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CYBERBULLYING AND THE LAW: A REVIEW OF LOOPHOLES IN THE FACEBOOK ANTI-BULLYING AND CONTENT REMOVAL POLICY*

ABSTRACT

The digital platform now becomes one of the common ways to interact with other people simultaneously it also increases the event of Cyberbullying. Cyberbullying is the use of digital technologies with intent to offend, humiliate, threaten, harass or abuse somebody. Cyberbullying is common among children, adolescents but especially women are always vulnerable to it. Facebook have a huge amount of user and widely used for bullying, Facebook had its own anti-bullying and content removal policy through which they try to curtail and reduce the bullying in their platform but the policy had some loopholes. Facebook also regulated by the Information Technology (Intermediary Guidelines) Rules, 2011 and had to fulfill certain obligation such as the appointment of grievance officer. This proposed paper will analyze the laws relating to Cyberbullying, Facebook anti-bullying and content removal policy, the paper will also discuss the loopholes in the community standards set by the Facebook in the anti-bullying and content removal policy.

Key Words – Cyberbullying, Facebook anti-bullying policy, Community Standard and Loopholes in the Facebook anti-bullying policy.

1. Introduction

The Internet has touched and reached every aspect of the human life, the internet brings ease to the human life and people around the world are now more connected then before, information is now available on just one click away¹. We live in a society where the technology becomes part of

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our life and every individual is carrying a cell phone or tablet, the cyber world opened a wide range of learning opportunities but these opportunities and endless ocean of the knowledge have some drawback, thus the increase of knowledge and connectivity comes with the evil of Cyberbullying.

² The term Cyberbullying was coined by the Bill Belsey a Canadian educator, the Cyberbullying in India causing hue and cry in the whole legal system till date there is no specific law which deals with the Cyberbullying however there is a cluster of law like Information Technology Act, Indian Penal Code, Civil Procedure Code and Juvenile Justice Act. The phenomenon of cyberbullying is new and it arises in the internet age, now because of the internet, it becomes easier for a person to bully another person because the internet provides a veil to the bully. This paper is divided into five Sections, Section I will discuss about the cyberbullying and how it is different from the traditional bullying, Section II will discuss the psychological effect of bullying on the victim and its impact, Section III of the paper will discuss about the Indian Anti-bullying law and applicability of these laws on the cyberbullying, Section IV of the paper deals with role of Facebook in cyberbullying and what is mechanism adopted by the Facebook in order to deal with the cyberbullying in there platform. The last section of the paper will discuss the remedies and we will give a brief conclusion of the paper.

2. Concept of Cyberbullying

The first time in India bullying has been discussed by the Hon'ble Supreme Court in the landmark case of Vishaka v. State of Rajasthan,³ however, Supreme Court does not directly deal with the cyberbullying but provide a general guideline to curb bullying and harassment on the workplace. Cyberbullying means bullying which is done on the digital platform, so to understand the concept of cyberbullying we need to first understand what is bullying. Bullying can be defined as systematically and constantly inflating physical hurt or psychological distress on one or more student, employee or another victim, bullying can be also defined as unwanted action by another person, this action may be of any kind like teasing, social exclusion, threat, intimidation, stalking, physical violence, theft, sexual harassment, racial harassment, public humiliation, or destruction of property, however, this bullying is not limited to these other activities which may cause distress, discomfort or humiliate another person are also fall under the umbrella of bullying and if these

¹ Ashna Mehta & Rishab Jaiswal, "Cyber Bullying : An Indian Perspective", 1 IJLI (2007), p. 86

² Shweta Krishnappa, CYBER-BULLYING AND THE RELATED LAW IN INDIA, available at <http://www.legaleraonline.com/articles/cyber-bullying-and-the-related-laws-in-india> (visited on Jan 1, 2019)

³ Vishaka v. State of Rajasthan and others. AIR 1997 SC 3011

acts are done by the bully through digital platform then it will be considered as cyberbullying.
⁴ The most common example of cyberbullying is posting any kind of humiliating content of the victim, hacking of the victim's account, sending vulgar messages, stalking, threatening to commit an act of violence, threats of child pornography etc.⁵

