Stop Fake News: AI, Algorithms and Mitigation Actions in India

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Abstract

[Purpose] How to prevent fake news without spoiling the freedom of speech is a growing concern among governments across the world. Some countries see legislation as being the best approach to counter fake news. In the legislation proposals, accountability is mostly placed on technology companies, but also individuals seem to have responsibility in the legislation of some countries. Some other governments see non-legislative means to counter fake news. But it's a fact that countering fake news without compromising free speech is a high priority across governments in the world and a challenging task too. This paper investigates the India scenario and tries to list out other than legislation what other measures are required.

[Methodology] This paper takes a survey of mitigation efforts in select countries. This survey is used to testify against similar efforts in India, if any and adopts comparative approach to understand where Indian efforts stand at.

[Findings] From using fact-checking tools available online, finding the source, locating how many people viewed a particular story to check grammar and spelling, and developing a critical mindset; plenty of things become a critical means in fighting down fake news. Legislation alone is insufficient. Media literacy, public scrutiny, good citizenship, and education along with sensitive civil society require playing its significant part in India to fight fake news. In India, the policy is vague. It gives the government enormous power to surveillance in the name of fake news.

Keywords: Fake News. Algorithms. Legal Responses. Social Media. Artificial Intelligence.

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INTRODUCTION

Demand to address fake news arises from various quarters. It should be done without harming the social utility of social media. One necessary response is seen as legislation. Several proposed legislations hold technology companies accountable for disseminating fake news (Grigonis, June 30, 2017). However, there are varying strands on whom the responsibility falls on. In countries like Germany, Russia, the U.S.A., the U.K., and Israel, the responsibility falls on technology companies, whereas in India it falls on administrators of social media groups. Internet shutdown is still seen as prompt action against fake news. A recent legislation in India, however, has put the responsibility on the part of technology companies. In this background, the paper explores both the legislative and non-legislative responses to fake news across select countries and the scenario in India. The paper thereby tries to understand the Indian scenario of government responses to fake news and its efficacy and other possible implications of such responses.

FAKE NEWS: ACTIONS AROUND THE WORLD

Legislation is seen a prompt response to fake news, but it isn't alone sufficient in countering fake news. Therefore, some countries prefer to improve existing legislation instead of introducing new ones. The Indonesian Government, for instance, has tightened the existing legislation not only by introducing new measures (Molina, December 15, 2016) but also by issuing guidelines to aid their execution (Azra, November 5, 2015) and stepping up administration(Abubakar, November 20, 2015) through measures such as forming the Police Multimedia Bureau in 2017 (Arnaz, February 22, 2017). The Government in Indonesia is empowered to prevent access to pornographic or extremist content Article 40 of the Information and Transactions Law (Chalk, April 8, 2019). Some countries view non-legislative measures as a good approach to fake news such as deleting fake news, and fact-checking. Malaysia, for example, has introduced an information verification website (sebenarnya.my) to counter fake news (Shahar, March 14, 2017). Qatar had launched the "Lift the Blockade", a website to trace disinformation campaigns and counter it by providing its own viewpoints on the matter (Scott, September 19, 2017). Media literacy and critical thinking is an important form of nonlegislative measures. Countries like Italy and Canada see enabling school curricula and educating children as a better solution. So empowering children to distinguish between false and credible content is best. The role of online opinion leaders are recognized in some countries and political leaders such as Joko Widodo in Indonesia have encouraged social media influencers to fight fake news by promoting harmony (News Desk, August 24, 2017).

Research on artificial intelligence (A.I.) and machine learning (ML) is funded by governments to counter fake news. ClaimBuster, supported by the U.S. National Science Foundation, uses natural language processing techniques to spot factual claims within the texts (EurekAlert! August 24, 2017). The parliament in Australia and its committees have referred to false claims on a wide variety of issues of national interest and importance (Hassan, and Nayak, August 2017).

The E.U. Commission's final report entitled "A Multi-Dimensional Approach to Disinformation" (Mantzarlis, August 13, 2021) highlighted that while disinformation is clearly a problem, without evidence base of its scale and impact, concrete interventions beyond additional research should not be implemented.

Canada prefers media literacy and taskforce such as transparency guidelines for political advertising online, the establishment of a cyber security task force and digital and civic literacy initiatives to prevent the spread of fake news (Samuel, October 15, 2019).

Singapore has passed the Protection from Online Falsehoods and Manipulation Bill (Choudhury, April 8, 2020).

Sri Lanka has proposed a bill to combat fake news following the Easter Sunday attack in which on April 21, 2019, six blasts took place within a short space of time.

Brazil is yet to enact specific legislation aimed at protecting the objectivity of any type of news regardless of media and so far has no legal definition of "fake news" currently; but it deploys the Penal Code, Electoral Code, and federal law to fight the phenomenon (Soares, April 2019).

