

SWOC Analysis of the Information Technology Rules, 2021 on Social Media and OTT Platform

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ABSTRACT

Purpose: The use of the internet is dominated in India by Over the Top (OTT) content providers and social media, especially during the covid-19 outbreak, where people were advised to maintain distance and isolate themselves. This eventually triggered a fast surge in social media and OTT usage. Already established television and theater industries couldn't make much because of frequent changes in SOP (Standard Operating Procedure) by the Government of India (GOI), Ministry of Information and Broadcasting (MIB). This increase in the usage of OTT and social media compelled the government of India to regulate social media including the OTT platform. It issued some serious guidelines to self-regulate these platforms. This restricted them to limit freedom of speech and freedom of expression so that it prohibits political, outrage religious sentiment, child pornography, encouraging terrorism, and other legally prohibited content.

Methodology: The SWOC analysis performed in this work is based on a review of several relevant stakeholders' websites and previous studies on OTT and social media. Further, we have accessed and framed Strength-Opportunity (SO), Weakness-Opportunity (WO), Strength-Challenge (SC), and Weakness-Challenge (WC) strategies for the smooth implementation of IT rules.

Finding: The present study will analyze the impact of regulations framed by the Information and broadcasting ministry on social media and OTT platforms.

Originality: Several issues are addressed in this study mainly regarding the fundamental rights of an individual and the impact of parental control over the usage pattern of children which will contribute to recognize the future of social media and OTT content providers.

Paper Type: Case Study

Keywords: Social media, OTT, SWOC Analysis, Self-regulate, Fundamental right

1. INTRODUCTION :

In today's digital age, it's normal to be able to communicate at any time and from any location. People dislike having to wait for something that they require immediately. Traditional television broadcasts do not meet the needs of viewers for immediate satisfaction by allowing them to access the content at any time of the day and from any location. Television broadcasts did not allow users to pause, play, or replay content as they choose. To receive broadcast programming from traditional TV channels, users must have a cable or satellite dish connection. Users of traditional television have extremely limited or no choice in terms of catering, with the option of paying for the pool of content they want to see rather than paying for everything they don't [1-2].

OTT video usage in India has grown rapidly in recent years, thanks to advancements in digital infrastructure and platform in offer engaging content with high-quality services for viewers at affordable prices [3]. Indian viewers are inclined toward watching freely available OTT content [4]. Enablers such as the Indian government's "Digital India" project, the expanding use of inexpensive smartphones, increased internet probing in rural India, and the quick expansion of electronic cash have all contributed to the country's digital infrastructure strengthening. As a result, video now dominates data use; this trend is projected to continue in the foreseeable future.

The consumption of OTT content and social media is shifting from few to mass and various forms of content are gaining appeal. Consumption is being boosted by the growing demand for big screens and funding in native content making. The sports genre is particularly appealing from a viewership and monetization standpoint, therefore streaming live has come up as a center of attention for over-the-top players. Social media mediums such as YouTube and Facebook yet account for a large portion of online content watching in India, own platform players dominate the OTT distribution environment. With telecoms venturing huge on data, partnering telcos is becoming an increasingly vital way to access a broad and diverse user base. Because OTT could not previously catch the eyeballs of mass consumer groups, the content was generated with a small selected audience in mind. International players like Netflix and others are generally limited to English vocal viewers in citified regions. Prime Video by Amazon and Disney plus Hotstar's content offerings are presently hugely focused on urban audiences [5].

On the other hand, millions of VOD (Video on Demand) users are most probable to emerge from the medium class for local languages. Major platforms like Hotstar, Netflix, and Amazon [6] are aggressively funding developing libraries for local movies and creative pieces of work with a broader and huge attraction. Rural India is likely to fuel India's next phase of growth as urban internet adoption levels [7]. In the coming years, improved digital infrastructure and the introduction of more affordable smartphone models are expected to alter the online landscape. Content providers may build their brand, retain their Intellectual Property rights, govern end-user trials, and discover important user representatives by creating a platform of their own. Own platform is typically meant for a "Freemium monetization model", as a 'for-digital' piece of work has a substantial cost of production that must be paid accordingly as per subscription charges. In India, broadcaster-supported platforms like Hotstar, Ozee, Ditto TV (Zee), Sony Liv, and other international players like Amazon and Netflix, and local players like ALT Balaji, and Eros Now have built their apps, powered by content in the library and creating originals [8].

