

IN THE HON'BLE HIGH COURT OF DELHI AT NEW DELHI

WRT PETITION (C) No. 15596 of 2023

IN THE MATTER OF:

CHAITANYA ROHILLA

...PETITIONER

UNION OF INDIA

Vs

...RESPONDENT

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**Date:** 24.03.2025

**Place:** New Delhi

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**Government of India**  
**Ministry of Electronics and Information Technology**

**Subject: Status on the Committee on matters related to Deep Fake**

1. In the matter of Chaitanya Rohilla V. Union of India (W.P.(C) 15596/2023) and Rajat Sharma V. Union of India (W.P.(C) 6560/2024), the Honorable High Court of Delhi had directed the respondent, Ministry of Electronics and Information Technology vide its order dated 21.11.2024 for the respondent to formulate a committee and examine the suggestions submitted by Petitioners.
2. The Court in its order also directed The Said Committee to consider the regulations as well as statutory framework in foreign countries like the European Union. The Court also directed the Committee on matters of Deep Fake to invite and hear the experiences and suggestions of a few of the stakeholders like intermediary platforms, telecommunication service providers, victims of deepfakes and websites which provide and deploy deepfakes before submitting its report. The said committee was to submit its report, as expeditiously as possible, preferably within three months.
3. The Committee as directed by the Court has been formed by the respondent. The members of the Committee are as following -
  - a) Smt. Kavita Bhatia, Group Coordinator, Emerging Technologies Division, MeitY
  - b) Smt. Roopa M Director, Indian Cybercrime Coordination Centre (14C), MHA
  - c) Shri Tapas Saini, Scientist 'E', CDAC Hydrebab Representative of CDAC Hyderabad
  - d) Dr Gaurav Gupta Scientist 'F' Representative of Cyber Security Division, MeitY
  - e) Shri Noton Roy, Scientist 'E', Representative of Cyber Security Division, MeitY
  - f) Shri Vinayak Godse, Representative of Data Security Council of India (DSCI)
  - g) Prof. Balaraman Ravindran, HoD, Department of Data Science & AI (DSAI), IIT Madras
  - h) Dr. Prabhakar Krishnan, Research Scientist Amrita Vishwapeetham University
  - i) Shri Sparsh Goel, Representative from PLR Chambers
4. The first meeting of the Committee on matters related to deepfake was held on 20.12.2024 under the Chairmanship of Ms. Kavita Bhatia, Scientist G, MeitY. The Minutes of the meeting as well

as list of participants is annexed as Appendix-I. An outline of the report and next steps was shared with the committee members for their inputs.

5. The Second meeting of the Committee on matters related to deepfake was held to gather the view of stakeholders on 21st January 2025. Stakeholders were asked to express their views and to provide their inputs in writing to the Committee Members. The Minutes of the meeting as well as list of participants is annexed as Appendix-II.
6. The Court had also directed for victims' perspectives to be taken into account. The respondent has been working with the Ministry of Information and Broadcasting to get written inputs from victims of deep fakes.
7. The 3-month time from the Court may be sought to submit a report composed by the Committee on matters related to Deep Fakes.

  
ABHISHEK AGGARWAL 3/1/2025  
Scientist 'D'  
Government of India  
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## Appendix-I

