A Study on Citizen Expectations and State Responses to Curb Spreading of Misinformation in India: Evidence from Public Opinion, Parliamentary Discourse and Policy Analysis

Abhijit Mukhopadhyay [1*], Dr. Jigar Shah [2], Dr. Khimiya S. Tinani [3]

[1*] PhD research scholar, Journalism & Mass Communication Program, School of Liberal Studies and Education, Navrachana University, Vadodara, Gujarat, India

[2]Associate professor and research guide, Journalism & Mass Communication Program, School of Liberal Studies and Education, Navrachana University, Vadodara, Gujarat, India

[3]Assistant professor, P.G. Department of Statistics, Sardar Patel University, Vallabh Vidyanagar, Gujarat, India

[1*]abhijit.nuvphd@gmail.com

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ABSTRACT:

All governments are legitimate by virtue of the governed. The central task of the government in India is to satisfy the "social, economic and political promises of its citizens, not merely to discharge a duty of administration", writes Durga Das Basu, a leading Indian jurist, in his seminal book "Introduction to the Constitution of India" (LexisNexis). The focus of this article is to examine how has the Indian government succeeded in meeting the expectations of its citizens in securing this objective from curbing the spread of falsehood and misinformation and raising awareness through media literacy.

For this, the authors examined responses from 121 respondents in the age group of 13-60 who shared their opinions through a Google-based form. The survey was conducted online across three major cities of Gujarat - Ahmedabad, Surat, and Vadodara. The results are incredibly clear: 87.6% are in favour of a strong law to prevent the spread of disinformation; 83.5% want a mechanism to regulate and monitor social media content by the Indian government; 75.2% want media literacy to be taught in schools; and 55.4% do not know that spreading false news is already a crime punishable under law. Students, housewives, working professionals, and business owners – who represent a cross section of ordinary Indian citizens voiced their concerns in the articulated, multi-dimensional survey.

This article takes a look at the Indian government's actions in light of expectations to prevent information disorder in the society. A detailed thematic analysis of all 98 Parliamentary questions on fake news, which were asked from April 2017 till March 2026, revealed the following themes: public order and communal harmony, the regulatory architecture and its limits, accountability of platforms, the need for dedicated legislation, and new challenges from artificially intelligent and deepfake

content. Fifty one questions in the Rajya Sabha and 47 in the Lok Sabha were analysed. Certainly, there is a pattern in all 98 responses to the questions posed and replies given by ministers of various departments of the Government of India. In replies, the Press Council of India is mentioned 53 times, the Fact Check Unit (FCU) of Press Information Bureau (PIB) 55 and the Information Technology Act 2000 has been mentioned 40 times.

Significant number of replies from the government repeat the phrase "existing provisions are sufficient" while the criminal cases registered for fake news and rumours are increasing each year. This paper argues on the basis of the National Crime Record Bureau (NCRB) data that the number of fake news cases have grown by nine times from 257 in 2017 to 2403 in 2024, and thus it is necessary to make a special law only to prevent circulation of fake news in India. Three Private Member Bills that have proposed legislative frameworks and eight international regulatory approaches have also been discussed and compared. The outcome revealed that the noticeable gap between the expectations from the citizens, legislative concerns and measures taken by executives.

Keywords: Fake News, Misinformation, Legislations, Fact Checking

1. Introduction: The State's Obligation and the Citizens' Expectation

The study begins with a question on the expectations of the Indian citizens on how to curb spreading of falsehood and misinformation epidemic. The primary virtue of the constitutional provisions of India strongly responds to the social, economic and political expectation of the citizens (as explained in 'Introduction to the Constitution of India' by Durga Das Basu (LexisNexis)). This welfare approach of the country is based on the Directive Principles of State Policy (Part IV) and the fundamental rights of citizens (Part III) spanning from Article 12 to 35. The state cannot remain administratively passive when people need it to protect them from information disorder which is considered to be detrimental to the democracy.

A primary survey, conducted by the authors, of 121 people in Ahmedabad, Surat and Vadodara that directly expresses citizen expectations; second, the NCRB data that quantifies the harm citizens are experiencing; third, three Private Member Bills that show solutions already drafted within the framework of the Indian Parliament; fourth, a rigorous thematic analysis of all 98 parliamentary questions asked during 2017 to 2026 that maps the state's actual responses; and fifth, a comparative survey of available international regulatory frameworks to curb spreading of fake news. Analysis of the parliamentary questions and replies given by various ministers have been cited and mapped following the established methodology as defined by Braun and Clarke (2006) for thematic analysis to derive a conclusion.

2. Review of Literature

2.1. Conceptualising Fake News: From Definitional Debates to Information Disorder

The academic debate to define "fake news" with a clear definition is ongoing. However, Tandoc, Lim, and Ling (2018) in Digital Journalism presented six features of the term "fake news" which include satire, parody, fabrication, manipulation, advertising and propaganda. Taxonomizing fake news, the authors noted that it actually represents a set of information

disorder used for different procedures, with varied intent to achieve different social objectives. This lack of clarity in definitions is not only a theoretical concern but has direct implications for government policy – a framework that fails to distinguish between satire and fabricated content or between unintended factual errors to deliberate misinformation. Tracking down the legislative history of India, the definitions of the term "fake news" ("information which is false or misleading and presented as news") was coined only in 2023, but it has never been properly elaborated.

The most influential conceptual framework in the field is Wardle and Derakhshan's 'Information Disorder: Toward an Interdisciplinary Framework for Research and Policymaking,' published by the Council of Europe in 2017. Wardle and Derakhshan replaced the politically loaded term 'fake news' with a three-part taxonomy: misinformation (false content shared without intent to harm), disinformation (false content shared with deliberate harmful intent), and malinformation (true content shared with intent to harm, such as revenge pornography or illegally obtained private information). This distinction between intent and accuracy creates a more precise legislative template than any binary fake or real categorisation. The Private Member Bills analysed in this paper — particularly Tej Pratap Singh Yadav's 2019 Bill and Manoj Kotak's 2023 Bill — attempted to operationalise a similar distinction but without the benefit of this theoretical precision. However, the definitions of the 'fake news' could well be derived and be operationalised from the Wardle-Derakhshan taxonomy.

Allcott and Gentzkow (2017), in their landmark study published in the Journal of Economic Perspectives, provided empirical grounding for the definitional debate. The authors showed that, on average, American adults "read and remembered on the order of one or perhaps several fake news articles during the election period." The authors argue that these stories naturally thrive in the modern digital economy "because it is cheaper to provide than precise signals, because consumers cannot costlessly infer accuracy, and because consumers may enjoy partisan news."

This finding has direct linkages with India where misinformation shared in various WhatsApp-based groups multiplies quickly to gain rapid virality forcing people to believe. The similar phenomenon has also been captured in the survey which exposed that the respondents who consumed news primarily through social media and messaging platforms like WhatsApp are less aware of existing legal provisions related to fake news [Survey, n=121].

