Fake News in India during Covid-19: A Legal Study on the Spread of Fake News via Social Media

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Since the last decade, social media has become a breeding ground for fake news, with viral messages, photographs, and videos being shared at a speed that has never been seen before. Recently, numerous events have come to light that shows how dangerous the spread of fake news can be for society. Moreover, its spread, either intentionally or unintentionally, is endangering our rights in a number of ways. Furthermore, it poses a significant threat to our human rights, such as the right to health. In the present scenario, as people throughout the world are fighting COVID-19, another battle is raging, and that is the battle against the problem of fake news. Globally, fake news relating to health has become one of the biggest threats during COVID-19. The world struggled with a flood of false information relating to the new pandemic, and India was no exception. Even it was said that the virus of fake news travelled much faster than the coronavirus in India. In this context, the researcher has tried to examine the issues of the spread of fake news in India during COVID-19 and the perceptions of different individuals towards the same. For the purpose of this paper, the methodology adopted by the researcher is doctrinal and non-doctrinal.

Keywords: *covid-19, fake news, misinformation, social media, whatsapp.*

INTRODUCTION

"The Internet and social media have made our public discourse more robust than ever. Everyone with a connection has a voice. No longer are mainstream media outlets the gatekeepers on the settlers of agendas. This is an epoch of democratization, few barriers to entry, virtually universal access, and (for those who choose it) anonymity."

- Rod Smolla[1]

Globally, digital technologies have revolutionized how individuals connect and participate in their lives. Communication patterns have become online avenues of huge information sharing as access to the internet and mobile usage have increased tremendously. Creators use this as a breeding ground to plant information for a variety of reasons, including change in public opinion, the polarization of society, and the impact on health. Further, this problem is aggravated by the individuals who spread such unverified information, either intentionally or unintentionally. Fake news is the most important issue in India due to the frequent use of social media platforms and incompetent regulations governing it. Instead of being limited to personal messaging, WhatsApp has evolved into a platform for the exchange of information and news, and much of the information or news is false. Interestingly, fake news has found its way onto the official Twitter accounts of famous politicians, journalists, and even media outlets, with them disseminating and retweeting it. This further blur the line between fake news and real news. Even though the *Government of India* runs the *Press Information Bureau* (PIB), the PIB itself retweeted photo-shopped pictures of the Prime Minister of India without fact-checking.[2] Fake news is a concern, but few would have predicted that it would become a menace during a life-threatening pandemic.

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[1] Rod Smolla, 'Free Speech, Fake News, and Social Media' (*The Media Institute*) <https://www.mediainstitute.org/2017/10/18/free-speech-fake-news-and-social-media/> accessed 01 June 2021

[2] Press Trust of India, 'Chennai Floods: PIB removes PM Modi's photo from website after proven fake' (*Indian Express*, 5 December 2015) <https://indianexpress.com/article/india/india-news-india/pib-removes-pm-modis-chennai-photo-from-website-after-proven-fake/> accessed 04 June 2021

Around the world, fake news related to health has emerged as one of the biggest threats during COVID-19. This was the reason why the *World Health Organization* (WHO) in May 2020 teamed up with the United Kingdom's government and launched a public awareness campaign on the dangers of misinformation about the coronavirus pandemic. The objective of this global campaign named "*Stop The Spread*" is to raise awareness regarding the dangers of COVID-19 fake news and encourage people to verify information from reliable resources such as WHO or any other regulatory body. This program was promoted by the WHO in a number of countries in Africa, Asia, Europe, the Middle East, and Latin America to address the infodemic[3] of unreliable information about COVID-19 and break myths about the disease's spread, diagnosis, and treatment.[4] This paper examines the issue of fake news, especially during the pandemic of COVID-19. This study reported a web survey in India that contains data to understand the patterns of information consumption through social media and the perception of respondents towards fake news on the COVID-19 pandemic.

THE ISSUE OF FAKE NEWS DURING COVID-19

When the world was dealing with the dire scenario of COVID-19, the tense atmosphere gave rise to a devoted fake news industry, and the dissemination of fake news about the disease caused fear in society. People have started turning to the internet and social media platforms to get information related to it. Sundar Pichai, CEO of Google, stated on March 6, 2020, in their company blog that the search for COVID-19 was increased by 260 percent all over the world since February 2020.[5] However, many malicious and suspicious sites were providing false information which might be harmful to one's health. Even before India reported the first case of COVID-19 in January 2020, the social media platforms were filled with fake news related to the origin, spread, and therapies of COVID-19. When the country began to report more cases, fake news flooded all major social media platforms. As per the report published by the fact-checking

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[3] An Infodemic is a situation where there is an excess of not necessarily correct information

[4] World Health Organization, 'Countering misinformation about COVID-19' (*WHO*, 11 May 2020) <https://www.who.int/news-room/feature-stories/detail/countering-misinformation-about-covid-19> accessed 15 June 2021

