

Discussing the Information Technology (Intermediary Guidelines) Rules, 2021 from the Lens of Consumer Welfare & EoDB



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The recently released Information Technology (Guidelines for Intermediaries and Digital Media Ethics Code) Rules, 2021 (rules), lays down guidelines for due diligence to be followed by intermediaries. These arguably present implementation challenges for intermediaries – thereby reducing their ease of doing business, and pose risks to consumer welfare – on parameters of privacy, data protection and access to information.

Accordingly, the webinar seeks to discuss the following issues, emanating from the rules:

- Traceability of originators of content: balancing the need for identifying the originator of problematic content and securing the privacy of chats of consumers.
- Proactive identification of problematic content: curbing the spread of problematic content, while respecting principles of data minimisation and limitation.
- Impact on startups: ensuring the growth of startups by reducing compliance burdens for continued innovation.
- Risks of over-compliance: penal provisions for failing to conduct due diligence leading to risks of over-compliance, which may harm consumer welfare.
- Judicial oversight: the need for mandatory judicial oversight in executive orders of content takedown.

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