

Govt Report to Delhi HC Stresses Deepfake Content Disclosure & Labeling

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Deepfake Content Regulation Latest News

- The Ministry of Electronics and Information Technology (MeitY) submitted a status report to the Delhi High Court highlighting key concerns about **deepfakes**.
- These include the rise of deepfake content targeting women during state elections, increasing AI-driven scam content, the need for better enforcement rather than new laws, and the absence of a uniform definition for

“deepfake.”

- Deepfake technology creates realistic videos, audio, and images. It can change a person’s face, voice, and actions. This can mislead people and spread false information.

Regulation of Deepfakes in India

- In India, there is no specific law directly addressing deepfakes.
- Existing provisions under the Information Technology Act (IT Act) and other laws can be used to address their misuse, such as defamation, impersonation, and copyright infringement.

Existing Legal Framework

- **Information Technology Act, 2000:**
 - **Section 66D:** Penalizes cheating by impersonation using a computer resource, which could apply to deepfakes used for fraudulent impersonation.
 - **Section 66E:** Addresses violation of privacy, which could be relevant if deepfakes are used to share private content.
 - **Sections 67, 67A, and 67B:** Prohibit and punish the publication or transmission of obscene or sexually explicit material.
 - **Defamation Laws:** Deepfakes used to spread misinformation or damage someone’s reputation can be challenged under defamation laws.
 - **Copyright Act, 1957:** Copyright holders can initiate legal proceedings against individuals who use copyrighted material without permission to create deepfakes, with penalties outlined in Section 51.

Background

- Several petitions have been filed in the Delhi High Court seeking regulation of deepfakes and AI-generated content.

Three petitions Filed

- **Rajat Sharma’s Petition** (Journalist, India TV Editor-in-Chief)
 - Seeks regulation of deepfake technology.
 - Requests blocking of public access to apps enabling deepfake creation.
 - Argues that deepfakes pose a threat to society by spreading **misinformation and disinformation**, undermining **public discourse and democracy**.
- **Chaitanya Rohilla’s Petition** (Lawyer)
 - Calls for **regulations on AI usage**, addressing concerns over its **unregulated deployment**.
- **Kanchan Nagar’s Petition** (Model)
 - Seeks a ban on **non-consensual commercial deepfakes**.
 - Advocates for **fair compensation for original artists** in commercial advertising.

Formation of Committee

- In November 2024, the court instructed the **Centre** to appoint members to the **committee**.
- The **Union Ministry of Electronics and Information Technology (MeitY)** had announced the formation of a committee on November 20, 2024, to address this issue.
- A nine-member MeitY committee, formed in November 2024, met stakeholders on January 21, 2025.

Government Report on Deepfakes: Key Concerns and Stakeholder Insights

• Rising Threats from Deepfakes

- Deepfakes targeting women during state elections.
- Increasing AI-generated scam content, particularly post-elections.
- Lack of a uniform definition for “deepfake.”

• Call for AI Content Regulation

- Stakeholders emphasized mandatory AI content disclosure, labeling standards, and grievance redressal mechanisms, **focusing on malicious actors** rather than creative uses of deepfake technology.

• Debate on Intermediary Liability

- MeitY’s panel proposed mandatory compliance for intermediaries regarding deepfake content.
- Stakeholders cautioned against over-reliance on intermediary liability frameworks, advocating better investigative and enforcement mechanisms instead of new regulations.
 - Intermediary liability frameworks determine the extent to which intermediaries can be held liable for content on their platforms.
 - The frameworks range from holding intermediaries entirely responsible for the content posted on their platform to complete immunity.
- A representative from X stressed the need to distinguish between deceptive and benign AI content.

• Challenges in Deepfake Detection

- The Data Analysis Unit (DAU), part of the Meta-supported Misinformation Combat Alliance, highlighted:
 - Deepfakes targeting women during elections.
 - A post-election spike in AI-driven scam content.
 - Audio-based deepfakes are harder to detect.
 - Stakeholders underscored the need for collaboration and standard detection frameworks.

• Law Enforcement and Regulatory Actions

- The Indian Cyber Crime Coordination Centre (I4C) has been tasked with gathering data on deepfake-related cases from law enforcement agencies.
- Proposed solutions include awareness campaigns via platforms like YouTube.

• Ongoing Consultations and Next Steps

- MeitY has requested three more months from the Delhi High Court to complete its consultations.
- The ministry is yet to consult victims of deepfakes and is collaborating with the Ministry of Information and Broadcasting to gather their inputs.
- Discussions so far have focused more on reactive measures rather than preventive solutions.

Deepfake Content Regulation FAQs

Q1. What are deepfake regulations in India?

Ans. The government emphasizes content labeling and transparency to regulate deepfake misinformation and misuse.

Q2. Why is the Delhi HC involved in deepfake regulation?

Ans. The court reviews legal measures to curb deepfake threats, ensuring public awareness and accountability.

Q3. How does labeling help regulate deepfake content?

Ans. Labels inform viewers about AI-generated content, reducing misinformation and enhancing digital safety.

Q4. What penalties exist for deepfake misuse in India?

Ans. Legal consequences include fines and imprisonment under IT laws and the Indian Penal Code.

Q5. What role does AI play in detecting deepfakes?

Ans. AI tools analyze inconsistencies in videos and images to identify deepfake manipulations.

Source: IE | [inc42](#) | LC

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