[5] 'FAKE ALERT: False News being spread with TOI links' (*Times of India*, 21 March 2020) <https://timesofindia.indiatimes.com/times-fact-check/news/fake-alert-false-news-being-spread-with-toi-links/articleshow/74736843.cms> accessed 15 June 2021

website (BOOM), the study contained 178 fact checks on COVID-19-related information wherein they found that 35% of fake videos, 29% of fake images, and a significant percentage of fake messages covered various issues like lockdown guidelines, diagnosis, and treatment.[6]

In addition, there were a number of fake news stories on COVID-19 circulated by individuals that recommended the therapies, e.g., consumption of cow urine, holding breath for a few seconds, and frequently drinking water can treat the coronavirus infection. Despite the fact that governments have said that no remedies were discovered to combat the pandemic, demand for products such as domestic testing kits has surged across the internet. Online opportunists started to attempt to profit off the public's distress by selling medicines that claim to treat coronavirus infection via social networking and e-commerce platforms.[7] All of this made the fight against the fast-expanding global epidemic more difficult. The growing threat of fake news prompted Prime Minister Mr. Narendra Modi to mention it in his video conference presentation to the "Non-Aligned Movement" Summit in New Delhi on May 4, 2020. Even the *United Nations* on 03rd June 2020 tweeted on its official Twitter account that misinformation during a crisis like COVID-19 can result in people being left uninformed, unprotected, and vulnerable. It is recommended to only pick up verified content from reliable sources in order to avoid the spread of fake news.[8]

Furthermore, it is another concern that social media companies are paying less heed to the problem of COVID-19 fake news. A report published by the "*Center for Countering Digital Hate*" found that a million COVID-19 fake news posts were circulating online and no measure was taken to remove them.[9] It can be substantiated by the fact that out of 649 posts dealing with fake

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[6] Niranjan Sahoo, 'How Fake News Is Complicating India's War Against Covid-19' (*ORF Online*, 13 May 2020) <https://www.orfonline.org/expert-speak/how-fake-news-complicating-india-war-against-covid19-66052/> accessed 15 June 2021

[7] Adharsh Raj & Manash Goswami, 'Is Fake News Spreading More Rapidly Than Covid-19 In India? A Representative Study of People's Perspective on Controlling the Spread of Fake News on Social Media' (2020) 11 Journal of Content, Community & Communication 211

[8] UN, 'Misinformation during a crisis like #COVID19 can result in people being left uninformed, unprotected & vulnerable' (*Twitter*, 3 June 2020) <https://twitter.com/UN/status/1268120994553749504?s=08> accessed 4 June 2021

[9] The Center for Countering Digital Hate is an international not-for-profit NGO that seeks to disrupt the architecture of online hate and misinformation. The Center has offices in London and Washington DC

news that was reported on Facebook and Twitter, 90% of them were left online, and even no warning was issued in this regard.[10] While the debate is focused on Facebook's newsfeed, the actual threat is messaging apps like WhatsApp. In India, the government was in discussions with messaging platforms like WhatsApp, which has a large user base, to find a way to prevent fake news from spreading on its platform. WhatsApp has also taken a few steps, like introducing the "*forwarded*" sign to identify forward messages. Similarly, the number of times a message can be forwarded has been limited.[11]

The *Ministry of Electronics and Information Technology*, under the *Government of India*, issued timely advisories[12] on 20.03.2020, 07.05.2021, and 21.05.2021 directing all social media platforms[13] to curb fake news on COVID-19 in order to avoid public panic. Social media platforms were urged to "initiate an awareness campaign on their platforms for users not to upload or circulate any fake news concerning COVID-19, which is likely to create panic among the public and disturb public order and social tranquility." They were also advised, "to take immediate action to disable or remove such content hosted on their platforms on a priority basis".

On the one hand, many nations, such as Germany and Singapore, have passed legislation to combat the threat of fake news; on the other hand, this is a relatively evolving topic in India, with very little research. In India, we have certain provisions under the *Indian Penal Code (IPC)*,

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[10] BBC News, 'Social media firms fail to act on Covid-19 fake news' (*BBC News*, 4 June 2020) <https://www.bbc.com/news/technology-52903680> accessed 4 June 2021

[11] *Ibid*

[12] MEITY, 'Advisory To Curb False News/Misinformation On Corona Virus' (*Government of India*) <https://www.meity.gov.in/advisory-curb-false-news-misinformation-corona-virus> accessed 22 August 2021

[13] Social media platforms are intermediaries as defined under section 2(1)(w) of the Information Technology Act, 2000 and are required to follow due diligence as prescribed in the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, notified under section 79 of the IT Act. They must inform their users not to host, display, upload, modify, publish, transmit, update or share any information that may affect public order and unlawful in any way

1860, such as *Sections* 153[14], 499[15] , and 500, 505(1)[16] which can be invoked when fake news is causing riots, defamation, or false alarms to the public, respectively. Under the *Information Technology (IT) Act*, 2008, the effect of fake news can be controlled under *Section* 66D[17], which deals with the offence related to electronic communication.

