



Information Technology

(Intermediary Guidelines and Digital Media Ethics Code),

Rules, 2021



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With the advancement of science, new technologies have provided an opportunity for exponential expansion of print media as well as digital media. The OTT platforms and digital news portals are now established and are working well. The problem was that for these new sectors there was no institutional mechanism. When the Press has the Press Council of India and TV has its own self regulation and films have Central Board of Film Certification, these new platforms had no such arrangement.

There was a demand for bringing such parity and mechanism by media experts, filmmakers and industry experts, trade organizations/bodies and the people at large. These apart, there have been serious grievance from parents and guardians over the adult, violent and such other content which is harmful to children. There is also a need to empower the citizens for their grievance redressal. Due to absence of an

institutional set up, citizens do not know where to send their grievances or file complaints or suggestions relating to content on OTT or on digital news. There was demand from all sectors that there must be some arrangement by which a level playing field can be provided to all the media categories.

The Digital Media Ethics Code, under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 establishes an institutional mechanism for digital news portals and OTT platforms.

Main features of the Rules

The rules establish a soft touch progressive institutional mechanism with a level playing field featuring a Code of Ethics and a three-tier grievance redressal framework for news publishers and OTT platforms on the digital media. The OTT platforms would self-classify the content into five age based categories- U (Universal), U/A 7+, U/A 13+, U/A 16+, and A (Adult). Platforms would be required to implement parental locks for content classified as U/A 13+ or higher, and reliable age verification mechanisms for content

classified as “A”. Publishers of news on digital media would be required to observe Norms of Journalistic Conduct of the Press Council of India and the Programme Code under the Cable Television Networks Regulation) Act thereby providing a level playing field between the offline (Print, TV) and digital media.

Grievance Redressal Mechanism

A three-level grievance redressal mechanism has been established under the rules with two levels of self-regulation- Level I being the publisher and Level II being the Self Regulatory Body, and the third level being the Oversight Mechanism under the Ministry of Information & Broadcasting. The rules provide for an effective grievance redressal mechanism for receiving, processing, and time-bound disposal of public grievances related to the Code of Ethics. The self regulatory body would be headed by a retired judge of the Supreme Court or of a High Court, or by a person of eminence from the relevant field, and can issue advisories to the publisher.

The mechanism is based on the **principles of minimum Government intervention**; however platforms should develop a robust grievance redressal mechanism on their own.

Benefits of the Rules

The institutional mechanism established by the Digital Media Ethics Code would provide a stable policy environment to encourage growth in the OTT industry, bring in investments and generate jobs thereby providing a boost to the Champion Audio-Visual Services Sector. Self certification of content by OTT platforms would ensure artistic freedom for content creators and prevent delays. The Code would also empower the citizens to make informed choices about content, get their grievances redressed in definite time frames, and protect children.

The Code of Ethics for news publishers would help to fight fake news on digital media through a mechanism of accountability of publishers while providing a level playing field between online and offline (Print and TV) news publishers. The rules also open up new avenues for further engagement and coordination with the digital

news publishers which would be recognized for the first time under law through the process of furnishing information.

At a time when the digital media governance is in a state of flux across the globe, the Digital Media Ethics Code is thus a transformative step which would raise India's stature at an international level and serve as a model for other nations to emulate.



सूचना एवं प्रसारण मंत्री श्री प्रकाश जावडेकर का सम्बोधन (25.02.2021)

