Critical Analysis of Laws on Fake News in India

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Abstract

Today, the mode of communication has shifted from traditional media to social media at present due to digitalization & access, internet & evolution of social media platforms. A large portion of the world's population is using social media as a means of communication. India is also not an exception to it. A significant percentage of the Indian populace uses social media as a means of communication and information. Fake news dissemination has become one of the very important drawbacks of social media in several parts of the world & India. This paper focuses on the dissemination of fake news on social media in the first segment. The authors have critically analysed existing definitions of the term "fake news" and tried to provide a definition in the second segment. The authors have discussed the menace of fake news in India along with harmful and non-harmful categories of fake news in the third segment. The authors have critically examined and analysed the present legal position in India to combat fake news in the fourth segment. The authors have given some recommendations about how to combat fake news in India in the sixth segment.

Key words: Anti-fake News Act, Fake News, Indian Laws on fake news, fake news & Social Media.

I. INTRODUCTION

Today, with the advent of the ICT (Information and Communications Technology) revolution in the world, there is a great deal of dissemination of information through the internet on various social media platforms and websites and the same information is generally considered authentic. A large number of the world's population has been using various online platforms for communication and consumption of news.

The traditional mode of information consumption (through the medium of newspapers, television, or radio) has changed to the social media (through various online platforms, apps, etc.). With the help of internet, the consumption of news has become easy, faster and it is cost-effective too. A huge amount of information is shared through social media in various parts of the world and the same information is generally considered authentic by a number of people. People use social media for various reasons, such as consumption of news and getting updates on the latest events. Numerous social media users blindly rely on the data shared through digital media/social media and therefore, they act violently. Many a time, the information shared is not authentic. Without checking the authenticity of the facts and in the absence of editorial mechanism, a large amount of false information is shared, circulated with or without intention. The various State or non-state actors have been spreading rumours, hoaxes, and false propaganda's. The term 'fake news' has become popular after the United States Presidential Election of 2016 but the phenomenon is as old as human communication.

Many countries in the world today are facing the problem of sharing false contents, fabricated, doctored audios, videos, and information on various social media platforms. In the 2016 U.S. presidential election, it is alleged that there was a lot of use of fake information. Donald Trump, after the election,

used the term 'fake news'. Since then it has now become a popular term.

As stated above, many countries are facing the problem at fake news. However there is no agreement upon the definition of the terms such as 'fake news', 'misinformation' and 'disinformation'. Some countries use the term 'fake news' whereas some others use the words disinformation/misinformation instead of the word 'fake news'.

Some nations have already enacted and some are going to enact the Law to combat the menace of fake news. Singapore, Philippines, Malaysia, have enacted special Laws on fake news. In the UK, a report (How to combat fake news/disinformation) is submitted to the Parliament. The European Commission appointed High level group to. Submit a report on fake news & disinformation in 2019.

It is also essential to have a legal mechanism to combat the menace of fake news in India.

In this paper, the authors have provided a brief overview of some of the existing definitions of the term 'fake news' with their critical analysis in Part-II. The authors have briefly discussed the menace of fake news in India in Part-III. The authors have also briefly discussed the current Indian legal position indirectly dealing with the menace of fake news in Part-IV. Finally, the authors have given some recommendations and suggestions which will lead to improvement of legal framework.

II. CRITICAL ANALYSIS OF THE EXISTING DEFINITIONS OF THE TERM 'FAKE NEWS' :

The authors have considered definitions provided by Cambridge, Collins, Oxford Learners dictionaries for analysis of existing definition on fake news is as follow:

1) Cambridge dictionary defines 'fake news' as false stories that appear to be news, spread on the internet or using other media, usually created to influence political views or as a joke.[1]

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[1]   Fake News, CAMBRIDGE DICTIONARY, https://dictionary.cambridge.org/dictionary/english /fake-news (Last visited on Sept. 2, 2019).

The definition given by Cambridge is non exhaustive as it only focuses on political views. However, fake news is not limited to the political sphere. There are fake news that relates to socio-economical aspects, some of which relates to inciting an offence, and a few of them intend to create communal violence. The word 'stories' used in the definition is too broad/vast as stories are the incidences that took place in history. And in general parlance it means something falsely created morals and mythological stories are not news. Its ambit is vast enough to include several aspects. Several fake news stories are created with various intentions, which include spreading propaganda, harming the reputation of any person, defaming any person or any product of any company. All these aspects are not covered in the existing definition.