As per data from the Broadband India Forum, rural India accounted for roughly 65 percent of media consumption in April 2019, with only 40 percent of the population having access to the internet. With online content, companies increase pressure on TV networks such as Sun, Zee, and Star have created their OTT networks to sustain and boost their membership among rural regions [9-10].

In India, the social media and OTT space is sprouting from the traditional television system and gaining its fan base. Between March and July 2020 over 29.00 million OTT subscribers were registered [11]. Additionally, it is anticipated that by the end of 2023, the OTT market will be worth 138 billion [12]. Research indicates that these numbers will significantly increase over the ensuing years, making India, after China, the world's second-largest consumer of online video content. It's not only a place to catch up on quick web series; OTT companies are now producing intriguing, original material that is more popular with Indian audiences [8].

India has the second-highest number of internet users worldwide, behind China. By the end of 2021, the Indian digital market has raised \$29 billion. The digital news and entertainment industry accounts for a significant percentage of this digital economy. The OTT sector, in particular, has shown enormous development in recent years and is predicted to reach \$50 billion globally by 2023. As a result, world's sixth-largest OTT market will likely be India. While the sector has expanded significantly, a large portion of it remains unregulated. As a result, issues such as the rapid growth of child pornography, hate speech, dissemination of misinformation, and cyber bullying have emerged. It is vital to have relevant regulations and guidelines in place for the digital environment to stay secure and comply with the country's constitutional and cultural norms [13-14].

The implementation of the IT Rules 2021 (Feb 25th, 2021) is one such initiative, for a variety of reasons including public morality, neighborhood tranquilly, and cultural preservation the Indian government regulates information. The current study's focus is to analyze regulations (IT Rules 2021) framed by

the government of India on Social media and OTT platforms [15]. This analysis process includes a study of various relevant websites and recent research papers on social media and OTT. Based on this study several key issues have been noted and addressed which include the impact of IT rules 2021 laid down by the government of India. ITRules 2021, eventually was put forth to limit the allegations of exhibiting very sensitive content. Fundamental rights of an individual were also under watch, as the regulations limit creative content writing and freedom of speech. Parental control is a very important issue addressed that involves categorizing the user according to their age [14].

2. LITERATURE REVIEW :

Various studies and analyses are being performed on Information Technology Rules, 2021 that focus on different aspects of this regulation. For this literature review, the paper is collected from Google Scholar, which is available from 2020 to 2022. Keywords like ‘Challenges’, and ‘IT Rules’ were used for searching, and articles were further scrutinized to filter as per the discussion.

Table 1: Contribution to the study of IT Rules, 2021

S. No.	Field of Study	Outcome	Reference
1	Different types of Censorship Regulation on OTT platforms around the world in comparison to Indian Regulation	The OTT Platform Censorship Regulation in India is good in comparison to other nations. Media freedom is high.	Rahul M, et al. (2021). [13]
2	Investigating the effects of OTT application platforms, user acceptability, and user adoption intentions.	Users are preferring the choice of OTT Application over Traditional communications because of more explorations in the Utilities available.	Manigrib Bag, et al. (2020). [16]
3	Assess the use of OTT Platform by College Students concerning Screen time and Mental Wellness during Pandemic of Covid19	The use of OTT Platform by College Students was Ubiquitous during the time of the Pandemic Covid19.	Dheeraj Kattula, et al. (2021). [17]
4	The factors influencing the subscription decision of the consumers of OTT Video Streaming in India	A few factors include All time access, HD quality video, original content, Low subscription fees, local content, poor mental well-being, etc.	Samala Nagaraj, et al. (2021). [18]
5	The importance of the threat posed by OTT providers, their penetration of the telecommunications landscape, and the regulatory involvement of several nations	<ul style="list-style-type: none"> • Threats to security and privacy make it difficult for regulators to keep an eye on how the OTT is gathering personal data for profit. • Regulators have little to no visibility into safety standards or controls for applications that can represent a risk to hardware or networks within their nations. • Location-based applications may lead to a surge in monetary and physical crimes, and malicious software may exploit over-the-top (OTT) services as a conduit to damage vital infrastructure. • The Indonesian government created a regulation requiring international OTT players to get licences before they can operate 	Adeolu Dairo, et al. (2021). [19]

