

## Safe harbour at risk: On the impact of the proposed Digital India Act, 2023

Regulation of **Internet intermediaries** must not involve **unreasonable** requirements

In formally **outlining** the **crux** of the proposed Digital India Act, 2023, the Minister of State, IT, Rajeev Chandrasekhar, **made a case** for a **robust** replacement of the IT Act, 2000, which is **somewhat obsolete** now. He **ominously** added a question that the government **sought** to **revisit**: “should there be a ‘safe harbour’ at all for all intermediaries?” This acquires **significance** as the government has been working towards increasing the **compliance** burden on Internet intermediaries, **in particular** in the IT Rules 2021 and its later amendments. These Rules themselves had **put the onus on** social media intermediaries to **arbitrate** on content on their platforms with regulations that **were weighted in favour of** the government of the day, and had invited legal appeals as digital news media platforms among others **questioned** the **constitutionality** of the Rules. **Meanwhile**, an **amendment** in October 2022 **provided** for government-appointed committees that will **adjudicate** on an individual user’s appeals against **moderation** decisions of these intermediaries. In January 2023, the IT Ministry proposed an amendment on the **take down** of social media/news content that has been **marked** as “fake” or “false” by the Press Information Bureau or any other government agency. These, in sum, had already put the safe harbour protections for intermediaries at much risk.

**Regulation** of hate speech and **disinformation** on the Internet **is** a must and **intermediaries**, including digital news media and social media platforms, **have** an **accountable** role to play. The IT Rules’ **specifications** on giving users **prior** notice before removing content or disabling access, and for intermediaries to come up with **periodic** compliance reports **are** well taken. Social media intermediaries should not **shut down** users’ posts or communications except in the interests of public order and to avoid legal **consequences**. But care should be taken to ensure that requirements on intermediaries should not become **needlessly onerous** and **punitive**, which also **vitiates** the principle of safe harbour. There is a **legitimate concern** that the government is **keener** on regulating or taking down critical opinion or **dissent** in social media/news platforms than hate speech or disinformation, which in many cases has originated from representatives of the state. Safe harbour **provisions**, in particular Section 230 of the U.S. Communications Decency Act, 1996, that **explicitly** provided **immunity** to online services **with respect to** user-generated content **had gone a long way** in **catalysing** the Net’s development. While modern regulations to tackle issues related to **misinformation**, **problematic** content and the **side effects** of the new form of the Internet are a must, they should still **retain** first principles of safe harbour without **whittling down** their **core**. **[Exercise]**

- Red/blue coloring of words in the sentence indicates subject verb relationship; where ‘red’ denotes subject and ‘blue’ denotes ‘verb’.
- **Amendment** (noun) – change, modification, revision, alteration, improvement संशोधन

## Vocabulary

1. **Safe harbor** (noun) – a rule that protects a company from being legally responsible for the results of actions that it took or statements that it made believing them to be right
2. **At risk** (phrase) – in danger, in jeopardy, threatened, unsafe खतरे में
3. **Proposed** (adjective) – Suggested, offered, advised, put forward, recommended प्रस्तावित
4. **Internet intermediary** (noun) – It includes, Youtube, Instagram, Facebook, Whatsapp, Twitter etc.
5. **Unreasonable** (adjective) – unjustified, irrational, illogical, unacceptable अनुचित
6. **Outline** (verb) – indicate, summarize, Give a summary of रेखांकित करना
7. **Crux** (noun) – the most important part: root, essence, core, nucleus जड़/ मूल बात
8. **Make a case for** (phrase) – To state the reasons why something should be done or should be the case.
9. **Robust** (adjective) – strong, vigorous, sturdy, tough, powerful मज़बूत
10. **Somewhat** (adverb) – Rather, Slightly, Fairly, To a certain degree, To a certain extent कुछ हद तक
11. **Obsolete** (adjective) – no longer produced or used; out of date अप्रचलित, पुराने ढंग का
12. **Ominously** (adverb) – Threateningly, worryingly, gloomily, unpromisingly अशुभ रूप से/ अनिश्चित रूप से
13. **Seek** (verb) – Try, attempt, endeavour, effort, strive for प्रयास करना
14. **Revisit** (verb) – reconsider, rethink, reassess फिर से विचार करना
15. **Significance** (noun) – Importance, impact, substance, consequence, weight महत्व
16. **Compliance** (noun) – The state or fact of according with or meeting rules or standards. अनुपालन
17. **In particular** (phrase) – Especially, specially, particularly, above all, specifically विशेषकर
18. **Put the onus on** (phrase) – to place responsibility on someone किसी पर जिम्मेदारी डालना
19. **Arbitrate** (verb) – mediate, adjudicate, judge, settle मध्यस्थता करना
20. **Be weighted in favour of** (phrase) – to support, to have a bias or preference towards something/someone किसी के पक्ष में होना
21. **Question** (verb) – To raise question over or on something सवाल उठाना

