MEITY

Draft IT Rules would make MeitY advisories part of due diligence

MeitY's revised draft of April 21, 2026 would make its written advisories part of intermediaries' due diligence and keep synthetic content labels visible throughout.

THE MINISTRY OF Electronics and Information Technology (MeitY) published a revised draft of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Second Amendment Rules, 2026 with a notice dated April 21, 2026. The draft would amend the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (the IT Rules, 2021) under section 87 of the Information Technology Act, 2000. Its G.S.R. number, the day in its date line and its commencement date are left blank. It carries F. No. 2(5)/2025-CyberLaws and the name of Ajit Kumar, Joint Secretary. The notice invites comments, rule by rule, by email to itrules.consultation@meity.gov.in in MS Word or PDF format, by May 7, 2026.

KEY FACTS

AUTHORITY

MeitY

PUBLISHED

April 21, 2026

ISSUED BY

Ministry of Electronics and Information Technology (MeitY)

DOCUMENT

Revised draft of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Second Amendment Rules, 2026; G.S.R. number blank



Draft IT Rules would make MeitY advisories part of due diligence

MeitY · April 21, 2026

The Ministry of Electronics and Information Technology (MeitY) published a revised draft of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Second Amendment Rules, 2026 with a notice dated April 21, 2026. The draft would amend the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (the IT Rules, 2021) under section 87 of the Information Technology Act, 2000. Its G.S.R. number, the day in its date line and its commencement date are left blank. It carries F. No. 2(5)/2025-CyberLaws and the name of Ajit Kumar, Joint Secretary. The notice invites comments, rule by rule, by email to itrules.consultation@meity.gov.in in MS Word or PDF format, by May 7, 2026.

This version adds a change to rule 3(3)(a)(ii). That sub-clause covers synthetically generated information other than the unlawful kinds that sub-clause (i) requires intermediaries not to allow. Today, such information must be labeled in a manner "that ensures prominent visibility in the visual display". The draft would replace those words with "that ensures continuous and clearly visible display of such label throughout the duration of the content, in a visual display". Like the March 30 draft, it would also change rules 3(1)(g) and 3(1)(h). These require information to be kept for 180 days after it is removed or access to it is disabled, or after a user's registration is cancelled or withdrawn. The draft would add to both the words "without prejudice to any requirement relating to the preservation or retention of information applicable to intermediaries under the Act or any other law for the time being in force".

The draft would insert rule 3(4). An intermediary would have to "comply with and give effect to" any clarification, advisory, order, direction, standard operating procedure, code of practice or guideline that the Ministry issues, by order in writing, on the implementation, interpretation or operationalization of the requirements in Part II of the rules. In Part II, "Ministry" means MeitY. Each such instrument would have to be issued in writing, state its statutory provision or legal basis, set out its scope, applicability and compliance requirements for the intermediaries it covers, and be consistent with the Act and the rules. Compliance with them "shall form part of the due diligence obligations of the intermediary under section 79 of the Act".

Part III of the rules sets the Code of Ethics and procedure for digital media, and there "Ministry" means the Ministry of Information and Broadcasting. The proviso to rule 8(1) now applies Part III to intermediaries for rules 15 and 16. The draft would apply it, for rules 14, 15 and 16, to intermediaries and to "news and current affairs content hosted, displayed, uploaded, modified, published, transmitted, stored, updated or shared on the computer resources of the intermediaries by users who are not publishers". Rule 14 sets up the Inter-Departmental Committee, which now hears complaints of violation of the Code of Ethics, arising from grievances or referred to it by the Ministry. The draft would have it hear "matters" instead: grievances about violation of the Code of Ethics by publishers, or matters "referred to it by the Ministry". In rule 14(5), what the Committee examines would become "the matter", in place of

"complaints or grievances, and may either accept or allow such complaint or grievance", before it makes its recommendations to the Ministry.

MeitY first published the draft, with a notice, on March 30, 2026, and set April 14, 2026 for comments. A notice of April 10, 2026 extended that date to April 29, 2026. The April 21 notice placed the rule 3(3)(a)(ii) change for consultation with the earlier draft and moved the date to May 7, 2026. Apart from that change, the revised draft repeats the March 30 draft word for word, with its items renumbered and April in its date line. MeitY also posted a consolidated text of the IT Rules, 2021 showing the proposed changes. It is still a draft: no final rules were found in MeitY's document repository up to October 27, 2026.

Issued by	Ministry of Electronics and Information Technology (MeitY)
Document	Revised draft of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Second Amendment Rules, 2026; G.S.R. number blank
Dated	Notice of April 21, 2026; the draft's own date line reads "____th April, 2026"
Status	Draft for public consultation; no final rules found in MeitY's document repository up to October 27, 2026
Comments due	May 7, 2026, rule by rule, to itrules.consultation@meity.gov.in in MS Word or PDF format
Applies to	Intermediaries; for rules 14, 15 and 16, also news and current affairs content shared on intermediaries by users who are not publishers
Takes effect	Commencement date left blank in the draft
Would amend	Rules 3(1)(g), 3(1)(h), 3(3)(a)(ii), the proviso to rule 8(1), and rule 14(2) and (5); would insert rule 3(4)
Synthetic content label	"continuous and clearly visible display of such label throughout the duration of the content, in a visual display", in place of "prominent visibility in the visual display"
Ministry instruments	Clarifications, advisories, orders, directions, standard operating procedures, codes of practice and guidelines issued in writing; compliance part of due diligence under section 79 of the Act
Legal basis	Section 87(1) and clauses (z) and (zg) of section 87(2), Information Technology Act, 2000
Earlier	Draft and notice of March 30, 2026, comments by April 14, 2026; extended to April 29, 2026 by a notice of April 10, 2026

File number	F. No. 2(5)/2025-CyberLaws
Signature line	Ajit Kumar, Joint Secretary (the draft is not signed)

The draft notification (draft rules), with a notice inviting comments (PDF, 143 KB)

Source: MeitY's own copy.

Checked against the official copy on October 28, 2026.

IndusDesk

hello@indusdesk.com · +91 11 4141 3939

9th Floor, Hemkunt House, Rajendra Place, New Delhi, Delhi 110008, India

Read online: indusdesk.com/meity/insights/draft-it-rules-would-make-meity-advisories-part-of-due-diligence/