2.2. The Mechanics of Spread: Why Falsehoods Travel Faster Than Truth

The empirical studies on the spread of fabricated information have produced findings that differ from what was thought and have significant implications to the formulation of any kind of regulations. Vosoughi, Roy, and Aral (2018), in a study published in Science, analysed the diffusion of approximately 126,000 verified true and false news stories on Twitter between 2006 and 2017, shared by approximately three million people more than 4.5 million times. Their central finding: falsehood diffuses significantly farther, faster, deeper, and more broadly than truth across all categories of information. False news is 70 per cent more likely to be retweeted than true news. The top one per cent of false news cascades reached between 1,000 and 100,000 people, while true news rarely reached more than 1,000. Strikingly, Vosoughi et al. found that bots accelerated the spread of both true and false news at similar rates — meaning that humans, not algorithms, are primarily responsible for the disproportionate spread of falsehood. Their explanation: false news tends to be more novel and to elicit stronger emotional responses (fear, disgust, surprise), making it more shareworthy. This underlines the arguments made in the Private Members' bill 2023 by Mr. Manoj Kotak placed in the Indian Parliament. Citing a study conducted by the MIT Media Lab on false news

spreading 70% faster, the parliamentarian explained why self-regulatory measures such as limiting forwarding of WhatsApp messages have not really been effective to reduce virality over the years.

According to Lazer et al. (2018) in their multidisciplinary review published in the Science, no single discipline or institution has the ability to tackle the menace of fake news, as it requires collaborative approaches from the fields of communication, computer science, politics, economics, law, and psychology. In their paper, The Science of Fake News, they identified three opportunities to act upon: the human, the platform, and the regulatory, where critical thinking skills, redesigning algorithmic incentives, and setting up legal accountability mechanisms are areas where interventions are possible and required. The three-tiers approach resembles the outcome of the survey findings - education on media literacy (person); government regulation of social media (platform); and dedicated legislation (regulatory).

Pennycook and Rand (2019) in their article in Cognition tested a hypothesis they termed - lazy not biased - which is relevant to education-based interventions for fake news exposures. Individuals with greater cognitive reflection ability (those who have to pause and consider before answering an option) are clearly more successful at identifying real news from falsehood, irrespective from their political ideologies and beliefs. This finding suggests that media literacy interventions that focus on building critical thinking habits - what Hobbs (2010) calls the ability to access, analyse, evaluate, and create media messages - have a stronger evidence base for reducing fake news susceptibility than content-moderation-alone approaches. It also raises the stakes for the parliamentary questions and survey data demand for media literacy in school curricula: if the cognitive tools for evaluating information are teachable, the failure to teach them is a measurable policy failure.

2.3. The Indian Context: WhatsApp, Communal Violence, and the Information Ecosystem

The global scholarly literature on fake news is substantially Anglo-American in its empirical base. The Indian context introduces a set of structural features that make the problem both more severe and more complex. Banaji and Bhat (2019), in their LSE report 'WhatsApp Vigilantes,' documented how WhatsApp misinformation was directly responsible for more than 100 mob lynching incidents in India since 2015. Based on qualitative research across four Indian states - Karnataka, Maharashtra, Madhya Pradesh, and Uttar Pradesh - involving focus group discussions with 275 WhatsApp users and review of more than 1,000 messages, they identified a distinctively Indian disinformation typology: stranger-danger rumours (child kidnapping, organ theft), cow-related incitement, and communal content targeted at religious minorities. Their finding that users share misinformation driven by pre-existing biases, civic duty, and social status - and that technical changes to WhatsApp, such as forwarding limits, reduced bulk messaging by 25 per cent but did not eliminate viral spread — directly corroborates what parliamentary questioners including T. Subbarami Reddy [RS Q. No. 248224], Ambika Soni [RS Q. No. 250194], and Dinesh Trivedi [LS Q. No. 299] were identifying in 2018.

Neyazi, Kalogeropoulos, and Nielsen (2021), in a survey-based study published in Social Media + Society, found that WhatsApp use, party identification, and low trust in mainstream news are positively associated with concern about online misinformation among English-language internet users in India. Their work establishes that misinformation concern in India is not simply a function of digital naivety — heavy social media users are often more concerned about misinformation, not less. This finding resonates with the survey conducted for this paper, in which 95 per cent of respondents use digital devices for news and yet 83.5 per cent demand government regulation of social media

[Survey, n=121]. Awareness of the problem and digital engagement are not opposites in the Indian context; they co-exist and reinforce each other as motivations for regulatory demand.

The Indian legal scholarship on fake news regulation has grown substantially since 2018. The Shreya Singhal v. Union of India (2015) judgment of the Supreme Court, which struck down Section 66A of the IT Act 2000 as unconstitutionally vague, remains a standing warning that broadly worded speech restrictions will not survive constitutional scrutiny in India (Farooqui and Alam, 2015). Patra and Saha (2020), in a journal article 'Fake news circulation on social media and the need for a policy evolution in India' opined that the existing legal and regulatory bodies are barely equipped to counter the vicious circle of the fake news and lamented by saying that there are frail and inadequate public policies to monitor the progressive dysfunction. Bhatnagar (2023) analysing the 2023 Amendment to the IT Rules that empowered government-designated fact-checkers, concluded that the amendment's broad and imprecise terms ('false,' 'fake,' 'misleading') confer unfettered discretion on the executive and likely violate the legality requirements of international human rights law. These are precisely the concerns that multiple parliamentary questioners - Vijayakumar [LS Q. No. 748], A.A. Rahim [RS Q. No. 296815], and Mala Roy [LS Q. No. 4504] - raised but never received adequate answers to.

2.4. Media Literacy as Public Policy: The Educational Dimension

Aufderheide (1993) provided the foundational formulation of media literacy: the ability to access, analyse, evaluate, and communicate messages in a variety of forms. In the Aspen Institute's 'Digital and Media Literacy: A Plan of Action' (2010), Hobbs called for systematic approaches to incorporating the skills, knowledge and competences needed to be incorporated in formal school curricula to make the younger generation media literate. The school curriculum-based educational intervention for promoting media literacy has also been voiced by Jeong, Cho, and Hwang (2012) who conducted an in-depth meta-analysis of media literacy interventions and findings were published in the Journal of Communication. The outcome was positive: students' ability to critically evaluate, recognise and interpret media messages improved. Jones-Jang, Mortensen and Liu (2021) in the American Behavioral Scientist, defined the information literacy as the skill required to evaluate source credibility and verifying claims crate the dimension for fake news identification. The finding also suggests that the skills incorporated in formal school curriculum to evaluate sources and check facts before sharing are directly linked with the opinions of the survey respondents [Survey, n=121].

Launched in 2014, the National Digital Literacy Mission (NDLM) facilitated better access to online resources but failed to provide education on media literacy. This gap between accessibility and analytical skill has been observed in several studies in India. Journalism, Fake News and Disinformation Handbook by UNESCO (2018) provides the curriculum designed for journalism education and public media literacy initiatives across the country. The United Nations Global Principles for Information Integrity (2024) documents public empowerment through media and information literacy as one of the five pillars of a healthy information ecosystem.

