

# Govt puts 'significant social media intermediary' threshold at 5 mn registered users

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The government recently specified 5 million registered users in India as the threshold for a social media intermediary to be considered a significant social media intermediary as mentioned in the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021.

## **Key Highlights**

- The rules make a distinction between social media intermediaries and significant social media intermediaries, who have a large number of users. The government had said on Thursday, while notifying the Rules, that it will specify the threshold of the user base that will distinguish between the two.
- Several experts pointed out that some provisions of the new rules, notified by the government on Thursday, would be in conflict with the proposed personal data protection legislation that is currently with a Joint Parliamentary Committee.
- The rules require companies to store data of individuals using their platforms up to 180 days, after any cancellation or withdrawal of their registration with the platform.

- “Industry is going to be under a huge compliance obligation which is going to be a problem for everybody. I feel the industry is going to challenge this in some way or the other or ask the government for more clarity,” said Salman Waris, managing partner at Delhi-based TechLegis Advocates & Solicitors.
- Access Now earlier said in a statement, that the social media rules, which were released along with guidelines to regulate over the top and streaming platforms expand the government’s reach.
- These rules include new provisions set by the executive branch, not authorised by the Indian Parliament, mandating new regulations that require online services providing news, current affairs content, and online curated content in India to register and regularly report to India’s Ministry of Information and Broadcasting, it added.

**SOURCE:** *Business Standard*