

Fake News and Misinformation in the Digital Age: Challenges for Journalism and Law

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Abstract:

A false message can now travel across India in minutes, faster than any newspaper or court can correct it. Fake news and misinformation harm public health, public order, elections and trust in journalism. This article studies how Indian journalism and Indian law are responding. It first explains the meaning, types and causes of false information. It then looks at the pressures on journalists, such as speed, falling revenue and the loss of public trust. Next, it studies the Indian legal framework: the Bharatiya Nyaya Sanhita, 2023 (which replaced the Indian Penal Code), the Information Technology Act, 2000, the IT Rules, 2021, the Disaster Management Act, 2005, and key court decisions including *Shreya Singhal v. Union of India*. The article also uses published data from the National Crime Records Bureau (NCRB) and the Press Information Bureau (PIB) Fact Check Unit, with charts and a flowchart, to show how the problem is growing and how the system responds. The study finds that India has many laws but no clear definition of "fake news", that criminal law is used often but convicts rarely, that government fact-checking raises free-speech concerns, and that journalists lack the support to verify at speed. The article ends with suggestions: a narrow legal definition focused on harm, protection of free speech, stronger platform duties, independent fact-checking, newsroom training, and public media literacy.

Key Words: Fake News; Misinformation; Disinformation; Digital Journalism; Freedom of Speech; Intermediary Liability; Fact-Checking; Information Technology Act; Media Literacy.

1. Introduction

In 2018, rumours of child kidnappers spread through WhatsApp groups across several Indian states. Mobs attacked strangers, and some people were killed. The Supreme Court later treated this as a serious failure of law and order and issued directions to prevent mob violence and to control the spread of dangerous rumours.¹ A few years later, during the COVID-19 pandemic, the World Health Organization and other United Nations bodies warned of an "infodemic", a flood of true and false information that made it hard for people to find reliable guidance.² False cures, fake lockdown rumours and made-up numbers spread as fast as the virus. These examples show that fake news is not only an issue of truth. It is a matter of public safety, health, elections and trust. It is also a challenge for journalism, which depends on public trust. When people cannot

¹Tehseen S. Poonawalla v. Union of India, (2018) 9 S.C.C. 501 (India).

²World Health Organization et al., Managing the COVID-19 Infodemic: Promoting Healthy Behaviours and Mitigating the Harm from Misinformation and Disinformation (Joint Statement, Sept. 23, 2020).

tell real reports from false ones, they begin to doubt all news, including honest reporting. This is sometimes called the "liar's dividend": even true stories are dismissed as fake.

The law faces a hard choice. If it is too weak, harmful lies spread without check. If it is too strong, governments may use it to punish criticism and to decide what is "true". Article 19(1)(a) of the Constitution protects the freedom of speech and expression, and the only grounds for restriction are those listed in Article 19(2), such as public order, defamation and incitement to an offence. A false statement is not by itself a ground for restriction. This makes the legal question very delicate.

This article asks three questions. First, what do we mean by fake news and misinformation, and why do they spread? Second, how do digital conditions challenge the work of journalists? Third, is Indian law, as it stands, a fair and effective answer? The article uses a doctrinal method and also analyses published data from official sources. The language is kept simple so that students, journalists and general readers can follow the argument. The term "fake news" is itself unclear and has been used by politicians to attack the press. For this reason, this article uses the clearer three-part scheme proposed by researchers Claire Wardle and Hossein Derakhshan, who separate misinformation, disinformation and malinformation.³ Part 2 explains these terms.

2. Meaning, Types and Causes of Fake News and Misinformation

2.1 Key terms

There is no single legal definition of "fake news" in India. Researchers prefer to describe the problem as "information disorder" and to separate three kinds of harmful information by the intention behind them.⁴

Term	Is it false?	Is there intent to harm?	Simple example
Misinformation	Yes	No; the sender believes it	A person forwards a wrong home remedy for a disease, thinking it will help
Disinformation	Yes	Yes; the sender knows it is false	A paid network spreads a made-up story to damage a candidate
Malinformation	No, it is true	Yes; used to harm	Publishing a person's private photos or address to harass them

Other forms of false content are also common. These include old photographs or videos shared as if they were new, edited or cropped clips that change the meaning of an event, fake accounts that pose as news outlets, satire that is taken as real, and, more recently, "deepfakes", which are videos or audio clips made by artificial intelligence that look and sound real.