2.5. Comparative Regulatory Scholarship: What Governance Models Work and What They Risk

In recent years, the number of literatures on comparative analysis of worldwide regulations on fake news has proliferated. Some of the measures and initiatives by the governments have also resulted in success in curbing spreading of fake news. A study conducted by Roozenbeek and van der Linden (2019), who investigated the "inoculation" strategy in media literacy programs, showed that the ideal approach was to educate people about the misinformation techniques and teaching them to identify manipulation so they will recognise the falsehood before they encounter it. In

contrast, the 'Chilling legislation Chilling legislation: Tracking the impact of "Fake news" laws on press freedom internationally' report prepared by Lim and Bradshaw (2023) documented that the governments used the "fake news" law to prosecute journalists, opposition politicians and civil society activists rather than genuine misinformation creators. The alarming findings of the report indicate the need of an independent regulatory authority in India with judicial oversight, as proposed in Bill No. 47 of 2023 to safeguard the fundamental rights of the Indian citizens.

Balkin (2018), examining platform governance in the context of the First Amendment, argued that the emerging model of platform accountability - holding companies responsible for the systems and incentives they design rather than for every individual piece of content - is more consistent with free expression principles than content-level regulation. The Digital Markets Act (DMA) of the European Commission enforced in the year 2022 (European Commission, 2022) clearly defines objective criteria to identify "gatekeepers" which are "large digital platforms providing so called core platform services, such as online search engines, app stores, messenger services". The DMA also defines the obligations and prohibitions for gatekeepers. The parliamentary questions examined in this paper suggest that Indian legislators are beginning to recognise this gap - the demand for an independent regulatory authority in Mohammed Nadimul Haque's 2025 Starred Question [RS Q. No. 140] and Manoj Kotak's 2023 Bill both implicitly call for a structural accountability model - but the executive has yet to engage with it seriously.

2.6. Research Gaps and the Contribution of This Study

The existing literature on fake news in India has three significant gaps that this paper addresses. First, while there is substantial scholarship on fake news as a social phenomenon in India - particularly the WhatsApp-lynching nexus - there is very little systematic analysis of how India's Parliament has engaged with this issue over time. The parliamentary question record on fake news has not previously been subjected to a rigorous, full-dataset thematic analysis. This paper fills that gap with an analysis of all 98 questions across both Houses of Indian Parliament spanning nine years. Second, the Indian regulatory literature has focused almost exclusively on the executive's responses - the IT Act, the PIB Fact Check Unit, blocking orders - without examining the legislative proposals that have been generated within Parliament itself. This paper situates the three Private Member Bills within the comparative regulatory landscape, demonstrating that India already has domestically generated legislative frameworks consistent with the international models which have been identified as prudent. Third, and most importantly, no existing study of Indian fake news regulation has incorporated primary citizen survey data on what ordinary people - as opposed to legislators, executives, or scholars - expect from the government. This paper's primary survey of 121 respondents across three Gujarat cities provides that missing empirical layer and frames it within Basu's constitutional framework of state obligation.

Together, these three contributions allow the paper to argue not only that India needs a law, but that the citizens who would be governed by it have already articulated what it should do.

3. Data Sources and Methodology

This paper draws on five primary and secondary data sources. The citizen survey - conducted via Google Forms in Ahmedabad, Surat, and Vadodara (Gujarat) among 121 respondents aged 13 to 60 [Survey, n=121] - forms the foundational empirical layer. The questions were designed to gather quantitative information in the form of structured questions and qualitative information was collected in the form of what was called textual questions which were open-ended. The instrument measured news consumption patterns, knowledge of false news, platform trust, media literacy as well as public expectations of the government.

The parliamentary data contains a total of 98

questions to which ministerial replies were given. The dataset varies: 51 question from the Rajya Sabha and 47 were asked in the Lok Sabha out of which 16 are Starred and 82 Unstarred. The data period is April 2017 to March 2026. The thematic analysis is based on the six phases of Braun and Clarke (2006): familiarisation, first coding, creation of themes, review of themes, definition of themes, and write-up. Each of the 98 items was first coded, prior to themes being finalised. The data compiled by the National Crime Records Bureau (NCRB - https://www.ncrb.gov.in) for Crime in India reports is used for the year 2017 to 2024. Full text of all three Private Member Bills were analysed. The major legal sources used in the international comparative study are fully cited in the References section.

The descriptive and proportions methods of this survey do not claim to be representative of the nation as a whole but strive to reflect a broad cross-section of three cities, two sexes, three generations and a wide range of socio-economic backgrounds.

4. The Survey: Who Was Asked and What They Said

4.1. Demographic Profile of Respondents

Before assessing what citizens expect from the government, the first question to ask is, who is considered a citizen? The poll obtained near-equal participation across all three Gujarat cities — Ahmedabad (33.1%), Surat (33.9%), and Vadodara (33.1%) — and across gender — male (50.4%) and female (49.6%) [poll, Q3, Q7, n=121]. The age distribution was: 13–18 years (41.3%), 19–35 years (28.9%), and 36–60 years (29.8%) [Survey, n=121].

Table 1: Distribution of Survey Respondents by City and Age Group [Survey, n =121]

City	13–18 years	19–35 years	36–60 years	City Total (%)
Ahmedabad	20	5	15	40 (33.1%)
Surat	20	10	11	41 (33.9%)
Vadodara	10	20	10	40 (33.1%)
Total	50 (41.3%)	35 (28.9%)	36 (29.8%)	121 (100%)

Table 2: Educational Background and Employment Status of Survey Respondents [Survey, n =121]

Education Level	Count	%	Employment Status (Count / %)
Graduate	40	33.1	Student: 42 (34.7%)
Higher Secondary	29	24.0	Employed full-time: 36 (29.8%)
Post Graduate	21	17.4	Unemployed: 18 (14.9%)
SSC	17	14.0	Business owner: 10 (8.3%)
Below SSC	6	5.0	Homemaker: 7 (5.8%)
Doctorate / Diploma / Other	8	6.6	Others (self-emp., part-time, retired, professional): 8 (6.6%)
Total	121	100	Total: 121 (100%)

Table 3: Monthly Income Distribution and Digital Device Use for News Consumption [Survey, n=121]

Monthly Income (Rs)	Count	%	Digital Device Use for News
≤10,000	48	39.7	Sometimes: 61 (50.4%)
10,001–25,000	10	8.3	Frequently: 26 (21.5%)
25,001–50,000	22	18.2	Very Often: 25 (20.7%)
50,001–1,00,000	12	9.9	Occasionally: 3 (2.5%)
Above 1,00,000	8	6.6	Never: 6 (5.0%)
Not willing to disclose	21	17.4	Using digital devices (total): 95.0%
Total	121	100	Total respondents: 121

The demographic profile under the survey has three components. The first is that the sample is multi-dimensional keeping age group as low as 13 years and as high as 60 years with proportionate representation from both genders – male and female. Secondly, it targets all income levels ranging from Rs.10,000 per month to Rs.1 lakh per month. Thirdly, and most importantly, 95% of respondents are aware of the digital information environment as they utilise digital devices to get news at least periodically. The 'wishes-and-desires' of the respondents carry particular weight because they are regularly exposed to the phenomenon of misinformation in society.