		there, register with a local business, or form a joint venture with local partners.	
6	Investigating the connection between censorship and inappropriate content broadcast on OTT media platforms	The people who support Appropriate Internet content demand a new regulatory framework of rules to restrict harmful content.	Asma Md Isa, et al. (2020). [20]
7	To Understand the impact on Adolescents who are engaged in the OTT Platforms	Impacts emotionally, and physically involve unbalanced time management, psychological effect, monetary pressure, homosexuality, and health risk behavior.	Philomina, et al.(2022). [21]
8	Effects of OTT big playerson Indian young adults' preferences for video entertainment	The reasons why OTT is preferred than TV include programme content, playtime, censorship, and production advancement.	Honey Rao (2021). [22]
9	Convergence Model and OTT Platforms in India's Content Regulation	Regulation to be formulated taking into consideration the perception of all the stakeholders, the regulation designed uniformly across all channels for the distribution of Material.	Kajol Nisla (2021) [23]
10	Analytical study of OTT and Censorship	Censorship of OTT might discourage investment and the diversity of content. Self-regulation is comparatively better than the censorship of OTT. If censorship exists in OTT Platforms, it might hamper the creativity of the content developers and reduce the number of users worldwide.	Illili Jakha Khujumi, et al. (2022). [24]
11	Social media regulation's effects in India	Government defends the regulation saying it is focusing on ensuring privacy and national Security. Overreaching provisions erode privacy and freedom of speech.	Ravi Shankar, et al. (2021). [25]
12	Online Content Regulation in India	Excess of restrictions or Regulations may limit content creators' creative freedom and affect how many people use OTT platforms. The extent of content censorship would decide the future of the digital revolution.	Vrinda Bhardwaj, et al. (2021). [26]
13	Do the OTT Platforms need a separate Regulation	The profits of the government and production houses and the diverse content at their convenience have led to a dramatic change but this might be dangerous for a certain section of society because of the content in the OTT Platforms accessible to more	Ashaawari Datta Chaudhuri (2021). [27]

		vulnerable hands such as children and young adults. There is a tussle between moral obligation and the revenue. It is advisable to have better regulations for these Platforms.	
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3. RESEARCH GAP :

This study's primary goal is to comprehend how rules created by the Ministry of Information and Broadcasting would affect OTT and social media platforms. This study will help to fine-tune the regulations framed to maintain freedom of speech and expression.

4. RESEARCH AGENDA :

- (1) How to compare the regulation of OTT with other countries?
- (2) What is the process involved in the removal of contents by intermediaries?
- (3) What is the need for censorship?
- (4) How to perform SWOC analysis on Information Technology Rules 2021?
- (5) How to frame a better strategic plan using SWOC analysis?

5. OBJECTIVES OF THE STUDY :

- (1) To Compare the regulation of OTT with other countries
- (2) To analyze the process involved in the removal of contents by intermediaries.
- (3) To understand the need for censorship.
- (4) To perform SWOC analysis on Information Technology Rules 2021.
- (5) To frame a better strategic plan using SWOC analysis

6. RESEARCH METHODOLOGY :

The information has been gathered for detailed analysis of various aspects from different sources. The SWOC analysis is conducted using the available data on the website, previous papers, and articles related to Information Technology Rules, 2021 on social media and OTT Platforms.

7. COMPARISONS OF REGULATION ON OTT IN THE OTHER COUNTRIES :

At different stages, countries have updated their law concerning OTT regulation to balance the OTT industries. Major countries have a regulating authority to understand the grievance on OTT platforms from the consumer as well as intermediaries on various factors. We have listed out the regulating authority of a few countries with the scope in Table 2, those are majorly involved in OTT platform as a part of their gaining economy.

Table 2: List of Regulating authorities and their scope in other countries.

S.No.	Country	Regulating Authority	Scope	Reference
1	United Kingdom	EU Electronic Communication Code (EECC)	There is no strict regulatory Mechanism to regulate the OTT platform.	Poorva (2021). [28], Honey Rao (2021). [22]
2	Singapore	Infocomm Media Development Authority (IMDA)	<ul style="list-style-type: none"> • Provision of Parental Code for the content. • Provided with Content Ratings. • Adhere to strict verification of users. 	Poorva Pandey (2021). [28]