2.2 Why false information spreads

Several causes work together.

Cheap phones and data. Hundreds of millions of Indians are now online, many for the first time. Many new users have not yet learned how to judge what they see on a screen.

Private messaging groups. Forwarded messages on closed groups look like they come from a trusted friend or family member, and nobody outside the group can check or correct them.

³Claire Wardle & Hossein Derakhshan, Information Disorder: Toward an Interdisciplinary Framework for Research and Policy Making (Council of Eur. Rep. DGI(2017)09, 2017).

⁴Id. at 20.

Algorithms that reward emotion. Social media platforms tend to promote content that gets strong reactions, such as anger and fear. False stories are often more shocking than true ones and so travel further.

Political and commercial gain. Organised groups and "IT cells" use false content to win votes, and some websites earn advertising money from sensational clicks.

Low media literacy. Many people do not know how to check a source, search for an original photo or read a headline critically.

Weak local news. In areas where credible local reporting is thin, rumours fill the gap.

2.3 Why it is hard to deal with

A false story is easy to start and hard to remove. Studies of online behaviour suggest that corrections reach fewer people than the original claim, and that people often keep believing something even after seeing a correction. This is one reason why law alone cannot solve the problem. It must work together with good journalism, platform design and public education, which later parts of this article discuss.

3. Challenges for Journalism

3.1 Speed against accuracy

Traditional journalism follows a simple rule: check the facts before you publish. Digital news works under a different rule: be first. Television channels race to flash "breaking news", websites update every minute, and social media pages post within seconds. In this race, verification is the first thing to be dropped. A single unverified tweet or forwarded video may become a headline within an hour. When the report is later found false, a short correction rarely gets the same attention.

The Press Council of India's Norms of Journalistic Conduct require the press to publish only accurate and fair news and to publish corrections prominently.⁵ The NBDSA Code of Ethics for broadcasters similarly requires accuracy and the correction of errors.⁶ The problem is not the lack of rules but the pressure to ignore them.

3.2 Money and the business model

Most digital news earns money from advertising that pays for clicks and views. A dull but accurate report earns less than a shocking one. Many newsrooms have also cut staff, which means fewer reporters and editors available to check facts. Platforms control how news reaches readers, so a change in an algorithm can reduce a publisher's reach overnight. This makes publishers dependent on platforms and tempts them to chase viral content.

3.3 Trust and polarisation

When people mostly consume news that agrees with their views, they may trust such outlets and distrust all others. False content thrives in these closed circles. At the same time, journalists who report on sensitive subjects face online abuse and pressure, which may encourage self-censorship. Public trust is the real capital of journalism, and fake news eats away at it.

3.4 The rise of fact-checkers

A new form of journalism has grown in response: fact-checking. Independent organisations in India check viral claims and publish explanations. Many newsrooms have set up their own fact-check desks, and social media platforms work with fact-checkers who are certified by international networks. The government has set

⁵Press Council of India, Norms of Journalistic Conduct (latest ed.) (accuracy and fairness; corrections).

⁶News Broadcasting & Digital Standards Authority, Code of Ethics & Broadcasting Standards (as amended) (accuracy; correction of errors).

up the Press Information Bureau (PIB) Fact Check Unit, which responds to false claims about central government matters.⁷ Fact-checking is valuable, but it has limits. It reaches fewer people than the false claim, it takes time, and a fact-check run by the government on matters concerning the government raises a concern, discussed in Part 4, that the body being criticised is also the judge of truth.

3.5 Summary of pressures

Pressure	Effect on journalism	Helpful response
Race for speed	Unverified reports become headlines	Verification step before publishing; "developing story" labels
Click-based income	Sensational stories rewarded	Subscription and public-interest funding models
Platform dependence	Reach controlled by algorithms	Direct audience relationships; transparent platform rules
Falling trust	Honest news is also doubted	Open corrections; sources and methods shown
Shrinking newsrooms	Fewer fact-checkers and editors	Shared fact-check desks; training
Online abuse	Self-censorship	Safety support; legal protection for journalists

The Supreme Court has also called on the media to act responsibly. In 2020, during the COVID-19 lockdown, it asked the media to refer to the official version before publishing news that could cause panic, while also making it clear that it was not interfering with free discussion of the pandemic.⁸ This shows the balance the law tries to keep: the press should be free, but it carries a duty of care when its words can cause public harm.