The U.K. does not have legislation directly applying to news provided exclusively online. Several government departments, such as the Electoral Commission, the Office of Communications (Ofcom) as well an independent review have been tasked with investigating the impact of fake news, and to provide recommendations on how to ensure that citizens have access to accurate, factual information. Final Report Disinformation and 'fake news: Final Report of House of Commons Digital, Culture, Media and Sport Committee is published on February 14, 2019. The U.K. does not have a regulatory body that oversees the various social media platforms and online written content as a whole. The closest regulatory body to address these types of issues is Ofcom, established under the Communications Act 2003 to enforce content standards across television and radio broadcasters, including rules that require accuracy and impartiality, and the U.K.'s media and telecommunications companies

(Communications Act, 2003). The government in the United Kingdom is interfering in the problem. Comments from various quarters introduce that liability may be placed on the proprietary owners (Feikert-Ahalt, April 2019).

In Germany, no general law prohibits the creation and dissemination of fake news. Several civil and criminal law provisions may be applicable to safeguard individuals or the public from fake news in social networks (Gesley, April 2019).

The Russian Federation has created an infrastructure for producing and disseminating fake news. One of the channels that produces and distributes fake news is the Internet Research Agency, a Russian entity created ostensibly to conduct internet research, but in reality, serving as an internet troll-producing machine to shape political landscapes internationally and domestically (OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE (January 6, 2017). In March 2019, Russia adopted two anti-fake news laws, amending existing legislation governing the accuracy of the information and prescribing punitive monetary measures for disseminating fake news (Federal Law No. 31-FZ 18 March 2019).

A 2017 report by the Knesset (Israel's parliament) Information and Research Center (KIRC) recognized that dissemination of fake news as real facts was not a new phenomenon, as it had apparently existed even before the invention of print (Kirc, June 11, 2017).

Fake news in the United States became a prominent issue, especially due to the presidential election of 2016. The wider community in the U.S.A. is but divided on how to manage the issue of fake news. The problem of fake news multiplies if the focus is on placing liability on the proprietary owners, says Media scholar Nolan Higdon (Higdon, August 15, 2020). The Government in the United States deal with the problem with a broad approach that combines media literacy, education, legislation, liability on proprietary owners, legal proceedings, and platform testimonials. Then several platform providers, such as Facebook, revealed to a committee that they had a role in the fake news as well there was a broad consensus on the role of Russian in manipulating information (Funke, and Flamini, August 16, 2021). The Government in Australia has set up a task force as well as started a media literacy campaign. Task force was appointed to identify data manipulation during elections (S.B.S. News, August 16, 2021).

LEGISLATION: INDIAN SCENARIO

In this background, it is necessary to investigate the Indian situation. The general perception is that to fight fake news, India prefers an Internet shutdown.

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The online news WIRED on October 18, 2018, reported role of WhatsApp in causing riots. Soon the authorities had a consensus on the issue that the Internet must be turned off (Burgess, October 18, 2018). India experienced 16315 hours of Internet shutdown during the period 2012 to 2017, says a study by The Indian Council for Research on International Economic Relations (ICRIER) report titled 'The Anatomy of an INTERNET BLACKOUT: Measuring the Economic Impact of Internet Shutdowns in India' (Kathuria, et.al., April 2018). In the list of Internet shutdowns of 30 countries in the world, India topped with 54 shutdowns, says a study by The Shutdown Tracker Optimisation Project (STOP) run by the civil society organization Access Now reported in a September 2017 study. The number of Internet shutdowns in India doubled from 2017 compared to those in 2016 (Kathuria, et.al., April 2018). In 2018, the international nonprofit Access Now documented 134 internet shutdowns in India (The State of Internet Shutdowns Around the World, 2018).

A study done at Stanford found that 47 percent of these took place in the politically tumultuous northern state of Jammu and Kashmir (Rydzak, February 7, 2019).

Internet shutdown is a serious issue in India. There were 116 internet shutdowns across India in 2018 alone, says The Software Freedom Law Center (SFLC), based in New Delhi. The figure is intriguing as it was just three in 2012 and 31 in 2016. In 2017, it counted reports of 79 shutdowns. The shutdowns cause a financial burden to Indian economy and destroys India's online reputation. The interesting point is that most of the shutdowns are based on rumors, and misinformation (Burgess, October 18, 2018).

Section 144 of the Criminal Procedure Code and Section 5 of the Telegraph Act deal with Internet Shutdowns in India (Bhatia October 18, 2017). Legality of Internet shutdown is a matter of dispute (Nayak, October 6, 2017). Shutdowns as a solution to law and order resulting from fake news were challenged in Gujarat (Gupta, and Raman October 26, 2016). The High Court dismissed the petition ruling in favour of the state's powers (Arun, February 24, 2016), as did the Supreme Court of India, not allowing an appeal and agreeing that "it sometimes becomes necessary for law and order (Shashidar 2016).

