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# TECHNOLOGY INSIGHT

High Court Addresses Content Takedown Rules: Balancing User Rights and  
Regulatory Compliance

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## High Court Addresses Content Takedown Rules: Balancing User Rights and Regulatory Compliance

In the case of *T.V. Today Network Limited v. Union of India & Ors.*, T.V. Today Network Limited, a prominent media company, filed a writ petition challenging the constitutionality of Rule 3(1)(c) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. The petitioners sought a declaration that the rule is unconstitutional or should be interpreted to align with Section 79 of the IT Act, Section 52 of the Copyright Act, and Articles 14, 19, and 21 of the Constitution.

The petitioners argued that the suspension of their Instagram account was executed without adhering to the procedural safeguards outlined in Rule 4(8) of the IT Rules. They contended that Rule 3(1)(c) and the third proviso to Rule 3(1)(d) provide intermediaries with excessive discretion, enabling them to suspend or terminate user accounts without due process or a fair opportunity to contest such actions. The petitioners claimed that this practice violated their constitutional rights under Articles 14 and 19.

During the hearing, the court acknowledged the gravity of the petitioners' concerns and issued a notice to the respondents, including the Central Government and Instagram's parent company. The court directed the respondents to file their counter affidavits and scheduled the next hearing for 17 May 2024. The court also advised the petitioners to file an appeal before the Grievance Appellate Committee, which is tasked with addressing such appeals promptly.

The court emphasized the need for a balanced approach that protects users' fundamental rights while ensuring compliance with digital content regulations. This case underscores the judiciary's role in scrutinizing the application of IT Rules to safeguard users' rights against arbitrary actions by digital platforms.



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