22. **Constitutionality** (noun) – the quality of being in accordance with the constitution  
संवैधानिकता
23. **Meanwhile** (adverb) – at the same time, simultaneously, concurrently, meantime इस दौरान
24. **Adjudicate** (verb) – Pass judgment; judge, determine, settle, decide निर्णय करना
25. **Moderation** (noun) – the process of detecting contributions that are irrelevant, obscene, illegal, harmful, or insulting with regards to useful or informative contributions. The purpose of content moderation is to remove or apply a warning label to problematic content or allow users to block and filter content themselves
26. **Take down** (noun) – the act of removing हटाना
27. **Mark** (verb) – Indicate, denote, show, demonstrate, exhibit चिह्नित करना
28. **Disinformation** (noun) – false information spread in order to deceive people: दुष्प्रचार
29. **Accountable** (adjective) – responsible, liable, answerable, chargeable उत्तरदायी
30. **Specification** (noun) – instructions, description, detail, stipulations विशेष विवरण
31. **Prior** (adjective) – earlier, previous पूर्व
32. **Periodic** (adjective) – regular, periodical, at fixed intervals, recurrent समय-समय पर(नियमित)
33. **Shut down** (phrasal verb) – Cease to operate or cause to cease operating बंद करना
34. **Consequence** (noun) – result, effect, outcome, upshot परिणाम
35. **Needlessly** (adverb) – unnecessarily, pointlessly, gratuitously अनावश्यक रूप से
36. **Onerous** (adjective) – burdensome, heavy, inconvenient, troublesome कष्टदायक, दुर्भर,
37. **Punitive** (adjective) – Disciplinary, Penal, Corrective, Retaliatory, Retributive, Retributory, Punishing दण्डात्मक
38. **Vitiate** (verb) – Destroy or impair the legal validity of. बिगाड़ना, निष्फल करना
39. **Legitimate** (adjective) – valid, legal, authorized, rightful वाजिब
40. **Concern** (noun) – Anxiety, worry, apprehension fear चिंता
41. **Keen** (adjective) – eager, acute, enthusiastic, penetrating उत्सुक
42. **Dissent** (noun) – difference of opinion, argument, dispute, demur मतभेद, असहमति
43. **Provision** (noun) – term, clause, requirement, specification प्रावधान

44. **Explicitly** (adverb) – In a clear and detailed manner, leaving no room for confusion or doubt. स्पष्ट रूप से
45. **Immunity** (noun) – Protection, exemption, exception, liberty, freedom, liberation छूट, बचाव, मुक्ति
46. **With respect to** (phrase) – referring to; concerning के संबंध में
47. **Go a long way** (phrase) – be very successful
48. **Catalyse** (verb) – to make something start happening शुरू/उत्प्रेरित करना
49. **Misinformation** (noun) – wrong information, or the fact that people are misinformed: झूठी खबर/ गलत सूचना
50. **Problematic** (adjective) – difficult, hard, problematical, taxing, troublesome समस्याग्रस्त
51. **Side effects** (noun) – adverse effect प्रतिकूल प्रभाव
52. **Retain** (verb) – keep, hold, maintain, preserve बनाए रखना
53. **Whittle down** (phrasal verb) – to gradually reduce the size of something or the number of people in a group धीरे - धीरे कम करना
54. **Core** (noun) – the central or most important part of something सबसे महत्वपूर्ण अंश