2.1 Types and Platform of the Cyberbullying

Research finding indicates that cyberbullying becomes most common in these days because in cyberbullying bully can hide their real identity behind the veil of fake social media or mail account, bully can use any of these following methods: 1) “Catfishing” i.e. bully try to trick other people by fabricating his identity and his social circle, bully try to form an emotional relationship with the victim, 2) Cheating, 3) derogatory remarks on the comment box or on the chat box, 4) Stalking, 5) Trolling, 6) Sexting, 7) Impersonating others, 8) Spreading rumors, 9) Rating (controlling the target individual webcam or computer through remote devices), a person may also use other means to bully targeted individual for example via. Blogs, cell phones, emails, text messaging and video chats etc.⁶

Social media is the most common platform for the cyberbullying according to digital trend survey the most common platform for the cyberbullying is Instagram and Facebook⁷ but there are other platforms of cyberbullying and these are as following: 1) Online mailing – Mailing platforms like Yahoo, Gmail, Hotmail etc are one of the most common platforms for online bullying, the bully most of the time uses fake account and send dozens of violent, offensive emails sometimes bully also send life-threatening emails⁸, mail platform provider Google uses various tools which is undesirable by the user such as they provide blocking facilities and reporting about the undesirable emails, however, user and G Suite Admin can take additional action to block these emails⁹. 2) Instagram, Snapchat and Facebook – Instagram was launched in 2010, since its launch

⁴ Shivendra Pandey, “All you need to know about Anti-Bullying laws in India” available at <https://www.google.com/amp/s/blog.ipleaders.in/anti-bullying-laws/amp/> (visited on Jan 2, 2019)

⁵Ibid

⁶ June F. Chisholm, “Review of the Status of Cyberbullying and Cyberbullying Prevention” 25, JISE (2014) p. 79

⁷ Hillary Grigonis, “Cyberbullying happens more often on Instagram, a new survey suggests” available at <https://www.google.com/amp/s/www.digitaltrends.com/social-media/cyberbullying-statistics-2017-ditch-the-label/amp> (visited on Jan 2, 2019)

⁸ Traci L. Siation, “How to Handle Email Harassment” available at <https://www.google.com/amp/s/m.huffpost.com/us/entry/5606031/amp> (visited on Jan 2, 2019)

⁹ Andy Wolber, “How to fight spam emails in Gmail and G Suite” available at <https://www.google.com/amp/s/www.techrepublic.com/google-amp/article/how-to-fight-spam-emails-in-gmail-and-g-suite> (visited on Jan 2, 2019)

it become one of the most popular social media platforms after Facebook, message in these platforms or posting private picture of the victim is most common in these website, in some circumstances bully post something on the third user wall so the content cannot be deleted by the victim until the platform provider himself removes the content.¹⁰ 3) Twitter and Texting – Twitter was introduced in 2006, this is a free, micro blogging blog, a user in twitter can publish 140 characters in a tweet, a user in the twitter can read or publish his thought. Twitter, unfortunately, has also become a platform of cyberbullying, the public figure in this platform are more prone to the trolling, death threat and other forms of bullying, some celebrities quite twitter like former footballer John Hartson quite twitter because of abusive trolling.¹¹ The online gaming website is also a platform where children's are prone to be bullied.¹²

2.2 Cyberbullying v Traditional Bullying

The progress of the technology is always equated with the advancement of human living standards; pivotal innovation like the Internet is now very essential and impact of the internet change the way how people interact. However, some traditional problem also evolved with the technology one of the problem that evolves with the technology is the bullying, now bullying takes place on digital platform i.e. cyberbullying. Cyberbullying is different and more heinous from the traditional bullying, unlike traditional bullying, cyberbullying allows the offender to mask his identity behind fake accounts, and the offender can use this anonymity for his best benefit.¹³ The traditional bullying is limited mostly to the playground school and face-to-face conversation between the bully and the victim but the cyberbullying does not have any kind of the restriction the number of audience in case of cyberbullying is also more in comparison to the traditional bullying. The impact and the consequence of cyberbullying and traditional bullying is also different, in case of traditional bullying impact is short lived but in the case of the cyberbullying the impact is long lasting, There are some limitation of face to face bullying in the context of the time place and audience whereas the cyberbullying does not have such kind of limitation. Most of the time

