

NOTICE

Subject: Inviting feedback/comments of stakeholders on the Draft amendments to Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 in relation to strengthening intermediary compliance with clarifications, advisories and directions issued by the Ministry and digital media oversight- reg.

Dated: 30th March, 2026

The Ministry of Electronics and Information Technology invites feedback on the **draft amendments to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (“IT Rules, 2021”)**.

2. The Government of India remains committed to ensuring an Open, Safe, Trusted and Accountable Internet for all users of Internet-enabled services. The proposed amendments seek to strengthen compliance with clarifications, advisories and directions issued by the Ministry under Part II, and to enhance the effectiveness of regulatory oversight of content regulation mechanisms under Part III (Code of Ethics relating to Digital Media) of the IT Rules, 2021.

3. Key features of the proposed amendments include:

(i) Amendments in Part II:

- Clarification in Rule 3(1)(g) and 3(1)(h) that retention obligations are without prejudice to requirements under other laws;
- Insertion of Rule 3(4) mandating compliance by intermediaries with Ministry-issued clarifications, advisories, directions, SOPs, codes of practice and guidelines, forming part of due diligence under section 79.

(ii) Amendments in Part III:

- Clarification of applicability of Part III (Rule 8) to intermediaries and news and current affairs content hosted by non-publisher users;
- Strengthening of Rule 14 to expand the scope and functioning of the Inter-Departmental Committee to consider matters beyond complaints, including those referred by the Ministry.

The amendments are clarificatory and procedural in nature and are intended to improve legal certainty, strengthen enforceability of Ministry directions, and ensure effective oversight of intermediary-hosted content, particularly news and current affairs.

4. The **Draft Notification for amendments**, is available on Ministry’s website at the following link:

<https://www.meity.gov.in/documents/act-and-policies/draft-amendments-to-the-it-rules-2021-in-relation-to-strengthening-intermediary-compliance-with-clarifications-advisories-and-directions-issued-by-the-ministry-and-digital-media-oversight-AjM2YjMtQWa?pageTitle=Draft-amendments-to-the-IT-Rules,-2021-in-relation-to-strengthening-intermediary-compliance-with-clarifications,-advisories-and-directions-issued-by-the-Ministry-and-digital-media-oversight>

The consolidated text of the IT Rules, 2021 as they would stand after the amendments proposed (with the amendments shown in coloured text) is also placed at above link for ease of reference.

5. The submissions will be held in fiduciary capacity in MeitY and shall not be disclosed to any one at any stage, enabling persons to submit feedback/comments freely without any hesitation.

6. The feedback/comments on the draft rules in a rule wise manner may be submitted by email to itrules.consultation@meity.gov.in in MS Word or PDF format by **14th April, 2026**.

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY

NOTIFICATION

New Delhi, the ____th March, 2026

G.S.R. ____ (E).—In exercise of the powers conferred by sub-section (1), clauses (z) and (zg) of sub-section (2) of section 87 of the Information Technology Act, 2000 (21 of 2000), the Central Government hereby makes the following rules to further amend the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, namely:—

1. Short Title and Commencement.—(1) These rules may be called the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Second Amendment Rules, 2026.

(2) They shall come into force on the ____th day of _____, 2026.

2. In the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (hereafter referred to as the said rules), in rule 3, in sub-rule (1),—

(a) in clause (g), before the words, brackets and letter “where upon receiving actual knowledge under clause (d)”, the words and punctuation “without prejudice to any requirement relating to the preservation or retention of information applicable to intermediaries under the Act or any other law for the time being in force,” shall be inserted.

(b) in clause (h), before the words “where an intermediary collects information from a user for registration on the computer resource”, the words and punctuation “without prejudice to any requirement relating to the preservation or retention of information applicable to intermediaries under the Act or any other law for the time being in force,” shall be inserted.

3. In the said rules, in rule 3, after sub-rule (3), the following sub-rules shall be inserted, namely:—

“(4) Compliance with Clarifications, Advisories and Directions issued by the Ministry:

(a) An intermediary shall comply with and give effect to any clarification, advisory, order, direction, standard operating procedure, code of practice or guideline issued by the Ministry, by order in writing, in relation to the implementation, interpretation or operationalisation of the requirements prescribed under this Part;

(b) every such clarification, advisory, order, direction, standard operating procedure, code of practice or guideline referred to in clause (a) shall—

(i) be issued in writing;

(ii) clearly specify the statutory provision or legal basis under which it is issued;

- (iii) specify the scope, applicability and compliance requirements in respect of the intermediary or class of intermediaries to whom it applies; and
- (iv) be consistent with the provisions of the Act and these rules;

(c) compliance with any clarification, advisory, order, direction, standard operating procedure, code of practice or guideline issued under clause (a) shall form part of the due diligence obligations of the intermediary under section 79 of the Act.”.

4. In the said rules, in rule 8, in sub-rule (1), for the proviso, the following proviso shall be substituted, namely:—

“Provided that for the purposes of rules 14, 15 and 16, the rules made under this Part shall apply to—

- (a) intermediaries; and
- (b) news and current affairs content hosted, displayed, uploaded, modified, published, transmitted, stored, updated or shared on the computer resources of the intermediaries by users who are not publishers.”.

5. In the said rules, in rule 14,—

(a) for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The Committee shall meet periodically and hear the matters—

- (a) arising out of the grievances relating to violation of the Code of Ethics by the publishers, in respect of the decisions taken at the Level I or II, including the cases where no such decision is taken within the time specified in the grievance redressal mechanism; or
- (b) referred to it by the Ministry.”.

(b) in sub-rule (5), for the words and punctuations “complaints or grievances, and may either accept or allow such complaint or grievance, and make the following recommendations to the Ministry,” the words and punctuation “the matter and make the following recommendations to the Ministry,” shall be substituted.

[F. No. 2(5)/2025-CyberLaws]

AJIT KUMAR, Joint Secretary

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* notification number G.S.R. 139(E), dated the 25th February, 2021 and subsequently amended *vide* notification number G.S.R. 794(E), dated the 28th October, 2022; G.S.R. 275(E), dated the 6th April, 2023; G.S.R. 775(E), dated the 22nd October, 2025; and G.S.R. 120(E), dated the 10th February, 2026.