

**INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES**
[ISSN 2581-5369]

Volume 3 | Issue 4

2020

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Social Media: The Principal Source of Information in Modern World

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ABSTRACT

India being a country with more than 35% of youth population has shown an excessive usage of internet and other social media in recent years compared to other countries. During earlier period newspapers, books and television channels were the sole source of knowledge, but now greatest amount of information is acquired from internet and other online sources. Social media is regulated under INFORMATION TECHNOLOGY ACT which is implemented in the year 2000. Though this improvement helps for productive and efficient usage of time on the other hand it has substantial effects like delivering wrong information without proper authority for sanctioning and also hides certain sensational news in the name of censorship which makes people unaware of the issue itself. Here in this article the author will be discussing whether a person's right to speech and expression which is mentioned in Article 19 of Indian Constitution is violated with strict implementation of censorship or media laws. And also the author will be dealing with the uses of social media in this developing world and will be concentrating on censorship which is coming under IT Act including other laws relating to social media with supporting case laws and recent changes brought under Indian law relating to social media to substantiate authors view.

Keywords: Social media, Internet, Censorship, IT Act.

I. INTRODUCTION

Today's India is the county with highest youth population in the world. Nearly 35 % of total population is contributed by youngsters and nearly 60% are below the age of 30 years which clearly depicts us that working class people are considerably high in India compared to other countries around the world. Youngsters play a very crucial role in the development of the nation. Their motivation, energy and determination can either build or destroy a nation. In this century internet has opened a whole new world for youth, since it is the major source of information for them. Use of internet has both positive and negative impact on an individual.

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Positive impacts includes learning new information , creating social relations all around the world , whereas , it has other negative impacts such as cyber bullying , irregular sleep cycles and much more. During earlier period the most and primary mode of acquiring information was newspapers, books and other knowledgeable person. But now in this modern world even a kid possess a smart phone with internet facility. As said earlier apart from positives internet and social medias have several negative impacts on people especially youngsters. Social media is and internet based communication system in which information, knowledge or ideas are shared.

II. INFLUENCE OF MASS MEDIA ON AN INDIVIDUAL

Nearly in past 5 decades the media has influences people socially and culturally and now it has taken different technological transformations. When we think of the evolution of the mass media, first we had telegrams and postal offices, then we had the newspapers, television, magazines, and now in this modern era internet and cell phone.³

Before discussing about the influence of social media we will some of the basic functions performed by mass media, they provide entertainment, information or news, education. The most important role played by mass media is to provide news or information to a mass group. People need news and information for various reasons, such as for decision making, for socializing themselves with this environment. On the other hand entertainment is one of the main option available these days for escaping from the hectic life style. Also educating people on moral, social and cultural values is also one of the major function performed by mass media in current scenario.

In the present generation of globalization, majority of people are depending on information and news for getting in connection with people around them and to get knowledge about day to day activities such as health, education, socialization, and other things that people do. Most commonly and urban person as soon as he wake up he uses television and reads newspaper share some important news with the family and friends and moves to work.

Though we can find lots of benefits of mass media, its influence on children and youngsters are even worst, there are lots of advertisements given by different products and they are making millions of dollars profit for buying those products.⁴ Kids are the mass group concentrated by different marketing groups, since they can be easily influenced by attractive advertisements and offers. In the case of youngsters and other age groups, media creates and image and

³ Mass media: <http://thedailyjournalist.com/pen-and-pad/mass-media-and-its-influence-on-society/>

⁴ Media advantage: available at www.importantindia.com/22940/media-advantages

incorporate that into the life of people and try to change their mindset and interest. This includes, media creates and image of beautiful men or women and markets particular beauty products, under influence customers tend to buy the product.

Media plays a very crucial role in shaping the opinion and thoughts of public in mass. Media can form, modify or alter the opinion based on their objective. One of the most noticeable example for this is an important incident which was held in Pakistan. In that issue Pakistan repeatedly telecasted a video of whipping women from Taliban which created a hatred felling against Taliban.⁵ In many other cases overnight public opinion can be changed against anything favoring the government. Hence people having influence on media can easily influence the opinion of the public.