¹⁰ Supra 5 at 79

¹¹ Paul Scott, "*Poison of the Twitter trolls: Faced by a tide of vile abuse and death threats, frightened celebrities are abandoning the website they once saw as the vehicle for self-promotion*" available at <https://www.google.com/amp/s/www.dailymail.co.uk/news/article-2120296/amp/Poison-Twitter-trolls-Faced-tide-vile-abuse-death-threats-frightened-celebrities-abandoning-website-saw-vehicle-self-promotion.html> (visited on Jan 2, 2019)

¹² Li Quing, "*When Cyberbullying and Bullying Meet Gaming : A systematic Review of the Literature*" 5, JPP (2015) p. 195

¹³ Richard Donegan, "*Bullying and Cyberbullying: History, Statistics, Law, Prevention and Analysis*" 3, JURC (2012) p. 34

cyberbullying give rise to the legal consequence but in traditional bullying, the legal consequence is very rare.¹⁴ There are certain cases where cyberbullying and the traditional bullying blend with each other for example is a bully a target in the classroom and then also send him derogatory messages to her on her Facebook or Instagram account. It often is seen that cyberbullying can cause the death of the victim; children and youngster are more vulnerable to suicidal behavior.¹⁵

3. Psychological Perspective

There are various theories and various reasons behind cyberbullying, one of the most and a common theory behind the cyberbullying is the dominant theory, according to this theory the desire to survive is very instinctive and common among all human being. Survival is directly associated with the competition, since the beginning of mankind one which is common in all human being is the survival instinct and to survive in the cruel time one has to out-perform or dominate another person. The survival and dominant instinct are also seen in the education, social and economic spheres.¹⁶

From the time an Indian child entered into the school, he or she taught that you must be the best one and you have to out-perform everyone. Often it is seen that in the process of becoming the best student develop new strategy like bullying tactics, one of the most common practice of bullying in school student is assigning their homework to other against their will, after some time when a student realize the effectiveness of the strategy he often use the same to attain social recognition, when a person constantly use the bullying tactics he become more habitual and at the end he becomes corrupt¹⁷.

3.1 Reasons for Cyber Bullying

There are various literatures in regards to the reason behind the cyberbullying, some author speculated that the youth who engage in the aggressive behavior may be attempting to master their own feeling of helplessness they might be traumatized by an earlier incident and in order to help themselves they express outrage on social media. Another reason for the cyberbullying might be the anonymity; due to lack of recognition and visibility, the bully can conceal his identity. Anonymity facilitate disinhibition i.e. loosening of all psychological barrier of being identified, a

¹⁴ Ashna Mehta & Rishab Jaiswal, “*Cyber Bullying : An Indian Perspective*” 1 IJLI (2007) p. 86

¹⁵ PTI, “*Cyber bullying may double risk of self-harm, suicidal behavior*” available at <https://m.timesofindia.com/home/science/cyber-bullying-may-double-risk-of-self-harm-suicidal-behaviour/articleshow/63909273.cms> (visited on Jan 3, 2019)

¹⁶ Supra 13

¹⁷ Ibid

person can now express whatever he wants now he can express his dark private thought, feelings and needs etc. Anonymity also operates on another way, for instance, the aggressor is not able to see the pain of the victim.¹⁸

Additionally, power also plays very important reason behind the cyberbullying, because in traditional bullying the criteria of power are physical strength but in cyberbullying, the power of bullying came from the knowledge of the software or better understanding of the social media platform, the physical strength become irrelevant in this case.¹⁹ Some adult expresses their anxiety, frustration and anger through social media platform this may also be a reason behind the cyberbullying.²⁰