The Government has issued rules on shutdowns under the Telegraph Act, 1885 due to dispute over the legality of power by authorities to issue orders of shutdowns. The "Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017" (Internet Shutdown Rules, 2017) laid down the rules for competent authorities to issue the order. On December 24, 2019, the Information and Technology Ministry required the intermediaries to provide details of originators if requested by authorities authorized (Business Today January 2, 2019). The rule insists tech firms trace the origin of

disinformation. It created a severe difficulty to platforms like WhatsApp which uses end-to-end encryption that allows only the sender and receiver of information able to read the content. The rules forced such proprietary owners to leave the country or amend their technology policies to suit the Indian rules. This also created a huge uproar regarding India's approach to tackling fake news on cyberspace.

WHY LEGISLATION ALONE IS INSUFFICIENT?

"Congratulations @narendramodi sir for being declared the best PM in the world by @UNESCO", tweeted the famous Indian billiards player Pankaj Advani on June 24, 2016.

"Congratulations! Our National Anthem 'Jana GanaMana is now declared as 'THE BEST ANTHEM OF THE WORLD" by UNESCO! PROUD to be an INDIAN": tweeted famous Indian actor Amir Khan on November 24, 2016.

The information in the tweets mentioned above is false. UNESCO itself had denied any such awards. But in India, the chances of hard-core fans and ordinary people blindly believing what their favorite stars shared on the Internet finding more credibility than the clarification of the UNESCO is higher. Ordinary citizens need not suspect the genuineness of news shared by people with an excellent reputation in public life. So, the fake news like this gets enormous visibility in India. Who else in this world ever spare time to verify news that comes to one's news feed on social media if it comes from people who have trust and love or others who are famous?

A country with superstition and deep-rooted fissures in the social structures fake news is escalating the divisions more complicated in India. Dealing with it means a lot of things. Fighting it doesn't mean simple innovation on technology to meet the challenge. Rather it goes beyond the filtering mechanism or automation of AI-based content censorship. This study lists cases in which fighting fake news remain more than a technical solution. These cases are examples of fake news unique to India. So, fighting it in India requires a blend of several approaches, let alone legislation.

Good Citizenship

In a time of fake news, disinformation, misinformation, bullshit, propaganda, deep-fakes clickbait, hoaxes, and satire, identifying fact is an important part of good citizenship. The Internet gives unrestricted freedom to publish information. The same opportunity finds synergy with conflict zones

unique to society in India. Hashtags like #RemoveMughalHistory #RamMandir, #Prayagraj, #Ayodhya, #TajMahal, #Tejomahalya #Hindutva, #AntiNationals, #NaamVaapsi, #RamMandir, #Gaumata or Twitter profiles like @HinduDharma1, @sagenaradramuni, @Bhaskarg77G, @SwamyBhakt operate in these conflict zones to push an agenda. They can have far-reaching consequences, even beyond the arithmetic of electoral mobilization.

Their main goal seems to cause pandemonium, piss people off and catch eyes for communally sensitive remarks. These people, somewhere behind fake social media accounts, live only to bother about others, waste their time and hurt other people's sentiments. Cow, Taj Mahal, traditional names, Hindu kings, Vedas, ancient structures, and places of worship are just to mention the favorite topic of interest among hate *trollers* that spread fake news. If you are Dalit, Muslim, Christian, lesbian, gay, women or someone who believes in secular ideas, you get trolled in the cyber world. It ranges from verbal abuses, abusing families, questioning your patriotism to rape threats and death threats. It still doesn't end up there.

Understanding these profiles and their activities with critical insight is very important. So cyber literacy should find priority. It should be initiated from school curriculum itself.

News Literacy

Canada, Italy, and Taiwan are some of the countries giving credence to media literacy and introducing components in school curriculum that teaches children to differentiate between false and credible facts. The same scenario seems apt for India considering the nature of fake news being circulated. Fake news being politically motivated misleads users to formulate a public opinion in line with a false narrative.

Essential life skill one can use is common sense. Read the news and understand the specifics. If it is spurious, one will see glaring hitches. There will be a syntax problems, grammar and spelling error, the photographs will look extremely photo-shopped, and the videos will have erratic and amateurish turns. The narrative remains biased and exaggerated, and in most cases, it might incite communal violence and spreading rumor and hate. So ultimately, the best friend is one's own common sense.