2) Collins dictionary defines 'fake news' as "false, often sensational, information disseminated under the guise of news reporting".

The above definition is very narrow as it does not include several aspects of fake news. Nowadays, fake news is spread with various intentions such as targeting the specific audience during a particular event or otherwise. It is also used as a weapon to weaken the specific form of government in a particular nation. Many intend to harm the public or property and create an atmosphere of fear, panic, and insecurity. Some fake news are defamatory, violating of other rights such as Right to Life and Liberty, Right to Reputation, Health and Education and so on. Some of them are forwarded intentionally. Some people forward it unintentionally believing it to be authentic. All these aspects are not covered in this definition of the term 'fake news'. Hence, it is incomplete. in a number of occasions it is forwarded by one person to another & therefore, fake news is not always disseminated under the guise of news reporting.

3) Oxford Learners dictionary defines 'fake news' as "false reports of events, written and read on websites."

This definition is too narrow . It is limited to the events only but fake news are not always about the events. The word 'event' signifies that something has happened in the past or is going to happen in future. Fake news refers to here are various modes of its dissemination. Website is not the only mode. is not Further, in number of occasions it is forward by one person to another& therefore, fake news are not always disseminated under guise of news reporting. Website is not the only mode. Nowadays, various social media platforms are used to share fake news. There are several aspects of fake news depending on the occasion, place, or people. Several fake news as stated above fake news are created with various intentions, such as harming the reputation of any person, defaming any person or any product of any company. Some are defamatory and some violate others' rights. All these aspects are not covered in the existing definition.

4) The author Chinmayi Arun in the paper titled, On WhatsApp, Rumours, Lynchings, and the Indian Government[2] defined 'fake news' as "the online publication of intentionally or knowingly false statements of fact."

Present definition is little improved version as compare to above mentioned definitions.

5) BBC defines fake news as false information deliberately circulated by hoax news sites to misinform usually for political or commercial purposes."

This definition is narrow as it does not expressly explain various types of fake news such as hoaxes, rumours, parodies, factual misstatements, doctored audios, videos, morphed images, etc. Much of the discourse BBC defines 'fake news' as "false information deliberately circulated by hoax news sites to misinform, usually for political or commercial purposes."

The definition given by the BBC has expressly covered political and commercial purposes. BBC limited fake news to deliberate circulation

on news sites. The BBC limited fake news to deliberate circulation of news. Various aspects as stated above such as anti-social and economic aspects are not included in it. It is not always a hoax that is used in it. There are several forms of the same. It is not that only news sites are used to disseminate it. There are many other ways of sharing it. Some people forward it unintentionally believing it to be authentic, while some forward it intentionally with a certain motive or target. Concerning the mode of dissemination, the definition has given emphasis only on news sites. All these aspects are not covered in this definition. Hence, it is not a complete definition of the term 'fake news'.

6) The definition given by Facebook: "Fake news" has emerged as a catch-all phrase to refer to everything from news articles that are factually incorrect to opinion pieces, parodies and sarcasm, hoaxes, rumours, memes, online abuse, and factual misstatements by public figures that are reported in otherwise accurate news pieces.

The above definition given by Facebook is exhaustive, incomplete, and vague. It becomes difficult to distinguish between rumours and hoaxes. It also restricts the right to freedom of speech & expression of the people. Things which are not news such as sarcasm, online abuse is not covered in it.The definition is silent about the mode of sharing of the content. Hence, it is not a complete definition of the term 'fake news'. fake news are not always made by public figure.

7) Section 2 of the Anti-Fake News Act Malaysia 2018 defines 'fake news' as "Any News Information Data Report which is wholly or partly false whether in the term of feature, visuals or an audio recording or in any other form capable of suggesting word or ideal in this definition the word fabricated is not used and it do not include sharing on internet, social media."

The above definition is too vague. It seems to curtail the right of freedom of speech & expression of the people.

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2 Arun, Chinmayi, *On WhatsApp, Rumours, Lynchings, and the Indian Government*, 57 ECONOMIC & POLITICAL WEEKLY, 2019.

8) Anti-Fake News Act of Philippines 2017 - Section 3 [A] of the Anti-fake News Act Philippines defines 'fake news' as any of the following or combinations thereof –

- Misquotation or the false and/or inaccurate report of one's statement.
- Editing audio or video which results in the distortion of facts and/or the context; or
- Purely fabricated content.