3.2 Impact on the Mental Health of the Victim

The impact of the bullying may be severe, the victim can experience long term mental health problem, cyber victims have also shown that they have very low self-esteem and high level of depression; it is very hard for them to recover from such severe incidence.²¹ Bullying whether cyberbullying or traditional bullying causes severe harm on the mental health of the victim, cyberbullied student experienced anxiety, fear, depression and low self-esteem, in some cases it is seen that they are unable to concentrate on studies because they are going through such mental trauma. Feeling vulnerable and powerless is the most common feeling after being bullied by any person, it becomes very difficult to feel safe in any place because bully can evade their home through computer and mobile phone at any time, the victim does have a place to hide from the bully. The victim feels dissatisfied with who they are, as result victim often begin to doubt on their self-ability. The victim feels isolated from the world and always has a doubt on his self-ability.²²

4. Anti- Bullying Laws In India

Cyberbullying is an injury which leaves a scar on the confidence of the victim for the rest of life, it is very important for the victim to report about cyberbullying and take necessary action.²³, In India victim can seek criminal or civil remedies but there are no specific anti-bullying laws,

¹⁸ June F. Chisholm, “*Review of the Status of Cyberbullying and Cyberbullying Prevention*” 25, JISE (2014) p. 81

¹⁹ Ibid 82

²⁰ Ibid

²¹ Muthanna Samara, Vicky Burbidge, Aiman El Asam, Maired Foody, Peter K. Smith and Hisham Morsi, “*Bullying and Cyberbullying: Their Legal Status and Use in Psychological Assessment*” 14, IJERPH, (2017) p.2

²² Sherri Gordon, “*What are the effects of Cyberbullying?*”, available at <https://www.verywellfamily.com/what-are-the-effects-of-cyberbullying-460558> (visited on Jan 3, 2019)

²³ The Information Technology Act, 2000

however some cluster of laws which deals with the bullying, for instance, Information Technology Act, Indian Penal Code etc.²⁴

4.1 The Information Technology Act

Bullying using someone's account without their permission is a punishable offence under Section 66C of the Act, however section does not specifically states the same but punish those who commit thefts of identity, that is if any person uses password of any other person or other unique identities without his consent then as per Section 66C²⁵ the offender will be liable for the imprisonment up to three years or a fine which may extend up to one lakh.

There are some cases where bully doesn't use his identification but personate as another person if in this process he uses the computer program and cheats another person then such cheating by personating someone is punishable under Section 66D with imprisonment which may extend up to three years with fine up to one lakh. Posting nude picture is worst type of bullying, posting nude picture on social media platform is punishable under Section 66E of the Act, Section 66E punishes such offender who violates the privacy of victim by posting, sending, printing photos of victim private body parts without her consent, section 66E even punish capturing of victim picture intentionally, the punishment under this section may extend to up to three or fine up to two lakh or both. Information Technology Act punishes publication of obscene material under section 67 with imprisonment of three years or fine up to five lakhs, if the offender commits this offence for the first time but if the offender commits this offence the second time then the imprisonment may be of any term up to five years and fine up to ten lakh rupees.²⁶

4.2 Indian Penal Code

IPC²⁷ provides that various remedies against bullying, IPC punishes the defamatory and outrageous act of the bully. The amendment of 2013 made cyber stalking as an offence. Under section 354C²⁸ if a person takes picture of a woman, or watches her where she expect privacy or where she indulges in any private activity then the person who breaches her privacy shall be punishable with imprisonment between one year to three years he also is liable for the fine under first conviction. For a second conviction, the offender would be liable for imprisonment between

²⁴ Ashna Mehta & Rishab Jaiswal, "Cyber Bullying : An Indian Perspective" 1 IJLI (2007) p.86

²⁵ The Information Technology Act, 2000

²⁶ Supra 27

²⁷ The Indian Penal Code

²⁸ Ibid

three to seven years. Section 354A provides punishment for the sexual harassment, stalking is also a crime under IPC²⁹, section 354D provide punishment for stalking if a person contacts or monitor a woman even after his expressed disinterest then that person would be liable for imprisonment up to three years.³⁰