The bitter part is when news pieces with enticing headlines lure one. The algorithms on Facebook, YouTube and others better know what users are seeking for. There are attractive headlines which fit one's pre-conceived notions. To attract users to something false but entirely too convincing, the best thing propagators of fake news deploy is an attractive headline that appears in your newsfeed using social media analytics.

Then be cautious that some fake news is purely sexist. So when one sees news which purportedly evokes curiosity, just conduct a fact check. Some news is crafted by people who find everything wrong with people if their gender is female. So the news goes like this film actor Deepika Padukon is buying liquor, Jamia Millia Islamia student Safoor Zargar, who was facing charges under the Unlawful Activities (Prevention) Act, was arrested and then found to be pregnant in jail. Looking for the sexist content in information pieces will give you hints about falsehood in the news.

Verifying the domain is very important. Even though it may look authentic, there is every possibility, it is not. Make sure you check the website and its characteristics before just falling into the news on the website. Manage a quick verification scan, if the information that spread on WhatsApp or Twitter is like wildfire. If it is trending, they will pick it up by news agencies and media houses. In the age of breaking news, it is all about getting the brief the quickest. When one reads something that piques one's interest, just run the keywords on a search engine. The media will never pick it up if it is a piece of fake news.

WhatsApp is the hub of fake news. So, be cautious before reading or forwarding any news on WhatsApp. Never treat it as a news portal. Not only are you just the recipient in this but also an intentional or unwitting perpetrator. Try to become a news ombudsman in the many groups on WhatsApp, where one is inundated with links after links.

You likely feel that you are not susceptible to misinformation. It makes sense because misinformation exists as those who believe it doesn't think it is misinformation. Disagreeing with oneself is also an important skill in dealing with false news. People usually disagree with information that stands in contrast to what one upholds, or people ignore that makes them uncomfortable. As a result, when casteist, sexist, racist, right-wing, and religious fanatic are given the same set of news about a polarizing issue (like Nehru's contribution to India), each side may become more entrenched in their beliefs. Bias comes from here. Social media echo chambers, political polarization, science claims, and even mass media contribute to this. Ensure that they do not trap you in this.

We have surrounded ourselves with people who have the same political leanings. The composition of our friendship network is the single-most-important factor in determining what we see in our newsfeeds. It is still a fact that we choose not to be exposed to viewpoints that refute us, even though the Internet provides us plenty of resources where we get multiple viewpoints. The best way to check one's bias is to ponder over what articles you ignore and which friends you choose to block; then read some frustrating articles in your newsfeed with an open mind.

You may try installing PolitEcho, if you use Chrome. Creating a chart of your friends by political affiliation and how often they appear in your news feeds, it will give you a close picture of how your friends circle influence your thoughts and the extent of bias in your viewpoints. There is nothing to surprise because a small circle of people homogenous by their political affiliation determines what you see on Facebook. Analyzing your friendship network will filter news articles and other information pieces.

Activists, organizations, and public offices create fake news to influence public opinion. It can be well understood that many stories shared on Facebook aren't even read before they are posted. The top fake news stories were more popular than top stories in major news outlets. So before buying it, check some vital information.

Look for details of the author. Consider, for example, the story about the UNESCO giving awards to India's national anthem. Looking for the details of a story's author can be the best effort to find falsehood in a story: Are they qualified enough to say what is being said? Did they receive any awards for their journalistic work? Can you flip through their biography or any pieces they have created? Verifying the date of the news will give some hints. Sometimes fake news stories may not be fully false. Only thing is that people just share it years later, claiming that they are related to ongoing events.

Checking the source of the news is also very important. Fake news may cite official or official-looking sources. But once one investigates the source, one may find it doesn't back up the claim. Make it a habit to check links in articles to see if the sources used as supporting evidence support the topic.

Upload tools that find fake news. To debunk them they are many tools. Chrome plugin, This Is Fake, created by Slate will label fake news stories in Facebook feed. The Fake News Alert is another example for the plugin. It will notify when one arrives at a website that publishes false or sensational stories. The Washington Post has created a plugin that fact checks President Donald Trump's tweets, providing clarification and needed context. If one is not sure about the news, many websites will help one assess its truth. One can verify the story on credible fact-finding platforms like PolitiFact, Factcheck.org, or Snopes. Facebook announced a fact-checking partnership with BOOM, for checking facts and rate their accuracy.

WhatsApp encourages users to think before sharing messages forwarded through imposing a limit on the number of chats to which people could forward messages, and it would also remove a "quick forward" button next to messages.

S. M. Hoax Slayer, altnews.in,- a fact-checking website; check4spam.com,- a verification site; are other applications debunking

misinformation on social media. Other independent fact-checkers are Factly, IndiaToday Fact Check, Quint Webgoof, and NewsMobile Fact Checker.

