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Article

Privacy on New Media Platforms

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Abstract: In the ever-evolving landscape of information and communication technology, the advent of new media platforms has sparked a profound technological shift, reshaping the dynamics of privacy protection and data governance. This article delves into the intricacies of safeguarding privacy and data on these platforms, shedding light on their transformative impact. Specifically, it explores the pervasive issue of fake news dissemination in digital spaces and examines the regulatory frameworks within India, elucidating their role in fostering a secure online environment. Drawing upon Indian laws and governmental mechanisms, the author underscores the imperative of effective internet regulation to safeguard citizen privacy and mitigate the risks associated with unchecked information flow. By analyzing the regulatory landscape, this article elucidates the pivotal role of legislative measures in addressing contemporary challenges and fortifying data protection in the 21st century. Through a comprehensive examination of pertinent legal frameworks and regulatory strategies, this article provides valuable insights into the multifaceted dimensions of privacy protection and data governance in the digital era. It underscores the importance of a proactive approach to internet regulation, emphasizing the critical need for robust mechanisms to uphold individual privacy rights while fostering responsible information dissemination.

Keywords: new media platforms; data portection; new media platforms; in flow out flow of data; identity crises

I. INTRODUCTION

There has been a paradigm shift in the development and advancement of information and communication technology wherein developed countries like USA use the model of laissez-fair who use technology such as Google, Facebook /Meta, Amazon, and Microsoft as internet platforms. Other countries such as European Union, China are ensuring sovereignty control over the data and the networks at the domestic level in territorializing the data, which will lead to data governance on the state to supervise, regulate, and limit the information circulated on various electronic media platforms. The right to protect privacy on internet and new media platforms are matter of concern which relates to person's behavior, identity and recognition is hampered to a larger extent because of circulating fake news on internet and digital platforms without the consent of the person on whom the information is posted or identified by artificial intelligence.

II. DEFINITION OF NEW MEDIA

Click of a button due paradigm shift in circulation of information from paper to digital platforms. information which is circulated on digital platforms. There are various multimedia platforms to communicate the information which is done via various modes such as laptops, computers, through various websites, podcast, social media platforms, whatsapps and blogs.(Technopedia.com)

Today's, "new media refers to much more than only information It has evolved into an aggressive word that is used to denigrate and criticize journalism, this is because of advancement of science and information technology this has also influenced the physiological mindset of masses to a larger extent and brought changes in social behavior of masses.

(We are) Alarmed by situations in which public authorities deintrigate ,intimidate, and threaten the media, particularly by claiming that the media is "the opposition" or is "lying" and has a covert

political agenda, which increases the risk of threats and intimidation. Intimidation of journalists erodes public faith in the media as a public watchdog, and might mislead the populace by fusing information that can be independently verified as well as false information in media products. This erodes the values and news, information about the true facts which is circulated and the public will disbelieve and not trust the information in which value for free speech is lost. [3] A report *Journalism, Fake news and Disinformation published by UNESCO*.

Privacy and Data Protection

Collection of information, conveying and broadcasting information on electronic mode of media which internet connection should be localized within the borders of the country. Individual privacy is an important aspect because it preserves the confidentiality of the information without leaking the information and protects the individual identity.

States should play an important role in creating awareness about circulation of disinformation which is circulated on the online platforms, ensure authenticity and genuity of information should be promoted instead of state curbing the ideas expressed on digital platforms which is in form of reality check or string operations conducted by media houses. The regulation of the state should be such that the law should not curb other freedom of other individuals. Unlike the European Commission has defined disinformation is that “all forms of false, inaccurate information or misleading information presented intentionally cause harm to the public at large”

European Commission has laid down certain guidelines in playing limited role in curbing disinformation they are as follows:

- To improving the capabilities of Union institutions to detect, analyze and expose disinformation;
- (ii) strengthening coordinated and joint responses to disinformation;
- (iii) Mobilizing private sector to tackle disinformation;
- (iv) Raising awareness and improving societal resilience obilising private sector to tackle disinformation; [5] *Zhanna Malekos Smith , How are liberal democracies addressing false information:*

According to Indian Constitution freedom of Speech and expression is mentioned under Article 19 [1](a) which is qualified right but not a absolute right wherein the state plays an important role in curbing free speech which is affecting the fundamental rights of the citizen in the mean while privacy of the individual should be protected on new media platforms and the personal information available on the new media such as Facebook, Twitter ,whatsapp should not use the information for marketing wherein undermines the dignity character of the individuals as mentioned under Article 21 of Part III of the Constitution of India. Wherein circulating fake news affects the mindset of society. Justice B.N.Krishna Committee Report also highlights the importance of data protection and data localization which is important and vital to protect individual privacy without giving room for identity crises of the individual and enable the government machineries to have access of Artificial Intelligence and blockchain to solve complex societal problems which has arisen due to transitional shift of science and technology. The best example would be ban of Tick Tok by US law makers wherein the Chinese company whould have access of sensitive information from the digital platforms.(New York Times)