Section 378 defines theft as taking the movable property of a person without his consent, section 379 says that if a person commits the offence of theft then he will be liable of the imprisonment up to three years or fine or both.³¹ Section 416 defines cheating as pretending to be someone else, section 419 provides punishment for cheating as imprisonment for up to three years with fine. There are so many instances of cheating in social media, for example, A pretend to B, a boy of locality of C.³² After some time C share her secret with A, later A disclose these secrets in public. This is the pure example of cheating by impersonation. Some people also post defamatory remarks, Section 500 of the IPC such person who makes defamatory remarks for another person without any proof, if a person makes any false statement and lower down another person reputation then the offender would be liable for punishment of up to two years or with fine or both.³³

4.3 Other Anti-Bully Laws and Regulation

There are also different kinds of legislation which deals with bullying, the latest legislation “The Protection of Children from Sexual Offence Act, 2012 (POSCO) Act which protects children below the age of 18 year from any kind of sexual harassment, assault and from child pornography, this legislation also includes cyberbullying if the act come under the umbrella of this act³⁴. Ministry of Human Resource realized the gravity of cyberbullying among college students, and directed all the colleges to form an anti-raging committees, UGC also issued special regulation called ‘UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institution 2009’, according to UGC guideline colleges must comply with these regulations if they failed to do so then their recognition would be forfeited by the UGC.

On 18th April 2017 Ministry of Electronic & Information Technology, cyber laws & E-security division issue an order under section 87 of Information Technology Act 2000, this order has been

²⁹ ibid

³⁰ ibid

³¹ ibid

³² ibid

³³ ibid

³⁴ Shweta Krishnappa, CYBER-BULLYING AND THE RELATED LAW IN INDIA, available at <http://www.legaleraonline.com/articles/cyber-bullying-and-the-related-laws-in-india> (visited on Jan 1, 2019)

issued after the recommendation of Inter-Ministerial committee, this order deals with the Child Sexual Abuse Material (CSAM). In India, there is no centralized mechanism for monitoring CSAM, so according to this order until central government form a centralized monitoring system it is the responsibility of the relevant Internet Service Provider (ISP) to remove or disable the CSAM content³⁵. In *Kamlesh Vaswani v Union of India*³⁶, the Supreme Court also directed to the central government to take positive action and steps to tackle the issue of CSAM. Currently, all ISP are regulated by the Information Technology (Intermediary Guidelines) Rules, 2011.

5. Facebook Anti- Bullying and Content Removal Policy

Cyberbullying can take place and different types of social media platform, Facebook is the most common platform of cyberbullying approximately 80% of the cyberbullying occurred in the cyberbullying, Twitter had the second spot.³⁷ Facebook management is also concerned about the fact that they need to take a positive step to curb the cyberbullying in their platform. Therefore Facebook enacted anti-bullying and content removal policy. Facebook adopted a “zero tolerance policy”, according to this policy Facebook is committed to taking appropriate action against the bully and they also remove content that purposefully targets private individuals with the intention of degrading or shaming them.

According to the Facebook content removal policy,³⁸ Facebook removes the content which is abusive in nature. Facebook is especially concerned with the minor and they give special attention to the minor accounts. Facebook had a Bullying Prevention Hub, this Hub provide support to the teenagers, parents and educator for an issue related to the cyberbullying.³⁹ Bullying Prevention Hub provides step by step guidance; it also includes the guidelines for dealing with bullied people like how to start a conversation with bullied people.

³⁵ Ministry of Electronic & Information Technology Cyber Laws & E-Security Division , “*Measures to Curb Online Child Sexual Abuse Material (CSAM)*” available at https://www.google.com/search?source=hp&ei=aJ81XPCQJ8fX8QXD4rfYBQ&q=measure+to+curb+CSAM&oq=measure+to+curb+CSAM&gs_l=mobile-gws-wiz-hp.3..30i10.1290.10238..10887...5.0..0.568.8374.2-17j8j0j2.....0....1.....0.0j46j0i131j0i2i159i131j0i10j46i10j46i131j0i2i159j0i2i159i10j0i10i70i255j0i13j0i13i30j0i13i5i30j33i21j33i160.4oQCIsJUhKE (visited on Jan 4, 2019)

