

Social Media Act (Bill), 2081

Preamble:

Whereas it is expedient to establish legal provisions to ensure the responsibility and accountability of social media platform operators and users, to regulate, secure, and manage the operation and use of social media in a systematic manner, and to provide for its supervision and monitoring,

the Federal Parliament has enacted this Act.

Chapter – 1

Preliminary

1. Short Title, Commencement, and Scope

- (1) This Act shall be called the "Social Media Act, 2081."
- (2) This Act shall come into effect on the 31st day from the date of its authentication.
- (3) This Act shall apply throughout Nepal and shall also be applicable to individuals who commit offenses under this Act from outside Nepal against Nepal or Nepali citizens.

2. Definitions

Unless the subject or context requires otherwise, in this Act:

- (a) "License" means the social media platform operation license issued under Section 6 of this Act.
- (b) "Licensed Entity" means a company, firm, or institution that has obtained a license under Section 6.
- (c) "Prescribed" or "As Prescribed" means as determined under this Act or its regulations.
- (d) "Platform" refers to a publicly available social media platform created in cyberspace through electronic technology, enabling internet users to exchange ideas or information and engage in social interactions between individuals, individuals and groups or institutions, and among groups or institutions. This includes apps, websites, blogs, AI tools, or similar digital platforms.
- (e) "Ministry" refers to the Ministry of Communications and Information Technology of Nepal.
- (f) "Department" refers to the government department responsible for information technology under the Government of Nepal.

(g) "Contact Representative" refers to an office established, or a designated individual determined by licensed entity as per Section 14 for handling communication and legal matters in Nepal.

(h) "Concerned Authorities" refers to the institutions and agencies specified under Section 11 that assist in regulating social media.

(i) "Social Media" refers to a system that enables interactive communication between individuals, groups, or institutions and facilitates the dissemination of content (information or media) through computers, computer networks, the internet, and other electronic technologies and devices.

(j) "Misuse of Social Media" refers to posting, sharing, commenting, live streaming, reposting, tagging, using hashtags, mentioning, or engaging in any similar activity on social media that involves content contrary to this Act or prevailing laws.

(k) "Use of Social Media" refers to posting, sharing, commenting, live streaming, reposting, tagging, using hashtags, mentioning, or engaging in any similar activity on social media in a public manner, using letters, images, sound, signals, visuals, or audiovisual content that represent an individual, group, or institutional identity.

Chapter – 2

Registration and Operation of Social Media Platforms

3. Requirement for Obtaining a License

Any company, firm, or institution that intends to operate a social media platform must obtain a license from the Department in accordance with the provisions of this Act.

4. Application for a License

(1) Any company, firm, or institution seeking a license to operate a social media platform must apply to the Department in the prescribed format, along with the following documents:

- (a) A certified copy of the company's registration certificate,
- (b) A copy of the Articles of Association and Bylaws of the company or institution,
- (c) A certified copy of the company's Permanent Account Number (PAN) certificate,
- (d) A list of shareholders with their details,
- (e) If there is foreign investment, a detailed report of the foreign investment in the company,
- (f) A certificate of legal existence of the company,
- (g) A list of board members or directors of the company,
- (h) A decision from the company, firm or organization authorizing the application for a social media operation license,

- (i) Authority to submit an application for a license,
- (j) If the applicant is a Nepali citizen, a copy of their citizenship certificate, and if they are a foreign national, a copy of their passport,
- (k) The platform's privacy policy, data usage policy, and data security policy,
- (l) Standards and guidelines adopted by the social media platform regarding user policies,
- (m) In the case of companies operating from outside Nepal, a certified copy of the official representative's citizenship or passport,
- (n) Any other documents prescribed by the Department,

(2) A platform-operating company, firm, or institution that was registered with the Ministry and in operation before the commencement of this Act must apply as per sub-section (1) within six months from the date of commencement of this Act.

(3) The Ministry shall submit all documents and related records that were provided by the platform operator during registration to the Department within one month from the date of commencement of this Act.

(4) The application submitted as per sub-section (1) or (2) may be submitted by the company, firm, or institution operating the platform either through its representative or via an online medium.

5. Review of Application

(1) The Department shall review and verify the details of the license application submitted under Section 4.

(2) While conducting an inquiry as per sub-section (1), the Department may assess the platform's security system, risk status, and other technical aspects as prescribed.

(3) If necessary, the Department may request the applicant to provide additional information or documents related to the application.