4. Legal Framework in India

4.1 The constitutional starting point

Falsehood is not listed as a ground for restricting free speech in Article 19(2). The permitted grounds include the security of the State, public order, decency or morality, contempt of court, defamation and incitement to an offence.⁹ A false statement can therefore be punished only when it fits within one of these grounds and when the restriction is reasonable. This is the test against which every "fake news" law must be measured.

4.2 Criminal law

India has no special "fake news" crime. Instead, police use a group of general offences. Since July 2024, these appear in the Bharatiya Nyaya Sanhita, 2023 (BNS), which replaced the Indian Penal Code.

⁷Press Information Bureau, Gov't of India, PIB Fact Check (unit established Nov. 2019).

⁸Alakh Alok Srivastava v. Union of India, Writ Pet. (C) No. 468 of 2020 (India Mar. 31, 2020).

⁹India Const. art. 19(2).

Offence	Old provision (IPC)	New provision (BNS)	What it covers
Statements conducing to public mischief	Section 505	Section 353	Rumours or alarming statements that may cause fear, violence or enmity ¹⁰
Promoting enmity between groups	Section 153A	Section 196	Words or posts that create hatred between religious, racial or other groups
Outraging religious feelings	Section 295A	Section 299	Deliberate and malicious insult to religion
Defamation	Sections 499 and 500	Section 356	False statements that harm a person's reputation ¹¹

During the COVID-19 pandemic, authorities also used Section 54 of the Disaster Management Act, 2005, which punishes anyone who makes or circulates a false alarm about a disaster or its seriousness, if it causes panic.¹² During elections, the Representation of the People Act, 1951, treats false statements about the personal character of a candidate as a corrupt practice.¹³

4.3 Information technology law

The Information Technology Act, 2000 is the main law for online content. Three parts matter most.

Section 66A (struck down). This section punished sending "false" messages that cause annoyance or inconvenience. In *Shreya Singhal v. Union of India*, the Supreme Court held it unconstitutional because its words were vague and could catch lawful speech.¹⁴ This case is the most important limit on any attempt to criminalise "false" online speech.

Section 69A (blocking). The government may order the blocking of online content in the interest of sovereignty, security, public order and similar grounds, following a procedure laid down in the 2009 Blocking Rules. The Supreme Court upheld this section in *Shreya Singhal*, because it has procedural safeguards and a link to the grounds in Article 19(2).¹⁵

Section 79 (intermediary safe harbour). Platforms are not liable for user content if they act as neutral intermediaries and follow due diligence. The IT Rules, 2021 require platforms to inform users not to host unlawful content, to remove content within a set time after a lawful order, and to run a grievance system.¹⁶ The Rules also ask platforms to make reasonable efforts to prevent users from sharing information that is patently false and misleading.

¹⁰Bharatiya Nyaya Sanhita, 2023, No. 45 of 2023, § 353 (India).

¹¹Id. § 356 (defamation).

¹²Disaster Management Act, 2005, No. 53 of 2005, § 54 (India).

¹³Representation of the People Act, 1951, No. 43 of 1951, § 123(4) (India).

¹⁴*Shreya Singhal v. Union of India*, (2015) 5 S.C.C. 1 (India).

¹⁵Id.; Information Technology (Procedure and Safeguards for Blocking for Access of Information by Public) Rules, 2009, G.S.R. 781(E) (India).

¹⁶Information Technology Act, 2000, No. 21 of 2000, § 79 (India); Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, G.S.R. 139(E), r. 3 (India).

4.4 The Fact Check Unit controversy

In 2023 the government amended the IT Rules so that content about "any business of the Central Government" that a government fact-check unit identified as fake or false would have to be taken down by platforms or the platforms would lose safe harbour.¹⁷ Critics said this made the government the judge in its own cause. The Bombay High Court struck down the amended rule in 2024 as violating the right to equality and free speech, and the Supreme Court had earlier stayed the notification of the unit while the case was pending.¹⁸ This episode shows how strongly Indian courts protect the right to criticise the government, even when the criticism may be wrong.