On February 25, 2021, the *IT (Intermediary Guidelines and Digital Media Ethics Code) Rules,* 2021 were notified by the Central Government that imposed various obligations on intermediaries, such as Over the Top (OTT) platforms and also inducted three-tier grievance redress mechanisms. On April 4, 2022, and April 25, 2022, the *Ministry of Information and Broadcasting*, using its emergency power under *Rule* 16[18] of *IT Rules*, 2021, blocked several YouTube channels, news websites, Twitter, and Facebook accounts. The central government stated that these social media platforms were circulating fake news on several security matters. Among the reasons which were stated, fake news on COVID-19 was one of them.[19]

METHODOLOGY AND LIMITATIONS

This paper might not be able to highlight each incident related to fake news, although all efforts have been made to ensure that this paper incorporates all the latest incidents. The researcher, for the purpose of the report, did both doctrinal and non-doctrinal (empirical) research. The

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[14] Section 153: Whoever malignantly, or wantonly, by doing anything which is illegal, gives provocation to any person intending or knowing it to be likely that such provocation will cause the offence of rioting to be committed, shall, if the offence of rioting be committed in consequence of such provocation, be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both; and if the offence of rioting be not committed, with imprisonment of either description for a term which may extend to six months, or with fine, or with both

[15] Section 499: Whoever by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of such person is liable for defamation which is punishable under section 500 of the IPC

[16] Section 505(1): Whoever by making, publishing, or circulating any statement, rumour or report which may cause fear for an alarm to the public, or to any section of the public shall be punished with imprisonment which may extend to three years, or with fine, or with both

[17] Section 66D: Whoever, by means of any communication device or computer resource cheats by personation, shall be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to fine which may extend to one lakh rupees

[18] Under Rule 16 of IT Rules, 2021, the Secretary, I&B Ministry is conferred with the power to exercise the emergency clause, which gives it the authority to block information, based on the grounds laid down in subsection (1) of Section 69A of the IT Act, 2000

[19] *Ibid*

researcher used quantitative methodology for empirical work. The Web Survey was used as a research method for the convenience of the researcher during the lockdown and also because the subject matter of the study is related to the use of the internet and its intersection of human behavior and technology. For this study, a questionnaire was created on Google Forms, which was shared via email, Facebook, and WhatsApp for twenty days in May 2021. The sampling technique used by the researcher was the convenient sampling technique, which is a type of non-probability sampling.

The participation of respondents was voluntary. The survey was designed to understand the perceptions of respondents towards news and the patterns of information consumption in India. Every method of scientific inquiry has limitations. India's population is approximately 138 crore; however, the sample size was 210. This data is merely a representational sample with restrictions. There was a high margin of error because of the following reasons:

1. This survey was internet-based; thus, limiting respondents to only those who have internet access.
2. The medium of the survey was in English.
3. The study was not focused with respect to age, and gender of the respondents. That's why the number of respondents in these categories varies.

Further, the researchers faced several problems as there was a complete lockdown in many states due to the second wave of COVID-19. So, there was a problem in getting responses from a larger number of people, and it was possible only to take the opinion of educated people because, personally, respondents could not be approached.

EMPIRICAL STUDY

In this, the researcher used convenient sampling by asking questions through Google forms via social media. The questionnaire was made to collect the opinions of people related to fake news, especially its spread during COVID-19. The survey was conducted on educated respondents only. Twenty questions were asked in the questionnaire, and two hundred and ten responses were collected irrespective of gender and age. Questions were related to the use of social media

platforms for receiving news; reasons for the dissemination of fake news; awareness among people regarding fake news; etc. Here are the questions and their responses in detail for analysis.

Question 1: Regarding the age of the subjects to which they belong, among the participants, more than 42% (89 respondents) belong to the 26–35 age group, followed by 25.2% in the age group of 18–25 (53 respondents). These two groups constituted approximately 70% of the respondents (refer to Chart 1).
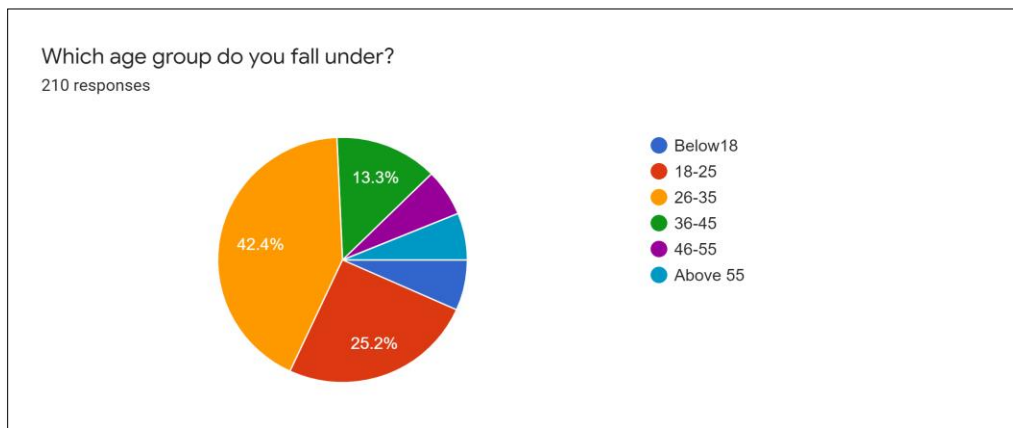

Chart 1: Age Group

Question 2: Regarding the gender of the respondents, responses were collected irrespective of gender. Further, out of the 210 respondents, 63.8%, i.e., 134 respondents were males, and 36.2%, i.e., 76 respondents were females, and none were from other genders.