6. Issuance of License

(1) After reviewing the application and verification process as per Section 5, if the Department determines that the applicant meets all the requirements, it shall issue a social media platform operation license within three months of receiving the application. The applicant must pay the prescribed license fee and follow the specified format for obtaining the license.

(2) While issuing a license as per sub-section (1), the Department may specify necessary conditions.

(3) Notwithstanding anything mentioned in sub-section (1), if during the inquiry conducted as per Section 5, it is found that the operation of the platform may disrupt

national peace and security, sovereignty, territorial integrity, national security, national unity, independence, dignity, or is deemed contrary to national interests, the license shall not be issued.

(4) If the Department denies the issuance of a license under sub-section (3), it must inform the applicant of the decision within seven days from the date of the decision.

7. License Validity and Renewal

(1) The validity period of a social media platform license shall be two years.

(2) If a licensed entity wishes to renew the license, it must submit a renewal application at least 15 days before the expiration date along with the prescribed renewal fee, following the format specified by the Department.

(3) Along with the renewal application as per sub-section (2), the licensed entity must include the following documents:

(a) Details of the security measures implemented for social media usage,

(b) A report on the complaints received in the previous fiscal year and how they were addressed,

(c) Details of activities conducted under corporate social responsibility (CSR) and the tax clearance certificate.

(d) Details of the major activities carried out during the operation of the social media platform.

(4) If, upon conducting an inquiry on the application received as per sub-section (2), the renewal of the license is deemed appropriate, the Department shall renew the license for a period of two years.

(5) If the license is not renewed within the required timeframe, it shall be automatically canceled. The Department shall publicly announce the cancellation of such licenses.

(6) A social media platform whose license has expired or been canceled under this section shall not be allowed to continue any activities through its platform.

(7) The procedures and conditions for license renewal shall be as prescribed by the regulations under this Act.

8. Revocation of License

(1) The Department may revoke the license of a social media platform under the following circumstances:

(a) If the licensed entity disseminates or facilitates the dissemination of content that disrupts national peace and security, law and order, sovereignty, territorial integrity,

national security, national unity, independence, dignity, or is deemed contrary to national interests.

(b) If the licensed entity violates the conditions that must be complied with under this Act or the rules made pursuant to this Act.

(c) If the license was obtained by submitting false or fraudulent information.

(d) If the social media platform operated from outside Nepal does not establish a contact representative in Nepal as required by this Act.

(e) If the platform fails to implement a mechanism for addressing user complaints.

(f) If the licensed entity fails to comply with the directives issued by the Department.

(2) Before revoking the license under sub-section (1), the Department shall provide the concerned licensed entity with a reasonable opportunity to submit a clarification within 15 days.

(3) If no justification or reason is submitted within the period specified in sub-section (2), or if the submitted justification is deemed inadequate, the Department shall decide to cancel the license and notify the concerned platform within seven days of the decision.

(4) If the concerned platform's operating company, firm, or institution is not satisfied with the decision to cancel the license as per sub-section (3), it may file an appeal with the Ministry within 35 days from the date of receiving the decision. The decision made by the Secretary of the Ministry regarding the appeal shall be final.

9. Authority to Restrict the Operation of Social Media Platforms

(1) The Department shall prohibit the operation of any platform within Nepal that has not obtained a license as per this Act or whose license has been revoked.

(2) The Department may also prohibit the operation of any platform within Nepal if it has failed to comply with the conditions for operating social media as prescribed in this Act or if it is undergoing the process of license revocation under Section 8, Sub-section (2).

(3) For the purpose of sub-sections (1) and (2), the Department shall formally notify the Nepal Telecommunications Authority to enforce the restriction on the operation of such a platform.

(4) Upon receiving such a notification as per sub-section (3), the Nepal Telecommunications Authority shall direct internet service providers to block access to the platform.

Chapter - 3

10. Institutional Arrangements for Social Media Regulation

In addition to the functions, duties, and powers mentioned elsewhere in this Act, the responsibilities of the Department shall be as follows:

- (a) To submit reports to the Ministry regarding necessary policy, legal, and institutional reforms related to the operation and use of social media platforms.
- (b) To monitor the content being disseminated on social media platforms.
- (c) While conducting monitoring as per clause (b), if any content is found to be in violation of this Act or prevailing laws, the Department shall issue directives to the concerned social media platform for the removal of such content.
- (d) If content posted or shared on social media is found to be contrary to this Act or existing laws, the Department shall evaluate its nature, impact, and consequences and take appropriate legal actions by referring the case to the concerned authorities.
- (e) To establish a mechanism for handling social media-related complaints and grievances.
- (f) To conduct awareness programs related to the operation and responsible use of social media.
- (g) To coordinate with the Ministry and related authorities regarding the operation, usage, and regulation of social media platforms.
- (i) To perform other prescribed functions as necessary under this Act.