Digital media services expanding its membership throughout the world which leads to exchange of information with same mind set of people which makes them safe to express their views on social media platforms Furthermore, in order to sell end users attention to marketers. It takes expertise to be able to provide various advertisements to various audiences the gathering of ever-larger amounts of data on audiences regarding the target audience. Additionally, according to the logic of digital capitalism compel businesses to practice governance which has led to surveillance and controlling fake news circulated on the digital media platforms. [6] *Columbia Law Review*.

There is no specific law which regulates fake news which only governed by Article 19 of the Indian constitution, irrespective of the information is circulated and broadcasted among various platforms are various regulatory bodies to regulate the media broadcasting such as *Press Council of India, Indian Broadcasting Foundation, Broadcasting audience Research Council, Broadcasting content Complaints Council* which are self-regulatory in nature and are ambiguous about the content circulated on new media or any other media platforms.

Any individual who sends objectionable information via a computer or another electronic device is guilty of a criminal offense under Section 66A of the Information Technology Act of 2000. Additionally, sending information that one suspected to be false was punishable under the provision.

The freedom of speech and expression is no doubt an universal right which is declared by Universal Declaration of Human Rights as it is also mentioned in the Article 19 of the Indian Constitution the question arises whether the individual rights or the Sovereign control over free speech becomes important? information which is circulated on the digital media platforms and the liabilities who is publishing and who should be punished is not clear in Information and Communication Act, 2000. Freedom of Speech and Expression mentioned under Indian Constitution is misused and abused for the sake of circulating fake news.

The changes in growth of information and communication technology from past 2 decades have significant political ramifications. Is the Internet destroying our democracy and enabling uneducated mob rule?

Democracy depends on the idea that the general public is educated; this is one of the significances of public education. Recognizing the fundamental concerns of the day, as well as the stances taken on these issues by government representatives, is necessary for people to actively take part in a democracy. Absent awareness of this, voting Government can be centered on winning over voters, and decisions may be made arbitrarily. The Government should regulate the social media companies, an reality fact checker should be done and building digital automated content checker and deletion should be made and fix criminal liability on the social media companies for incitement of public peace and tranquillity, speaking against the integrity of the sovereignty. The government should have private data bases (i) increasing coordinated and cooperative responses to disinformation; (ii) enhancing the capacity of Union institutions to identify, analyse, and reveal misinformation, mobilizing the private sector to combat misinformation; (iv) enhancing public awareness and societal resilience and literacy about fake news should be provided to the public at large , also create transparency and accountability build organizational capacity in identifying in deletion of fakenews content circulated on new media platforms.

Conclusions

Since the last three decades the society has complete dependence on digital technology because of the transitional shift in the technologies which is more relied on information circulated on the new media platforms such as Facebook, Twitter, Instagram which have changed the lives of many. The state should play a balanced role in building robust digital infrastructure and technologies and ensure people centric policy approach to promote transparency and accountability in policy making of the governments. The disinformation targets one specific section of the society to capture the interest of citizens for personal political propagandas, to gain popularity and profits due to circulation of fake news. Fake news is considered as a cancer in the society which influences the young minds to transform into radicalistic behavior patterns and it is a hurdle to the society at large to dissipate and identify the true news and the fake news which result lost in belief in believing the news circulated on the media creating disharmony and chaos among the masses in the society.

Due to digital capitalism which has led to governance surveillance and building the capacity of the governmental organization following measures can be taken are as follows:

- Government should enter into Public Private Partnership in building robust digital infrastructure and regulate Big Tech Companies such as Facebook, Twetter, Instagram by having private databases unlike EU, US.
- The fake news should be regulated by the state by using of Internet of Things, Artificial intelligence tools and blockchain technologies in identifying fake news and advertisements published and broadcasted on social media platforms.
- The state should provide media literacy to the masses and balance civil rights like freedom of speech, privacy of information on digital platforms. Algorithms should be developed to identify

Child Pornography, or prevent to upload the content that has digitally protected intellectual property rights such as copyrights, patents and trademark.

- State should make guidelines in protecting the data or information and Criminal penal provisions to punish persons indulged in publishing fake news in the form of hate speech , speech against the sovereignty of the country, incitement and involved in terrorist activities or news published on social media.

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