

Government has tightened grip on Social-Media & Digital News with proposed amendments to Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021

The Government of India, through the Ministry of Electronics and Information Technology (MeitY), has proposed amendments to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, with the aim of strengthening intermediary accountability and enhancing oversight of digital media. Issued on 30 March 2026, the notice invites stakeholder feedback on changes designed to ensure a more open, safe, trusted, and accountable internet ecosystem.

Stakeholders have been invited to submit their feedback by 14 April 2026, with assurances that submissions will be treated confidentially to facilitate open and uninhibited participation. The government describes the proposed amendments as clarificatory and procedural, intended to improve legal certainty, ensure consistent enforcement, and streamline regulatory mechanisms without introducing an entirely new framework.

Changes in Part II – Intermediary Due Diligence

Part II of the IT Rules, 2021, lays down the due diligence obligations of intermediaries such as social media platforms and online service providers. It defines the conditions under which intermediaries can claim safe harbour protection under Section 79 of the IT Act.

Proposed Changes:

1. Clarification on Data Retention (Rules 3(1)(g) & 3(1)(h)): The amendments clarify that data retention obligations imposed on intermediaries will operate without prejudice to obligations under other applicable laws, ensuring there is no legal conflict or ambiguity.
2. Insertion of Rule 3(4) – Mandatory Compliance Requirement: A new provision mandates intermediaries to comply with all clarifications, advisories, directions, SOPs, codes of practice, and guidelines issued by the Ministry. This requirement is explicitly included within due diligence obligations, thereby strengthening enforceability and linking compliance directly to safe harbour protection.

Changes in Part III – Digital Media Ethics Code

Part III of the IT Rules, 2021, deals with the Code of Ethics and regulatory framework for digital media, including publishers of news and current affairs content and online curated content (OTT platforms).

Proposed Changes:

1. Clarification of Applicability (Rule 8): The amendments clarify that Part III applies not only to publishers but also to intermediaries hosting content and news and current affairs content posted by non-publisher users. This significantly broadens the scope of regulation.
2. Strengthening Rule 14 - Inter-Departmental Committee: The role of the Inter-Departmental Committee is expanded to consider matters beyond complaints and examine issues referred directly by the Ministry