause serious psychological and reputational injury,³⁰ according to legal study. Even though there are growing programs to

²⁹ *Amish Devgan v. Union of India*

³⁰ YUVARAJA .A, *CYBER CRIMES AGAINST WOMEN IN INDIA*, 6 INTERNATIONAL JOURNAL OF RESEARCH PUBLICATION AND REVIEWS, <https://ijrpr.com/uploads/V6ISSUE11/IJRPR55054.pdf>.

promote workplace wellness, digital safety education, and mental health awareness—often with the help of private sector partners and organizations like NIMHANS—these initiatives are still noticeably insufficient given the scope of the current problems.

Interlinked Harms and Broader Implications- These interrelated drawbacks show how false information can cause social discord. This split then fosters an atmosphere that is favorable to cyberbullying and targeted hate speech, both of which can exacerbate mental health problems. Misinformation about "miracle cures" was widely disseminated during the COVID-19 pandemic, which caused some people to stop receiving medical care and resulted in avoidable deaths. The consequences are dire, even though the claimed number of "500 deaths" can be seen as a rounded estimate that requires contextualization. Organized internet attacks, such as³¹ review bombing and bogus rating campaigns, which erode consumer confidence and negatively impact sales³², have also presented firms with serious difficulties.

Balancing Benefits and Risks: A Spectrum of Societal Impacts

A sophisticated approach in policy and scholarship is required due to the quantitative and contextual nature of the discourse on the balance between advantages and risks in digital media. Digital platforms have greatly improved economic prospects, educational outreach, and political participation, especially for Indian women and youth. Unless linked to a specific study, the notion of a "net positivity score" is proposed as an illustrative framework rather than a formal index based on empirical data. According to reports, India's digital economy employed millions of people and contributed roughly 11–12% of the country's GDP in the 2022–2023 fiscal year, highlighting the financial advantages of technological innovation.³³ Excessive content restriction measures have been declared unconstitutional by court decisions, most notably *Shreya Singhal v. Union of India*.³⁴ This has encouraged legislative frameworks to adopt a more balanced and rule-of-law-based approach

Even with these advancements, there are still obstacles in the way of properly utilizing digital media's benefits for participation, awareness, and economic inclusion. Effective protections that uphold rights and combat disinformation, social division, and mental health problems related to the digital environment must be established in India. In order to achieve this, it will be necessary to promote a strong culture of digital literacy and ethical usage in addition to better laws and

³¹ Behavioural and psychological impact of COVID-19 and lockdown on children and their parents. Khajuria A, Gupta U, Gupta RK, Babber S. *Glob J Res Anal*. 2023;12:45–49.

³² Aakriti Khajuria et al., *Role of Social Media in the Rising Body Dissatisfaction and Dysmorphia Among Adolescents*, 17 CUREUS e78314.

³³ <https://www.pib.gov.in/PressReleaseIframePage.aspx?PRID=2097125®=44&lang=1>

³⁴ *Shreya Singhal v. Union of India*.

platform practices. This will turn digital media from a destabilizing force into a responsible part of democratic life.³⁵

VIII. SUGGESTIONS

In order to maximize its potential while reducing dangers, India's rapidly growing digital media industry necessitates a proactive and rights-sensitive governmental response. This chapter emphasizes the dual nature of digital platforms, demonstrating their capacity to increase participation, democratize knowledge, and generate economic opportunities. But it also highlights important problems like false information, social divides, and mental health problems. A comprehensive strategy that includes institutional innovations, public awareness initiatives, and legal reforms is suggested to successfully address these issues. The goal is to make sure that, rather than causing systemic harm, digital media is a vehicle for democratic empowerment.

Improving and updating the legal framework- The core of India's digital-media regulation rests on the Information Technology Act, 2000 and the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021³⁶. The document describes a number of changes to the regulations governing social media intermediaries in India, with a focus on the clauses that have been in place since 2023 and designate platforms with more than 5 million registered users as "Significant Social Media Intermediaries." The strict due diligence requirements imposed by this categorization include the need for local compliance officials, the identification of message originators, and the use of automated techniques to identify and remove dangerous information.

