

# Policy Proposal for a Safer Digital India

## A Youth-Led White Paper on Cyberbullying Law Reform and Policy Action

Policy No.: PLY/EDU/CYB/001

Date: June 24, 2023

Updated: 8 times

Revision History: September 8, 2025; May 19, 2025; March 23, 2025; August 07, 2024; July 04, 2024; April 29, 2024; August 09, 2023; July 01, 2023

### Submitted to:

- Ministry of Electronics and Information Technology
- Ministry of Information and Broadcasting
- Ministry of Communications
- Ministry of Home Affairs
- Ministry of Education
- Ministry of Women and Child Development
- Ministry of Health and Family Welfare
- Ministry of Youth Affairs and Sports
- Local MLAs

## Executive Summary

India's digital landscape is growing at an unprecedented pace, and young people are at the heart of this transformation. However, this increased digital participation has made youth particularly vulnerable to cyberbullying, online harassment, and psychological harm. Existing Indian laws do not adequately address these challenges, resulting in a patchwork of protections that fail to provide timely justice or deterrence.

This youth-led white paper presents a structured legal and policy roadmap to reform India's cyberbullying laws. Drawing from nationwide consultations and lived youth experiences, it proposes the development of a dedicated Cyberbullying Prevention and Redressal Bill, strategic legal amendments, educational programs, and a coordinated inter-ministerial response. By centering the voices of India's youth, this white paper advocates for a safer, more inclusive digital future rooted in constitutional values, international human rights principles, and technological realities.

# I. Introduction: The Urgency of Youth-Informed Legal Reform

Cyberbullying is not just a digital danger—it is a violation of fundamental rights, including dignity, safety, and mental well-being. As young Indians become more digitally active, they face growing risks without adequate legal safeguards. Current legal mechanisms are fragmented, reactive, and not designed with youth in mind.

This white paper emerges from extensive grassroots consultations with students and young professionals across rural and urban India. It highlights the need for a youth-informed legal response and calls on policymakers to adopt a participatory approach to lawmaking—one where the most affected stakeholders help shape the solutions.

## II. Legal and Policy Landscape: Current Framework and Limitations

### A. Information Technology Act, 2000 (Amended 2008)

- **Section 66A:** Declared unconstitutional in *Shreya Singhal v. Union of India* (2015), creating a regulatory vacuum
- **Sections 66C & 66D:** Address identity theft and online impersonation
- **Sections 67, 67A, 67B:** Target obscene and sexually exploitative content, particularly child sexual abuse material (CSAM)

### B. Indian Penal Code (IPC)

- **Section 354D:** Addresses stalking, including cyberstalking—limited to gender-specific applications
- **Sections 503/506:** Criminal intimidation, applicable to digital threats
- **Section 509:** Insulting the modesty of a woman; not inclusive of all genders
- **Sections 499/500:** Criminal defamation, applicable to online slander

### C. Special Acts

- **POCSO Act, 2012:** Covers digital sexual exploitation of minors

- **Juvenile Justice Act, 2015:** Includes mechanisms for both juvenile offenders and victims

## D. Policy Tools

- **National Cyber Crime Reporting Portal:** A promising but underutilized platform
- **NCERT Guidelines on Online Safety:** Preventive in scope but lack enforceability and reach

## Identified Gaps:

- No dedicated statute recognizing and criminalizing cyberbullying
- Inadequate gender-neutral and age-sensitive provisions
- Absence of clear administrative accountability
- Inaccessibility of redressal pathways for minors
- Fragmentation of legal response across multiple statutes

# III. Legal and Policy Recommendations: A Structured Reform Agenda

## A. Legislative Proposal: Drafting a Cyberbullying Prevention and Redressal Bill

### Key Provisions:

1. **Clear Definitions:** Include cyberstalking, doxxing, morphing, mass harassment, impersonation, deepfakes, revenge porn, coordinated trolling, and hate speech
2. **Graded Offences:** Minor infractions vs. aggravated offences with increased penalties for repeated or targeted harassment and targeting minors as well as causing mental trauma
3. **Procedural Safeguards:**
  - Defined timelines for complaint registration and action
  - Right to be forgotten in applicable cases
  - Protections from misuse or false reporting

#### **4. Institutional Mechanisms:**

- District-level Cyberbullying Redressal Commissions
- Integration with school, college, and workplace grievance redressal cells

### **B. Amendments to Existing Laws**

1. Amend **IPC Section 354D** to make cyberstalking **gender-neutral**
2. **Introduce new provisions** in the IT Act and IPC to address:
  - Misuse of and bullying/harrassment through AI-generated content (deepfakes, voice clones etc.)
  - Penalize creation or distribution of harmful online polls and shaming forums
  - Distribution of manipulated images and sexualized content without consent

### **C. Prevention and Education**

1. **National Digital Citizenship Curriculum:**
  - Co-developed by the Ministry of Education, cyber law experts, child psychologists, and youth representatives
  - Cover topics like consent, misinformation, privacy, online boundaries, respectful communication and reporting abuse
2. **Youth-Led Digital Literacy Campaigns:**
  - Led jointly by the Ministry of Education, Ministry of Electronics and IT (MeitY) and youth ambassadors
  - Emphasize legal rights, legal remedies, safe online behaviour and reporting procedures

### **D. Institutional Inter-Ministerial Coordination**

1. **Inter-agency Task Force:**
  - Include MeitY, Ministry of Women and Child Development, Ministry of Home Affairs, Ministry of Education, and youth organizations

## 2. Data Collection & Monitoring:

- Mandate disaggregated data collection by age, gender, and region to inform evidence-based policymaking

## E. Restorative Justice and Victim Support and Rehabilitation

1. **Diversion programs** for minor first-time offenders
2. **Legal aid, and psychosocial counseling** and support for victims via National and State Legal Services Authorities
3. **Non-punitive restorative remedies**, including public apologies, social media restrictions etc ) integrated with rehabilitative practices

## IV. Implementation Roadmap

Phase	Timeline	Key Activities
1	0–6 months	Stakeholder consultations, dissemination of this white paper, drafting of model legislation
2	6–12 months	Pilot programmes in schools and colleges; district-level redressal mechanism pilots
3	1–2 years	Introduce bill in Parliament; conduct training for police, judiciary, and educators
4	3–5 years	Monitoring and evaluation framework via National Commission for Protection of Child Rights (NCPCR) and National Commission for Women (NCW).

## V. Conclusion: Reclaiming the Digital Space for India's Youth

India's young citizens are not just users of technology—they are builders of its future. They deserve digital spaces that are empowering—not punitive, exploitative, or exclusionary. The absence of a unified legal framework on cyberbullying is no longer tenable.

It is time that our laws and policies reflect their lived experiences and champion their rights.

This white paper is a call to action. It asks policymakers, educators, legal professionals, and technology stakeholders to recognize youth not as passive beneficiaries, but as active partners in shaping a safer, more just digital India.

## **Contact**

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