

# Software Project Management

## Assignment-3

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### Information Technology Rules 2021:

Recently the govt. has notified info. Technology (Intermediary Guidelines and digital media Ethics codes) Rules 2021.

- These rules broadly deal with social media and over the top (OTT) platforms.
- These rules have been framed in the exercise of powers under section 87(2) of the IT Act, 2008 and in supersession of the earlier information technology Rules 2011.

### New Guidelines for social media/Intermediaries:-

#### \* Categories of social media Intermediaries:

- based on the no. of users, on the social media platform, intermediaries have been divided in two groups.
  - (a) Social media intermediaries
  - (b) Significant social media intermediaries

#### \* Due Diligence to be followed by intermediaries.

- In case, due diligence is not followed by the intermediary, safe harbour provisions will not apply to them.
- The safe harbour provisions have been defined under section 79 of the IT Act, to protect social media intermediaries by giving them immunity from legal prosecution for any content posted on their platforms.

\* Grievance Redressal Mechanism is Mandatory

- Intermediaries shall appoint a grievance officer to deal with complaints & share the name and contact details of such officers.
- Grievance officer shall acknowledge the complaint within twenty four hours & resolve it within 15 days from its receipt.

\* Ensuring online safety & dignity of users:-

- Intermediaries shall remove or disable access within 24 hours of receipt of complaints of contents that exposes the private areas of individuals, show such individuals in full or partial nudity or in sexual act or is in nature of impersonation including morphed images etc.
- Such a complaint can be filed either by the individual or by any other person on his/her behalf.

\* Additional due Diligence for the significant social Media Intermediaries.

- Appointments:- Need to appoint chief compliance officer, a nodal contact person & a resident grievance officer, all of whom should be resident in India.



- Compliance Report:- Need to a monthly compliance report mentioning the details of complaints received and action taken on the complaints as well as the details of contents removed proactively.

## \* Rules for News Publication & OTT platforms and Digital Media

### - For OTT:-

- Self classification of content:-

The OTT platforms called as the publishers of online curated content in the rules, would self classify the content into five age based categories.

U (Universal), U/A (7+), U/A (13+), U/A (16+), & A (Adult).

- Parental lock:-

Platforms would be required to implement parental locks for content classified as U/A B+ or higher & reliable age verification mechanisms for content classified as 'A'.

- Display Rating:-

shall prominently display the classification rating, specific to each content or programme together with a content descriptor inform the user about the nature of the content.

- \* for Publications of News on digital Media:-  
They would be required to observe norms of journalistic conduct of the press council of India.

### \* Grievance Redressal Mechanism:-

- A 3 level grievance redressal mech. has been established.  
level 1: Self regulation by the publishers.  
level 2: Self regulations by the self regulating bodies  
level 3: Oversight mechanism.

#### Self Regulation By the Publisher

- Publisher shall appoint a grievance redressal officer based in India who shall be responsible for the redressal of grievance received by it & resolve in 15 days.
- Self Regulatory Body:-  
Such body shall be headed by a retired judge of the SC., a high court or independent eminent person & have not more than 6 members.

#### - Oversight Mechanism:-

- Ministry of Information & Broadcasting shall formulate an oversight mechanism.
- It shall publish a charter for self-regulating bodies, including codes of practices. It shall establish an inter-departmental committee for hearing grievance.