Question 3: Regarding the time they spend on social media per day, 31% of respondents spend 1-2 hours daily on social media, followed by 24.3 % of respondents who spend 2-3 hours. There is a 3.8% population who usually spend more than 5 hours per day on social media (refer to Chart 2).
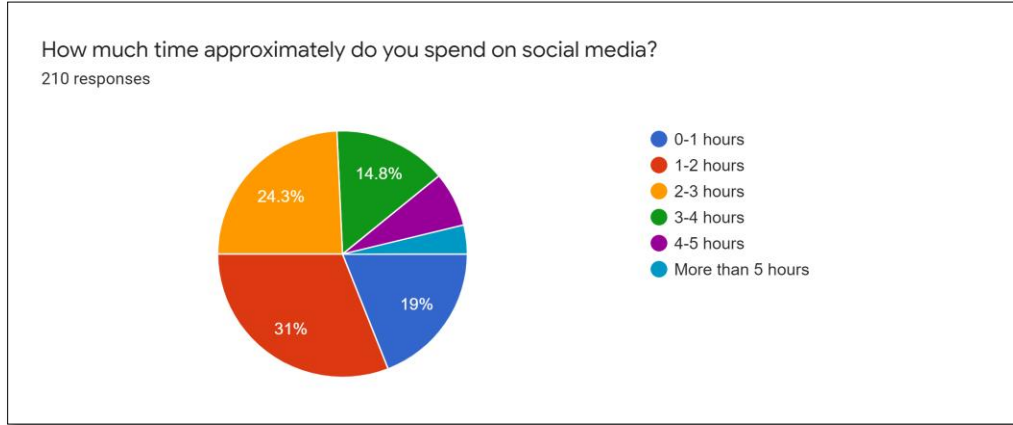
Chart 2: Time on social media

Question 4: It was asked which medium they trust the most when it comes to receiving news on social media. It was found that more than 41% of respondents trusted text and video messages compared to images. Moreover, 26.7% of respondents could not say which medium they believed the most.

Question 5: The participants were required to choose only one option as the source of information among the available social media platform options, which were Facebook, Twitter, WhatsApp, Instagram, or any other. It was found that the most used platform for information varied with age group, education, and occupation. Under any other option, the respondents were given the option to write the name of any other social media platform on which they rely most for receiving the news. The other social media platforms named by respondents were YouTube, LinkedIn, and news websites. Out of the other provided options, 30% of respondents rely on Twitter, 20.5% on WhatsApp, 20.5% on Facebook, and 10.5% on Instagram.

Question 6: Nowadays, many people are receiving information only through social media. So, in this regard, the question was asked if the respondent relied on social media for getting the news in comparison to mainstream media. The majority, i.e., 52.4%, of respondents said no, they don't rely on social media more in comparison to mainstream media. But, 26.2% of the participants said "yes," and 21.4% of the participants were not sure of their response.

Question 7: The respondents were asked how often they verify the information; they receive on social media. The participants were required to select one option from the given options:

(i)   Always

(ii)   Often

(iii)   Sometimes

(iv)   Rarely

(v)   Never

It was found around 70% of the participants verify the information they send or receive "all the time" or "most of the time". 23.3% of respondents sometimes verify the information. Only around 7% of the respondents mentioned that they "very rarely" or "never" verify the information they receive on social media.

Question 8: The respondents were also asked whether they could distinguish between real news and fake news. 30% of respondents think that they are always able to distinguish between real news and fake news. 29.5% of respondents are of the view that they are often able to distinguish, while 29.5% of respondents are sometimes able to distinguish between fake news and real news. Around 7% of respondents think that they are rarely or never able to understand the difference between the two pieces of news.

Question 9: Most people are susceptible to fake news. So the question was asked if the respondents think fake news is more appealing in comparison to real news. 61.4% (129) believe fake news is more appealing; 20% (42) do not believe so, and 18.6% (39) cannot say whether fake news is more appealing or not (refer to Chart 3).
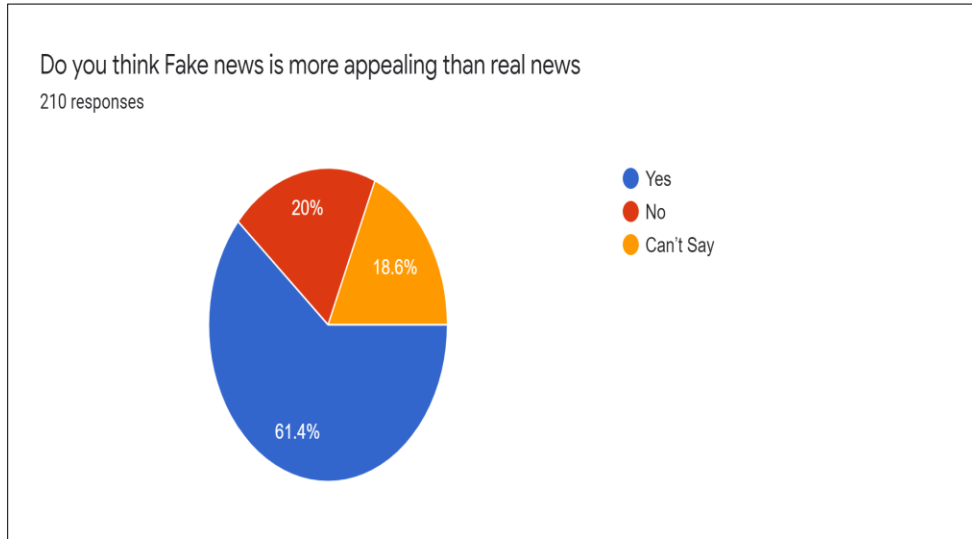
Chart 3: Fake News is appealing