3	Australia	Broadcasting Service Act, NewsMedia and DigitalPlatforms Mandatory Bargaining code bill,2020	<ul style="list-style-type: none"> • Strict regulation on the process of classifying thecontent. • Content are classified as X 18+, R 18+, MA15+ • Blocking of inappropriate content. 	Asma et. al. (2020). [20], Poorva Pandey(2021). [28], Honey Rao (2021). [22]
4	Turkey	Information and Communication Technologies Authority (ICTA), Radio and Television Supreme Council (RTUK)	<ul style="list-style-type: none"> • Awareness of preventing children from exposing to inappropriate content. • Imposing educational courses to irradiateinappropriate content. 	Asma et. al. (2020). [20], Bilbil et. al.(2018). [30], Honey Rao (2021). [22], Rahul M. et.al.(2021) [14]
5	Korea	Korea Fair Trade Commission (KFTC)	<ul style="list-style-type: none"> • Awareness for parental control against harmfulcontent. 	Asma et. al. (2020). [20]
6	Malaysia	Malaysian Communi cations and Multimedia Content Forum (CMCF)	<ul style="list-style-type: none"> • Awareness of the creation of asecond passwordfor Malaysian Netflix by parents 	Asma et. al. (2020)[20], Jha, A. K et. al. (2020). [29]

8. REMOVAL OF CONTENTS BY INTERMEDIARIES :

Given that OTT content is made available to roughly 2 million consumers every day, the problem of regulation is extremely important in Indian scenario where people belong to different religions, castes, economic statuses, and languages [26]. IT Rules, 2021 has attempted to address problems with efficient governance, however research has shown that the measures stifle freedom of expression. Section 79 plays a very important role by forcing intermediaries to screen the content and workout on the censorship that led to few difficulties for intermediaries against the amount of content to be hosted. When intermediaries get a courtorder requiring them to do so, they are compelled to remove or disable access to illegal content. It also notified the government authority to restrict such content. In the event that the "Due Diligence" requirement under IT Rules 2021 is broken, the intermediaries risk losing their safe harbour immunity. In India, intermediaries are expected to certainly follow 16 rules under Rule 4 of IT Rules. Within 24 hours of broadcasting, these new regulations provide the government the authority to change or remove the information. Through this, the government will be better able to combat the scam of bogus news on social media [25].

9. NEED FOR CENSORSHIP :

Digital Publishers Content Grievance Council (DPCGC) introduced by the Internet and Mobile Association of India (IAMAI), includes a body that regulates itself for all OTT platforms. "Soft touch regulatory architecture" is defined by the government, but issues like child pornography, religious sentiment outrage, encouraging terrorism, and other legally prohibited content were not prohibited. Production houses expect full autonomy as they gain revenue but the government had to regulate in the public interest. There was a huge debate in this regard due to mixed opinions. The present government has made a sudden urge to regulate this platform for more restrictions as certain serious issues featuring hindrance in the belief of people, practices, and religious group. The government has always struggled to strike a balance between content restrictions and freedom of speech since it is a conflict between moral principles and the interests of the economy [27]. The 3 tier structure for censorship framed by the Indian government is more effective compared to regulations framed by other countries [14].

10. SWOC ANALYSIS ON INFORMATION TECHNOLOGY RULES 2021 :

SWOC analysis is to review and evaluate numerous strengths (S), weaknesses (W), opportunities (O), and threats (T), as well as other parameters that have an impact on a few concerns [31]. It presents the circumstances under which the subject is found in a complete, structured, and precise manner. This helps in the development of appropriate strategies, planning, and solutions based on the assessment's results. This method will be utilized to comprehend both positive and negative perceptions, solve current issues in a particular way, examine test subjects and speech obstacles, and develop tactical strategies to carry out scientific decisions. The SWOC analysis method was referred to in this study and we drew on our expertise in responding to the information technology rules 2021 for social media and OTT platforms.

10.1 STRENGTH ANALYSIS:

(1) The complainant's complaint will be resolved in 15 days:

The Information and Broadcast Ministry has stated online social media and OTT platforms have 15 days to publish details on conformity with the new digital media standards. Several platforms have filed appeals in various courts, which are still pending. For the first time, the Information Technology Rules, of 2021, defined how social media sites and over-the-top streaming services such as Netflix will be controlled by the government. Here the user or victim may file a complaint on the social media or OTT platforms website. This will aid in the fast process of cleansing case files at regular times [28].