4.5 What courts have said

Three decisions guide the law. *Shreya Singhal* requires precision and procedural safeguards. In *Tehseen S. Poonawalla v. Union of India*, the Court directed states and the Union to take steps against mob violence, including action against those who circulate provocative material.¹⁹ In *Anuradha Bhasin v. Union of India*, the Court held that freedom of speech over the internet is protected by Article 19(1)(a) and that any restriction must be necessary and proportionate.²⁰ Together, these cases create a clear principle: harmful falsehoods can be controlled, but only through narrow, clear and proportionate means.

4.6 Assessment

Three problems stand out. First, there is no legal definition of fake news, so each police officer decides what counts. Second, the offences are broad, and the threat of arrest can silence journalists and citizens, even when the case ends in acquittal. Third, the law punishes the sender after the harm is done but offers little help in correcting the false story quickly. The next part uses data to test these concerns.

5. Empirical Analysis

5.1 Data and method

This part uses official data that has been published and reported in the press. It does not rely on a new survey, and no number has been invented for this study. The first source is the National Crime Records Bureau (NCRB), which began to report cases of "fake/false news and rumours" separately in its Crime in India reports. The cases are those registered under Section 505 of the Indian Penal Code, and from 2024 also Section 353 of the Bharatiya Nyaya Sanhita. The second source is the PIB Fact Check Unit, whose yearly numbers were given to the Rajya Sabha in 2023. These numbers have limits. They count cases registered by the police, not all false content, and a rise may mean more false news, more police action or both. The figures should be read as signs of a trend, not as a full measure of the problem.

5.2 Registered cases

The chart shows that police recorded 280 cases in 2018 and 486 in 2019. The number jumped to 1,527 in 2020, the first year of the COVID-19 pandemic, which was an increase of 214% over the previous year.²¹ It

¹⁷Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2023, G.S.R. 275(E), r. 3(1)(b)(v) (India).

¹⁸Kunal Kamra v. Union of India, Writ Pet. (L) No. 9792 of 2023 (Bom. High Ct. Sept. 20, 2024) (India); Union of India v. Kunal Kamra (S.C. Mar. 21, 2024) (order staying notification of the Fact Check Unit) (India).

¹⁹Tehseen S. Poonawalla, (2018) 9 S.C.C. 501.

²⁰Anuradha Bhasin v. Union of India, (2020) 3 S.C.C. 637 (India).

²¹Nat'l Crime Recs. Bureau, Ministry of Home Affairs, Crime in India 2018–2020 (India), as compiled in the secondary sources cited for Figure 1.

then fell to 882 in 2021 and 858 in 2022, and rose to 1,087 in 2023.²² The latest figure, for 2024, is 2,403, the highest in the series.²³

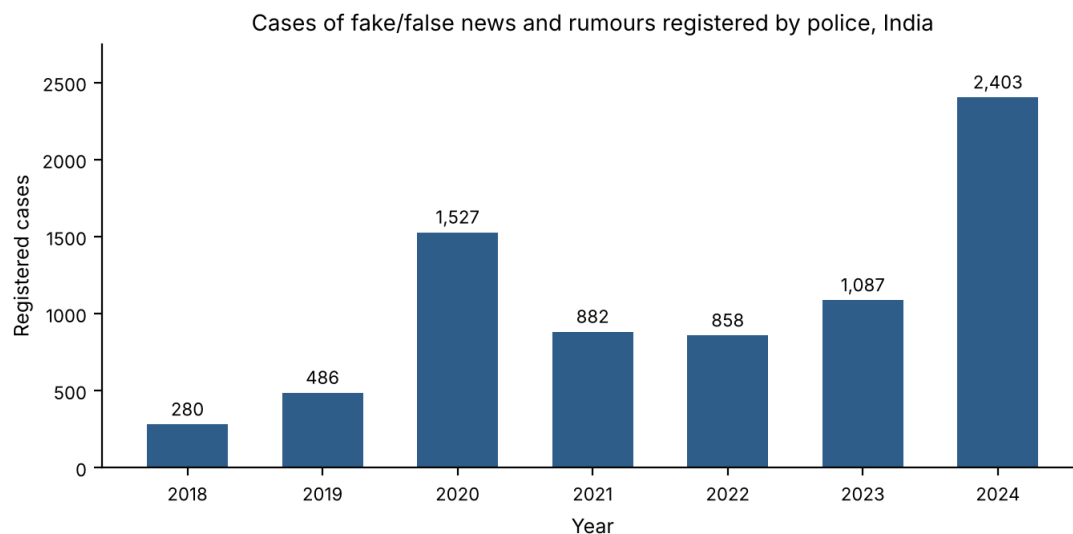


Figure 1 · NCRB, Crime in India, as reported by BOOM, Newslaundry and Dataful · 2018–2024

A few features of this data deserve attention. The pandemic spike was real, but not all cases were about dangerous lies. A press report noted that some states had also treated posts about shortages of hospital beds and oxygen as "fake news".²⁴ The cases are also concentrated in a few states. In 2020, Telangana, Tamil Nadu and Uttar Pradesh had the largest numbers.²⁵ This suggests that the use of the law depends on local police practice as much as on the amount of false content.