जैसे आपको पता है कि नई टेक्नोलॉजी का एक अच्छा फल है कि डिजिटल मीडिया न्यूज पोर्टल बन गए, वैसे ही ओटीटी प्लेटफॉर्म आ गये। लेकिन एक फर्क रहा कि जो आप लोग बैठे हैं, प्रेस से जो आते हैं उनको प्रेस काउंसिल का कोड फॉलो करना पड़ता है लेकिन ऐसा डिजिटल मीडिया पोर्टल को कोई बंधन नहीं है। यहां टी वी के लोग हैं, उनको केबल नेटवर्क एक्ट में जो प्रोग्राम कोड है वह उनको फॉलो करना पड़ता है लेकिन ओटीटी प्लेटफॉर्म को ऐसा कोई नियम नहीं है और इसलिए सरकार ने यह समझा कि एक लेवल प्लेइंग फील्ड होना चाहिए। और इसलिए डिजिटल हो या प्रिंट हो या टी वी हो या ओटीटी हो, कुछ नियमों का पालन करना पड़ेगा, कुछ प्रोसेस सेट करना पड़ेगा। और लोगों की मांग भी बहुत थी, रोज सैकड़ों पत्र मंत्रालय में आते थे। इस बार संसद के सत्र में ओटीटी प्लेटफॉर्म पर 50 पश्च पूछे गए, दोनों सदन में मिलकर। इस विषय में देशभर में कितनी चर्चा है उसका यह उदाहरण है।

एक इंस्टीट्यूशनल मकेनिज्म सभी मीडिया के लिए होना चाहिए। क्योंकि मीडिया की आजादी लोकतंत्र की आत्मा है।



**Address of Hon'ble Minister
for Electronics & Information Technology
Shri Ravi Shankar Prasad (25.02.2021)**

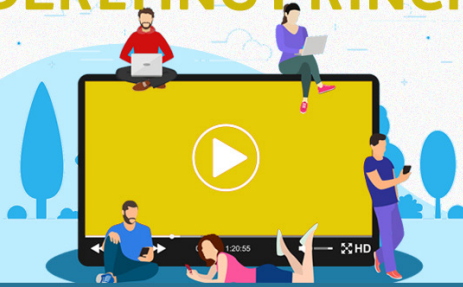
Social Media is welcome to do business in India. They have done exceedingly well, they have got good business, good number of users and they have also empowered ordinary Indians.

The Government welcomes criticism and the right to dissent and social media has been used to ask questions too, but it is very important that the users of social media must be given the forum to raise their grievance for resolution against the abuse and misuse of social media . It is very important, with the social media users running into crores, they should be given a proper forum for resolution of their grievances in a time-bound manner against the abuse and misuse of social media. We are empowering the ordinary users of social media.

The basic essence of this step is a soft-touch oversight mechanism.

OVERVIEW

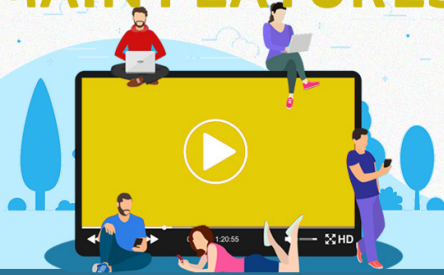
Digital Media Ethics Code UNDERLYING PRINCIPLES



- Create institutional mechanism to preserve Free Speech and Expression and provide level playing field
- Progressive and balanced Approach : Balancing with concerns of users
- Based on Existing Statute
- Utilising Experience of Existing Practices : Domestic and International

Digital Media Ethics Code

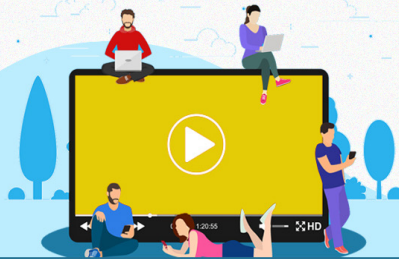
MAIN FEATURES



- Due diligence by intermediaries
- Three-Tier Grievance redressal mechanism
- Code of Ethics for Publishers
- Self-regulation architecture
- Disclosure of Information

Digital Media Ethics Code

FURNISHING AND DISCLOSURE OF INFORMATION

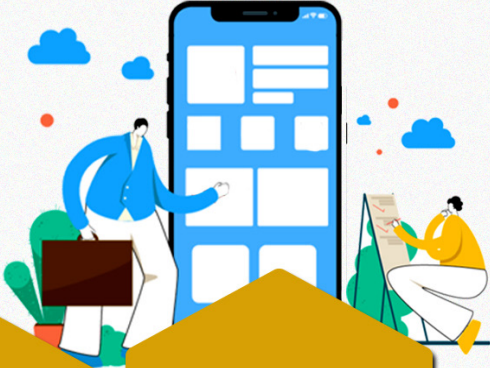


- Publisher to furnish basic information to the Ministry
- Disclosure of information in public domain regarding grievance redressal by publisher and self-regulating body