(2) In the event of an emergency, to limit public access to the content:

After the receipt of "real knowledge" in a form of court order or notification from government agencies, a social media or OTT content provider is obligated to remove information that is prohibited by law concerning the sovereignty and integrity of India, the protection of states, closer ties with other countries, public notice, morality, contempt of court, defamation, relation to dishonor the court or information that breaches any law that is in forcible implementation. Within 36 hours of receiving actual knowledge from court, such information must be erased. This method will assist the government to minimize or manage impulsive acts by users or victims [28].

(3) Recruitment of an officer in charge of compliance, a nodal officer, and a grievance officer:

Designate a Chief Compliance Officer ("CCO") to guarantee adherence with the IT Act and its guidelines, and the CCO would be made responsible for any charges related to any third-party data, communication link, or data released to the public or featured by the intermediary if the CCO fails to maintain that the intermediary is carrying out its obligations under the Regulations and the IT Act with proper research. The CCO has to be a veteran SSMI (Significant social media intermediary) member or a prominent employee who is based in India, according to the rules. SSMIs must additionally identify a nodal point of contact for law enforcement cooperation and compliance on a 24/7 basis. The nodal member must be an intermediary staff as well as an inhabitant of India, according to the Rules. It's also been stated that now the CCO, and the nodal officer, must be two separate individuals. The Grievance official is in charge of ensuring that the intermediary complies with the grievance redressal mechanisms due diligence criteria. A resident of India must serve as the Resident Grievance Officer. These appointments of three levels of officer will help in the smooth execution of guidelines framed under IT rules 2021 [28].

(4) Three-tier structure to verify adherence to the code of ethics:

Three-tiered system for monitoring the operations by publishers of online censored content that will help in resolving the most complicated situations by these three levels.

L1: The publisher is compelled to accept grievances through a nominated grievances manager, who should process the issue and make some decisions before 15 days.

L2: Self-regulated organization ("SRO"): An SRO has to be a member of every publisher. After examining allegations against a publisher that was not satisfactorily resolved through the Level 1 process, such SRO the Ministry of Information and Broadcasting would require an enrollment.

L3: Inter-Departmental Committee: This body would hear criticism that had not been adequately addressed by the Level 1 and/or Level 2 methods. From time to time, this committee would issue advice and instructions to publishers, as well as issue norms of conduct that would pertain to every SRO. Finally, this body would have the right to send grievances against publishers to the Ministry of Information and Broadcasting [14].

(5) Registration with the Ministry of Information and Broadcasting:

There may be one or several self-regulated organizations for publications. One such entity will be allowed to become a member of the Ministry of Information and Broadcast. This self-regulating council must be headed by a veteran Supreme Court justice, a High Court judge, or an impartial renowned person, and it can only have a maximum of six members. This council will oversee the publisher's compliance with Ethics and will report any issues which haven't been settled before 15 days by the publication [28].

10.2 WEAKNESS ANALYSIS:

(1) Restriction of freedom for speech and expression:

On many platforms, content publication is self-regulated. Worries have been raised regarding the arbitrary actions of these platforms, which could endanger the right to free speech and expression. For reasons of national security, public order, dignity, and morality, the constitution provides some justifiable restrictions on freedom of speech and expression. The IT Act prohibits the posting or distribution of obscene, sexually explicit, content involving child sex abuse or that invades privacy. The categories of data that intermediary platform users can create, publish, or exchange are further restricted under the 2021 Rules. These include (i) "harmful to a child" (ii) "insulting based on gender" and (iii) "knowingly and purposefully convey any material that is false or misleading in nature but may be properly interpreted as a fact". Some of these restrictions may hinder the speech and expression rights of users of intermediary platforms because they are arbitrary and overbroad [25].

(2) No safeguards in place for requested information:

According to the regulations, intermediaries have to provide information within their power or possession to governmental bodies upon request. Any government entity that is lawful to conduct an investigation, defensive, or cyber defense actions can make such a claim. A request for identity, confirmation, or to avoid, detect, or prosecute crimes either under the legislation, as well as to notify cybercrime, could be issued. However, there aren't any legal protections or restrictions for such conduct in the Rules. Data about people, including details about their interactions with others, may be gathered. Such powers could endanger people's privacy if they are not properly restrained [25].