11. Concerned Authorities

(1) To address grievances of individuals affected by the misuse of social media and to ensure the proper regulation and use of social media platforms, the following entities shall function as related authorities:

- (a) Nepal Police,
- (b) Nepal Telecommunications Authority,
- (c) Press Council,
- (d) Department of Information and Broadcasting,
- (e) Advertisement Board,
- (f) Other entities designated by the Government of Nepal through an official notification in the Nepal Gazette.

(2) The responsibilities and duties of related authorities shall be as follows:

- (a) Appoint a contact person to regulate the use of social media.
- (b) If any content is found to be disseminated on social media in violation of this Act, report it in writing to the Department.

(c) Conduct or facilitate educational and awareness programs for the protection and welfare of social media users.

(d) Coordinate with the Department regarding the resolution of complaints under this Act.

(e) Comply with the directives issued by the Department concerning the handling of complaints and grievances.

Chapter – 4

Conditions to Be Followed by Licensed Entities or Social Media Users

12. Obligations of Licensed Entities

(1) A licensed entity must comply with the following conditions:

(a) Ensure that the platform does not disseminate content that harms Nepal's sovereignty, territorial integrity, national security, national unity, independence, dignity, or national interests, or that incites social, cultural, or religious disharmony.

(b) Develop the necessary technological measures or adopt other necessary steps to prevent the posting or sharing of content that violates prevailing laws.

(c) Prevent the uploading or dissemination of content that severely harms an individual's character, contains hate speech, incites violence, or disrupts communal harmony.

(d) Ensure the privacy of social media users' personal information and intellectual property rights, except in cases where disclosure is mandated by prevailing laws.

(e) Continuously disseminate awareness and educational materials via social media to promote the safety and well-being of social media users.

(f) Establish a mechanism for addressing complaints related to social media usage.

(g) Implement a system to verify the accuracy of content disseminated on the platform.

(h) Allow access to the platform only after verifying the real identity of social media users.

(i) Ensure that all financial transactions conducted on the platform are processed through the banking system.

(j) Provide user details (user data) to the relevant authorities for the purpose of investigations, inquiries, or offenses under this Act.

(k) Adhere to the conditions specified in the license.

(l) Comply with any other prescribed conditions as determined by regulations.

(2) The Department may impose a fine ranging from NPR 2,500,000 (twenty-five lakh) to NPR 10,000,000 (one crore) on a licensed entity that fails to comply with the conditions specified in sub-section (1).

(3) Before imposing a fine under sub-section (2), the licensed entity shall be given a reasonable opportunity to present a clarification.

13. Directive to Remove Content from Social Media Platforms

(1) If information, a complaint, or a grievance is received stating that content in violation of this Act or prevailing laws has been disseminated through a platform, the Department shall conduct an inquiry into such information, complaint, or grievance.

(2) If, upon inquiry under sub-section (1), it is determined that such content needs to be removed, the Department shall direct the licensed entity or its contact representative in Nepal to remove the content from the platform either temporarily or permanently, or partially or completely.

(3) Upon receiving a directive under sub-section (2), the licensed entity or contact representative must immediately remove the specified content from the platform.

(4) If the licensed entity or contact representative fails to remove the directed content from the platform as per sub-section (3), the Department may impose a fine ranging from NPR 500,000 (five lakh) to NPR 1,500,000 (fifteen lakh) per instance of non-compliance.

However, before imposing the fine, the licensed entity or contact representative must be given a reasonable opportunity to present a clarification.

(5) If the failure to remove the content under this section causes harm or loss to any individual, appropriate compensation must be provided to the affected person.

14. Requirement to Establish a Contact Representative

(1) An individual operating social media from outside Nepal must establish a contact representative in Nepal to handle complaints and facilitate communication related to social media usage.

(2) For the purpose of sub-section (1), the individual may designate an institution or organization as a contact representative in Nepal.