CODE OF ETHICS

Digital Media Ethics Code

Digital News Publishers



**Norms of Journalistic
Conduct under Press
Council Act, 1995**

**Programme Code
under Cable
Television Networks
(Regulation) Rules,
1994**

**Prohibited Content
not to be transmitted**

Level playing field between Online & Offline Media

Digital Media Ethics Code

OTT Platforms

Not to show prohibited content

Access restriction to a child – age gating, parental controls, age verification mechanism

Display Content Descriptor, advisory

Display of Classification

(SELF-CLASSIFICATION by OTT Platform)

Digital Media Ethics Code

Content Classification

S.No	NATURE OF CONTENT (SUITABLE FOR)	Classification
1.	unrestricted access, regardless of age, and is family friendly	U
2.	for persons aged 7 years and above, and can be viewed by a person under the age of 7 years with parental guidance	U/A7+
3.	for persons aged 13 years and above, and can be viewed by a person under the age of 13 years with parental guidance	U/A13+
4.	for persons aged 16 years and above, and can be viewed by a person under the age of 16 years with parental guidance	U/A16+
5.	which is restricted to adults	A

Content Classification based on international practices

GRIEVANCE REDRESSAL MECHANISM

Digital Media Ethics Code

Grievance Redressal Mechanism



Three-Tier Grievance redressal Mechanism



Digital Media Ethics Code

Grievance Redressal Mechanism



Level I: Publisher

- Establish an adequate grievance redressal mechanism
- Appoint a Grievance Officer
- Time bound acknowledgement and disposal of grievance
- Provide facility for grievance tracking
- Provide users with reasons for any action taken/not taken
- Display all details related to its grievance redressal mechanism

Digital Media Ethics Code

Grievance Redressal Mechanism



Level II: Self-Regulating Body

STRUCTURE

- Independent body/bodies constituted by publishers
- Headed by retired judge of Supreme Court/High Court, or a person of eminence from the relevant field;
- Members - experts from various fields
- Publisher to be a member of a self-regulating body
- Ministry of I&B to register self-regulating bodies

Digital Media Ethics Code

Grievance Redressal Mechanism



Level II: Self-Regulating Body

FUNCTIONS

- Oversee adherence to Code of Ethics by publisher
- Address grievances unresolved at Level I
- Issue guidance/advisories to a publisher, ensuring compliance
- Inform Ministry of I&B regarding disposal of grievances.

Digital Media Ethics Code

Grievance Redressal Mechanism



Level III: Oversight Mechanism

FUNCTIONS OF MINISTRY OF I&B

- Constitute an Inter-Departmental Committee (IDC)
- Lay down responsibilities and obligations of publishers
- Develop an online grievance redressal system
- Issue appropriate orders for adherence to Code of Ethics
- Take action for non-compliance of its directions

BENEFITS AND OUTCOMES

Digital Media Ethics Code

Benefits and Outcomes



For Citizens and Society

Quality Content

Better Journalistic and Entertainment Content

Citizen Empowerment

Informed Choice, Effective Grievance Redressal

Protecting Children

Access Control and Age Verification

Curbing Misinformation

Accountability of Digital News Publishers



Digital Media Ethics Code

Benefits and Outcomes



For Media & Entertainment Sector

Sustainable Growth

Promote Champion Audio-Visual Services Sector

Artistic Freedom

No pre-censorship

Avoid Litigation

Informed Decisions by Content Creators

Self-Classification

No delays



Digital Media Ethics Code

Benefits and Outcomes



Digital News Publishers

Sustainable Growth

Quality journalism through transparency

Level Playing Field

Similar principles for online and offline news

Freedom of Press

Arm's length from Government

Curbing Misinformation

Reducing fake news on digital media



Social Media Rules Include Text Traceability, Grievance Redressal

Describing the rules as a "soft touch mechanism", RS Prasad said they will be implemented in three months' time.