(3) Identifying the originator of content could endanger an individual's privacy:

The Policy requires SSIMs that have a messaging system mainly or entirely in India to indicate that the very first source of information on their network is within India. There are no provisions relating to this rule in the parent Act. The Rules further stipulate that data as (i) initiator's information can only be collected through a governmental or judicial order, (ii) the legal justifications for issuing these orders, and (iii) that such orders should not be granted if less expensive methods of getting the data are made available. It is questionable if or whether this amounts to the establishment of legal policy and, as such, should be covered by the parent Act. This rule would call for the end of end-to-end encryption techniques where the user will lose their privacy [28][25].

10.3 OPPORTUNITY ANALYSIS:

(1) Content should not endanger India's sovereignty and territorial integrity:

An Intermediary must include a notice on its website stating that all creators of online content must provide the Ministry with information about their user accounts. To facilitate communication and cooperation, publishers of online censored content operating in India must inform the Ministry of their entity's details and provide information including the relevant papers. Every month, publishers of online censored content must file a compliance report. The publisher's grievances should be detailed in the compliance report, as the publisher's response to those issues [25].

(2) Organize the content into the following groups: U, U/A7+, U/A13+, U/A16+, and A:

The OTT platforms referred to in the rules as "publishers of online censored content", would divide information into U (universal), U/A 7+, U/A 13+, U/A 16+, and A are the five age groups. Companies will be required to offer parental controls and reliable age verification tools for content rated "A" or above and U/A7+ or higher. The publishing company of web quality content must proudly display the classification rank particular to each substance or scheme at the start of each plan, as well as a content descriptive term notifying the consumer about the nature of the information and instructing on viewing audience description so that the consumer can make an informed choice before viewing the program [13][28].

(3) The ability of the content developer to challenge the content removal action:

Apart from hearing out the violators, if the SSMI of OTT platform removes content on its own or disables user access to a platform, it will be obliged to justify doing so. Data about a user's account must be kept for 180 days in case of any legal investigation [28].

(4) Development of AI (Artificial Intelligence) to automate censorship:

A major social media intermediary (like WhatsApp or Twitter) was required by the IT Rules proposed plan to use innovation metrics, such as automation systems or other methodologies, to identify relevant data depicting any act or modeling in any structure showcasing rape, child sex exploitation, or conduct, regardless of whether it was explicit or implicit. The thought of such a regulation is troubling even though similar technologies are currently advised for usage in situations of highly unacceptable content, such as portrayals of rape or child sexual abuse [25].

10.4 CHALLENGE ANALYSIS:

(1) An age verification mechanism that is reliable:

According to the IT rules 2021, the age verification process should be trusted, indicating that the content offered by users will not be exploited. Verifying the user's age by voluntarily asking them will be a more passive technique of verification. Extraction of data about an individual's age from other social websites will trigger legal issues, and if the government shares the user's data, such as an Aadhar card, it will compromise the individual's private information, increasing the risk [14].

(2) Using technology-based censorship on the content:

In order to identify suspect's in common criminal cases, the Central Bureau of Investigation has requested that social media companies use PhotoDNA, a technology tool for identifying child sexual assault content. Due to the immaturity and flaws of AI in its current state, the creation of censorship tools based on AI has the potential to be extremely hazardous. AI "learns" by analyzing enormous amounts of data, and a filtering mechanism is currently being developed. Social media intermediaries will be required by artificial intelligence to retain and analyze vast volumes of user-generated content that is unrelated to the content that is being sought to be banned. [25].

(3) Notifying users of unlawful content publishing:

According to the IT rules 2021, details regarding the account of the users should be maintained for 180 days for any kind of future investigation. For this reason, it is advised to the intermediaries to regularly remind the users regarding the content that they can post timely as the regulations tend to change [28].

(4) Intermediaries do not abide by the rules:

According to the IT rules 2021, social media intermediaries are more responsible for the content uploaded on their platform by requiring them to undertake due diligence, failing which the "safe harbour provisions" will not apply. Depending on the severity, the consequences may extend to criminal prosecution [28].