**Government of India**  
**Ministry of Electronics and Information Technology**

**Subject: Minutes of first meeting of the committee on matters related to the issues of Deepfakes**

1. The first meeting of the Committee on matters related to the issues of Deepfakes was held on 20.12.2024 under the Chairmanship of Ms. Kavita Bhatia, Group Coordinator & Scientist G, MeitY. The list of participants is annexed as Annexure-I.
2. A PIL was filed in the Delhi High Court by petitioners Chaitanya Rohilla including the petition filed by Rajat Sharma raising concerns over deepfake misuse. The court mandated the formation of this committee to draft a comprehensive report within three months, addressing legislative, technical, and awareness aspects of deepfake management.
3. A detailed presentation was given to the committee on the mandate of the committee including the background. The terms of reference of the committee include Reviewing international regulations on deepfake technology, consulting stakeholders, including victims, intermediaries, ISPs, and civil society and developing actionable recommendations for legislative, technical, and educational frameworks. Some key international practices as well as legislative and technical recommendations based on petitioners suggestions were laid down before the committee. The focus areas include data protection laws, mandatory labeling of deepfakes, and guidelines for consent and content moderation. Technical aspects such as AI detection tools, watermarking, and collaboration with technology firms are also critical. In the presentation accountability for platforms and establishing redressal mechanisms were discussed. Large-scale literacy programs are deemed essential to educate the public on this emerging issue, along with fostering ethical research for sustainable solutions. The possible stakeholder consultations will involve victims, intermediaries, technology firms, and civil society. The aim is to incorporate diverse perspectives into actionable recommendations. Given the tight deadline, the committee plans to expedite consultations. Discussions will explore how to address these challenges efficiently, ensuring the report provides actionable insights to the court while aligning with global best practices.
4. It was decided that along with victims of deep fakes, intermediaries and tech firms, ISP's, TSP's, deep fake websites, civil society and tech firms, fact checkers would also be invited for the consultation. In the consultation process, it was discussed that the process could be done virtually in the month of January. It was decided to call victims of deep fakes as mentioned by the Court.
5. The importance of multimedia forensics in addressing DeepFake misuse, noting current tools like DVR Examiner and SEDAR focus on post-incident analysis were highlighted along with the need for legally admissible forensic tools to trace origins, de-anonymize sources, and strengthen legal frameworks. There are some Indian tools also available such as developed by IIT Jodhpur,

C-DAC and other academic and research organizations, the detection rate needs to be further strengthened. It was brought out that deepfake detection requires evolving strategies due to rapid advancements in deepfake creation tools. It was suggested to also incorporate concepts like C2PA which ensures metadata authenticity, aiding forensic analysis and authenticity verification, with potential adoption by intermediaries and tech firms.

6. There was a suggestion on leveraging crime data analysis to identify patterns, such as common modus operandi, victim profiles, and target objectives (e.g., defamation or extortion). Studying 2024 complaint data to extract insights, detect trends, and enhance detection, prevention, and forensic processes could be done. Certified forensic tools under Indian regulations were recommended to ensure legal and technical robustness in handling such cases. Representative of I4C was kind enough to offer support and prepare this analysis. Further, I4C is requested to collect the details of the deepfake cases registered and investigated by the LEAs all cross the country.

7. The suggestions that were given by the committee on the structure of the report were that it should address legislative, technical, capacity building, research, and regulatory frameworks. It must include guidelines for developers, tools like watermarking and defect detection, voluntary commitments from tech firms and intermediaries, and existing frameworks for prevention, detection, compliance, and accountability. Comprehensive recommendations across all aspects are essential. It was also mentioned that some existing laws already cover parts of provisions. Amendments to the IT rules, 2021 were discussed with some obligations imposed on intermediaries to regulate use of deep fakes. It was also discussed that provisions of the new criminal code - Bhartiya Nyaya Sanhita 2023 is now applicable and covers many aspects of misuse of deepfakes.

8. The committee also proposed a collaborative approach for addressing deepfake issues by dividing responsibilities among members. Key tasks include forensic analysis, identifying tools, evaluating existing regulations, and engaging with researchers like Professor Mayank Vatsa for insights. Existing resources, such as media education materials and insights from organizations like the Shakti Collective, will be leveraged to streamline efforts. Identifying areas where additional research or consultation is needed will help focus on gaps. A literacy program addressing content virality and resharing is emphasized as a significant regulatory and awareness challenge. The committee can also recommend specific delivery methods for a large scale pan India basis raising awareness. It was mentioned that CDAC runs an education awareness campaign, existing programs can also be mentioned.

9. Discussions also include the ethical and practical considerations of synthetic media, focusing on malicious deepfake misuse. Personality rights, especially for celebrities, have been highlighted, referencing the Delhi High Court's stance on illegal commercial use. Contributions from committee members are sought to finalize plans, consultations, and the report, ensuring comprehensive coverage within the given timeframe.

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10. The committee deliberated that the proposed solutions should also include mandatory intermediaries' compliance with awareness initiatives and leveraging platforms like YouTube for targeted campaigns. Collaboration with corporate citizens and educators is suggested for widespread dissemination, particularly in rural areas. Existing legal frameworks, such as IT rules and the DPDP Act, will be reviewed to assess their sufficiency, while gaps may warrant additional recommendations.

11. The committee will next meet in early January to deliberate next steps. An outline of the report and next steps will be shared with the committee members for their inputs. Committee members will also choose among themselves which areas of report they would take up.