III. SOCIAL MEDIA AS SOURCE OF INFORMATION

Social media is completely and internet based information system around the world. Development in the information and technology sector created a very good platform for budding of different social media for transferring information and also for communication. None of them in this generation living without a smart phone. And a smart won't be left free without internet. Which in turn gives way for using social media. Most of the news in the present scenario are being communicated to large group of people with the help of social media. Social media have got unlimited freedom though they have some limitations, people are believing that the information received is a well researched and proper news. There are many more instances where media intentionally avoid certain news because of some political influence but in case of social platform they have an ultimate veil protecting them, because most are using fake accounts for escaping from legal problems. But this is in turn a major problem, because fake news can even be easily spread around the globe.⁶

IV. LAWS RELATING TO SOCIAL MEDIA

Social media have become one of the most important area for each and every one who are actively using internet and smartphones. We all are very independent to express our views which is even mentioned in our Indian constitution under article 19(2)⁷, Freedom of speech and expression, with certain limitations. We all have much knowledge in different aspects but clearly unaware about different laws that governs the social media.⁸

⁵ News: available at www.independent.co.uk/news/world/asia/taliban

⁶ Available at: https://link.springer.com/chapter/10.1007/978-3-319-07632-4_103

⁷ Id, Art 19(20)

⁸ Available at: <https://www.theguardian.com/law/2016/aug/12/social-media-law-an-essential-guide>

A. Think before you post a tweet:

It is easy for a person to post a tweet or Facebook comment on social media. But that one comment or tweet can reach a very large audience group than expected or intended. If under any circumstances the post or comment found wrong then the legal consequences will be very high.

Following are different acts done in social media which has a serious legal issue,

- **Libel:** Libel is an act of defaming a person in writing, prints, pictures and some other means.⁹ According to a research of law firm Wiggin, nearly 48% of people coming under the age group from 18 to 34 are unaware of the legal consequences they will face for unauthorized rumor about other person.

Any statement which damages the reputation of a person seriously then the person committed the mistake will be liable under DEFAMATION ACT 2013.¹⁰

Also it is not mandatory or essential that person will be liable only if he tweets the original image or document, but retweeting any post or comment can internally be sued if it damages the reputation of any individual or group. This includes even if the post is been deleted by the person who indulged in such crime.

Trolling: a person who is very familiar with twitter or other social media will be aware about the term trolling. Most frequently used word in social media is also trolling.

According to a study conducted in the year 2015, it was found that nearly 25% of the victims of online abuse are from the age category 13-15. Also nearly five internet trolls case are been convicted every day, which is a considerable rate of offence.

Trolling is also known as cyber bullying or internet bullying. It is an anti-social act which creates conflicts or controversy in the social media platform. People who participate in trolling are called trolls. This trolling can be made in any social media platform like blog sites, public comment areas, other social networks which includes , Facebook, Twitter, You tube and much more. Recent days it is being vastly seen in social networking sites in the name of freedom of speech and expression however this sometimes causes great distress among individuals.¹¹

One of the most high-profile case emerged in America in the state of Missouri in the year 2016, in which a 13 years old girl ended her life for being harassed in online. And this was the first

⁹ Available at www.law.cornell.edu/wex/libel

¹⁰ Available at https://en.wikipedia.org/wiki/Defamation_Act_2013

¹¹ Available at <https://www.herts.police.uk/Information-and-services/Advice/Online-safety/Trolling-and-cyberbullying>

case noted in the sector of online bullying.

Any person who is involving in trolling will be immediately involved in an offence under Malicious Communications Act. There is a difficulty arises in finding the criminal if he is trolling from an unknown profile or fake profile.

Following are the explanation given under Malicious Communications Act:

- Any person who send any message, electronic communication or article which is in an indecent or in an inappropriate manner which created a distress or anxiety leading to depression such messages will be considered as trolling under Malicious Communications Act
- This includes only above mentioned things but also mobile phone calls, of other electronic way of communications.
- The offence is considered to be offence only if the person targeted should receive the message and that person should have some feeling of distress for suing under Malicious Communications Act¹²

One of the primary and basic solution given for such online abuses is to report the page immediately once it is found offensive. This not only includes in case of any blogs or comments but also include for all electronic communications used.