4.2. Citizens' Expectations from the Government

4.2.1. The Demand for a Stringent Law

On a question 'Are you of the opinion that India needs a stringent law to curb creation and spreading of fake news?'

Table 4: India Needs a Stringent Law Against Fake News [Survey, n=121]

Response	Count	% of Total
Strongly Agree	47	38.8%
Agree	59	48.8%
Neutral	12	9.9%
Disagree	3	2.5%
Agree + Strongly Agree (combined)	106	87.6%

According to 87.6% of respondents, there is a need for stringent legislation in India while only 2.5% disagreed. Interestingly, this agreement holds consistently across all age groups, income levels, and employment categories.

4.2.2. Government Regulation of Social Media

In another question, 'Do you think social media content should be regulated and monitored by Government or government-appointed agencies and penalised for allowing fake news?'

Table 5: Government Should Regulate and Monitor Social Media [Survey, n=121]

Response	Count	% of Total
Strongly Agree	36	29.8%
Agree	65	53.7%
Neutral	9	7.4%
Disagree	11	9.1%
Agree + Strongly Agree (combined)	101	83.5%

An overwhelming 83.5% of respondents either strongly agreed or agreed to opinion that the government should regulate and monitor social media channels while 9.1% have opined differently. Respondents who are demanding government-monitored and government-regulated mechanisms are fully aware of the inside-out of the algorithms adopted by social media channels to promote falsehoods leading to chaos in the society.

4.2.3. The Legal Awareness Gap

When asked, 'Are you aware that spreading of fake news, rumours, hatred and enmity is a punishable offence under Section 353 of the Bharatiya Nyaya Sanhita (BNS) (erstwhile Section 505 of the Indian Penal Code)' [Survey, n=121], only 26.4 per cent responded affirmatively. A majority of 55.4 per cent were not aware, while the remaining respondents provided uncertain responses. This important finding has two clear implications – the first being the diminished effectiveness of existing laws, and the second being the need for a special law on fake news - which three Private Member Bills have already proposed.

4.3. Citizens on Media Literacy and Democratic Health

Beyond legislation, the survey reveals a strong, consistent citizen appetite for media literacy as a public good. When asked whether media literacy should be part of the educational curriculum (Survey, n=121), 75.2 per cent agreed or strongly agreed [Survey, n=121]. When asked whether society needs more media literacy to curb fake news, 73.6 per cent agreed or strongly agreed [Survey, n=121]. 68.6 per cent agreed that fake news and rumours are against healthy democracy [Survey, n=121]. 71 per cent agreed that traditional media channels must help counter misinformation [Survey, n=121].

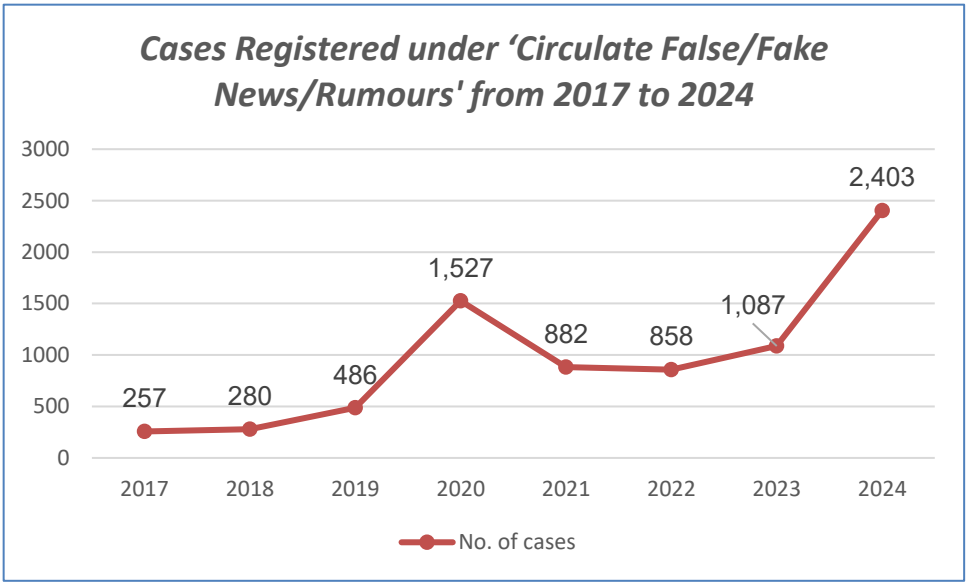
The open-ended responses to the survey reveal three dominant citizen prescriptions that emerge across dozens of responses. The most common is the call for government rules and law: 'Govt make rules,' 'Strict monitoring by govt agencies,' 'there should be a law against fake news spreaders,' 'legal action should be taken.' The second is public awareness and education 'public awareness, media literacy amongst locals, fact-checking responsibilities.' The third is curriculum change: 'media literacy should be made part of school curriculum from class 8 onwards as usually children start using mobile phones at that age'; 'media literacy subject should be included in education'; 'by teaching students media literacy in schools and raising public awareness.' These three citizen prescriptions - law, awareness, and curriculum - map precisely onto what parliamentarians from six different parties have been demanding from the executive for nearly a decade, as Sections 5 and 6 of this paper will show.

5. The NCRB Data: Numbers That Track the Citizens' Alarm

If the survey tells us what respondents feel, the NCRB data tells us what they have reason to

feel. The offence "Circulate False News/Rumours" was not officially introduced into the criminal-justice system until 2017, as this specific offence category did not exist in the criminal-justice system before that year. The data reveals that the damage has been on the increase since then and is steadily worsening from 2017 to 2024:

Table 6: NCRB Data on Cases Registered under 'Circulate False/Fake News/Rumours' (2017–2024).
Source: NCRB Crime in India Annual Reports, 2017–2024



Now, putting the number of cases registered for circulating false/fake news or rumours since 2017 into perspective:

Year	Cases	Contextual Note
2017	257	First year of dedicated NCRB classification; WhatsApp lynching crisis emerges
2018	280	Parliamentary peak on mob lynchings; MeitY issues notice to WhatsApp
2019	486	73% year-on-year increase; IT Rules reform discussions begin
2020	1,527	214% surge — Covid-19 'informational disorder'; PIB Covid FCU established April 2020
2021	882	Post-Covid normalisation; IT Rules 2021 notified February
2022	858	Broadly stable; 120 YouTube channels blocked under IT Rules
2023	1,087	Rise resumes; FCU controversy; NCRB data cited in Parliament [RS Q. No. 294704]
2024	2,403	Highest on record — more than doubled from 2023; deepfake and AI concerns intensify

Many important narratives can be extracted from the statistics. The rise was due to the information disorder in 2020 due to the Covid-19 pandemic, raising the number of cases from 486 to 1,527, precisely what Thomas Chazhikadan [LS Q. No. 919] and Surendra

Singh Nagar [RS Q. No. 272465] were flagging in the Parliament. The highest number of cases in all the data occurred in 2024 with 2,403 cases, up from 1,087 cases registered in the year 2023.