Question 10: People receive news through various print, electronic, and social media. So, they were asked a question as to which platform amongst these three most promotes fake news. A large number of 77.1% of respondents are of the opinion that social media promotes more fake news. But 14.8% of the participants believed that broadcast media propagate more fake news, whereas 7.6% of the participants could not reply to which media platform promotes more fake news. It is interesting to note that out of 210 respondents; only 1 respondent is of the opinion that the print media promotes more fake news (refer to Chart 4).
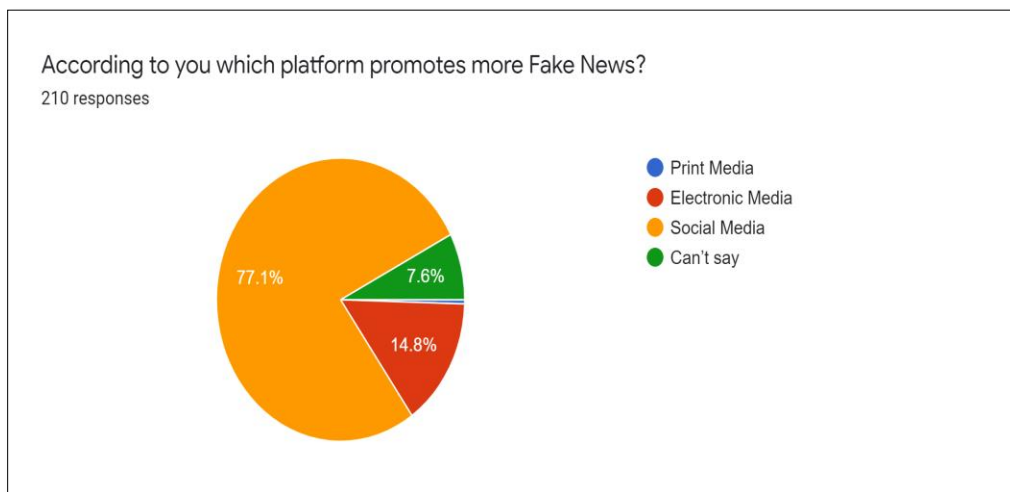

Chart 4: Platform promoting Fake News

Question 11: The question was asked as to who the respondents think is to blame for misinformation, disinformation, and fake news. The respondents were given the choice to choose more than one option, and they were also given the option to write down any other factor. The options given were the following:

(i)   Technology platforms

(ii)   People using the technology

(iii)   Politicians

(iv)   Mainstream media

55.2% of respondents think it is the people using technology who are to blame for fake news. Whereas 38.1% blame the mainstream media, 36.2% blame politicians, and 23.8% are of the view that it is the technology platform that is more responsible for disseminating fake news. Those who opted for other options were very few, and they also mentioned similar factors like mainstream media controlled by the ruling party, people using technology for making money, etc., to be blamed for the same.

Question 12: Regarding the possible reasons for fake news. The respondents were given the choice to choose more than one option, and they were also given the option to write down any other factor. The options given were the following:

(i)   Promote Violence

(ii)   Communal harmony disruption

(iii)   Building negative opinions about a political party

(iv)   Defaming an individual

(v)   Promotion/distortion of an ideology

(vi)   Other

59.4% of respondents feel that fake news is promoted for the disruption of communal harmony, 48.1% of respondents feel that promotion/distortion of an ideology, 44.3% feel that it is done to promote violence, 41.4% feel that building negative opinions about a political party is the reason,

and 27.1% feel that defaming an individual is the reason. Those who opted for other options mentioned reasons like illiteracy, spreading negativity and fear, xenophobia, and Islamophobia.

