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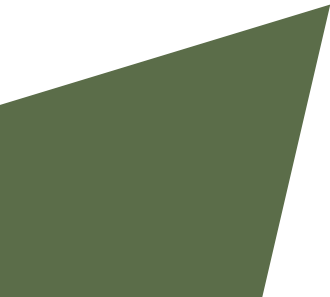
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Control on Social Media: Understanding the Need of a Regulatory Step

Ms. Foram Patel

“Social media has become really fundamental to the way that billions of people get information about the world and connect with each other, which raises the stakes enormously.”

–Kevin Werbach

To understand the control and functions of social media, one must understand the meaning of social media. Social Media comprises of Internet, mobile phones, telecommunications, or any such social interactions. It is a platform to communicate through words, pictures, texts, music, or any such medium through which communication is possible. Social Media can be defined as any web or electronic device platform, which enables one to communicate or interact or exchange ideas or content¹.

In recent times, another facet of Social Media is mobile social media which helps one person to communicate through a mobile device using the social media network.

Social Media is broadly divided into certain categories² such as Social Networks, Blogs, Microblogs, Video sharing, Social News, Media Sharing, etc. In the 21st Century, Facebook, tweeter, blogging platforms, WhatsApp, etc. are the new entry in the Social Media and Network profile.

Understanding the concept, now another issue, which can be imposed is how to control Social Media? Controlling Social Media is done through various ways such as regulating laws, Authorities control, etc. There are certain regulations made which control the working of Social Media in a reasonable manner. Indian Constitution gives the freedom to express one's opinions through Article 19 but at the same time, it imposes reasonable restrictions on the same. While making of the constitution, the concept of Social Media was not evolved but with the passage of time, due to globalization, new issues have taken place, and to control them,

¹ “Social Media and Freedom of Speech and Expression: Challenges before the Indian Law” by Shishir Tiwari and Gitanjali Ghosh

² In 2010, Kalpana and Haenlein classified social media into six different types, i.e. Wikipedia, twitter, youtube, facebook, world of war craft, second life etc. which can be explained as collaborative projects, blogs, content communities, social networking sites, virtual game worlds, virtual social worlds.

amendment of the laws and regulating authorities is necessary which is done by imposing laws³.

Why the Control is needed on Social Media? If one can have an idea about using the platform, it can misuse the same for certain benefits. Now, if the misuse is done, restrictions must be there to control the Media. Media is a platform that easily helps citizens to gather information and on the base of which formation of opinions is done. Controlling Social Media with reasonable restrictions will be done when restrictions are to be imposed.

Digitalization has increased the scope of the Freedom of Speech and Expression. The most important field that will be affected by it is Technology Law read with the Indian Constitution⁴.

What are the functions of Social Media when it comes to the implementation? The functions of Social Media can be stated to help the public at large by providing information to have their own opinions and participation in the nation's working through different mediums. Social media has helped the world to be narrowed and due to which the communication takes place faster than traditional methods. Thus, control over such practices is a must.

For certain unsaid and said reasons, the government is not likely to accept the notion that the Internet should be free from direct regulations. Many scholars have provided their opinions on the effect of the internet with freedom of speech and expression and its restrictions and have provided certain suggestions, but, are those suggestions really helpful is also one of the major questions to ask⁵.

Another question that occurs is whether the concept of network neutrality should be there or not. System lack of bias can be comprehended as the rule that Internet specialist organizations should empower access to all substance and applications paying little heed to the source, and without preferring or blocking specific items or sites⁶. The principle of network neutrality

³ "Freedom of Speech and Expression" available at www.wikipedia.org

⁴ "The future of free expression in digital age" by Jack M. Balkin on www.heinonline.org

⁵ "The future of free expression in digital age" by Jack M. Balkin on www.heinonline.org

⁶ Definition from google.com

holds that, in general, network providers may not discriminate against contents, sites, or applications. Different individual has different opinions for the same⁷. The goal of network neutrality is to keep computerized systems open for many different kinds of subject matter and for many various types of functions and facilities that people may devise in the future⁸.

Enjoyment of Social Media is covered under Freedom of Speech and Expression. Any person has a natural right to freely express themselves through any media or outside interference such as censorship or any such restriction or threats. This freedom is not absolute in nature and thus, is counted as a complex fundamental right amongst all other rights. The scope of freedom can be determined with consideration of special duties, responsibilities, and any such restrictions imposed by law⁹. The term 'freedom of speech and expression' includes any act or transmitting any information or ideas, through any of the mediums available¹⁰.