³⁶ *Kamlesh Vaswani v. Union of India* [W.P. (Civil) No. 177 of 2013]

³⁷ Mary Beth Pinto, *Penn State Erie, Phylis Mansfield & Penn State Erie, “Facebook as a complaint mechanism: An investigation of millennials”* 1, JBSB (2011) p. 2

³⁸ Adam “*Cyber Bullying on Facebook and What to do about it*” available at <https://antibullyingsoftware.com/facebook-bullying/> (visited on Jan 6, 2019)

³⁹ “*Facebook Community Standard Bullying*” available at <https://m.facebook.com/communitystandards/bullying/> (visited on Jan 6, 2019)

Facebook restrict and remove the content about another individual that reflects claim about another sexual activity, physical description, threats of non-sexual abuse, ranking individual on physical appearance or personality, sexualized text targeting, comparison to animals that are culturally perceived as intellectually inferior.⁴⁰ Content that has photoshopped to target or demean an individual or threatening violence in the text is also prohibited on Facebook. In addition, Facebook removes pages and chats group that indulges in activities of attacking individuals by swearing, making negative remarks, making negative ability claims and posting by personating.⁴¹ In some cases, content is written by another person and it is about another person, Facebook removes such type of post if the content contains claim about sexual activity, comparison with animals, swearing, ranking or claim about romantic involvement or sexual orientation then in such case Facebook removes the content. However Facebook does not remove content by itself you have to report about the same and when you are reporting about such type of content it is mandatory for you to mention which law or community standard has been violated, if you fail to specify the law or community standard guideline then in that case Facebook will not remove your content.

Facebook recently introduced new comment moderation, reporting and appeal mechanism, these new tools will provide more control to the user over how people interact with their posts on Facebook because sometimes comment section become the place where some people bully or harass others. As per new features of Facebook now user can delete multiple comments at once from the options menu of their post, Facebook also testing a feature like blocking certain kind of words on your post.⁴² If you are a parent or guardian or friend of the victim and wanted to report about the bullying then according to new mechanism you can do the same but this facility is only available for Android users.⁴³

6. Loopholes under Facebook Content Removal Policy

⁴⁰ Guy Rosen “*How are we doing at enforcing our community standards?*” available at <https://www.google.co.in/amp/s/newsroom.fb.com/news/2018/11/enforcing-our-community-standards-2/amp/> (visited on Jan 6, 2019)

⁴¹ Megan Rose Dickey “*These are Facebook’s internal policies on harassment and bullying*” available at <https://www.google.com/amp/s/techcrunch.com/2017/12/08/these-are-facebooks-internal-policies-on-harassment-and-bullying/amp/> (visited on 6 Jan, 2019)

⁴² Chris Mills, “*This is what Facebook won’t let you know*” available at <https://www.google.co.in/amp/s/bgr.com/2018/04/24/facebook-community-standards-content-policy-nudity-sexual-content-hate-speech/amp/> (visited on Jan 6 2019)

⁴³ Mark Wilson, “*Facebook rolls out new tools to help those suffering bullying and harassment*” available at <https://betanews.com/2018/10/02/facebook-anti-bullying/> (visited on Jan 6, 2019)

Facebook adopted had a zero tolerance policy and if the content violates their community standard or any law of the territory then Facebook removes the content from their platform however Facebook reviewing policy had some loopholes firstly it often seen that Facebook does not remove the content by itself, you need to report about the same then only Facebook take appropriate action against the bully and content, if you are failed to report then content would be available for the public, secondly Facebook claim that children below thirteen years of age are mostly bullied but their policy are not supportive to the children's suppose if a child because of fear and social fear does not want to report about the bullying then no other person can report about the content on behalf of the child⁴⁴, thirdly Facebook provides its social media platform in various countries and the community standard of every country differs, although Facebook apply uniform community standard to all over the globe,⁴⁵ fourthly Facebook removes content with the help of software, so the content removal mechanism become incentive because there is very less human intervention.⁴⁶ Fifthly Facebook bullying policies do not apply to the public figures because Facebook does not want to discourage critical discussion on people who are featured in the news or who have a large public audience. Discussion of public figures nonetheless must comply the community standard however it often is seen that every country had different restriction on the free speech for example in the USA you can openly criticize President However in India there are reasonable restriction on the free speech, Facebook will only remove those content about public figure that breeches community standard of hate speech or credible threat of violence, earlier this year Facebook expand their anti-bullying policies to guard young public figures but still there is no anti-bullying policy which protects public figure regardless of the age.⁴⁷ Last but most important if you are going to report about the content it is compulsory for you to code the community standard which has been violated and if you are failed to do so then Facebook will not remove the content.