The aforementioned definition is too vague. The word 'fact' is too vague, it may include everything. This definition is harmful to the democratic set up of the nation. Hence, it is incomplete.

9) Merriam Webster dictionary defines 'fake news' as — a combination of two distinct words, both well known, which when used in combination yield an easily understood meaning. Fake news is, quite simply, news ("material reported in a newspaper or news periodical or on a newscast") that is fake ("false, counterfeit").

The definition given by the Merriam Webster dictionary is restricted to the print media (news published in newspapers, periodical) but in today's world of internet, this definition is not sufficient as it does not include the online platforms/social media. This definition does not include sharing of information which is not limited to the news articles only. There is no reference to the fabricated, doctored videos, audios, and memes that are shared on various topics. Hence, this definition is not complete.

10) The definition given by dictionary.com –

1) False news stories, often of a sensational nature, created to be widely shared or distributed for the purpose of generating revenue, or promoting or discrediting a public figure, political movement, company, etc.

2) A parody that presents current events or other news topics for humorous effect in an obviously satirical imitation of journalism

3) Sometimes Facetious (used as a conversational tactic to dispute or discredit information that is perceived as hostile or unflattering)

The definition given by dictionary.com is too narrow . Fake news is not limited to the political events. There are different areas covered by fake news. This definition does not explain the mode of sharing the fake news. Hence, it is not a complete definition.

11) In the article titled 'Investigating the emotional appeal of fake news using artificial intelligence and human contributions[3] the author Jeannette Paschen has analysed the definition of 'fake news' from the point of view of journalism. The author has explained the definition by citing various dictionaries in the beginning. Later, the author has discussed satire and parody in news. Further, the author has explained the categories of fake news by dividing it in three forms: source, context, and content. The author has divided the term in two categories, 'fake' and 'news'. This article focuses more on the print media. It does not focus on the role of fake news in social media in the digitization era. The definition and conceptualisation are limited to the journalistic point of view. The author does not incorporate any legal definition. In addition, the author does not explain much about the legal consequences or the role of the law. Hence, this definition is not an exhaustive definition. On 'fake news' conflates two notions: misinformation and disinformation. It can be helpful, however, to propose that misinformation is information that is false, but the person who disseminates it believes that it is true. Disinformation is information that is false, and the person who disseminates it knows that it is false. It is a deliberate, intentional lie, and points to people being actively disinformed by malicious actors.

To some extent, this definition has explained the difference between misinformation and disinformation but it does not define the term 'fake news' completely.

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[3]   Jeannette Paschen, emotional appeal of fake news using artificial intelligence and human contributions, t:https://www.emerald.com/insight/1061-0421.htm.

After analysing these definitions, the authors believes that there is a need to have an exhaustive definition of the term 'fake news' in the world.

2.1) Definition of Fake News : The authors define fake news as: "fake news is a false news, [nonfactual (including fabricated , non-fabricated) exaggerated or disparaged] which can be disinformation or misinformation (published , communicated) or disseminated with help of any means."

The above definition include ingredients of fake news as firstly false news, secondly non factual which can be fabricated, non- fabricated, exaggerated or disparaged thirdly which is either disinformation or misinformation, fourthly its disseminated mostly on online platforms (which is also known as social media).

After analysing these definitions, it can be said that there is no exhaustive definition of the term 'fake news'. In order to combat the menace of fake news, an agreed and unanimous definition of the term 'fake news' is essential. In India, the term 'fake news' is not defined in any existing law. As per the criminal law jurisprudence, it is essential to have a clear and unambiguous definition of the term 'fake news' in enactment dealing with the topic. Considering the same, there is a need for the definition of the term 'fake news' to be stated by the legislature or court in India.

III. FAKE NEWS IN INDIA

There are severe consequences of such fake news following are examples of fake news in India: 1) killings of innocent persons, destroying public & private property violation of rights of individuals, violence question of law and order, public order. 2) Pune communal violence,[4] 3) Muzaffarnagar communal

violence,[5] and 4) policeman protesting CAA protests. Several other rumours, hoaxes and fake news are circulated by rumour mongers and it has led to serious consequences in various parts of India.[6] Recently, there was a large scale protest against CAA. Some of the fake videos were shared by authentic sources like the BBC in many parts of India, especially in Delhi, which led to mischief to public property and the killing of innocent people. Recently, there was an outbreak of COVID-19 in the world. Therefore, nowadays, social media is replete with fake news about COVID-19, such as alcohol consumption can reduce the risk of COVID-19, fake news with regards to COVID-19 in Ahmednagar,[7] fake news on implementation of Disaster Management Act,[8] There are multiple incidences of fake news in India. few incidences have severe consequences.

