

RESTRICTION ON CONTENT FROM PAKISTAN

On 8th May, 2025, the Ministry of Information & Broadcasting (“**MIB**”), in light of the recent terrorist attacks in Pahalgam, issued an advisory under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (“**IM Guidelines**”) to all publishers of online curated content, media streaming platforms and intermediaries to discontinue any and all web-series, films, songs, podcasts and other streaming media content, whether made available on subscription based model or otherwise, having its origin in Pakistan with immediate effect.

APPLICABLE REGULATION:

This advisory is under Part III of the IM Guidelines, which provides for code of ethics (“**COE**”) applicable to publishers of news and current affairs content and publishers of online curated content. The COE categorically states:

“A publisher shall take into consideration the following factors, when deciding to feature or transmit or publish or exhibit any content, after duly considering the implications of any content as falling under the following categories, and shall exercise due caution and discretion in relation to the same, namely :—

- (i) content which affects the sovereignty and integrity of India;*
- (ii) content which threatens, endangers or jeopardises the security of the State;*
- (iii) content which is detrimental to India’s friendly relations with foreign countries;*
- (iv) content which is likely to incite violence or disturb the maintenance of public order.”*

Further, Rule 3(1)(b)(vii) of the Part II of IM Guidelines also imposes an obligation on intermediaries, including a social media intermediary, a significant social media intermediary and an online gaming intermediary, to observe due diligence while discharging its duties by making reasonable efforts by itself to cause the users of its computer resource to not host, display, upload, modify, publish, transmit, store, update or share any information that *“threatens the unity, integrity, defence, security or sovereignty of India, friendly relations with foreign States, or public order, or causes incitement to the commission of any cognisable offence, or prevents investigation of any offence, or is insulting other nation”*.

DISCLAIMER

This alert has been written for general information of our clients and should not be treated as a substitute for legal advice. We recommend that you seek proper legal advice prior to taking any action pursuant to this alert. We disclaim all liability for any errors or omissions. For further clarifications, you may write to Mallika Noorani (mallika.noorani@parinamlaw.com) and Sachit Kumar (sachit.kumar@parinamlaw.com)

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