Education

Education is the best approach. Citizen who examines critically cannot be matched by any sophisticated Ai algorithms that can fact check or any government regulations that punishes or deters fake news. Educating the people is the best investment to tackle the problem. In the long run, education is the best approach as technology sophistication allows fake news to spread in novel ways that can overcome regulation and fact checking algorithms. If the content distribution is cheaper and the political and commercial incentives to spread lies grow, none other than critical citizenship can better prevent it. Alternative means to spread fake news will grow as technological possibilities multiply. So, in the short run, a campaign against false information on social media seems good. Such a campaign too will get political support as almost all political parties are against false information.

India is home to a nationwide campaign strategy on public education such as 1950s family-planning campaigns or campaign against polio. More recently, convincing millions of citizens to give up their subsidies on cooking gas, India has shown its ability to organize a popular campaign against common enemies.

India also has a vast publicly funded Press Information Bureau, and a television and radio network, which monitor, and debunk fake news. One lesson is that such agencies though remain under government control and party in power, so political disinformation could not figure out attention, non-political misinformation such as rumors on child lifting can be effectively checked. The good service of independent start-up needs to be supported by both public and private support.

ALGORITHMS AND AI: ROLE OF SOCIAL MEDIA COMPANIES

In 2019, Digital Civility Index by Microsoft has found that over sixty-four percent of Indians deal with fake news among the twenty-two countries the study surveyed (Microsoft News Center India, February 5, 2019). The increase in fake news is not a sudden outflow that stems from the defects of the legal system. Rather, the structure of the information sharing platform blows up fake news, and there is a need for efforts to bring fake news under control on each platform by social media companies.

The experiences of social media companies with fake news show the poor efforts at automating the design infrastructure for the containment or removal of misleading contents. Once one publishes fake news on the Internet, it spreads across platforms swiftly and reaches out to as many people as possible, bypassing all the curbs and legal barriers. The design of platforms is that one can go to any extent to publish information without verification. Many people would see it and forward to people in their networks. By the time the companies try to remove it, the same might have already reached where it should, and seeds of dissension and panic might have already been created. In the meantime, those who want to set their agenda might have already achieved it.

There is a growing impression that social media companies engage in retroactively deleting fake news from their platforms. But the challenge is how social media companies prevent it instead of deleting it after it has happened.

First, make it technologically easier for users to report fake information. The social media companies can perform some important role here. There should be a more effortless way of reporting misleading information and fake contents.

Second, social media companies should attach warning labels to stories flagged as fake. Use of third-party fact-checking services to verify content's veracity needs more attention.

Third, automation of the systems to detect disinformation before being flagged as fake by users must be a top priority. The individual users reporting or identifying fake content solely depends on human nature. It depends on human sensitivity and a lot of things related to their value system. That won't always be a credible method. This will only be effective if a human person consistently flag stories as fake. It may be an unrealistic expectation about human nature. Sometimes, malicious actors who can false flag legitimate news stories manipulate human motives. That would bring total damage to the information eco system.

Third-party fact-checking is another widely prevalent option. Facebook, Twitter, Instagram and others allow third-party fact checkers to operate in their ecosystem to verify legitimate contents. However, there are reports about the poor reach of third-party fact checkers to consumers. A study by Andrew M. Guess, Brendan Nyhan and Jason Reifler about exposure to untrustworthy websites in the 2016 U.S. election testified that fake news checking websites failed to prevent visitors' access to untrustworthy information platforms. In addition, scientific study into fact-checking on social media has found that corrective messages often cannot reach the target audience vulnerable to misinformation. Sometimes fact-checking platforms fall short of filtering false news and managing the spread of the same (Shin, and Thorson, 2017). Without more technology inventions and sophistication, fact-checking is likely to have little impact.

Automated content removal is an appropriate solution for preventive action on social media that could ensure that the disinformation does not appear on their platforms. But reports state that no machine-learning based system, no matter how advanced, can understand a concept as subjective as 'fake news and extremism. Developing such a filter would inevitably result in vast quantities of legitimate content being removed (Babuta, September 25, 2017). The development of an artificial intelligence-based system that can filter out fake news content is more likely to be challenging as extremist content is more subjective, which only human brains can distinguish from others. The artificial intelligence system to distinguish between legitimate news material and disinformation is very limited. This aspect is more relevant considering the patterns in which fake news spread quick.

Some fake news and disinformation aim at influencing political choices during the election seasons. There is fraudulent news that influences people's behaviour during socio-political events and crisis situations. Some false information has an intention to persuade people. That said, fake news does not appear in a vacuum. The pattern points towards the conflict zones in India's social structure (Patil, April 29, 2019).