Question 13: With respect to the spread of fake news on social media during COVID-19. Most respondents, 72.4%, believe that there was an increase in the spread of fake news during COVID-19, while 17.1% believe they cannot say. While 10.5% believe there was little fake news spread during COVID-19 (refer to Chart 5).
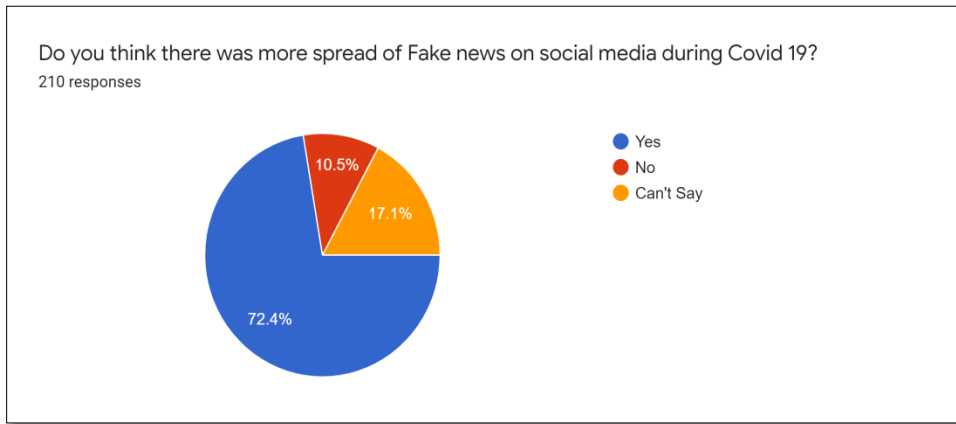

Chart 5: Spread during COVID-19

Question 14: As there was a spread of fake news during the COVID-19 pandemic, the question was asked if fake news on social media affected the respondent during COVID-19. 45.7% (96) of the responses were negative, meaning that fake news had not affected the person during COVID-19. But 40.4% of the participants (85) were affected by fake news during COVID-19.13.8% (29) of the responses were from those who could not say whether they were affected or not.

Question 15: There were many individuals who were affected by the spread of fake news during

COVID-19. So, the next question was, do they think that fake news in relation to public health weakened India's war against COVID-19? Out of all the respondents, 65.7% (138) said "yes", 14.8% (31) said "no" and 19.5% (41) said they "cannot say".

Question 16: Regarding the opinion of respondents as to which age group is relatively more affected by fake news. The respondents were given the choice to choose more than one option. Most of the participants, i.e., 56.7%, are of the opinion that the age group in the range of 18-25 is the most affected group by fake news, followed by 37.6% of the participants, who had the opinion that people over 55 years old are more affected (refer Chart 6).
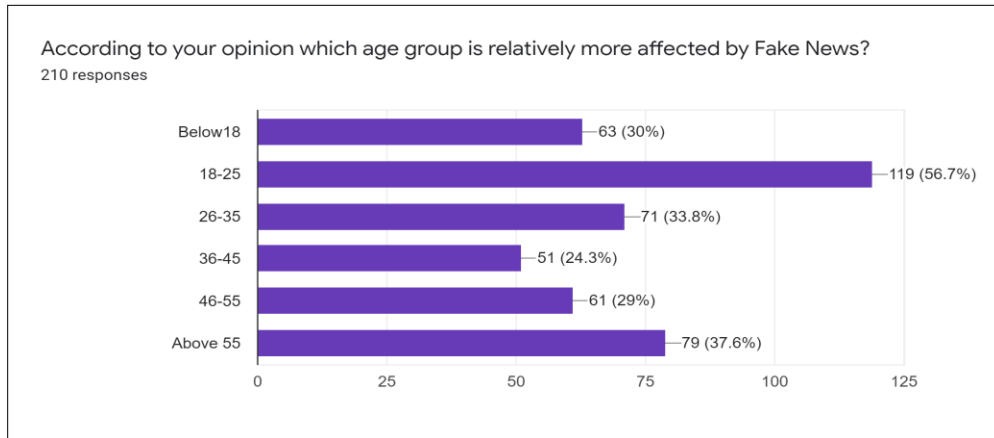

Chart 6: Schematic representation of age group more affected

Question 17: Respondents were asked whether educated, uneducated, rural, and urban residents are easily influenced by fake news. They were given the choice to choose more than one option. The response received showed most participants, i.e., 82.9%, think uneducated people are easily influenced by fake news. On the other hand, 54.3% of participants think rural people are also easily influenced. Whereas, many participants think educated and urban populations are also influenced by fake news (refer to Chart 7).
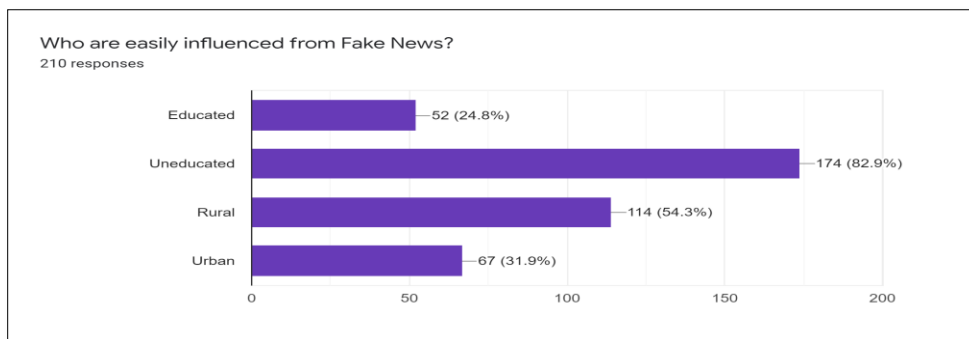

Chart 7: Influenced from Fake News

Question 18: This question is related to lack of awareness as one of the reasons for the challenge related to the dissemination of fake news. Most participants i.e., 89% believe that the problem is a lack of awareness. Very few people, i.e., only 2%, do not consider lack of awareness as one of the reasons for fake news. 9% of people consider a lack of awareness may be the reason.