11. FRAMEWORK FOR BETTER STRATEGIC PLAN USING SWOC ANALYSIS :

Table 3: SWOC analysis for better strategic planning

	S	W
	<i>S1: The complainant's complaint will be resolved in 15 days.</i> <i>S2: In the event of an emergency, to prevent public access to the content.</i> <i>S3: Recruitment of a chief compliance officer, a nodal officer, and a grievance officer.</i> <i>S4: Three-tier structure to verify adherence to the code of ethics.</i> <i>S5: Registration with the Ministry of Information and Broadcasting.</i>	<i>W1: Restriction of freedom of speech and expression.</i> <i>W2: No safeguards in place for requested information.</i> <i>W3: Identifying the originator of content could endanger an individual's privacy.</i>
O	SO	WO

<p><i>O1: Content should not endanger India's sovereignty and territorial integrity.</i></p> <p><i>O2: Organize the content into the following groups: U, U/A7+, U/A13+, U/A16+, and A.</i></p> <p><i>O3: The ability for the user to challenge the content removal action.</i></p> <p><i>O4: Development of AI to automate censorship</i></p>	<p><i>SO1: Automated content censorship tool should be developed.</i></p> <p><i>So2: Develop an algorithm for understanding the content to which category it belongs.</i></p> <p><i>SO3: improving the mechanism for the user to challenge content.</i></p>	<p><i>WO1: Develop a framework to restrict the content.</i></p> <p><i>WO2: Assign a consultant to safeguard the requested information.</i></p> <p><i>WO3: Individual privacy should be compromised only for national benefit.</i></p>
<i>C</i>	<i>SC</i>	<i>WC</i>
<p><i>C1: An age verification mechanism that is reliable.</i></p> <p><i>C2: Using technology-based censorship on the content.</i></p> <p><i>C3: Notifying users of unlawful content publishing.</i></p> <p><i>C4: Intermediaries do not abide by the rules.</i></p>	<p><i>SC1: New method of detecting age should be developed.</i></p> <p><i>SC2: immunity system should be introduced to users as well.</i></p> <p><i>SC3: Monitoring of intermediaries at regular intervals should be performed.</i></p>	<p><i>WC1: Serious steps to avoid publishing unlawful content.</i></p> <p><i>WC2: Abiding the intermediaries for content certificates.</i></p> <p><i>WC3: Assigning a state-wise authority for redressal of grievance.</i></p>

Source: Author

Based on the SWOC analysis in Table 3 of the IT Rules 2021 framed by the Information and Broadcasting Ministry, a strategic opportunity window analysis is constructed. This analysis gives a clear picture of how planning concerning the implementation of these rules can be performed [32-36].

12. FINDINGS :

This section lists the findings of the present study:

- (1) India will surpass China in 2023 as the second-largest consumer of online video content worldwide.
- (2) India has a better censorship regulations compared to other developed countries.
- (3) Progression in censorship may lead to discouraging the number of consumers.
- (4) A surplus of rules or regulations could limit the content creators' creative freedom and also influence the viewership of the OTT Platforms
- (5) Intermediaries are forced to obliterate or block access to illegal content upon receiving the court order.
- (6) The complainant's complaint will be resolved in 15 days.
- (7) Three-tier structure to verify adherence to the code of ethics.

13. SUGGESTIONS :

Based on the study, suggestions are:

- (1) An automated content censorship tool has to be developed so as to reduce the overhead of intermediaries.
- (2) Developing an algorithm to automatically identify the age category of an individual.
- (3) A Mechanism to be introduced for a content developer to challenge the content.
- (4) Individual privacy should be compromised only in the case of national benefit.
- (5) For faster response assign a state-wise authority for the redressal of grievance.

14. CONCLUSION :

In conclusion, the strength – Opportunity (SO) strategy includes the introduction of an automated content censorship tool to be developed and implemented, emphasis on the development of an algorithm for understanding the content's category to which it belongs, improving the mechanism for a user to challenge for content to become more customer friendly. The Weakness – Opportunity (WO) strategy includes developing a framework to restrict the content published, and assigning a consultant to safeguard the requested information at several levels, individual privacy should be infringed only for national benefit. The Strength – Challenges (SC) strategy includes a new method of detecting age should

be introduced, an immune system should be introduced to users as well, and monitoring of intermediaries at regular intervals should be done. The Weakness - Challenge (SW) strategy includes emphasizing serious steps to avoid publishing unlawful content, abiding the intermediaries for receiving content certificates before the content publishing, and assigning a state-wise authority for the redressal of grievance.

In short, the SWOC analysis on Information and Technology Rules, 2021 has integrated several factors that were unclear and less understood. This analysis was more focused on having a more systematic and initiative strategy for upgrading the methods inculcated in this regulation keeping the infringement of fundamental rights in mind. Because of the upcoming techniques on age categorization and restriction on unlawful content, children's access to social media and OTT platforms will be filtered which will stop detrimental cultural behavior. This will readily increase access to social media and OTT platforms by different types of users.

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