Nonetheless, the article emphasizes how these rules must be adjusted to make sure they are appropriate, targeted, and comply with the constitution. It cites the ruling in *Shreya Singhal v. Union of India* by the Supreme Court, which declared the overly expansive Section 66A unconstitutional. Future changes should avoid using ambiguous terminology and instead concentrate emphasis on on particular harms rather than nebulous classifications of "offensive" or "harmful" speech, such as incitement to violence, coordinated hate campaigns, and malicious deepfakes.

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Second Amendment Rules, 2026, which constitute India's first official legislative framework for synthetic media and AI-generated content, are also covered. These regulations require platforms

³⁵ Khajuria et al., *supra* note 32.

³⁶ <https://www.meity.gov.in/static/uploads/2026/02/550681ab908f8afb135b0ad42816a1c9.pdf>

to preserve provenance metadata, label such content, and follow stringent takedown deadlines for specific hazardous compounds. The text emphasizes that in order to stop platforms from eliminating information in an opaque or mechanical way, these recommendations must be complemented with explicit procedural safeguards, such as opportunities for judicial or quasi-judicial review.

To prevent overcriminalization while improving intermediate accountability

To reduce the possibility of arbitrary censorship, it recommends creating a statutory Grievance Appellate Committee or an impartial ombudsman-style body to examine platform moderation rulings and government takedown orders.

Finally, it highlights how media legal frameworks are integrated with the Digital Personal Data Protection Act, 2023 and associated digital projects. Platforms shouldn't be able to misuse user data to spread false information, utilize behavioral advertising, or mislead users—especially vulnerable groups like kids and teenagers—thanks to this integration. The Data Protection Board of India (DPB) was created under the Act as the central body in charge of enforcing data protection standards, handling breach notifications, and implementing penalties for non-compliance. However, analysts have expressed reservations about a number of issues of the Act's efficacy and execution.

By combining its requirements with content moderation guidelines similar to the Information Technology Rules, India can improve the Digital Personal Data Protection Act (DPDPA) and create a more all-encompassing framework that protects privacy while promoting online freedom of expression.

Enhancing digital literacy and public awareness- But laws and institutional frameworks alone are not enough to address enduring problems like disinformation, cyberbullying, and digital addiction. These issues call for strong, continuous programs aimed at encouraging digital literacy and ethical online conduct throughout the country.

Although India's national policies recognize the need of digital literacy education, its implementation is uneven, particularly in rural and socioeconomically disadvantaged areas. Educational programs should include specialized digital literacy courses that give pupils the necessary abilities to confront this. These abilities should include the capacity to recognize false information, understand how recommendation algorithms work, modify privacy settings, and make efficient use of reporting tools. In order to enable educators and government officials to act as knowledgeable champions for digital safety, these educational components should not be restricted to secondary education but rather incorporated into teacher training programs and

public service development projects.

The government, media outlets, and civil society organizations should launch extensive public awareness efforts to improve digital literacy and user safety online. These initiatives seek to reduce conflict escalation by teaching people how to recognize deepfakes, validate information, and deal with online harassment. The campaigns should use a variety of media platforms, such as radio, television, short-video apps, and community workshops, to reach a wide range of viewers, especially in places where digital literacy is still lacking. In order to achieve these goals, the Ministry of Electronics and Information Technology has already started encouraging lifelong learning through digital literacy portals like Sakshat and has supported initiatives like PMGDISHA.³⁷ Initiatives can be expanded to expressly include media literacy and cyber safety components in order to teach millions of individuals, especially women and young people, fundamental digital skills. The growing power of content producers and social media influencers calls for the development of a normative framework for "responsible media." This approach should encourage content producers to emphasize the dignity and mental health of their consumers, avoid spreading unreliable medical or political material, and openly disclose funded connections. Furthermore, by encouraging moral behavior and avoiding undue limitations on artistic expression, self-regulatory codes of conduct—possibly overseen by an industry-led organization—could improve statutory regulations.