6. The Private Member Bills: Legislative Solutions Already Exist

During the last nine years, the Executive had always believed that there was no need to take any action on the issue of fake news as it already has provisions under the existing criminal laws, the IT Act and Cable TV Rules. While each of these legislative frameworks proved to be inadequate, the three Private Member Bills are the most concrete legislative responses to the vacuum.

6.1. The Fake News (Prohibition) Bill, 2019 - Bill No. 4 of 2019

Introduced on November 19, 2018, and registered as Bill No. 4 of 2019, this bill by Tej Pratap Singh Yadav (RJD) opens with a frank acknowledgement: 'At present, India does not have a specific law to deal with menace of fake news. Other countries have taken strides in preventing the spread of false information through legislations.' This observation from 2018 remains accurate in 2026. The Bill provides a three-part definition of 'fake news' - covering misquotation, context-distorting editing of audio or video, and fabricated content - and a separate five-part definition of 'false or inaccurate report'. Penalties distinguish between media organisations (Rs 5 lakh for first offence, up to Rs 20 lakh and one month's suspension for subsequent offences) and individual social media users (Rs 1 lakh to Rs 5 lakh). Section 3(e) creates an affirmative legal duty to retract - a provision absent from the IT Act framework that directly addresses the harm survey respondents identify: once misinformation goes viral, there is no obligation on anyone to prevent it.

6.2. The Fake News (Prohibition) Bill, 2019- Bill No. 138 of 2019

Introduced by Shrimati Rama Devi, an Member of Parliament from Sheohar, Bill No. 138 of 2019 is structurally identical to Bill No. 4 of 2019 in definitions, prohibited acts, and penalty framework. That two members from different parties - RJD (now, NDA coalition partner in the Union government) and BJP (the Indian ruling political party) - introduced substantively identical bills in the same Parliamentary session demonstrates beyond doubt that the demand for fake news legislation was not a partisan position. It was a cross-party consensus within the Lok Sabha itself. This consensus was never reflected in executive action.

6.3. The Prohibition of Fake News on Social Media Bill, 2023 - Bill No. 47 of 2023

Manoj Kotak's 2023 Bill is the most institutionally sophisticated of the three. Rather than individual criminal offences alone, it proposes a Fake News on Social Media Regulatory Authority (Section 4) with a multi-stakeholder composition that includes representatives from both Houses of Parliament, social media platforms, and a senior IAS Secretary. The penalty structure is more severe: up to seven years' imprisonment and a fine of Rs 10 lakh for individuals found guilty. The Statement of Objects and Reasons cites the MIT Media Lab finding that fake news spreads 70 per cent faster than real news — grounding the proposal in international empirical research. The proposal for an independent regulatory authority directly mirrors what survey respondents called for: 'Regulatory body should take action strictly and fact checkers need to become more powerful.'

6.4. What the Bills Collectively Demonstrate

Read together, the three bills establish five things that the executive's stock replies consistently obscure. A workable legal definition of 'fake news' was proposed in the bills. A proportionate penalty structure had been designed. An affirmative retraction duty had been proposed. An institutional regulatory design had been developed. And cross-party support for such a framework existed within the Lok Sabha. The choice not to engage with any of this material was the executive's own.

7. Thematic Analysis of All 98 Parliamentary Questions

The full dataset of 98 questions — 51 from the Rajya Sabha and 47 from the Lok Sabha, covering April 2017 to March 2026 - was read, coded, and analysed using the Braun and Clarke (2006) thematic analysis framework. Sixteen Starred Questions (10 RS, 6 LS) and 82 Unstarred Questions (41 RS, 41 LS) were included. Questions were asked across nine Parliamentary years, by members from the BJP, Congress, TMC, AAP, DMK, CPI(M), RJD, NCP, SP, YSR Congress, BJD, TDP, AIADMK, and multiple other independent and regional parties - confirming that concern about fake news legislation is not a partisan position. Six themes emerged consistently across the full dataset.

Table 7: Six Themes Emerging from Thematic Analysis of All 98 Parliamentary Questions (2017–2026)

Theme	RS Qs	LS Qs	Key Pattern in Ministerial Replies
T1: Public order, communal harmony & violence	18	9	Centre deflects to states via Seventh Schedule
T2: Regulatory framework & its adequacy	36	41	PCI cited 53 times; IT Act cited 40 times; FCU cited 55 times
T3: PIB FCU — accountability & legitimacy	27	33	FCU role expanded but constitutional concerns unanswered
T4: Platform accountability (social media & OTT)	46	46	Notices issued; blocks ordered; no structural liability created
T5: Dedicated legislation — definition & penalties	48	44	'Existing provisions are adequate' — 9-year stock reply
T6: AI, deepfakes & emerging threats	3	4	Acknowledged but no legislative commitment made

Note: Questions frequently address multiple themes; column totals therefore exceed 98.

7.1. Theme 1: Public Order, Communal Harmony, and Violence (27 questions)

The parliamentary record opens with fake news as a safety issue. Chhaya Verma's first RS question in August 2017 [RS Q. No. 238615] established the frame: fake news sometimes leading to serious consequences including communal tensions. By mid-2018, the discourse had sharpened dramatically around mob lynchings. On July 25, 2018, T. Subbarami Reddy demanded state-wise data on 'the number of killings and lynching by mob due to rumours and fake news in the last two years' [RS Q. No. 248224] — a question that received the now-familiar reply: 'Police and Public Order are State subjects under the Seventh Schedule to the Constitution of India.' On a single day - August 10, 2018 - three separate Rajya Sabha questions addressed the WhatsApp-lynching nexus: from K.C. Ramamurthy [RS Q. No. 249320], Ambika Soni [RS Q. No. 250194], and Sanjay Singh [RS Q. No. 250298]. In the Lok Sabha, Dinesh Trivedi raised deaths due to fake news [LS Q. No. 299] in the same month.

The constitutional deflection - the Centre regulates the platforms while the states bear the human cost anu- created a systematic accountability gap that runs across the entire nine-year dataset. It resurfaced in 2021, when Tiruchi Siva asked about methodology for controlling fake news during riots [RS Q. No. 271194] and Dr T. Sumathy raised violence and suicides due to fake news [LS Q. No. 1490]. It was still operative in 2024 when Dola Sen characterised fake news as a threat to the democratic fabric of India [RS Q. No. 200], and in 2026 when Prabha Mallikarjun cited fake news spreading during Operation Sindoor [LS Q. No. 5444]. Nine years of asking the same safety question produced nine years of the same constitutional deflection.

7.2. Theme 2: The Regulatory Architecture and Its Persistent Inadequacy (77 questions)

This is the largest and most consistent theme in the dataset. Across all 98 questions, three legal instruments dominate ministerial replies: the Press Council of India's Norms of Journalistic Conduct (cited in 53 of 98 replies), the PIB Fact Check Unit (cited in 55 replies), and the IT Act 2000 with the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules 2021 (cited in 40 replies). The problem here is that this is a framework which has been given for 9 years as a panacea for all problems.