Ekta Kapoor, Prasoona Joshi and Nila Madhab Panda welcome OTT guidelines

By Move Desk | Fri Feb 26 2021 12:18 IST

We are trusting self-regulation on OTT content: Government on censorship rules

"The laws made for significant social media will be implemented within 3 months so that they can improve their mechanisms. The rest will come into effect from the day the rules are notified," Ravi Shankar Prasad said. The government also announced new guidelines to curb the misuse of social media platforms.

'Code of ethics' to be applicable for news publishers, OTT platforms, digital media: Centre

PTI Updated: Feb 25, 2021, 15:56 IST

सोशल मीडिया OTT

अराजकता पर लगाम

दुरुस्वयोग रोकने के लिए जारी किए विश्व निर्देश, तीन महीने में लागू होंगे नियम

दिल्ली, 25 फरवरी (एनआई) - सूचना और संचार विभाग के सूचना सचिव रावी शंकर प्रसाद ने सोशल मीडिया और ओटीटी प्लेटफॉर्मों पर नए नियमों की घोषणा की। वे कहा कि ये नियम 3 महीने के भीतर लागू होंगे। प्रसाद ने कहा कि ये नियम 'सॉफ्ट टच मैकेनिज्म' हैं, जो गैर-अनुचित और गैर-व्यवहारपूर्ण सामग्री को हटाने में मदद करेंगे।

प्रसाद ने कहा कि ये नियम 'सॉफ्ट टच मैकेनिज्म' हैं, जो गैर-अनुचित और गैर-व्यवहारपूर्ण सामग्री को हटाने में मदद करेंगे।

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New Rules for Digital, OTT Platforms Revolutionary: Tandav Director Ali Abbas Zafar

OTT Guidelines: Netflix, Amazon Prime to have self-regulating body, says Prakash Javadekar (Video)

New guidelines for OTT platforms, like Netflix, Amazon Prime to have self-regulating body, says Prakash Javadekar (Video)

Intermediary Guidelines and Digital Media Ethics Code Rules, 2021

SOCIAL MEDIA FIRMS TO REVEAL FIRST ORIGINATOR OF MESSAGE

SELF-REGULATION FOR OTT, DIGITAL MEDIA TO HAVE GRIEVANCE OFFICER

from the date of their publication in the gazette, except for the significant social media intermediaries, which shall come into effect three months after the date of their publication.

Revil Shankar Prasad - "These are the first guidelines for OTT platforms. We have framed these rules using existing IT Act."

The Digital Media Code balances many priorities, interests of several stakeholders

A FINE BALANCE IN DIGITAL AGE

With this move, India continues to deepen its position as a leader in digital policy and technological innovation.

Ministry of Information & Public Relations

Ministry of Information & Public Relations

एकता कपूर, प्रसून जोशी ने ओटीटी दिशा-निर्देशों का किया स्वागत

एकता कपूर, प्रसून जोशी ने ओटीटी दिशा-निर्देशों का किया स्वागत

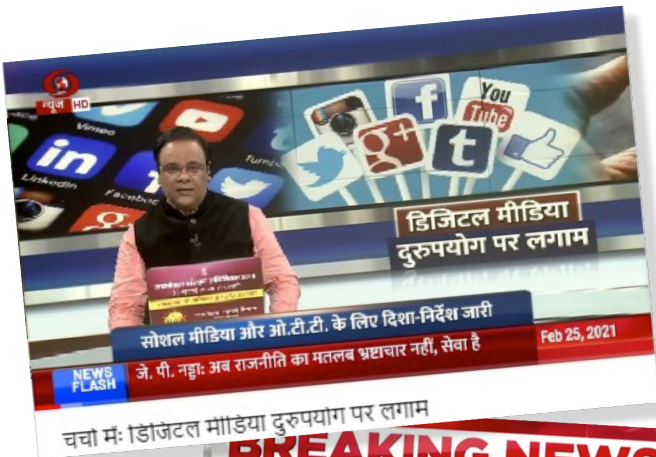


तीन स्तरीय जांच से गुजरनेगी ओटीटी पर रिलीज होने वाली फिल्में और वेब सीरीज, सरकार ने तैयार किया खाका