## Practice Exercise

1. **What is the concern regarding the proposed Digital India Act, 2023, and Internet intermediaries?** [Editorial Page]
  - A. The Act will provide unreasonable protections to Internet intermediaries, enabling them to ignore hate speech and disinformation.
  - B. The Act will make it too difficult for Internet intermediaries to remove harmful content, leaving users at risk.
  - C. The Act will remove the safe harbour protections for Internet intermediaries, putting them at risk of legal consequences.
  - D. The Act will make it easier for the government to regulate online platforms, but will not provide adequate protections for users.
2. **What is the author's opinion on regulating hate speech and disinformation on the internet?**
  - A. The government should have absolute control over regulating hate speech and disinformation on the internet.
  - B. Intermediaries have a responsible role to play in regulating hate speech and disinformation on the internet.
  - C. Hate speech and disinformation should not be regulated on the internet.
  - D. None of the above.
3. **What is the significance of the government's question regarding a "safe harbour" for intermediaries in the proposed Digital India Act, 2023?**
  - A. The government is seeking to strengthen safe harbour protections for intermediaries.
  - B. The government is considering eliminating safe harbour protections for intermediaries.
  - C. The government is seeking to maintain the current level of safe harbour protections for intermediaries.
  - D. The government has not made its stance clear on safe harbour protections for intermediaries.
4. **What is the tone of the passage?**
  - A. Concerned
  - B. Optimistic
  - C. Critical
  - D. Indifferent
5. **What is the primary concern raised in the passage?**
  - A. The need to replace the IT Act, 2000 with a more robust digital India Act, 2023.
  - B. The increasing burden of compliance on Internet intermediaries and the potential erosion of safe harbour provisions.
  - C. The government's keenness to regulate or take down critical opinion or dissent on social media/news platforms.
  - D. The importance of regulating hate speech and disinformation on the internet.

6. Which of the following statements is not correct with respect to the passage?
- The proposed Digital India Act, 2023, seeks to replace the outdated IT Act, 2000.
  - The government is working towards increasing the compliance burden on Internet intermediaries, including social media platforms.
  - The IT Rules' specifications on giving users prior notice before removing content or disabling access are not necessary.
  - Safe harbour provisions, such as Section 230 of the U.S. Communications Decency Act, 1996, have been instrumental in catalysing the Net's development.

7. Which of the following is true based on the passage?

**Regulation of hate speech and disinformation on the Internet:**

- Should not involve intermediaries such as social media and digital news platforms.
- Is not necessary as the IT Act, 2000 is still relevant today.
- Involves the compliance burden being increased on intermediaries.
- Does not put the safe harbour protections for intermediaries at risk.

**Direction (Q8 – Q10): Find out the error if any**

- The structure overlooks (A)/ the valley and is (B)/ very hardly noticeable (C)/ from the busy highway. (D)/ No Error. (E)
- Ever so often, often, get caught all professional employees (A)/ up with meeting demands (B)/ to achieve professional goals (C)/ and neglect their professional lives. (D)/ No Error. (E)
- A small depression can (A)/ be seen in the centre of the single cell cave (B)/ which can accommodate (C)/ a few peoples. (D)/ No Error. (E)

**Direction (Q11 – Q15): Fill in the blanks with the most appropriate combinations of words**

A key to the success of any welfare programme is the \_\_\_\_\_**11**\_\_\_\_\_ in its implementation. In the 17 years since the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) has been implemented, studies have asserted its net positive impact in the rural areas. From reducing \_\_\_\_\_**12**\_\_\_\_\_ through providing off-season employment, and thereby improving household consumption among the invariably poor citizens who avail the scheme, to acting as insurance during monsoon deficient seasons, besides allowing for greater food security through increased productivity helped by the works generated, the scheme continues to be a robust welfare tool. This was even clearer during the pandemic, when thousands of migrant workers who left urban areas due to the lockdowns took up work under the MGNREGS in rural areas where demand for the menial but \_\_\_\_\_**13**\_\_\_\_\_ work peaked. There is of course the case that the scheme has still not \_\_\_\_\_**14**\_\_\_\_\_ into creating more useful assets beyond roads and irrigation canals and requires broadbasing and better implementation. But it must be said that the Union government's treatment of the scheme has graduated from a case of \_\_\_\_\_**15**\_\_\_\_\_ acceptance of its need because of its popular impact to treating it as a fiscal burden.