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**List of Attendees:**

1. Smt Kavita Bhatia, GC Scientist 'G', MeitY (Chairperson)
2. Dr. Gaurav Gupta, Scientist 'F' MeitY
3. Shri Notan Roy, Scientist 'E', Cyber Laws Division, MeitY
4. Smt. Roopa M, Director (TAU), I4C
5. Shri Tapas Saini, Scientist 'E', C-DAC Hyderabad
6. Shri Vinayak Godse, CEO, Data Security Council of India
7. Prof. Balaraman Ravindran, IIT Madras
8. Prof. Prabhakar Krishnan, Amrita Vishwa Vidyapeetham University
9. Shri Sparsh Goel, PLR Chambers
10. Sh. Rahul Khant Sahu, DGM I4C
11. Shri Girija Nandan Jaiswal, Scientist 'D', Cyber Laws Division, MeitY
12. Dr. Debjit Kar, Scientist 'C', Cyber Laws Division, MeitY
13. Smt. Aishwarya Dongrey, Deputy Director, I4C
14. Smt. Subhasmita Priyadarsani, PLR Chambers

**Government of India**  
**Ministry of Electronics and Information Technology**

**Subject: Minutes of the meeting: Stakeholders' Views on Deepfakes Regulation and Management**

The Delhi High Court in W.P.(C) 15596/2023 *Chaitanya Rohilla v. Union of India* and W.P.(C) 6560/2024 *Rajat Sharma v. Union of India* vide order dated 21.11.2024 has directed the Government that the Committee constituted on the issue of deepfakes must consider the following when submitting its report within 3 months from the court order:

- Suggestions filed by the petitioners
- Regulations as well as statutory framework in foreign countries like the European Union (“EU”)
- Invite and hear the experiences and suggestions of a few of the stakeholders like the intermediary platforms, telecommunication service providers (TSPs), victims of deepfakes and websites which provide and deploy deepfakes

In compliance with the court direction, a meeting was held on 21 January, 2025 with various stakeholders to gather their experiences and suggestions. The list of participants is attached in Annexure 1.

2. Opinions of the various stakeholders are as follows:

- i. There are certain challenges while countering the issue of deepfakes such as the existing tools for detecting deepfakes have varied level of accuracy, especially when they are in diversified Indian accents and audio-only content, and that there are limited public perceptions of deepfakes. Harmful content often spreads quickly before it get flagged or removed. Lack of a standard definition for ‘deepfake’ further creates barriers for enforcement. Sophisticated actors can find ways to circumvent detection mechanisms like watermarking and metadata tagging.
- ii. Many stakeholders agreed that the existing legal framework under Information Technology Act, 2000 (IT Act), Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (IT Rules, 2021), Bharatiya Nyaya Sanhita, 2023 (BNS) are sufficient to address malicious deepfake use but require stronger enforcement and forensic capabilities. Emphasis was placed on improving the capacity of investigative and enforcement agencies rather than introducing new regulations. Concerns were raised about over-reliance on intermediary liability frameworks for AI-generated content regulation.
- iii. The role that technology platforms are carrying out specific to deepfake detection and removal was highlighted, that include use of AI/ML tools, global moderators, and

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directions from government and law enforcement agencies to identify and take down unlawful deepfake content. Policies include requiring creators to disclose AI-generated synthetic content and provide appropriate label. Platforms are implementing privacy protection processes, metadata tagging, and user education campaigns.