राजदीप, नई दिल्ली | Published by: anand | Updated: Thu, 25 Feb 2021 02:42 PM IST

We are not bringing censorship for films on OTT: Prakash Javadekar

Prakash Javadekar | Updated: Feb 25, 2021, 5:48 PM



चर्चा में: डिजिटल मीडिया दुरुपयोग पर लगाम



The Telegraph online

Friday, 26 February 2021 • E-paper
[Home](#) / [India](#) / Centre unveils ethics code for digital media

Centre unveils ethics code for digital media

OTT platforms would be required to implement parental locks and reliable age verification mechanisms



India imposes new rules on Facebook, Twitter and YouTube

By [Rishi Hemraj](#), [CNBS Business](#)
Updated 22:01 GMT (06:01 HKT) February 25, 2021

Asia&Pacific

India announces new rules to regulate social media platforms

Source: Xinhua | 2021-02-25 19:14:23 | Editor: huasia

AP

India introduces new rules to regulate online content

By [Sudhanu Sarkar](#)

India introduces new rules to regulate online content

The Information Technology Ministry said the new regulations would require social media platforms like Facebook and Twitter to swiftly erase content authorities deem unlawful.

yahoo! news

Parental lock, self classification of content among new rules for OTT platforms

Thu, 25 February 2021, 10:39 pm

Information and Broadcasting Minister Prakash Javadekar during a press briefing on February 25 informed that the government has decided to have a 3-star mechanism for OTT platforms. "OTT and digital news media will have to disclose their details. We are not mandating registration, we are seeking information," he added. He further informed that OTT platforms should have a self-classification of content in 13+ , 16+ and A categories and there has to be a mechanism of parental lock and ensuring compliance that children don't see that.



INDIA | 13:28 GMT 26 FEB 2021 | [Get other news](#)

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There are over 600 million internet users in India – the majority of whom are heavy consumers of social networking platforms and content streaming sites. In recent months, graphic content and misinformation has made the government enforce laws to keep the internet in check.

Indian Cabinet Ministers Ravi Shankar Prasad and Prakash Javadekar on Thursday announced the country's first guidelines to regulate [India's digital online](#).

NEWS

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- 03:11 GMT FBI Offering \$250,000 Reward for Information About Russia's Killnet Over



Praseon Joshi ✓
@praseonjoshi_



Measures taken for a level playing field and empowering consumers would provide clarity for content creators of emerging platforms. Responsible and accountable mechanisms will only bring in more quality and maturity in a commercial creative industry.
[@PrakashJavdekar](#) [@rsprasad](#)



Siddharth Shirole ✓
@SidShirole

With great power comes great responsibility. A welcome step by GOI to make Indian Internet safer, more responsible and unbiased. Code of Ethics, self regulation and grievance redressal will go a long way to make platforms more accountable.

[#ResponsibleFreedom](#)
[#OTTGuidelines](#)

3:21 PM · Feb 25, 2021 · Twitter Web App



rahul shrivastava ✓
@Rahulshrivstv



Welcome 2 do business. But follow India's constitution & rules. We don't want to interfere but [#OTT](#) & digital platforms can't hv double standards. Says [@GoI_MeitY](#) [@rsprasad](#) Action in attack on [#USCONGRESS](#) & inaction on [#redfortattack](#) is not acceptable
[@PrakashJavdekar](#) [@IndiaToday](#)



rahul rawail
@RahulRawail



Much Needed! A great mature handling of the Social Media and OTT platforms. The ball is in their court now. Kudo's to the vision of The Honourable PM, Shri Narendra Mody, [@PMOIndia](#) and to [@rsprasad](#) and [@PrakashJavdekar](#) for translating the vision to reality.

“With this move, India continues to deepen its position as a leader in digital policy and technological innovation”

T.V. Mohandas Pai



Ministry of Information and Broadcasting
Government of India