7. Precautionary Measures

⁴⁴ Mark Wilson, "Facebook rolls out new tools to help those suffering bullying and harassment" available at <https://betanews.com/2018/10/02/facebook-anti-bullying/> (visited on Jan 6, 2019)

⁴⁵ Todd Haslton "Here's Facebook's once-secret list of content that can get you banned" available at <https://www.google.co.in/amp/s/www.cnn.com/amp/2018/04/24/facebook-content-that-gets-you-banned-according-to-community-standards.html> (visited on Jan 7, 2019)

⁴⁶ Todd Haslton "Here's Facebook's once-secret list of content that can get you banned" available at <https://www.google.co.in/amp/s/www.cnn.com/amp/2018/04/24/facebook-content-that-gets-you-banned-according-to-community-standards.html> (visited on Jan 7, 2019)

⁴⁷ Antigone Davis "Protecting People from Bullying and Harassment", available at <https://newsroom.fb.com/news/2018/10/protecting-people-from-bullying/amp/> (visited on Jan 8, 2019)

With the constant increase in the cyberbullying in India on daily basis there is need to stop cyberbullying, to stop cyberbullying one need to take some steps while dealing things online, the following steps that one can take to stop bullying:

- **Keep Evidence safe** – In cases of cyberbullying you can capture and save the evidence of cyberbullying and can show it for proving your claim. It is important to keep all the evidence such as post, messages and comments saved. Additionally victim can also contact the concerned authority against cyberbullying.⁴⁸.
- **Reach out for Help** – If the bully is not stopping and constantly bully you then you must reach out for help from your parents, teacher or law enforcer. These people will not only advice you but also help you in the entire procedure. Most of the victims commit a mistake that they did not share the incidence with their parents.
- **Use Technology** – Most social media application like Facebook and Instagram provide reporting mechanism, the application also provides facilities like blocking a person who has been harassing you. This might not be the end of the problem instantly but postpone the problem for a short period of time and in time you can frame your strategy that how to tackle with the bully.⁴⁹
- **Protect your account safe** – It is very fundamental and very vital that you should never share your password with anyone; to stop bullying you should not give the password to anyone, not to your closet friends. It is very important that you should not share your password with anyone.
- **Keep your social profile and interaction safe** – Social media now become part and parcel of our life and while posting on the on the social media platform you need to take care of certain things like being always mindful about what you are posting on the platform, be kind to everyone and do not interact with stranger people on social media platform.

8. Conclusion

Indian laws are competent to punish traditional offences like defamation, harassment and stalking, but one aspect of the law that it should need to evolve with the time, in this digital era where cyberbullying is growing and evolving, unlike traditional offences we need to address area where

⁴⁸ “What is Cyberbullying or Anti-bullying Laws in India” available at <https://www.myadvo.in/blog/must-read-what-is-cyber-bullying-or-anti-bullying-laws-in-india/amp/> (visited on Jan 8, 2019)

⁴⁹ Ibid

the traditional legal remedy might not be an adequate remedy. In India cyberbullying is regulated by the cluster of laws, and it is constantly demanded by the social activist that we need a special law which deals with the cyberbullying, one thing which also be taken into account i.e. the mental condition of the victim, study find out that victim always go through tough face and they need emotional support from their family and friends, law enforce should educate parents and teacher, the need for an immediate increase in education and discussion among students and parents is very important. Parliament can also make the law which increases the liabilities of the website operator to ensure that internet site cannot be used anonymously and fix the responsibility of content removal responsibility on the platform provider like Google, Facebook, and Instagram etc.