5.3 Convictions

The other side of the data is how few cases end in a conviction. In 2021, 113 cases under this heading finished trial, and 49 ended in conviction, a conviction rate of 43.4%.²⁶ Only a small part of registered cases reach the stage of a verdict, because many remain pending for long periods. Put simply, the process is often the punishment: the accused may be arrested, questioned and made to attend court for years, even if he or she is finally acquitted. This raises concerns about the chilling effect on free speech.

5.4 Government fact-checking

Year	False claims busted by PIB Fact Check on its social media handles
2019 (unit started November 2019)	17
2020	394

²²Nat'l Crime Recs. Bureau, Crime in India 2021–2023 (India), as compiled in the secondary sources cited for Figure 1.

²³Nat'l Crime Recs. Bureau, Crime in India 2024 (India), as compiled in the secondary sources cited for Figure 1.

²⁴See press reports on state police action against social media posts about oxygen and hospital-bed shortages during the second COVID-19 wave (2021), as collected in the secondary sources cited for Figure 1.

²⁵Nat'l Crime Recs. Bureau, Crime in India 2020, state-wise tables (India).

²⁶Nat'l Crime Recs. Bureau, Crime in India 2021, court disposal tables (India).

Year	False claims busted by PIB Fact Check on its social media handles
2021	285
2022	338

The PIB Fact Check Unit began work in November 2019 and responds to claims about the central government.²⁷ The numbers rose sharply in 2020 and have stayed high, which matches the rise in police cases. But the unit covers only a small number of claims compared with the volume of content online. The same NCRB data show that a separate head, "fake news on social media", recorded 188, 578 and 179 cases in 2019, 2020 and 2021, which again shows that the classification of cases varies and that totals from different heads should not be added together.²⁸

5.5 What the data tells us

Four findings stand out. First, reported cases have increased overall, with a large spike in 2020 and a new high in 2024. Second, police action depends heavily on the state and on the political context. Third, convictions are few, so the criminal law is a slow and uncertain tool. Fourth, the data say very little about the real remedy, which is correction: nothing in these figures shows how many false stories were corrected, how quickly, or how far the correction travelled. A better measure of success would be the speed and reach of corrections, and this is a good subject for future research.

6. How False Content Spreads and Where Law and Journalism Can Respond

Parts 3 to 5 can be pulled together in one picture. A false story starts, spreads on messaging groups and social media, is pushed further by algorithms that reward strong emotion, and reaches many people before any check is done. The flowchart shows that there is a point after this where one question matters most: does the content cause serious harm, such as violence, panic or election fraud?

²⁷Press Information Bureau, *supra* note 7.

²⁸Nat'l Crime Recs. Bureau, Crime in India 2019–2021, cyber-crime tables (India).