The Internet and Social Media has become a crucial specialized device through which people can practice their privilege of the opportunity of articulation and trade data and thoughts. In the previous year or something like that, the development of individuals around the globe has been seen who are supporting change, equity, equity, the responsibility of the incredible and, regard for human rights. Access to the mediums has additionally become their central rights due to the rising use of web and internet-based life.

Certain Laws are regulating and governing Social media such as Cyberlaw, IT Act, etc.

It is quite obvious that social media is a very powerful means of exercising one's freedom of speech and expression but an increase in illegal acts which has given force to the Government's attempts at censoring social media. From one viewpoint, the abuse of internet-based life involves the requirement for lawful oversight, then again, there are genuine apprehensions of infringement of social liberties of individuals as an unavoidable outcome of control. In web-based life, the activity of the right to speak freely of discourse and articulation by one may bring about the attack of protection and slander.

⁷ "The future of free expression in digital age" by Jack M. Balkin on www.heinonline.org

⁸ J. Telecomm. & High Tech L. 141 (2003) available at <http://faculty.virginia.edu>

⁹ "The future of free expression in digital age" by Jack M. Balkin on www.heinonline.org

¹⁰ "The future of free expression in digital age" by Jack M. Balkin on www.heinonline.org

However, there are many practical difficulties that may arise while doing so. There is a very thin line to identify the enjoyment of freedom and violation of these rights. It is suggested that the Government should form a Committee including technical experts to look into all the possible facets of the use and misuse of social media and recommend a suitable manner in which it can be regulated without hindering the civil rights of citizens.

After Article 19(1) had conferred on the citizen several rights set out in its above six sub-clauses, the action was at once taken by the Constitution in Clause (2) to (6) to keep the way of social control free from unreasonable impediment. The necessities of the overall social qualities must be fulfilled by the limitations intended to secure social welfare.

Thus, it can be concluded that though Social media provides a larger platform to citizens and people all over the world, in digitalization and the growing age of the internet, it is a must to control and put up reasonable restrictions. Guidelines are necessary to decide the limitations and scope of Freedom and Social Media. Globalization must affect the freedom and rights in a positive sense. Test of reasonableness must be tested¹¹ even in the matters pertaining to Social Media and Social Network. The dignity of an individual or nation must not be compromised in the name of freedom. Judiciary provides a way to be guided for the same subject matter by providing guidelines that need to be followed.

PREDICAMENT COMMUNICATION IN TODAY'S TIME

The spread of COVID-19 is uncommon in pretty much every perspective for the open part, including correspondences. Open data experts, similar to you, are being approached to give normal updates in unsure occasions to an on-edge open.

How would you ensure you're utilizing online networking adequately during these occasions?

With numerous individuals tense and stuck to their screens, an inappropriate message could

¹¹ State of Bihar v. Misra KK (1969) 3 SCC 337

fuel things. People, in general, are looking to government for the course, yet in addition to establish the pace in how to adapt. It's particularly significant for the open segment to get the message out in an unmistakable, quiet, proficient way. This implies no abuse of outcry focuses or tweets taking all things together tops.

Governments partaking in person to person communication locales must begin with the acknowledgment that what is posted on long range interpersonal communication locales is open data. That implies that administration representatives and officials ought not to post data that neither they nor the administration would need everybody to know. By understanding the open idea of the data being distributed, disarray, claims, and different issues can be all the more effortlessly maintained a strategic distance from. All administrations that utilization any type of online correspondence ought to create, actualize, and uphold a site and informal communication strategy. That arrangement ought to incorporate an all-around characterized reason furthermore, the scope for utilizing web-based life, distinguish a mediator accountable for the webpage, create principles for fitting open collaboration and posting of remarks, set up rules for record maintenance furthermore, consistence with daylight laws, and incorporate worker access and use strategy. The government ought to likewise post express disclaimers on its sites maintaining whatever authority is needed to erase entries that contain revolting language, individual assaults of any sort, or hostile remarks that target or stigmatize any ethnic, racial, or strict gathering. At long last, the legislature should prepare representatives concerning fitting utilization of long-range informal communication and how users may affect the business.

Moreover, many citizens rely on the Internet and social media for much of their information gathering and communications, replacing more traditional media sources such as newspapers and television news reports with online options. Almost half of the online adults say that they use social media to get information about their local community, and this number will surely grow in the future, as more younger users tend to rely much more heavily on the Internet—including social media—to get information. With this rapidly growing user base, the public sector must be aware and willing to implement social media in at least some aspect of future

plans and development. Social media offers¹².

¹² SOCIAL MEDIA & GOVERNMENTS –LEGAL & ETHICAL ISSUES by JULIE A. APPENDORF, ANCEL GLINK referred from https://www.in.gov/ig/files/Julie_Tappendorf.pdf