- A key to the success of any welfare programme is the \_\_\_\_\_ in its implementation.
  - Potential

- ii. Approach  
iii. Conviction  
iv. Onus  
A. Only (i)    B. Only (ii)    C. Only (iii)    D. Both (ii) and (iv)    E. None of the above
12. From reducing \_\_\_\_\_ through providing off-season employment, and thereby improving household consumption among the invariably poor citizens who avail the scheme, to acting as insurance during monsoon deficient seasons  
i. Penury  
ii. Complication  
iii. Hurdle  
iv. Wage  
A. Only (i)    B. Only (ii)    C. Only (iii)    D. Both (ii) and (iv)    E. None of the above
13. This was even clearer during the pandemic, when thousands of migrant workers who left urban areas due to the lockdowns took up work under the MGNREGS in rural areas where demand for the menial but \_\_\_\_\_ work peaked.  
i. Depressed  
ii. Vigilant  
iii. Salient  
iv. Arduous  
A. Only (i)    B. Only (ii)    C. Only (iii)    D. Both (ii) and (iv)    E. None of the above
14. There is of course the case that the scheme has still not \_\_\_\_\_ into creating more useful assets beyond roads and irrigation canals and requires broadbasing and better implementation.  
i. Cater  
ii. Recognise  
iii. Lead  
iv. Transcended  
A. Only (i)    B. Only (iv)    C. Only (iii)    D. Both (ii) and (iv)    E. None of the above
15. But it must be said that the Union government's treatment of the scheme has graduated from a case of \_\_\_\_\_ acceptance of its need because of its popular impact to treating it as a fiscal burden.  
i. Chronic  
ii. Lukewarm  
iii. Misplaced  
iv. Audacious  
A. Only (i)    B. Only (iv)    C. Only (ii)    D. Both (ii) and (iv)    E. None of the above
16. **Arrange the following sentences in a logical sequence to form a coherent paragraph.**  
A. India is seeking global endorsement that non-fiat cryptocurrencies have no intrinsic value.  
B. The Reserve Bank of India is testing the digital rupee for wholesale and retail transactions.

- C. The Indian government is regulating cryptocurrencies to curb illegal activity and widen the scope of scrutiny beyond the country's borders.
- D. The International Monetary Fund and the Financial Stability Board are due to provide inputs on macroeconomic and regulatory insights on cryptocurrencies later this year.
- E. India's position on digital assets places it at the forefront of any global response to regulating them.

A. ABCED

B. DBECA

C. CEABD

D. CBEAD



## Answers

1. C    2. B    3. B    4. A    5. B    6. C    7. C    8. C    9. A    10. D    11. C    12. A  
13. E    14. B    15. C    16. D

[Practice Exercise]

## Explanations

1. C) The Act will remove the safe harbour protections for Internet intermediaries, putting them at risk of legal consequences.

**Explanation:** The passage discusses the proposed Digital India Act, 2023, and the government's questioning of whether there should be a "safe harbour" for all intermediaries. The passage goes on to describe how the government has been increasing the compliance burden on Internet intermediaries, putting their safe harbour protections at risk. Therefore, option C is the correct answer. Option A is incorrect because the passage specifically states that intermediaries have an accountable role to play in regulating hate speech and disinformation. Option B is incorrect because the passage does not suggest that the Act will make it too difficult for intermediaries to remove harmful content. Option D is incorrect because the passage does not suggest that the Act will make it easier for the government to regulate online platforms, and it does discuss the need for protections for users.

2. B) Intermediaries have a responsible role to play in regulating hate speech and disinformation on the internet.

**Explanation:** The passage clearly states that intermediaries, including digital news media and social media platforms, have an accountable role to play in regulating hate speech and disinformation on the internet. The author also supports the IT Rules' specifications on giving users prior notice before removing content or disabling access, and for intermediaries to come up with periodic compliance reports. The author also warns that the requirements on intermediaries should not become needlessly onerous and punitive, which vitiates the principle of safe harbor. Therefore, option B is the correct answer.