Ensuring a balanced approach: regulation and freedom

The main difficulty in managing digital media is striking a balance between preventing harm and protecting fundamental rights, especially the freedom of speech and expression guaranteed by Article 19(1)(a) of the Constitution. In recent rulings on social media regulation, the Supreme Court has urged legislators to develop rules that are both practical and respectful of individual rights, stressing the need of responsibility and proportionality over general prohibitions. This entails establishing a proportionality-based framework in which speech restrictions must be supported by justifiable objectives, judged necessary, and implemented using the least restrictive methods possible.

Therefore, genuine repair procedures, such as internal appeals, should accompany any actions taken by platforms or the state, such as content takedowns, suspensions, or criminal sanctions and judicial reviews. This is essential to stop the emergence of censorship or opaque digital surveillance systems. Furthermore, as platforms use recommendation algorithms and automatic content moderation technologies that may unintentionally spread harmful content, hate speech,

³⁷ <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1885958®=3&lang=2>

and misinformation without users' knowledge, transparency and algorithmic accountability are essential.

In addition to encouraging independent audits of moderation systems whenever possible, regulatory organizations should require platforms to provide frequent transparency reports detailing the quantity of material removals, appeals filed, and government takedown requests. A viable compromise that combines platform self-regulation with explicit legal requirements and independent oversight is a hybrid governance paradigm. Under this arrangement, the government sets basic standards to prevent hate speech, child abuse materials, malicious deepfakes, and violent incitement, while platforms are in charge of creating and implementing their internal content policy frameworks. This strategy would be in line with current debates about India's changing social media regulation framework and worldwide tendencies toward co-regulatory models since an impartial body would oversee compliance and settle disagreements.

Concrete policy recommendations for India

A number of important policy proposals can direct India's approach to digital media management. The first proposal is to enact a "Digital Media and Synthetic Content Act," which would combine current laws while differentiating between harmful or deceptive uses of synthetic media and benign applications like parody and artistic expression. In order to provide a more transparent environment for internet platforms and AI-generated content, this legislation would expand upon the 2026 Amendment Rules.

Second, there ought to be a national Digital Media Ombudsman. In order to promote accountability and offer channels for redress that are independent of corporate or governmental forces, this independent body would have the power to handle user appeals about platform moderation decisions or government-directed takedowns. In order to reach millions of users by 2030, the third recommendation highlights the need to expand digital literacy programs like PMGDISHA and the National Digital Literacy Mission, especially among women, the elderly, and people living in rural areas—groups that are frequently slower to adopt digital safety practices.

It's also essential for organizations and schools to regularly do digital safety orientations. In order to integrate these modules with current counseling and employee assistance programs, these orientations should include instruction on how to recognize cyberbullying and doxxing while putting users in touch with mental health support services. Finally, in line with international trends in promoting digital well-being, India should encourage the adoption of

ethical design standards for digital platforms, including features like time restrictions and notifications that motivate users to evaluate their usage habits. Together, these suggestions seek to address the two issues raised by digital media, improving psychological safety and informed engagement while avoiding manipulation and divisiveness in the digital sphere.

IX. CONCLUSION

In conclusion, digital media has profoundly changed democratic participation, information availability, and communication strategies in modern Indian society. It is a dual force that both presents society difficulties and empowers people. Through innovation and entrepreneurship, digital platforms greatly contribute to economic prospects by raising awareness, elevating disadvantaged voices, and promoting civic involvement. They support constitutional principles including freedom of speech and dignity by promoting public movements, education, healthcare awareness, and participatory governance. On the other hand, the unbridled growth of digital media presents serious hazards, such as the quick spread of false information, growing societal division, and an increase in mental health problems. Fake news, hate speech, cyberbullying, and algorithmically created echo chambers are examples of how platforms are abused, endangering both the country's democratic system and the welfare of its citizens. These problems draw attention to the shortcomings of the existing regulatory frameworks and the urgent need for a more flexible and well-rounded strategy. India's digital media future depends on striking a balance between innovation and sensible regulation. To maximize the advantages while reducing the hazards, a strategy combining robust legal frameworks, platform responsibility, digital literacy, and ethical user habits is required. Instead of limiting digital expression, the focus should be on creating an open, accountable system that is consistent with constitutional values. For digital media to develop into a long-lasting and beneficial pillar of society, a comprehensive and rights-based strategy is essential.