1)Bandra gathering, 2) mob killing in Palghar district, 3) rumours regarding slashing the pension of employees and many other rumours, hoaxes, fake news about COVID-19 patients and its medicines are shared by people on various social media platforms in India.

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[4] 3Vol. 52, Siddhart Narrain*, Dangerous Speech in Real Time: Social Media, Policing, and Communal Violence*, Aug. 26, 2017, https://www.epw.in/engage/article/dangerous-speech-real-time-social-media-policing-and-communal-violence .

[5] Rajesh Ahuja, Muzaffarnagar riots: fake video spreads hate on social media, Sep.10, 2013, https://www.hindustantimes.com/india/muzaffarnagar-riots-fake-video-spreads-hate-on-social-media/story- WEOKBAcCOQcRb7X9Wb28qL.html.

[6] Vasudha Venugopal, RahulTripathi, government contacted AL Jazeera, BBCs for their fabricated videos on Kashmir, aug.12 2019, https://economictimes.indiatimes.com/news/politics-and-nation/government-contacts-al-jazeera-and-bbc-for-their-fabricated-video-on-kashmir/articleshow/70634925.cms?from=mdr .

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[8] Amir Khollam, *Fact Check: Is Sharing Messages About Coronavirus Illegal Under Disaster Management Act?,* 1st April, 2020, https://www.republicworld.com/fact-check/coronavirus/fact-check-disaster-management-act-stops-people-from-sending-message.html

There are 4) fake news about Aashirvaad Atta, a popular brand of ITC, banks,[9]5) government schemes[10] and government holidays.[11] Social media platforms are flooded with fake news about such and several other topics of public interest. Fake news were also disseminated by Pakistan and its officials after revocation of Article 370 of the Indian Constitution. There has been the spread of fake news and particular propaganda targeted at creating communal violence and unrest in India in the last few years. There is a lot of dissemination of fake news on various social media platforms during the election process to manipulate and influence the minds of the targeted audience. There are various types of fake news, like rumours, hoaxes, doctored audios, videos, misleading claims, reports, and fake emotional appeals. There is fake news disseminated by foreign states, especially Pakistan, which uses this as a means to promote its propaganda against India. This and many other incidences of fake news have caused harmful incidents like mob lynching, riots, communal disharmony, public and private loss of property due to the antisocial conduct of some people. The fake news shall be categorised into two categories i. e. : 1) harmful 2) non-harmful. Explanation and examples of both the categories are as follows:

Harmful fake news is fake information/news which lead to crime violation of right or harm to anyone [including a person, society or state] harm may result into loss of money.

The non -harmful fake news means fake information/ news which does not lead to crime violation of rights harmful to anyone[including person, society or state] in any manner.

Categories of fake news :

3.1) **Harmful fake news**: following are examples of fake news in India;

i) **Dhule mob lynching:**[12] A rumour was shared on social media in Dhule district fake news on child-lifter gang: A WhatsApp message was disseminated stating that there is a child-lifter gang in the district. Many people believed it to be true. They saw some tribal persons sitting together at a particular place. People suspected that it was a child-lifters gang and hence they lynched the innocent persons. This caused death of people who were not the members of any child-lifters gang. The same fake news trailed in different parts of India which caused death of many innocent persons in 2018-2019.

ii) **Fake news on train from Bandra station to north India during covid-19 :**[13] During the lockdown in India, fake news was shared about starting a train from Bandra station to north India. Due to this fake news, thousands of migrant workers had gathered at the railway station which broke the law and order situation.

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[9] India Today Web Desk*, RBI rejects social media rumours about closure of 9 commercial banks*, September 25, 2019, https://www.indiatoday.in/business/story/rbi-rejects-social-media-rumours-about-closure-of-9-commercial-banks-1603050-2019-09-25.

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iii) Fake news on Extension of lockdown:[14] Fake timetable about the extension of lockdown was shared which created the atmosphere of fear and panic among the migrant workers in many parts of India. They walked thousands of kilometres to their hometown with their families.