(3) If an individual operating social media does not have an office in Nepal at the time this Act comes into effect, they must establish a contact representative within three months from the commencement of this Act.

(4) The Department or the relevant authority may communicate with a licensed entity operating from outside Nepal through its contact representative.

15. Licensed Social Media Operators Must Manage Complaints

(1) A licensed social media operator must establish an effective complaint management mechanism, which includes a Rapid Response Team (RRT) to address user complaints.

(2) As per sub-section (1), each licensed operator must ensure: the presence of a complaint-handling team that operates round the clock through appointment of an authorized officer responsible for handling complaints and monitoring system to ensure compliance with self-regulation.

(3) If there is a change in the contact representative's office or designated officer, the operator must notify the Department and publicly announce the new contact details for general awareness.

16. Obligations of Social Media Users

(1) Social media users must comply with the following conditions while using social media:

(a) Users shall not engage in activities that harm the reputation or dignity of any individual with malicious intent, including:

- Using derogatory language,
- Creating trolls of images, audiovisual content,
- Engaging in abusive, defamatory speech, or
- Participating in actions that qualify as hate speech.

Explanation:

"Hate Speech" refers to posting, sharing, commenting, live streaming, reposting, tagging, using hashtags, mentioning, or engaging in similar activities on social media that incite violence, propagate hatred, or disrupt social harmony against an individual, group, or community.

(b) Users shall not spread false or misleading information or distort facts to mislead others.

(c) Users shall not advertise, or trade goods and services prohibited by prevailing laws.

(d) Users shall not copy or share content that involves activities prohibited by prevailing laws.

(e) Users shall not disseminate content that promotes superstition or negatively impacts public health.

(2) Users shall not post, share, like, repost, live stream, subscribe, comment, tag, use hashtags, or mention any content on social media with malicious intent in violation of sub-section (1).

(3) If a social media user violates sub-section (2), the Department may impose a fine of up to NPR 500,000 (five lakh).

(4) Before imposing a fine under sub-section (3), the social media user shall be given an opportunity to present a clarification.

Chapter - 5

Offense and Punishment

17. Prohibition on Operating a Social Media Platform Without a License

(1) No person shall operate or cause to operate a platform without obtaining a license as per Section 3 or a platform that has been restricted from operation under Section 9.

(2) Any person who operates or facilitates the operation of a platform in violation of sub-section (1) shall be subject to a fine of up to NPR 2,500,000 (twenty-five lakh).

18. Prohibition on Acts Contrary to National Interest

(1) No person shall engage in or cause to engage in any act that adversely affects Nepal's sovereignty, territorial integrity, national security, national unity, independence, dignity, or national interests, or that harms harmonious relations between federal units. Similarly, no person shall disseminate any content on social media that incites hatred or enmity based on class, caste, religion, culture, region, community, or any other grounds, or that disrupts social harmony among different ethnic groups, castes, or communities.

(2) Any person who commits or causes to commit an offense under sub-section (1) shall be subject to imprisonment for up to five years or a fine of up to NPR 500,000 (five lakh), or both.

19. Prohibition on Cyberbullying

(1) No person shall engage in cyberbullying using social media.

Explanation:

For this section, "Cyberbullying" refers to the act of using social media through an internet-connected digital device to engage in any of the following activities within cyberspace:

- Sending, posting, or sharing false or harmful statements, words, letters, symbols, images, pictures, sketches, photos, audio, video, audiovisual content, signals, or messages.

- Engaging in activities that harass, intimidate, threaten, shame, humiliate, insult, defame, or spread rumors.
- Mimicking voices or impersonating someone with the intent to deceive or harm.

(2) Any person who commits an offense under sub-section (1) shall be subject to imprisonment for up to two years or a fine of up to NPR 300,000 (three lakh), or both.

20. Prohibition on Cyberstalking

(1) No person shall engage in or cause another person to engage in cyberstalking using social media.

Explanation:

For this section, "Cyberstalking" refers to the act of using internet technology to engage in any of the following activities that cause harassment or distress to another person:

- Falsely accusing someone,
- Threatening or intimidating an individual,
- Committing fraud or deception,
- Abusing or harassing a person repeatedly,
- Monitoring or tracking someone's online activity without consent,
- Violating personal privacy,
- Sending repeated and unnecessary messages,
- Disclosing confidential or private information,
- Creating a threat to an individual's personal safety.

(2) Any person who commits an offense under sub-section (1) shall be subject to imprisonment for up to three years or a fine of up to NPR 500,000 (five lakh), or both.