The operative mechanism of proprietary owners is yet to evolve in India for fact check, particularly more popular Facebook and YouTube. For example, when Facebook bans fake news, its unqualified approach does harm to those associated with contents of political parties. Media reported that the contents related to the B.J.P. that Facebook removed were far-reaching. Placing the liability on the proprietary owners to fix the crisis is a deeply flawed approach. Most of the disinformation shared on cyber space appears in a decentralized manner through direct messaging. Monitoring those messages is a step toward legitimizing mass surveillance which may invite public uproar. In India, fact-checking often confronted with conceptual problems. A large proportion of messages shared directly among closed network on social networks have little to do with verifiable facts. Facebook India has a fact-checking team which involves only very few manpower for content related to Indian elections.

Above all, fake news is not a technological problem with a quick fix. It needs to be treated as a novel kind of public health crisis in all its social and human complexity.

CONCLUSIONS

The paper explored into the mitigation actions undertaken in India to counter the problem of fake news on cyber space. In doing so, the paper tried to understand whether the attempt to contain fake news indeed result in

infringement on the freedom of speech. Using a comparative approach, the paper reviewed major efforts furnished in different countries across the world in containing fake news in cyberspace. Containment efforts against fake news at the global scale are thus reviewed. With a reference to those efforts, a comparative analysis was undertaken to verify the location of Indian efforts and found that Indian efforts stand nowhere befitting the global efforts on the observation that India still sees Internet shutdown as a panacea for almost all problems coming from the Internet. The approach to fake news in India is nonetheless similar. This approach is different from the most widely held solutions suggested which is discussed in the fake news across the world section of the paper. The paper found that legislation is the best solution, but the paper understands that it's not sufficient. Some of the important literature that investigated fake news and containment efforts in India are scrutinized and the paper validates the aforesaid argument that non-legislative measures are also required. Since India views the internet shutdown as a solution, for which legislative solutions such as Telegraph Act are invoked against perpetrators, the paper understands that such an attempt results in flouting the right to free speech of innocent citizens, which is upheld in the Indian constitution. Non-legislative measures such as cherishing good and informed citizenship and civic vigilance, encouraging news literacy among citizens, and imparting critical consciousness through education, are very important measures suggested by this paper. The role of social media platforms and proprietary owners in the prevention of fake news needs priority attention in the containment efforts. False news is an issue best tackled collectively, so, the Government, individuals, civil society, and technology firms will have roles to play. These actors need to work together to fight it. The pandemic of morphed images, doctored videos and text messages containing false information going viral on social media is more likely to influence what Indians see, watch, and read. If India wants to preserve the bedrock of liberal society — the principle that we can tolerate differences of all kinds — then the real battleground is not technology platforms or changing the behaviour of politicians or legal actions but increasing citizens' critical thinking.

REFERENCES

Abubakar, Irfan. (20 November 2015). "Managing hate speech or muzzling freedom of expression?" Indonesia at Melbourne, Available at http://indonesiaatmelbourne.unimelb.edu.au/surat-edaran-hate-speech-freedom-expression/.

Arnaz, Farouk. (22 February 2017). "National Police Form New Unit to Tackle 'Fake News' on Social Media," Jakarta Globe. Available at

- http://jakartaglobe.id/news/national-police-form-new-unit-to-tackle-fake-news-on-social-media/.
- Arun, Chinmayi. (24 February 2016), "Demarcating a safe threshold" Indian Express. Available at http://indianexpress.com/article/opinion/columns/demarcating-a-safe-threshold/
- Azra, Azyumardi. 05 November 2015. "Hate Speech and Freedom," Republika, www.republika. Available at
- co.id/berita/en/resonance/15/11/05/nxc6o1317-hate-speech-and-freedom
- Babuta, Alexander. (25 September 2017). Online Radicalisation: The need for an Offline Response. Available at https://rusi.org/commentary/online-radicalisation-need-offline-response
- Bhatia, Gautam, (18 October 2017), "Making the Internet Disappear" The Hindu. Available at http://www.thehindu.com/todays-paper/tp-opinion/making-the-Internet-disappear/article19879182.ece
- Burgess, Matt. (18 October 2018). 'To fight fake news on WhatsApp, India is turning off the internet'. WIRED. Available at https://www.wired.co.uk/article/whatsapp-web-internet-shutdown-india-turn-off.
- Business Today. (2 January 2019). Govt planning to amend IT Act to crack down on apps, sites unable to curb fake news. Available at https://www.businesstoday.in/latest/story/govt-planning-to-amend-it-act-to-crack-down-on-apps-sites-unable-to-curb-fake-news-158820-2019-01-02.
- Caspar, George. (2014). Shame and Internet Trolling: A Personal Exploration of the Mindset Behind this Modern Behavior. New York: Book Baby
- Chalk, William. (8 April 2019). 'Indonesia's elections face a disinformation crisis. Asia and Pacific Policy Society'. Available at https://www.policyforum.net/indonesias-elections-face-a-disinformation-crisis/.
- Choudhury, Saheli Roy. (8 April 2020). Singapore's law minister says that to counter fake news, more information must be given. CNBC. Available at https://www.cnbc.com/2020/04/08/singapore-law-minister-on-tackling-fake-news-during-coronavirus-pandemic.html.
- Communications Act 2003, c. 21. Available at https://www.legislation.gov.uk/ukpga/2003/21, archived at https://perma.cc/5NAX-VJH7.
- Doshi, Vidhi. (1 October 2017). "India's Millions of New Internet Users are Falling for Fake News Sometimes with Deadly Consequences," Washington Post,
- BIJU P. R.; GAYATHRI O. Stop Fake News: AI, Algorithms and Mitigation Actions in India. The Law, State and Telecommunications Review, v. 15, no. 1, p. 207-224, May 2023.