Derek O'Brien wrote to the Minister asking for an Action Plan for the development of a policy on false news [RS Q. No. 244132] in March 2018. In his statement, Col. Rajyavardhan Rathore itemized the present PCI standards and platform rules. In January 2019, Dr. Abhishek Manu Singhvi asked directly whether the Union government has issued/ notified any rules to combat fake news and whether any legislation was planned [RS Q. No. 253507]. The same answer followed. B.K. Hariprasad asked [RS Q. No. 258185] to bring out the issue of the increasing "events of mishappenings and deaths due to false propaganda and spreading of fake news through digital media". In March 2023 Bholanath (B.P. Saroj) made a specific request for a law change and urged it to be clarified [LS Q. No. 2140]. In his reply, Anurag Thakur, the Union Minister, cited only the three existing instruments but additionally referenced the 'Fact Checking Unit (FCU).' In March of 2026, Masthan Rao Yadav Beedha enquired about [RS Q. No. 3288] what steps had been taken to curb spreading of fake news in the country, L. Murugan, the minister of state for information & broadcasting and parliamentary affairs, listed the same mechanisms. The regulatory architecture has not materially changed in nine years, while the problem it is waiting to be addressed has grown ninefold.

A notable sub-theme is the question of media literacy and citizen education. Harish Chandra Meena's August 2018 question [LS Q. No. 3634] asked specifically about steps to educate people to stay safe from fake information - the first-time media literacy appeared as a parliamentary concern. It surfaced again through Uday Pratap Singh [LS Q. No. 2543; LS Q. No. 1595], Nayab Singh [LS Q. No. 545], Shriniwas Dadasaheb Patil [LS Q. No. 483], and most recently in Adv. Gowaal Kagada Padavi's AI misuse question [LS Q. No. 3160]. That citizen survey respondents independently and overwhelmingly identify media literacy and curriculum reform as their top expectations from the government - matching what parliamentarians raised years earlier - is a finding of independent significance.

7.3. Theme 3: The PIB Fact Check Unit — A Real Institution with Unresolved Questions (60 questions)

The PIB Fact Check Unit was established in November 2019 and first appeared in parliamentary replies through Thomas Chazhikadan's Covid question [LS Q. No. 919] in February 2021. By March 2023, it had handled 37,000 actionable queries, as cited by the minister Anurag Thakur in reply to L. Hanumanthaiah [RS Q. No. 295492]. The same reply provided the government's first working definition of fake news: 'information which is false or misleading and presented as news' - a definition that appeared only in 2023 after six

years of answering questions about it. The FCU's most recent operational role, in identifying misinformation during Operation Sindoor, was confirmed in March 2026 [LS Q. No. 5444].

But the FCU's legitimacy was challenged from multiple directions across the parliamentary record. Vijayakumar (alias Vijay Vasanth) asked directly whether policing fake news was 'akin to censorship' [LS Q. No. 748] in February 2023. A.A. Rahim asked whether the draft IT Rules intended to entrust PIB with the power to determine the veracity of news reports, and whether information determined as fake by PIB would be automatically removed [RS Q. No. 296815] - a question raising the phenomenon of pre-publication censorship by an executive body. Mala Roy asked how many times the government had declared something fake when it was actually true [LS Q. No. 4504] - a question that received no satisfactory answer. No question in the dataset received a reply that addressed the accountability or error-rate of the FCU. In the absence of judicial oversight or an independent appeals mechanism - both of which exist in Singapore's POFMA and France's 2018 law - the FCU's expanding role in a legislatively unanchored environment is a governance concern that has accumulated across 60 questions without resolution.

7.4. Theme 4: Platform Accountability - Notices Without Structural Change (92 questions)

Platform accountability runs through almost the entire dataset because virtually every fake news question eventually implicates a platform. WhatsApp dominated from 2017 to 2021. The government's July 2018 notice to WhatsApp — cited in replies to K.C. Ramamurthy [RS Q. No. 249320], Ambika Soni [RS Q. No. 250194], Sanjay Seth [RS Q. No. 250296], and Sanjay Singh [RS Q. No. 250298] on a single day - produced platform-level responses (message forwarding limits, 'frequently forwarded' labels) but no structural legal accountability. K.C. Ramamurthy returned with a follow-up question three months later [RS Q. No. 250993], suggesting no meaningful change had occurred.

YouTube became a distinct focus from 2022 onwards. Neeraj Dangi's question in March 2022 [RS Q. No. 282559] on the number of social media channels blocked drew the first systematic data on blocking actions. Anil Jain's question in July 2023 [RS Q. No. 885] disclosed that 120 YouTube-based news channels had been blocked since December 2021. The question of a complaint mechanism or ombudsman for platform governance appeared repeatedly: from Vinay Dinu Tendulkar [RS Q. No. 287646], Ramvir Singh Bidhuri [LS Q. No. 453], P.C. Mohan [LS Q. No. 3304; LS Q. No. 1915], Kuldeep Indora and others [LS Q. No. 2693], and Ashok Kumar Mittal [RS Q. No. 1368] - each time deflected with a reference to existing grievance officer provisions under IT Rules 2021. Kanakamedala Ravindra Kumar's February 2022 question [RS Q. No. 281770] on coordinated disinformation networks operating from Pakistan drew attention to the foreign/cross-border dimension that also appears in questions by Neeraj Dangi [RS Q. No. 285897] and Masthan Rao Yadav Beedha [RS Q. No. 3288] and in Prabha Mallikarjun's 2026 question on Operation Sindoor [LS Q. No. 5444].

Shafi Parambil's August 2025 question [LS Q. No. 4417] raised a dimension that had been absent from earlier questions: malicious fake news targeting national historical figures, specifically Gandhi, Nehru, and Patel. L. Murugan's reply cited the IT Rules 2021 grievance mechanism - the same answer given to the first WhatsApp question in 2017.

7.5. Theme 5: The Persistent Demand for Dedicated Legislation (92 questions)

This is the most numerically dominant theme in the entire dataset, present in some form across 92 of 98 questions. The progression is clear. In March 2018, Derek O'Brien asked whether the government planned to draft a policy on guidelines to detect and combat fake news [RS Q. No. 244132]. In January 2019, Dr. Abhishek Manu Singhvi asked in a Starred Question

whether legislation was planned [RS Q. No. 253507]. In December 2019, S. Muthukaruppan asked whether the government was considering action against fake news as a national threat [RS Q. No. 261944]. In March 2023, Bholanath (B.P. Saroj) asked specifically for legislation to control fake news [LS Q. No. 2140]. In December 2025, Mohammed Nadimul Haque asked in a Starred Question whether the government had prepared or was preparing a draft legislation to legally define fake news and prescribe proportionate penalties [RS Q. No. 140] - the most direct legislative demand in the entire nine-year dataset. Union minister Ashwini Vaishnaw's replies invoked Article 19(1) of the Constitution of India for protections and described existing mechanisms. No legislation was announced.