The above fake news resulted into crime and harm to individuals[including person society or state]

3.2) Non- harmful fake news:

Following are few examples of non-harmful fake news.

i) **A Kumbh Mela Preparation:[15]** Several images from Mecca were shared claiming it as the arrangement for Kumbh mela. Even though it was fake news, it did not harm any person or property. This news did not harm in anyway to any individual, organization, state and society.

ii) **Fake news on Blooming of Brahma Kamal flower:[16]** During the lockdown, an old video of Brahma Kamal flower was shared with a caption that it bloomed during lockdown as there was less pollution in India. It was fake news but it did not harm anyone.

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[14] Times Fact Check, FAKE ALERT: No plan to extend coronavirus lockdown by a week , Mar 30 2020, https://timesofindia.indiatimes.com/times-fact-check/news/fake-alert-no-plan-to-extend-coronavirus-lockdown-by-a-week-clarifies-cabinet-secretary/articleshow/74881979.cms.

[15] Arjun Sidharth, Viral: Glitzy photograph from Mecca presented as Kumbh Mela preparation, Jan 19 2019, https://www.altnews.in/viral-glitzy-photograph-from-mecca-presented-as-kumbh-mela-preparation/.

[16] Akhil Reddy, An old video falsely shared as 'Brahma Kamal flowers bloom after many years due to less pollution during the lockdown', Apr 29 2020, https://factly.in/an-old-video-falsely-shared-as-brahma-kamal-flowers-bloom-after-many-years-due-to-less-pollution-during-the-lockdown/.

iii) Gold *chadar* offered by a devotee to *Sai Baba Samadhi*:[17] A false image was shared claiming that a devotee offered a diamond-studded gold *chadar* to Sai Baba's shrine. Actually, no such thing happened but it did not cause any harm to anyone.

After examining these two categories, it can be concluded that some fake news is harmful which causes harm or loss to the person or property or society. On the contrary, there are some examples of fake news which do not cause any harm to anyone by any means. It is become necessary to prevent harmful fake news to save lives and property society and state in effective manner. It is necessary to protect various rights like the right to reputation, right to life & personal liberty, and many other rights of people by lawful means. For that, there is a need for a law to curb the menace of fake news.

IV. INDIAN LEGAL POSITION ON FAKE NEWS:

The present Indian laws that indirectly deal with it are as follows:

4.1) Indian Penal Code 1860: IPC is a substantive code drafted by the British during pre-independence era. It consists of various offences. Sections 153, 153A, 295A, 499, and 505 of IPC are indirectly used in few judgments by Indian courts while delivering judgments on fake news.

i) Section 153 IPC: It relates to giving provocation to cause riots by doing anything which is illegal. The punishment for committing the offence of riot is imprisonment up to one year or a fine or both. As far as sharing, creating, and uploading of fake news is concerned, currently, it is not made illegal in India by any law in force. Hence, this is of no use. However fake news provocating riot has been made punishable under this section.

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[17] PTI, Sai Baba Devotee Offers Fake Gold Chadar In Shirdi, Jul 8 2011, https://www.indiatvnews.com/news/india/Sai-Baba-Devotee-Offers-Fake-Gold-Chadar-in-Shirdi-8982.html

ii) Section 153A IPC: It relates to creating an atmosphere of disharmony, hatred, and disturbance of public peace on grounds of religion, race, caste, region, or any other ground. There are many grounds other than these which create riots, mob lynching, and mischief. The punishment for the aforementioned offence is imprisonment up to three years or a fine or both. However this section is used when fake news is used for creating atmosphere of disharmony, hatred disturbance of peace on grounds of religion, caste, race, region or any other ground.

iii) Section 295A IPC: Section relates to outrage at the religious feelings of any class. As far as the incidences of communal riots and violence are concerned fake news related to outrage religious feelings are covered in it. The punishment for the aforementioned offence is imprisonment up to three years or a fine or both. Considering the consequences, the crime and the punishment are not proportionate.

iv) Sections 499 and 500: Section 499 & 500 of IPC relates to causing defamation to any person by any means of communication. Certain exceptions are given under this section. Nowadays, there are many fake news items that cause defamation of a person or various products of a company. Section 500 relates to punishment for defamation. Fake news relating to defamation is punishable under section 500 of IPC.

v) Section 505: It relates to causing public mischief. The sub-section a) relates to causing a false alarm to an officer from the army or navy, whereas the sub-section 2) relates to causing harm, ill-will and enmity among people on grounds of religion, race, place of birth, residence, language, caste, community, etc. The punishment for the aforementioned offence is imprisonment up to three years or a fine or both. Considering the consequences, the crime and the punishment is not proportionate.