Question 19: In this question, respondents were asked how they believe the problem of fake news can be addressed. The majority of respondents, 86.7%, believe that the problem can be solved.5.2% of respondents do not think that this can be tackled, while 8.1% cannot say about it (refer to Chart 8).
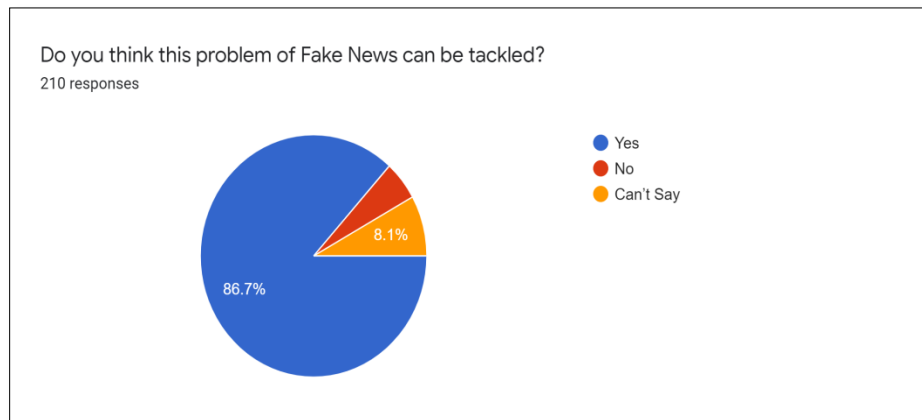
Do you think this problem of Fake News can be tackled?
210 responses

- Yes
- No
- Can't Say

8.1%
86.7%

Chart8: Fake News can be tackled

Question 20: Related to the requirement for strict laws to prevent fake news. Out of 210 respondents, 95.7% (201) think that yes, strict laws are required to prevent fake news. Very few respondents, i.e., 1.9% (4), think that strict laws are not required and 2.4% (5) cannot say anything about this (refer to Chart 9).
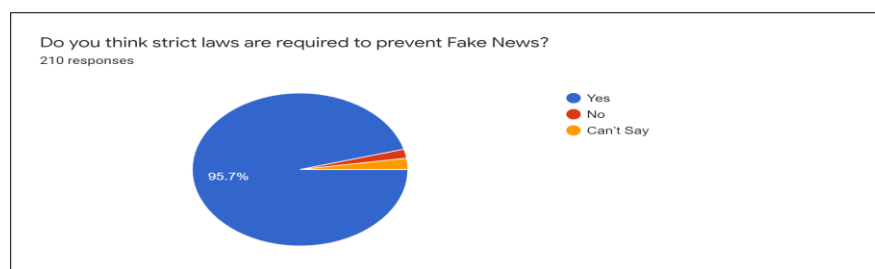
Do you think strict laws are required to prevent Fake News?
210 responses

- Yes
- No
- Can't Say

95.7%

Chart 8: Laws to prevent Fake News

ANALYSIS OF FINDINGS

In the current situation where people globally are fighting COVID-19 one more fight is going on, and that is with the problem of fake news. In this context, with the help of the questions as stated above and the responses, the researcher has tried to analyse the spread of fake news via social media platforms during the pandemic of COVID-19. Through convenient sampling, the respondents were approached via a web survey, and a total of 210 respondents submitted their responses. Educated people were approached so that they could understand and answer the questions, as the questionnaire was in English. The maximum number of respondents was from the age group of 26 to 35 years, and more males than females submitted their responses.

As the research was related to the spread of fake news via social media, it was important to ask about the number of hours people spend on social media. It was found that, on average, Indian users spend 3 hours per day on social media. The participants were asked to indicate the social media platform they relied on most as the source of information. The results showed Twitter is relied upon the most for consuming news, followed by WhatsApp and Facebook. The other social media platforms named by respondents were YouTube, news websites, and LinkedIn. While receiving news on social media, they believe more in images and video messages in comparison to text messages. Most people do not rely more on social media for getting news in comparison to mainstream media, but still, many rely on social media more.

During the research, it was found that most people either always or most of the time verify the information they receive on social media, but there are more than 30% of people who sometimes or rarely verify the information. But, the subsequent question showed that only 30% of participants could differentiate fake news from real news. The remaining participants are either sometimes able to differentiate or not able to differentiate between them. So, here lies the important observation that when they are not able to differentiate, they will not verify, and further, they will believe fake news. Also, a majority of people think that fake news is more appealing. This may be one of the reasons that people believe fake news easily.