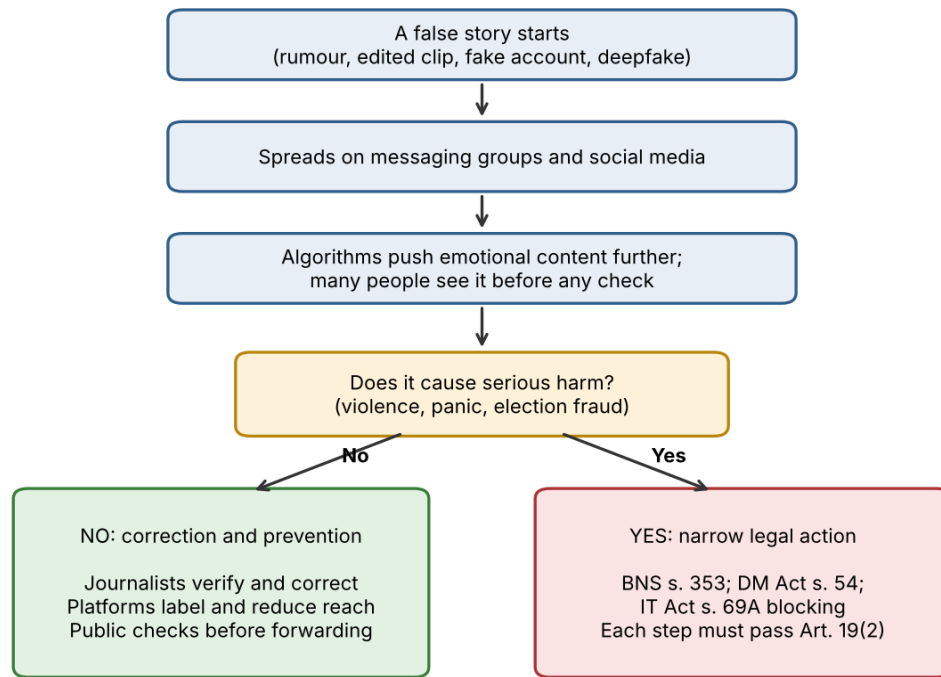


Figure 2 · How false content spreads and where law and journalism can respond

If the answer is no, the best response is correction and prevention. Journalists verify before they publish and print clear corrections, platforms label content, reduce its reach and obey court orders, and the public learns to check before forwarding. If the answer is yes, narrow legal action may be needed under Section 353 of the Bharatiya Nyaya Sanhita, Section 54 of the Disaster Management Act or the blocking power in Section 69A of the Information Technology Act, but each step must pass the test of Article 19(2).²⁹

7. Comparative View and Gaps in Indian Law

Other countries have tried different answers to the same problem. Looking at them helps us see what India can learn and what it should avoid.

United States. The First Amendment gives wide protection to speech, and the Supreme Court has held that a lie is not outside protection merely because it is false, unless it causes a specific legal harm such as fraud or defamation.³⁰ Online platforms are largely shielded from liability for user content by Section 230 of the Communications Decency Act.³¹ The result is a strong free-speech culture, but also criticism that harmful falsehoods spread with little legal check.

European Union. The Digital Services Act does not ban "fake news" as such. Instead, it makes very large platforms assess and reduce "systemic risks", such as the spread of disinformation, and it requires transparency about how their systems work.³² The focus is on the duties of the platform, not on punishing the individual speaker.

²⁹Bharatiya Nyaya Sanhita, 2023, § 353; Disaster Management Act, 2005, § 54; Information Technology Act, 2000, § 69A (India).

³⁰United States v. Alvarez, 567 U.S. 709 (2012).

³¹47 U.S.C. § 230.

³²Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services (Digital Services Act), 2022 O.J. (L 277) 1, arts. 34–35.

Germany. The Network Enforcement Act of 2017 required large platforms to remove clearly unlawful content within 24 hours of a complaint or face heavy fines.³³ It was criticised for encouraging platforms to remove too much content to avoid fines, which is called "over-blocking".

Singapore. The Protection from Online Falsehoods and Manipulation Act, 2019 allows ministers to order corrections or removal of false statements of fact that are against the public interest.³⁴ Critics say this gives too much power to the executive. It is a clear warning for India after the Fact Check Unit episode.

Malaysia. The Anti-Fake News Act, 2018 imposed jail terms for "fake news" and was repealed in 2019 after a change of government, which shows how quickly such laws become political.³⁵

Country	Main approach	Strength	Weakness
United States	Strong speech protection; platform immunity	Protects free speech	Little check on harmful falsehoods
European Union	Platform risk duties and transparency	Targets systems, not speakers	Complex; costly to enforce
Germany	Fast removal of unlawful content	Quick response	Risk of over-blocking
Singapore	Executive correction and takedown orders	Fast and clear	Risk of political misuse
India	Mix of criminal law, blocking and platform rules	Many tools available	Vague provisions; weak safeguards; uneven use

Gaps in India

Three gaps stand out. First, there is **no clear definition** of harmful false information, so police rely on broad sections written for other purposes. Second, there is **no independent oversight** of takedown and blocking decisions, so the same executive that is criticised also decides what is false. Third, there is **too little attention to prevention**: the law focuses on punishment after the harm, while media literacy, newsroom verification and platform design receive little support. The EU model of platform duties combined with the *Shreya Singhal* safeguards of precision and procedure is the most suitable direction for India.

