

India & Fake News: Can Govt Spare Extra Effort & Let Fact Checkers Do Their Job?

Jawhar Sircar

The [government](#)'s concern at the circulation of patently [false news](#) items is quite understandable as there is a noticeable rise in the visibility of such items circulating on social media. In fact, 2023 is the tenth year since this new weapon was added to the arsenal of India's major political parties.

These items stir up emotions, for or against the regime, and whip up rage at perceived attacks and insults on one's religion. There are clear reasons to assume that several hordes of people or teams must be working overtime to disseminate them in order to raise the temperature in people's minds with these distortions of the truth.

In simple and de-jargonised terms, these rules enjoin that social media "intermediaries", ie, platforms that carry items produced or passed on by others be disciplined and take down such items that are found objectionable.

Content Privacy & Need for Govt's Online Snoop

Major platforms like [WhatsApp](#), Facebook, and Instagram are termed "significant social media intermediaries" and actually worry touchy regimes the most. After all, 48 of 140 crore Indians use WhatsApp to send messages that are so "end-to-end encrypted" that government cannot intercept them, like telephone or mobile calls.

While most Indians use this platform because it is free — we are the world's biggest freebie-loving nation — tens of crores of users also do so to stay away from the prowl of a government that has repeatedly displayed its power to punish adversaries and dissenters. Similarly, Facebook has a following of some 39 crore users (and addicts) and influences public opinion to a great extent.

The regime and its legion commanders are, thus, a worried lot. Their apprehension is often quite reasonable because, after all, they have to combat dangerous enemies of the State. These include organised crime, drug syndicates, smugglers of arms and harmful products and, above all, terrorists and ruthless foreign enemies.

These forces use many channels to communicate and a large chunk of them surely utilise 'snoop-proof' media like WhatsApp and networks like VPN. Hence, the need for surveillance.

True, but had it been a normal open regime that acted fast and firm against the non-stop depredations of incensed fanatics, riotous mobs, vigilantes and lynch-groups, one would have cheered all its attempts to ferret out the nation's enemies.

Well, it is not so, and the unequivocal acts of omission and commission over the last eight years and a half coupled with a well-demonstrated intolerance, enjoin that we look at any attempt to extend the ruler's arm with extreme caution.

'Fake News' Rules & the Larger Picture

The IT Rules of 2021 already empower the government to take punitive action against media intermediaries and compel them to delete items that "create a material risk of harm to the sovereignty and

integrity of India, security of the State, friendly relations with foreign States or public order.” The last phrase is the most dangerous one as it defies definition, and anything, including a teasing cartoon or a social media comment, made several years ago, can be said to be endangering “public order”. Consequently, numerous dissenters are clapped behind bars for nights on end under other punitive powers of the State.

The latest draft circulated by the ministry of IT proposes that rule 3(1)(b)(v) of the 2021 Rules be amended to ensure social media platforms take down content that has been “fact-checked” as false by the [Press Information Bureau \(PIB\)](#). There are two major objections here, and the first is that the PIB is the official spokesperson for the government, with no scope for any neutrality and yet-to-be-proven competence in ripping through fake news.

PIB is manned by government officers who are habituated to taking orders and hints from the regime, whether they come from political masters or from supplicating, insidious bureaucrats. Or else, they miss their promotions and risk being posted to the Andamans or Arunachal. The second objection is that government (especially one that is being criticised) has no divine right to fact-check as this requires absolute objectivity, expertise, technology, evidence and, what is more important, transparency.

Independent Fact Checking Units Need To Be Integrated

A fact-checking website like *AltNews* has, for instance, almost all these elements and its neutrality can be seen from the number of indictments it has issued for and against this dispensation and its sworn opponents. This non-profit portal has established its fake-busting record so doubtlessly that its co-founder Muhammad Zubair had to be jailed for a month by the regime for a 4-year-old tweet.

There are other dedicated fact-check websites like *SMHoaxSlayer* and *Boomlive* that substantiate every false item they bust by placing their detailed findings on the web for any contest. In addition, programmes like *India Today's* 'Anti-Fake News War Room', *The Quint's* 'Webqoof', *The Print's* 'Hoaxposed' have taken up the battle against false news with sincerity.

If an untrained PIB is entrusted the responsibility of ascertaining true and false, it is logical that these endeavours already in position be brought in to assist as ‘partners’ or empowered like PIB. Or else, the impartiality of the whole exercise will be gravely suspect.

The million-dollar question that is often raised is: who manufactures and spreads such false items? The reply should actually not cost so many precious dollars and a few rupees worth of common sense would lead us to assume he who benefits the most from the anger generated must be the culprit. This fits in perfectly with the Latin legal phrase “*Cui bono?*”, ie, “who benefits the most?”.

One look at the contents of most of the hate and fake news spread by WhatsApp and those by certain TV channels and media houses will make it clear who spreads them and who gains from them. The problem is, they will hardly ever be brought to book until a tragic mistake is done by Nupur Sharma. But the fact that false news has started worrying the establishment and the primary beneficiaries indicates that competition must be catching up.

(Jawhar Sircar is a retired IAS officer. Among other positions, he has been CEO of Prasar Bharati, and Culture Secretary, GOI. He tweets at @jawharsircar. This is an opinion piece and the views expressed above are the author's own. The Quint neither endorses, nor is responsible for them.)

(At The Quint, we are answerable only to our audience. Play an active role in shaping our journalism by [becoming a member](#). Because the truth is worth it.)