3. B) The government is considering eliminating safe harbour protections for intermediaries.

**Explanation:** The passage mentions that the Minister of State, IT, Rajeev Chandrasekhar, questioned whether there should be a safe harbour for intermediaries. This suggests that the government is considering eliminating safe harbour protections for intermediaries. The passage also notes that the government has been working towards increasing the compliance burden on Internet intermediaries, which would further suggest that safe harbour protections may be at risk.

4. A) Concerned

**Explanation:** The passage raises concerns about the government's increasing burden of compliance on Internet intermediaries and the potential erosion of safe harbour provisions. The author's tone throughout the passage is worried and apprehensive about the potential impact on the development of the internet and the freedom of expression.

5. B) The increasing burden of compliance on Internet intermediaries and the potential erosion of safe harbour provisions.

**Explanation:** The passage primarily discusses the government's increasing burden of compliance on Internet intermediaries and the potential erosion of safe harbour provisions. The author raises concerns about the impact of these regulations on the development of the internet and freedom of expression. The other themes, such as the need to replace the IT Act, 2000, regulating hate speech and disinformation, and the government's keenness to regulate critical opinion or dissent, are secondary concerns in the passage.

6. The correct answer is C. The passage clearly states that the IT Rules' specifications on giving users prior notice before removing content or disabling access are "well taken," indicating that they are necessary. Therefore, the statement that the IT Rules' specifications are not necessary is not correct.

7. C) Involves the compliance burden being increased on intermediaries.

**Explanation:** The passage states that the government has been working towards increasing the compliance burden on Internet intermediaries, particularly in the IT Rules 2021 and its later amendments, in order to regulate hate speech and disinformation on the internet. The passage also mentions the proposal of an amendment on the take down of social media/news content that has been marked as "fake" or "false" by the Press Information Bureau or any other government agency, which puts safe harbour protections for intermediaries at risk. Therefore, option C is the correct answer. Option A is incorrect as the passage clearly states that intermediaries have an accountable role to play in regulating hate speech and disinformation. Option B is incorrect as the Minister of State, IT, Rajeev Chandrasekhar, made a case for a robust replacement of the IT Act, 2000, which is somewhat obsolete now. Option D is incorrect as the passage clearly mentions that the safe harbour protections for intermediaries are at risk due to the compliance burden being increased on them.

8. (C) 'very' का प्रयोग नहीं होगा क्योंकि 'hardly' के पहले 'very' का प्रयोग नहीं होता है, और 'hardly' का अर्थ ही होता है 'न के बराबर'; जैसे-

i. The hardly comes to see me.

- 'very' shall not be used because 'very' is not used before 'hardly', and 'hardly' itself means 'not equal to'; like-

i. The hardly comes to see me.

9. (A) 'Ever so often' के बदले 'Every so often' का प्रयोग होगा क्योंकि 'Every so often' का प्रयोग Adverb of Time के रूप में 'यदा-कदा, कभी-कभार' के अर्थ में होता है।

- 'Every so often' will be used instead of 'Ever so often' because 'Every so often' is used as an Adverb of Time in the sense of 'sometimes, occasionally'