B. Stealing photos from online: This type of offence is supported copyright law which gives authority for individuals to access the pics. In the real world a person is sued for using or indulging in any kind of offences relating to taking pictures in public or disturbing privacy of individuals or using a photo posted without proper permission which includes celebrities, similar way of action is taken even in online platform if any photo id being taking without proper rights.

Rachel Boothroyd has taken out some of the brief comprehensive outline of the law in which photos or videos can be used in 3 scenarios which can be explained as follows,

1. If a person owns the copy right if the person himself created the content by his self.
2. In some other cases license will be given to a person who bought the copyrights of a particular photo or video.

¹² Available at The Malicious Communications Act

3. This the common way in which celebrity photos are included, that is photos are considered to be used under fare dealing.

No guarantee for privacy: According to article 8 on European convention on human rights, it clearly states the protection of right to privacy. Also UK protects the privacy of individuals from the state and also the individuals in other social media

But in actual sense it is not being followed by any organization, also there are many privacy policies in which they take the privacy through a mere agreement. For example the permissions which we give for accessing apps in a mobile phone and so on.¹³

V. LEGAL BACKGROUND BEHIND CENSORSHIP

Censorship is used for suppressing speech, publishing something, including some sensational news which is considered to be harmful, irrelevant or unlawful will be censored by government, corporations or private institutions. If a creator himself involves in censorship of anything created by himself is called self-censorship, which includes music, books, films, and other arts. Censorship may or may not be legal, it is based on the place, location and other criteria. And what could be censored and not censored should be frequently updated and monitored. Censorship is controlled by, Information Technology Act, 2000. Though there is no censorship obligations available for online videos, section 69A of Information Technology Act, 2000,¹⁴ protects the social security of the state, defense of the state, friendly relations with other foreign countries, and prevent anyone from committing any cognizable offence. Censorship in India is becoming more and more complicated in order to accept the changing ideas of people.

VI. LAWS GOVERNING CENSORSHIP IN INDIA

1) For films

The cinematograph Act, 1952 is the central act for the regulation censorship of videos and other TV shows in India. This act came into force on 28 July, 1958, this act gives authority to central board of film certification to check the video contents being telecasted in TV shows and other films. Its main objective is to certify its exhibition in public.¹⁵

There are various certificates gives by censor board for different categories of film. Like U, UA, A, S. this practice is followed for reasonable restriction for freedom of speech and expression provided in the Indian constitution.

¹³Available at <https://www.theguardian.com/law/2016/aug/12/social-media-law-an-essential-guide>

¹⁴**Section 69A in The Information Technology Act, 2000 available at** indiankanon.org/doc/10190353

¹⁵available at <https://lawgupshup.com/2019/09/laws-relating-to-censorship-in-india/>

Union cabinet headed by Indian prime minister have approved the cinematography amendment bill,2019. In which it is clearly mentioned that any un authorized portion of the films will be getting punishment up to 3 years and 10 lakhs fine amount will be inflicted on the offender.

2) **Legal status of censorship on banning videos**

Unlike films other videos does not have any legal sanctioning or censor before uploading that into the web of social media. This includes video being uploaded in You tube and other platforms. Also there is no law in India governing the approval of any videos streamed online. Though government does not have any rules for censorship but the URL or website can be blocked or removed from the web under Section 69A Information Technology Act, 2000 if found offensive or against law.¹⁶

VII. CONCLUSION

From the study it has been clear that social media have influenced a lot for youngsters and well as other aged people. As everything has both positive and negative , social media also has several negatives which includes increased addiction in social websites, reduced time in spending with people, lack of communication and face to face interaction. Apart from this the information received cannot be considered to be 100% true but since mass media contents can be manipulated using the ruling party a better way of information is not available in the society. Here the author have given a clear picture on how media is effecting a person's life. And it became a part and parcel of a person's daily work. Getting information from different sources is very important and useful but at the same time the information acquired should be verified properly before blindly believing in every concept we come across.

¹⁶ available at [laws-relating-to-censorship-in-india](#)

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