- EurekAlert! (24 August 2017). UTA researchers are refining their automated fact-checking system", EurekAlert! Available at https://www.eurekalert.org/pub releases/2017-08/uota-ura082417.php.
- Federal Law No. 31-FZ of 18 March 2019, on Amending Article 15-3 of the Federal Law on Information, Information Technologies and Protection of Information (hereinafter Law on Amending Article 15-3 of the Information Law), http://publication.pravo.gov.ru/Document/View/0001201903180031 (in Russian), archived at https://perma.cc/7YEP-QHU8; Federal Law No. 27-FZ of March 18, 2019 on Amending the Code of Administrative Violations.
 - http://publication.pravo.gov.ru/Document/View/0001201903180021? index=1&rangeSize=1 (in Russian), archived at https://perma.cc/E3CL-H6KM.
- Feikert-Ahalt, Clare. (April 2019). United Kingdom. The Law Library of Congress. April 2019. Initiatives to Counter Fake News in Selected Countries. Global Legal Research Directorate. The Law Library of Congress. Available at https://fas.org/irp/eprint/lloc-fake-news.pdf.
- Final Report Disinformation and 'fake news': Final Report of House of Commons Digital, Culture, Media and Sport Committee. (14 February 2019).

 Available at https://publications.parliament.uk/pa/cm201719/cmselect/cmcumeds/17 91/1791.pdf.
- Funke, Daniel and Flamini, Daniela. (16 August 2021). A guide to antimisinformation actions around the world. pointer. Available at https://www.poynter.org/ifcn/anti-misinformation-actions/#us.
- Gesley, Jenny. (April 2019). 'Germany'. Initiatives to Counter Fake News in Selected Countries. Global Legal Research Directorate. The Law Library of Congress. Available at https://fas.org/irp/eprint/lloc-fakenews.pdf.
- Grigonis, Hillary. (30 June 2017). "Delete hate speech or lose millions, the German Network Enforcement Act says," Digital Trends, accessed 10 November 2017. Available at https://www.digitaltrends.com/social-media/network-enforcement-act-germany/.
- Gupta, Apar and Raman, Jit Singh Chima. (October 26, 2016) "The Cost of Internet Shutdowns" Indian Express. Available at http://indianexpress.com/article/opinion/columns/ Internet-access-government-restriction-shutdown-3102734/

- Hassan, Naeemul and Nayak, Anil Kumar. (August 2017) "ClaimBuster: The First-ever End-to-end Fact-checking System," Proceedings of the VLDB Endowment 10, No. 12 (2017): 1945-1948.
- Higdon, Nolan. (15 August 2020). "The Anatomy of Fake News: A Critical News Literacy Education". University of California Press.
- Kathuria, Rajat; Kedia, Mansi; Gangesh Varma; Kaushambi Bagchi; and Richa Sekhani. April 2018. 'The Anatomy of an INTERNET BLACKOUT: Measuring the Economic Impact of Internet Shutdowns in India'. Indian Council for Research on International Economic Relations.
- Kirc, Roi Goldsmidt. (11 June 2017). Dissemination Of False Information On The Internet And Cyberattacks For Influence On Elections. https://fs.knesset.gov.il/globaldocs/MMM/17103500-0233-e711-80d4-00155d0aee17/2_17103500-0233-e711-80d4-00155d0aee17_11_6989.pdf, archived at https://perma.cc/ 5LTZ-FV23 (citing Jacob Soll, The Long and Brutal History of Fake News, POLITICO MAGAZINE (Dec. 18, 2016). Available at https://www.politico.com/magazine/story/2016/12/fake-news-history-long-violent-214535, archived at https://perma.cc/RF52-6PZR).
- Mantzarlis, Alexios. (13 August 2021). Six key points from the EU Commissions new report on disinformation. pointer. Available at https://www./fact-checking/2018/six-key-points-from-the-eu-commission%C2%92s-new-report-on-disinformation/.
- Microsoft News Center India. (5 February 2019). Microsoft releases digital civility index on Safer Internet Day. Available at https://news.microsoft.com/en-in/microsoft-digital-civility-index-safer-internet-day-2019/.
- Molina, Kristo. (15 December 2016). "Indonesian Electronic Information and Transactions Law Amended," White & Case. Available at https://www.whitecase.com/publications/alert/indonesian-electronic-information-and-transactions-law-amended
- Nayak, Nakul. (6 October, 2017), "The Recently Notified Rules on The Suspension of Telecom Services Legitimise Internet Shutdowns and Facili-tate Voice Call Bans", Caravan Magazine. Available at http://www.caravanmagazine.in/vantage/suspension-telecom-services-rules-legitimise-Inter-net-shutdowns-facilitate-voice-call-bans.
- News Desk. (24 August 2017). "Jokowi tells social media influencers to step up fight against fake news" The Jakarta Post. Available at http://www.thejakartapost.com/news/2017/08/24/jokowi-tells-social-media-influencers-to-step-up-fight-against-fake-news.html

- OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. (6 January 2017). BACKGROUND TO "ASSESSING RUSSIAN ACTIVITIES AND INTENTIONS IN RECENT US ELECTIONS": THE ANALYTIC PROCESS AND CYBER INCIDENT ATTRIBUTION. Available at https://www.dni.gov/files/documents/ICA_2017_01.pdf, archived at https://perma.cc/FW3T-JUY2.
- Patil, Samir. (29 April 2019) India Has a Public Health Crisis. It's Called Fake News. Available at https://www.nytimes.com/2019/04/29/opinion/india-elections-disinformation.html
- Rydzak, Jan. (7 February 2019). Of Blackouts and Bandhs: The Strategy and Structure of Disconnected Protest in India. Available at https://ssrn.com/abstract=3330413
- Samuel, Alexandra. (15 October 2019). To Predict the Role of Fake News in 2020, Look to Canada. daily.jstor.org. Available at https://daily.jstor.org/to-predict-the-role-of-fake-news-in-2020-look-to-canada/
- SBS News. (16 August 2021). 'Anti-meddling task force set up ahead of Australian by-elections'. Available at https://www.sbs.com.au/news/anti-meddling-task-force-set-up-ahead-of-australian-by-elections/5d0b85b2-5799-4afd-aeba-1ffd58408728.
- Scott, Victoria. (19 September 2017). "Qatar launches new website to counter 'fake news'," Doha News. Available at https://dohanews.co/qatar-launches-new-website-to-counter-fake-news/.
- Shahar, Fairuz Mohd. (14 March 2017). "Communications Ministry launches sebenarnya.my to quash fake news, information," New Straits Times. Available at https://www.nst.com.my/news/2017/03/220604/communications-ministry-launches-sebenarnyamy-quash-fake-news-information.
- Shashidar K.J. (2016). "Supreme Court upholds states' right to ban mobile Internet services" Medianama , 12 February, 2016. Available at https://www.medianama.com/2016/02/223-supreme-court-mobile-Internet-ban/
- Shin, Jieun and Thorson, Kjerstin. (2017). Partisan Selective Sharing: The Biased Diffusion of Fact-Checking Messages on Social Media: Sharing Fact-Checking Messages on Social Media. Journal of Communication.67. 10.1111/jcom.12284.
- Soares, Eduardo. (April 2019). Initiatives to Counter Fake News in Selected Countries. Global Legal Research Directorate. The Law Library of Congress. Available at https://fas.org/irp/eprint/lloc-fake-news.pdf.

- Sutton, E. (22 January 2017). "Trump Knows You Better Than You Know Yourself," aNtiDoTe Zine. Available at https://antidotezine.com/2017/01/22/trump-knows-you/.
- The State of Internet Shutdowns Around The World. 2018. Access Now. Available at https://www.accessnow.org/cms/assets/uploads/2019/07/KeepItOn-2018-Report.pdf.
- Tiku, N. (16 November 2017). "You're Browsing a Website. These Companies May Be Recording Your Every Move," Wired. Available at https://www.wired.com/story/the-dark-side-of-replay-sessions-that-record.
- Tobor, Eichmann. (2016). The Fine Art of Internet Troll Slaying: Your handy guide for dealing with internet trolls and online bullies. New York: Create Space.
- Wu, F. Morstatter, L., Nazer, T. H., K. M. Carley, and H. Liu, (2016). "A New Approach to Bot Detection: Striking the Balance between Precision and Recall," in 2016 IEEE/ACM International Conference on Advances in Social Networks Analysis and Mining (ASONAM), pp. 533–540.

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