- iv. One of the participants (Google) stated that they have few principles regarding AI development and a few applications of AI using which the manipulative content intended to cause harm is taken down. For deepfakes they stated that they have a policy since November, 2023 where they ask creators to disclose synthetic content and provide label. They have a privacy process for users to claim they are being used to create deepfake so that it can be taken down if their persona is being used. They further stated that the Coalition for Content Provenance and Authenticity (C2PA) is still a work in progress, number of industries have joined this to make common technical understanding. They put metadata from C2PA in description of an YouTube video.
- v. Meta stated that it is easy for sophisticated actors to remove watermarks/labels. It's a whole of society question, we can't depend on single actor to solve this. On policy level, in April 2024 Meta launched AI labelling policy; it allows users to disclose when they upload AI content. For Ads user would know if an Ad has digitally altered material. Many policies are technology neutral (doesn't matter whether deepfake or not). They stated that they are working on protecting celebrity personas.
- vi. X briefed that they have a synthetic and manipulated media policy. Content which are deceptive in nature are taken down. They also stated that for certain posts to be labelled, the post should be extremely deceptive and harmful. They work within existing legal framework to take down content. As per X, not all AI content is deceptive in nature. It is important to draw that distinction going forward.
- vii. Data Leads briefed about the Shakti Initiative which addressed online misinformation during general elections 2024. They have established a deepfake advisory council and also provide indigenous tools as solutions. They emphasised on the need of large scale capacity building. Regional publishers have very limited understanding, whether deepfake tools should be open sourced or not remains a challenge. They suggested that there should be a constant dialogue between all stakeholders to formulate regulatory norms. They also do hackathons, and did one with IIT Madras on how deepfakes are being innovated.
- viii. The TSPs such as Airtel, Vodafone highlighted that they merely act as conduit, don't post user generated content, and as per government orders take action and submit report.
- ix. Deepfake Analysis Unit, MCA, a coalition of 12 members presented their views and actions being taken. Users can submit deepfakes to them and they assess whether it is deepfake or not. They support media organisations also in detecting deepfakes. Deepfake

can be face swap, voice clone, etc. there is no fixed definition. In terms of toolkits, not every tool is accurate. Different tools may give different results. During state elections they saw deepfakes targeted towards women. They have a list of personalities who are targeted frequently. Audio detection tends to be challenging. Scam content is on the rise using AI (post elections this has increased). No consensus on definition of deepfake.

- x. Need for Collaboration and Standards was brought forward to create standardized detection frameworks and regulatory norms. Public-private partnerships should address evolving technological challenges. There should be regular capacity building and training programs for regional media and stakeholders to improve awareness and response to deepfakes.
- xi. Additionally, it was emphasised that there is a need to launch large-scale campaigns to educate users on identifying and understanding deepfakes. There also needs to be development of indigenous datasets and tools for detecting and analysing deepfakes in Indian languages and contexts. And there should be regulation around mandatory AI content disclosure, labeling standards, and grievance redressal mechanisms, while giving emphasis on malicious actors rather than benign or creative uses of deepfake technology.

3. The stakeholders were requested to provide written submission via email by 27th January, 2025.
4. The meeting ended with a vote of thanks.

**List of Participants**

1. Shri Notan Roy, Scientist E, MeitY
2. Shri Abhishek Agrawal, Scientist D, MeitY
3. Shri Girija Nandan Jaiswal, Scientist D, MeitY
4. Dr. Debjit Kar, Scientist C, MeitY
5. Shri Tapas Saini, Scientist 'E', C-DAC Hyderabad
6. Prof. Balaraman Ravindran, IIT Delhi
7. Smt. Aishwarya Dongrey, Deputy Director, I4C
8. Smt. Shivangi Malhotra, DSCI
9. Shri Sparsh Goel, PLR Chambers
10. Smt. Subhasmita Priyadarsani, PLR Chambers
11. Prof. Mayank Vatsa, IIT Jodhpur
12. Shri Aamir, Telegram
13. Shri Abhimanyu Yadav, Telegram
14. Major L.R Rathore, Telegram
15. Smt. Aayushi Dhawan, Airtel
16. Smt. Shruti Shreya, Airtel
17. Shri Abhijeet Chaterjee, Vodafone
18. Shri Aman Taneja, Ikgai
19. Shri Amit Mathur, Reliance Jio
20. Shri Ashish Tewari, Infoysys
21. Shri Abhishek Kumar, Google
22. Smt. Kavita KK, Google
23. Shri Rahul Mathan, Trilegal
24. Smt. Tarunima, Tattle tech and Deepfake Analysis Unit, MCA
25. Shri Pamposh Raina, Deepfake Analysis Unit, MCA
26. Shri Rajniel Kamath, Deepfake Analysis Unit, MCA
27. Smt. Roma Khatri, Accenture
28. Smt. Shehnaz Ahmed, Vidhi Centre for Legal Policy
29. Shri Rohit Kumar, TQH
30. Shri Shubham, TQH
31. Smt. Pallavi, Meta
32. Shri Sunil Abraham, Meta
33. Smt. Surbhi Pandit, Data Leads
34. Sheri Deepak, Data Leads
35. Shri Syed Nazzarat, Data Leads
36. Shri Vakasha Sachdev, Logically AI
37. Shri Vinay Prakash, X
38. Shri Amit Kushwaha, AT&T