8. Suggestions

The analysis points to a balanced plan. It does not ask for a new "fake news law" with broad powers. It asks for clear rules, independent checks and stronger prevention.

1. **Do not create a general offence of "fake news".** Any new law would risk the same vagueness that led the Supreme Court to strike down Section 66A. Existing provisions on incitement, defamation, public order and fraud should be applied carefully instead.

³³Netzwerkdurchsetzungsgesetz [NetzDG] [Network Enforcement Act], Sept. 1, 2017, Bundesgesetzblatt, Teil I [BGBl. I] at 3352 (Ger.).

³⁴Protection from Online Falsehoods and Manipulation Act 2019 (Act 18 of 2019) (Sing.).

³⁵Anti-Fake News Act 2018 (Act 803) (Malay.) (repealed 2019).

2. **Define the harm, not the falsehood.** Where Parliament does act, the law should target false statements that are knowingly made and that cause or are likely to cause a specific, serious harm, such as violence, panic during an emergency, or election fraud. Mere error, satire and opinion should be protected.
3. **Independent oversight of takedowns.** Blocking and takedown orders should be reviewed by an independent body with members from the judiciary, the press and civil society. Reasons for orders should be recorded and, where possible, published, as the *Shreya Singhal* judgment requires safeguards.
4. **No government fact-check as final judge.** Government fact-check units may publish their views like any other speaker, but they should not have the power to force removal of content about the government. Disputed claims should go to a court or an independent body.
5. **Clear duties for platforms.** Large platforms should be required to publish regular transparency reports, label disputed content, slow the spread of viral falsehoods during emergencies, keep a proper grievance system and cooperate with lawful court orders. This follows the risk-based approach used in the European Union.
6. **Protect and strengthen fact-checkers.** Independent fact-checkers should have access to platform data, funding that does not depend on government, and legal protection from harassment cases for doing their work.
7. **Newsroom verification and corrections.** Every newsroom should adopt a written verification policy, a visible corrections page and a rule that unverified claims are labelled as such. The Press Council and NBDSA should publish simple annual reports on corrections ordered.
8. **Police training and data.** Police should be trained on the limits set by *Shreya Singhal* and *Anuradha Bhasin*. The National Crime Records Bureau should use one clear heading for these cases and publish state-wise data on arrests, charge sheets and outcomes, so that misuse can be studied.
9. **Media and digital literacy.** Schools, colleges, libraries and legal-aid bodies should teach people simple habits: check the source, look for a second report, use a reverse image search, and pause before forwarding. This is the cheapest and most lasting response.
10. **Support for public-interest journalism.** Strong local journalism is the best defence against rumours. Public funding for training and independent reporting, given through transparent rules, can help, provided it does not buy influence.

Why this balance works

These steps follow the principle that runs through the case law: harmful falsehoods can be controlled, but only by narrow, clear and proportionate means. They protect Article 19(1)(a) by keeping the state out of the role of judge of truth, and they protect the public by making platforms, newsrooms and police more responsible.

9. Conclusion

Fake news and misinformation are a real danger to journalism, to public health, to elections and to peace. But the study shows that the danger cannot be solved by one law or one authority. The problem is made of speed, money, trust and new technology, and each of these needs its own response.

The Indian Constitution gives a clear guide. Falsehood alone is not a ground to restrict speech under Article 19(2), so every rule must be tied to a specific harm and must be reasonable. *Shreya Singhal* removed a vague offence, *Anuradha Bhasin* required proportionality for internet restrictions, and the Bombay High Court's decision on the Fact Check Unit showed that the state cannot be the final judge of truth about itself. At the same time, police data show that criminal cases rise sharply during crises, but few end in conviction, which suggests that the process itself may become a punishment and that it may chill honest speech.

The best way forward is a shared responsibility. Journalists must verify, correct and explain. Platforms must manage the risks created by their own systems and respect lawful orders. Government must act through narrow

laws and independent oversight, and must not use the fight against fake news as a cover for silencing criticism. Citizens must learn to question, check and pause before they share. A society that builds these habits protects both truth and freedom, and trusts neither to a single powerful authority.

The data used in this article come from secondary sources and have limits, especially because police categories change over time. Future research could use a survey of journalists and fact-checkers, or a state-wise study of case outcomes, to measure more directly how well Indian law handles misinformation.