The pattern of ministerial replies reveals an important evolution. Between 2017 and 2019, responses were led by Col. Rajyavardhan Rathore and Ravi Shankar Prasad (both were MeitY and I&B ministers), primarily citing PCI norms and IT Act provisions. From 2021 to 2023, Anurag Singh Thakur (37 replies, the single most frequent ministerial respondent) consolidated the FCU-centred replies. From 2024 onwards, Ashwini Vaishnaw and L. Murugan continued the same replies while acknowledging deepfakes and AI as new challenges. Across nine years and at least six different ministers, the substantive reply never changed: existing provisions are adequate, the FCU is working, the IT Rules provide the framework.

Abdul Wahab asked four separate questions [RS Q. No. 261080; RS Q. No. 291675; RS Q. No. 2171; RS Q. No. 586]. Neeraj Dangi asked three [RS Q. No. 282559; RS Q. No. 285897; RS Q. No. 2482]. Uday Pratap Singh asked three [LS Q. No. 2543; LS Q. No. 1595; LS Q. No. 898]. Repeated questioning by the same members suggests a deliberate strategy of sustained pressure - to which the executive responded with structural repetition. The same questions, the same replies, year after year, while NCRB data moved from 257 to 2,403.

7.6. Theme 6: Artificial Intelligence, Deepfakes, and the Newest Frontier (7 questions)

AI as a distinct fake news concern was absent before 2023 and then became rapidly prominent. L. Hanumanthaiah [RS Q. No. 295492] and T.N. Prathapan [LS Q. No. 3273] simultaneously asked in March 2023 whether the government would use AI to define and detect fake news. Janardan Singh Sigriwal asked in July 2024 whether AI had been used to determine fake news and address deepfakes [LS Q. No. 1437]. Mohammed Nadimul Haque's Starred Question in December 2025 [RS Q. No. 140] explicitly connected AI-generated deepfakes to electoral integrity, demanding legislation. Adv. Gowaal Kagada Padavi in March 2025 [LS Q. No. 3160] raised the misuse of AI in spreading fake news as a ground for new legislation. Dola Sen [RS Q. No. 200] in December 2024 named deepfake technology as a specific new threat requiring attention. All received replies describing existing mechanisms.

There is yet another measuring gap because so far the NCRB data does not specifically classify the cases of deepfakes generated with Artificial Intelligence. Survey data shows that this threat seems to have outpaced institutional response, suggesting a level of public awareness on deepfakes. The concerns about deepfakes and AI-generated content reported by the respondents in the open-ended answers (Survey, n=120) were from all three cities and among the different age groups.

8. The International Regulatory Landscape

In March, 2023, E.T. Mohammed Basheer inquired about whether or not the Union government had discussed the issue with any other countries having regulatory and legal measures to tackle disinformation [LS Q. No. 4557]. The statement of objects and reasons in the Private Member Bill 2019 noted that 'other countries have taken strides in preventing the spread of false information through legislations.' In light of very crucial question asked by the parliamentarian Basheer, this section analyses

the international regulatory framework available in many countries.

8.1. United Nations: Global Principles for Information Integrity (2024)

The UN Global Principles for Information Integrity, launched on June 24, 2024, articulate five foundational pillars: societal trust and resilience; independent, free, and pluralistic media; healthy incentives (stopping the monetisation of harmful content); transparency and research; and public empowerment through media and information literacy (United Nations, 2024). The fifth pillar - public empowerment through media literacy - maps directly onto what the survey respondents demand: 73.6 per cent want more media literacy in society and 75.2 per cent want it in the school curriculum [Survey, n=121].

8.2. Germany: Network Enforcement Act (NetzDG, 2017/2021)

According to the 'NetzDG' (Bundestag, 2017) of Germany, social media platforms which have more than 2 million users have to delete content that can be 'clearly shown' to be illegal within 24 hours and to delete illegal content within 7 days. Non-compliance of the entire system could face penalties of up to €50 million Euros. Effective enforcement is evidenced by Facebook facing a fine of €2 million in July 2019 for not providing a full transparency report. Similar kind of provision of imposing penalty for illegal content has also been made in the Information Technology Rules 2021 in India, but the rule lacks teeth.

8.3. Singapore: Protection from Online Falsehoods and Manipulation Act (POFMA, 2019)

In 2019, Singapore enacted the Protection from Online Falsehoods and Manipulation Act (POFMA), empowering ministers to send out Correction Directions and empowering judiciary with final authority on falsehood. Platforms could face SGD 1 million per day in fines for failure to comply, and individuals can be penalised with up to 10 years in imprisonment and a fine of SGD 100,000. POFMA's system of judicial oversight raised concerns on censorship in India's legislative debate [RS Q. No. 296815; LS Q. No. 748] and echoes the concern raised by Mala Roy's question [LS Q. No. 4504] about the government's power to classify fake news.

8.4. European Union: Digital Services Act, Regulation (EU) 2022/2065

The Digital Services Act (DSA) of the European Union (European Union, 2022) requires 'Very Large Online Platforms' to conduct annual risk assessments for disinformation amplification, with fines up to 6 per cent of global annual turnover. In December 2025, the European Commission fined X (formerly Twitter) €120 million for DSA transparency obligations. The DSA's focus on platform systems and algorithmic incentives - rather than individual content - is the most sophisticated regulatory approach currently in operation globally and directly addresses the platform accountability theme that runs through 92 of 98 Indian parliamentary questions.

8.5. France: Loi n° 2018-1202 du 22 décembre 2018

France's law on information manipulation (French Republic, 2018) provides a fast-track judicial procedure during the three months preceding national elections, allowing any candidate to apply for removal of false information likely to alter electoral sincerity. A judge, not an administrator, makes the removal decision - directly addressing the executive overreach concern raised across multiple Indian parliamentary questions.

8.6. Malaysia: Anti-Fake News Act 2018 (Act 803) - A Cautionary Template

Anti Fake News Bill 2018 of Malaysia (CLJ Malaysia Sdn. Bhd, 2018) proposed penalties up to RM 500,000 and six years' imprisonment was criticised by ARTICLE 19 for establishing a 'totalitarian regime for policing the truth' (ARTICLE 19, 2018) and was repealed in October 2019. Malaysia demonstrates the risk

that ambiguous definitions combined with unrestricted executive enforcement pose to free expression - the same concern articulated in India's parliamentary record by Vijayakumar [LS Q. No. 748] and A.A. Rahim [RS Q. No. 296815].

8.7. Australia: Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2024

Australia's Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2024, introduced on September 12, 2024 (House of Representatives Parliament of Australia, 2024) and withdrawn in November 2024 after failing to secure a Senate majority, proposed platform-systems accountability rather than content-level regulation. Eighty per cent of Australians supported action on misinformation, per government data - a proportion strikingly close to the 87.6 per cent of survey respondents who want a stringent Indian law.