4.2) The Information Technology Act 2000:
This is the post-independence enactment dealing with e-commerce and some offences caused by using computer resources. To some

extent, Sections 66C, 66D(it relate to cheating in personation by any communication device), and Intermediary Guidelines Rules 2011 indirectly relate to fake news.

1)Section 66D : This section can be used if the fake news is created by using fake account.

Information Technology (Intermediary Guidelines Rules 2011): Rule 3 requires due diligence to be followed by intermediaries. However, no such due diligence is followed by intermediaries. Recently, the Indian government has enacted a code of ethics for intermediaries to be followed, but it does not specifically mention fake news. Even the term 'fake news' is not defined in it. Section 79 gives exemption to the intermediaries from any liability.

4.3) Conclusion: After considering the present legal position and impact of fake news in India, it can be said that present laws are not sufficient to curb the menace of fake news in India. There is a need for a special law to combat the same.

V. CONCLUSION

In today's world, a large portion of the Indian population is using various social media platforms to communicate with each other. Especially during the lockdown, many people were active on social media platforms. In the absence of awareness of the authenticity of the content received and shared, many people knowingly or unknowingly share the unverified, unauthentic, misleading information, and fake news, which has caused many law and order problems in India.

The word Misinformation, Disinformation are two basic ingredients of fake news. Misinformation means unknowingly sharing fake news, disinformation means knowingly sharing fake news.

In absence of any special law to deal with fake news. some sections from IPC, IT Act partially applicable to combat fake news.

In order to overcome the menace of fake news in India, there is a need for a special law and regulatory mechanism. The special law and regulatory mechanism is required to prevent unreliable information and fake news on social media platforms so that people can exercise the

Right to Freedom of Speech and Expression effectively.

VI. RECOMMENDATIONS: The authors have provided following recommendations to combat the menace of fake news in India:

6.1) Need to have a regulatory body: There is a need to have a dedicated body to regulate fake news The Press Council of India monitors the print media in India. It serves as a watchdog on the press in India. The press is monitored in order to promote freedom of press and to ensure that the standards and ethics that must be observed by the press are met. Any aggrieved person can approach it for grievance redressal. In India, such a statutory body is required for social media platforms which can act as a watchdog on social media. It can also be useful to promote ethics and standard modes of expression. This will help to reduce fake news. The aggrieved person/company can easily approach it for grievance redressal. It can also help to reduce the burden of the judiciary in cases relating to social media.

6.2) There is need to explore technological solution. : Central government to establish a body of tech experts to explore tech solutions to fake news and other cybercrimes.

6.3) Need of comprehensive definition: At present, the existing laws have not adequately defined the term 'fake news'. If it is defined appropriately by the legislature, the judiciary will be able to decide the cases relating to fake news. Countries like Singapore, Malaysia, the Philippines, and the U.K. have adequately defined the term in their special laws and in a special report on fake news. Currently, in the absence of a comprehensive definition, there is an ambiguity about the term fake news.

6.4) Need to have a special law : Currently, there is no special law dealing with fake news in India. Some provisions of the IPC and the IT Act are generally used to deal with cases relating to fake news. Considering the impact of fake news such as mob lynching, riots, internet shutdown, voting, and defamation, it can be said that rights like the Right to Life and Liberty, the Right to Vote, the Right to Reputation, and the Right to Information are commonly violated by the people at large. In order to protect these rights and to prevent damage, there is either a need for a special law or an amendment to the existing provisions of the IPC and the IT Act in India.

6.5) Need of dedicated website/ portal: The government must start a portal, website on which authentic information about government measures and other information shall be provided.it should be mandatory to use this portal's reference while citing any information on any media.

6.6) Need to provide Due diligence mechanism by companies: In order to prevent offensive content, social media companies must implement some sort of due diligence mechanism. WhatsApp incorporated a forwarding feature into the content which is not original. Such short-term solutions must be incorporated by the tech companies. This will help curbing the fake news

6.7) Classify fake news: There is a need need to classify fake news into harmful and non-harmful fake news under legislation. In order to differentiate punishment and fine to be imposed.

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