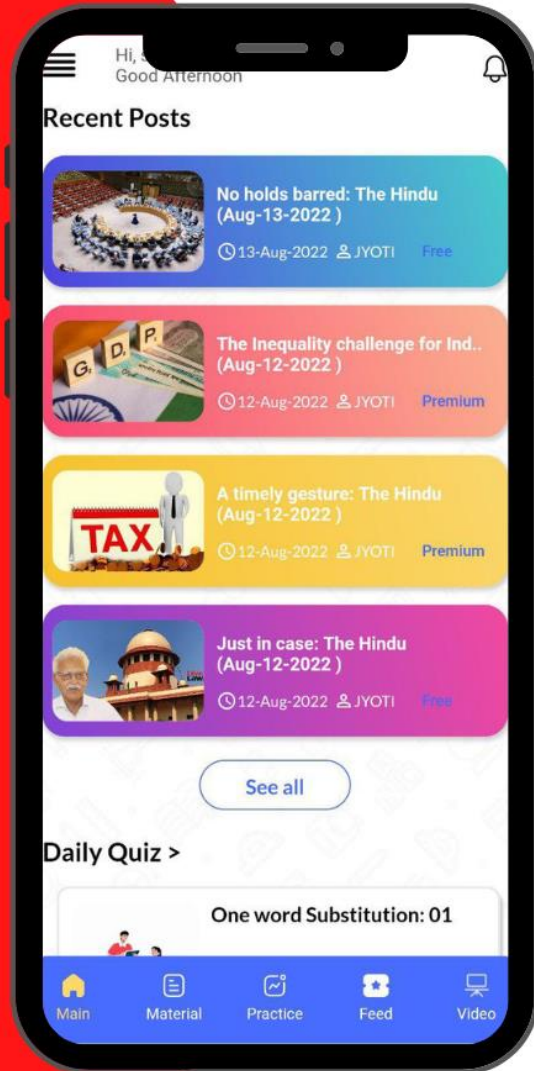
10. (D) 'peoples' के बदले 'people' का प्रयोग होगा क्योंकि 'लोग' के अर्थ में 'people' हमेशा Plural Noun होता है, जैसे-

- i. People know that the earth is round.
- 'people' will be used instead of 'people' because 'people' is always Plural Noun in the meaning of 'people', like-
    - i. People know that the earth is round
11. **Conviction** (noun) – a very strong opinion or belief प्रबल मत या आस्था
- **Potential** (noun) – capability, capacity, ability, power क्षमता
  - **Approach** (noun) – a way of considering or doing something दृष्टिकोण
  - **Onus** (noun) – responsibility, liability, obligation, duty, charge कर्तव्य/ जिम्मेदारी
12. **Penury** (noun) – the state of being very poor; extreme poverty. गरीबी
- **Complication** (noun) – Difficulty, snag, problem, impediment, obstacle, hurdle, barrier जटिलता
  - **Hurdle** (noun) – obstacle, hindrance, barrier, obstruction, impediment बाधा
  - **Wage** (noun) – Salary, pay, income, remuneration, वेतन, मज़दूरी
13. **Arduous** (adjective) – Difficult, hard, laborious, demanding, strenuous, onerous कठिन
- **Depressed** (adjective) – lowered, decreased, slow down, dampened मंद
  - **Vigilant** (adjective) – Watchful, Attentive, Alert, Wary, Cautious, Observant, Heedful, Aware सतर्क
  - **Salient** (adjective) – important, main, principal, major, chief, primary प्रमुख
14. **Transcend** (verb) – surpass, exceed, go beyond; be or go beyond the range or limits of पार करना
- **Cater** (to) (verb) – to provide what somebody/something needs or wants आवश्यकताओं की पूर्ति करना
  - **Recognise** (verb) – Acknowledge, accept, concede मानना
  - **Lead** (to) (verb) – cause, give rise to, result in, bring about वजह बनना
15. **Lukewarm** (adjective) – not showing much interest; not keen उदासीन
- **Chronic** (adjective) – persistent, inveterate, habitual, continuing, constant चिरकालिक, पुरानी
  - **Misplaced** (adjective) – Inappropriate, erroneous, misdirected, out of place, improve, inapt गलत
  - **Audacious** (adjective) – bold, daring, courageous, brave, brazen साहसी/ साहसिक
16. The paragraph discusses India's stance on regulating cryptocurrencies, the measures it has taken, and its involvement in global efforts to regulate digital assets.

Sentence C introduces the topic of India's regulation of cryptocurrencies, making it a logical starting point. Sentence B follows, as it discusses the Reserve Bank of India's efforts to develop its own digital currency, which is relevant to the topic. Sentence E supports sentence B, as it highlights India's leadership in the global regulation of cryptocurrencies.

Sentence A is placed after sentence E, as it elaborates on India's position on digital assets and its efforts to gain global endorsement for its stance. Finally, sentence D concludes the paragraph, as it discusses the International Monetary Fund and the Financial Stability Board's involvement in providing inputs on macroeconomic and regulatory insights on cryptocurrencies later this year, which indicates a global effort to regulate them.

The correct sequence is: C, B, E, A, D.



# Learn Vocabulary Through Reading Articles

English Madhyam