Table 8: Comparative International Regulatory Approaches

Jurisdiction / Year	Key Instrument	Penalty / Mechanism
UN (2024)	Global Principles for Information Integrity	Non-binding; 5-pillar framework including media literacy
Germany (2017/2021)	Network Enforcement Act (NetzDG)	Up to €50m fine; 24-hr removal; mandatory transparency reports
Singapore (2019)	POFMA	Up to 10 yrs imprisonment; SGD 1m/day for non-compliant platforms; judicial oversight
EU (2022)	Digital Services Act	Up to 6% global annual revenue; algorithmic risk assessments; researcher access
France (2018)	Loi n° 2018-1202	Fast-track judicial removal during elections; judicial (not executive) authority
Malaysia (2018, repealed)	Anti-Fake News Act 2018	Up to RM 500,000 + 6 yrs imprisonment; repealed 2019 as overbroad
Australia (2024, withdrawn)	Misinformation Bill 2024	Platform-systems accountability; ACMA oversight; withdrawn Nov 2024
India	IT Act 2000, IT Rules 2021, PCI Norms, PIB FCU	Blocking orders; no statutory definition; no dedicated fake news law

9. Cross-Cutting Observations: Five Layers, One Consistent Story

9.1. The Definitional Vacuum Persists Across All Layers

The most consequential gap in India's current framework is the absence of a statutory definition of fake news. The government's working definition — 'information which is false or misleading and presented as news' — appeared for the first time in a ministerial reply only in March 2023 [RS Q. No. 295492; LS Q. No. 3273], after six years of answering questions about it, and has never been codified in any

statute. Survey respondents, without any legal knowledge, nonetheless show understanding what fake news or misinformation is. Respondents decode the characteristics of fake news as 'information presented in a wrong way,' 'news which are deliberately manipulated by an individual or an organisation to hide the truth,' 'anything which we cannot validate' [Survey, n=120]. However, the state simply has not enacted any law to define the characteristics of fake news or misinformation in India.

9.2. The Centre–State Gap Creates Structural Unaccountability

The constitutional division between platform regulation (Centre) and public order (states) has created a systematic accountability gap that nine years of parliamentary questions have been unable to bridge. The executive invoked the Seventh Schedule of the Indian Constitution in 9 of the 98 replies. This was most common in questions on mob lynchings and communal violence instigated through falsehood and rumours. However, by stating that law and order is a 'State subject', the government also distanced itself from responsibility for the crimes committed. The discrepancy between NCRB figures cited in Parliament and Annual Report data points to a related failure: the absence of standardised inter-governmental data-sharing on fake news crimes, which undermines even the basic prerequisite of evidence-based policymaking.

9.3. Cross-Party Consensus Without Executive Engagement

The 98 parliamentary questions come from members of at least 15 different political parties. The three Private Member Bills come from two different parties. Abdul Wahab (IUML) asked four questions. Neeraj Dangi (BJP) and Uday Pratap Singh (BJP) each asked three. Derek O'Brien (TMC), Anubhav Mohanty (BJD), K.C. Ramamurthy (BJP), Sanjay Singh (AAP), Digvijaya Singh (Congress), Sasmit Patra (BJD), and Tiruchi Siva (DMK) each asked two. The parliamentary demand for legislative action is not a partisan position - it is a consensus position. However, the executive choose not to engage with concerns raised by the parliamentarians.

9.4. The Survey Confirms What Parliament Has Long Known

The most significant finding of integrating the survey evidence with the parliamentary record is one of convergence. What citizens said in 121 survey responses across three Gujarat cities in 2024–2025 is, with remarkable precision, what parliamentarians from 15 parties have been saying across 98 questions over nine years. Both demand a law. Both want government regulation of platforms. Both want media literacy in schools. Both identify an awareness gap about existing legal provisions. The survey does not add a new finding to the parliamentary record. It gives a citizen-level empirical foundation to a legislative demand that was already articulated within Parliament.

9.5. The Basu Framework: Where Constitutional Obligation Meets Empirical Evidence

Durga Das Basu's argument in Introduction to the Constitution of India is that the Indian state's primary function is the active fulfilment of citizens' social, economic, and political expectations. The survey evidence gives that constitutional argument a precise, measurable, multi-city, multi-generational empirical form. 87.6 per cent of respondents want a stringent law [Survey, n=121]. 83.5 per cent want government regulation of social media while 55.4 per cent are unaware that existing law even applies [Survey, n=121]. These are not preferences for a policy option among many. They are articulated, majority expectations from the people who constitute the state's primary obligation. The executive's nine-year pattern of non-response is, in Basu's terms, a failure of constitutional obligation.

10. Conclusion: The People Were Waiting

Five bodies of evidence have been laid out in this paper. A primary citizen survey shows that ordinary Indians want a stringent law (87.6%),

government regulation of social media (83.5%), and media literacy in school curricula (75.2%), while most do not even know the existing law applies to them (55.4%). The NCRB data shows that fake news cases have grown ninefold in eight years, from 257 in 2017 to 2,403 in 2024, with 2024 being the highest figure on record. Three Private Member Bills from two different political parties, introduced in the Indian Parliament show that there is a need for strong legislation to prevent spreading misinformation of falsehood with a clear definitions, fines, retraction obligations and institutional settings for regulation. Lawmakers from at least fifteen political parties repeatedly requested actions to curb spreading of fake news over the last nine years, and they all got the same deflection. Furthermore, a review of laws from other countries - European Union (2022), France (2018), Germany (2017), and Singapore (2019) – shows that serious steps to enact stringent laws to curb spreading of fake news and falsehood have been taken.

Seen in light of all these facts, the common reaction of the executive branch – "existing provisions are adequate" - sounds less like a call to action. From Dr Abhishek Manu Singhvi's Starred Question in January 2019 [RS Q. No. 253507] to Mohammed Nadimul Haque's Starred Question in December 2025 [RS Q. No. 140], six years of the most emphatic form of parliamentary questioning produced the same answer. But, in those six years' timeframe, registered fake news cases rose from 486 to 2,403.

A legislation to address spreading of disinformation is now need of the hour in India. A specific and legally binding definition of "fake news" is essential for this kind of legislation. In addition, it must form an autonomous regulatory body of stakeholders' representatives. The authority must be open, responsible and sensible in its operations. Government's ex parte decision to remove content from online platforms should be brought under judicial review.

The law should also have provisions of imposing penalties and/or imprisonment. Both individuals and digital platforms should be held liable based on the degree of the offences. Anyone who publishes and/or shares any information that proves to be false should have a legal responsibility to delete or correct it with apology.

Also, the Indian governments should enact laws to ensure the timely sharing of authentic data and verified information. Easy access to reliable, data-driven information can help citizens make informed decisions and reduce the exposure to misinformation and disinformation.

As a last step, the law has to acknowledge media literacy as an answer for the future. Media literacy should be part of curricula in schools from Class VIII standard.

These suggestions have also been reflected in the opinion of respondents in the survey, in the Private Member Bills, questions raised in parliament at the last 9 years and the principles of the United Nations adopted information integrity directives.

According to Durga Das Basu, it is the basic responsibility of the Government to fulfil the political, social and economic expectations of the people. The arguments made in the paper, suggest that the Indian government didn't adequately respond to the expectations of its citizens to promulgate stringent law to curb spreading of misinformation and to strengthen democratic processes in India.

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