All over the world, in India also, most of the fake news is created, disseminated, and operated on the internet using social media platforms. This can be substantiated on the basis of the responses received. More than 77% of people think that social media promotes more fake news, while 14.8% also think that electronic media is responsible for the same. This means that people think that print media is a better platform to receive news in comparison to social media and electronic media.

When asked who is to blame for fake news, most respondents think that it is the people who use technology who are to be blamed for this. Many respondents also think that mainstream media is not doing its role properly and that is why it is to be blamed. Many participants blamed politicians and social media for spreading fake news. They also believe that it leads to the disruption of communal harmony, the promotion of particular ideologies, and the defamation of an individual. Very few people have given responses like illiteracy, spreading negativity and fear, xenophobia, Islamophobia, and other factors that are not known.

Then questions were asked with a focus on fake news during COVID-19. 72.4% of people think that there was more spread of fake news during COVID-19. Although a large number of participants, i.e. 45.7%, were not affected by fake news on social media, 40.5% of the participants responded that they were affected by fake news. Moreover, 13.8% of participants could not respond, whether they were affected or not. Thus, it is a major concern that many people were affected due to fake news. Even 65.7% of people also agreed that fake news in relation to public health has weakened India's war against COVID-19. Respondents also think that people belonging to the age group of 18-25 are more affected by fake news followed by the age group above 55. They also think that the uneducated and rural populations can be easily influenced by fake news. But it cannot be concluded that an urban population cannot be easily affected.

This means that anyone can be influenced by fake news if they are not aware of fake news. After analyzing, it can be said that lack of awareness is one of the reasons for the problem of fake news, as a good majority of 89% said "yes" and only 2% did not think so. 86.7% of people think that the problem of fake news can be tackled. Almost all the people, i.e., 95.7%, think strict laws are required to prevent fake news. With the existing *IPC*, 1860, and *IT Act*, 2008 failing to be

effective in tackling fake news, the governments have invoked the provisions of *Section* 54 of the *Disaster Management Act*[20] *(DMA)*, 2005 to combat the problem of fake news. While action has been taken against wrongdoers and warnings were issued to various social media platforms, the fake news ecosystem surrounding the coronavirus continues to flourish and significantly impacts the country's efforts against a life-threatening pandemic.

In the case of **Alakh Alok Srivastava v Union of India[21]** relying on the submission made by solicitor general Tushar Mehta, the bench said:

> *"The migration of large number of labourers working in the cities was triggered by panic created by fake news that the lock down would continue for more than three months. Such panic-driven migration has caused untold suffering to those who believed and acted on such news. In fact, some have lost their lives in the process. It is, therefore, not possible for us to overlook this menace of fake news either by electronic, print or social media…………… In particular, we expect the media (print, electronic or social) to maintain a strong sense of responsibility and ensure that unverified news capable of causing panic is not disseminated."*[22]

CONCLUSION

Fake news with reference to the origin of COVID-19, the subsequent spread of infection, and their treatments has become life-threatening in every country, albeit to varying degrees. The WHO, which is leading the United Nation's response to the pandemic, added a "MythBusters" section to its online coronavirus advisory pages due to the scope of the problem.

Notwithstanding the limitations, the responses to the survey lead to the following conclusions:

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[20] Section 54. Punishment for false warning.-Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine. -Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine"

[21] *Alakh Alok Srivastava v Union of India* Writ Petition (Civil) No 468 of 2020

[22] *Ibid*

- Individuals between 18-25 years of age and those over 55 years of age are most susceptible to fake news.

- Twitter, WhatsApp, and Facebook are the top social media platforms as sources of information for people across age groups.

- Many people verify the information they receive on social media, but many are not able to differentiate between fake news and real news.

- Fake news is more appealing in comparison to real news.

- The mainstream media is also responsible for the spread of fake news due to the downfall of journalistic ethics.

- There was more spread of fake news during COVID-19 and many people were affected by it, which has weakened India's war against COVID-19.

- Rural and uneducated persons are more easily influenced by fake news.

- The problem of fake news can be tackled by increasing awareness and strict laws.

The vast majority of people share and spread unverified information because of the availability of the information they have. Despite the expanding use of technology, there are no proper frameworks to raise awareness and knowledge of digital information at the grassroots level. Governments should promote news literacy and strong professional journalism. To increase public trust and combat fake news, the mainstream media must deliver high-quality journalism. Technology companies should invest in tools to detect fake news, limit financial incentives for individuals profiting from fake news, and improve online accountability. Individuals should read and watch the news from a variety of sources and be cautious about what they read and see.

Hence, it can be concluded that the findings of the research indicate that the spread of fake news during COVID-19 has posed a threat to our human rights. The rise of fake news, which frequently contradicts information about health care and COVID-19 prevention, has put our right to health in jeopardy. Though IT Rules, 2021 was passed, it is not sufficient to deal with the menace of fake news. Also, the Rules have been criticized by numerous activists for giving unprecedented power of censorship to the government authorities. The question of press

freedom comes into the picture here. It is now imperative that the problem of fake news is taken seriously and that a method is developed to combat it, as any law regulating fake news may pose a threat to freedom of speech and expression.