21. Prohibition on Hacking of Accounts and Information

(1) No person shall hack or gain unauthorized access to someone else's social media account or personal information using social media.

Explanation:

For this section, "Hacking" refers to the act of:

- Cracking the password or serial number of someone's computer system or social media account,
- Stealing confidential data, security codes, or access credentials,

- Gaining unauthorized access to a computer system or social media platform,
- Interfering with stored data in a computer system or on a social media platform.

(2) Any person who commits an offense under sub-section (1) shall be subject to imprisonment for up to three years or a fine of up to NPR 1,500,000 (fifteen lakh), or both.

22. Prohibition on Phishing and Imposter Scams

(1) No person shall engage in phishing or imposter scams through the use of social media.

Explanation:

For this section:-

(a) "Phishing" refers to the act of fraudulently obtaining sensitive information such as a person's username, password, credit card number, or bank account details by making them believe that the request is legitimate through electronic communication channels.

(b) "Imposter Scam" refers to the act of stealing money or personal details by deceiving someone through phone calls, emails, digital devices, or electronic systems, pretending to be a known or trustworthy person, and requesting personal passwords or sensitive information under the pretense of sending a gift, prize, or financial reward, later demanding money.

(2) Any person who commits an offense under sub-section (1) shall be subject to imprisonment for up to three years or a fine of up to NPR 1,500,000 (fifteen lakh), or both.

23. Prohibition on Sextortion or Extortion

Prohibition on Sextortion and Extortion

(1) No person shall engage in sextortion or extortion using social media.

Explanation:

For this section:-

(a) "Sextortion" refers to the act of threatening to share or publicly disclose someone's private and intimate photos, audio, or videos through social media to coerce them into sexual exploitation, financial gain, or violence.

(b) "Extortion" refers to the act of threatening or intimidating a person through social media by instilling fear of harm to themselves or others, with the intent to illegally obtain personal benefits or force them into an action that benefits the perpetrator or another person.

(2) Any person who commits an offense under sub-section (1) shall be subject to imprisonment for up to three years or a fine of up to NPR 1,500,000 (fifteen lakh), or both.

24. Prohibition on Posting or Sharing Gruesome Images, Audio, or Videos

(1) No person shall post or share gruesome images, audio, or videos on social media.

(2) Any person who commits an offense under sub-section (1) shall be subject to imprisonment for up to three months or a fine of up to NPR 50,000 (fifty thousand), or both.

25. Prohibition on Dissemination of Obscene, False, or Misleading Content

(1) No person shall use social media to disseminate, promote, or manipulate obscene words, images, symbols, videos, audio, false or misleading information, or spread such information through distortion, propaganda, or comments.

(2) Any person who commits an offense under sub-section (1) shall be subject to imprisonment for up to two years or a fine of up to NPR 300,000 (three lakh), or both.

26. Prohibition on Uploading or Disseminating Deepfake Videos

(1) No person shall upload or disseminate deepfake videos through the use of social media.

Explanation:-

For this section, "Deepfake Video" refers to the act of using artificial intelligence (AI) to manipulate or replace a person's face, voice, or expressions with the intent to spread false information, promote obscenity, or damage a person's reputation (character assassination).

(2) Any person who commits an offense under sub-section (1) shall be subject to imprisonment for up to two years or a fine of up to NPR 300,000 (three lakh), or both.

27. Prohibition on Creating or Using Anonymous or Fake Identities

(1) No person shall create or use an anonymous or fake identity (fake ID, page, group) or assume another person's identity on social media. Likewise, no person shall create content, post, share, comment, or make calls using such an anonymous or fake identity.

(2) Any person who commits an offense under sub-section (1) shall be subject to imprisonment for up to three months or a fine of up to NPR 50,000 (fifty thousand), or both.

(3) No person shall create an anonymous, disguised, temporary, or permanent group, page, or any other type of fake identity on a platform to spread false or misleading information that disrupts Nepal's sovereignty, territorial integrity, or national interests.

(4) Any person who commits an offense under sub-section (3) shall be punished under the prevailing laws. If no specific punishment is mentioned in the prevailing laws, the offender shall be subject to imprisonment for up to five years or a fine of up to NPR 1,500,000 (fifteen lakh), or both.

28. Additional Punishment

(1) If any person commits an offense using social media that is punishable under prevailing laws or incites others to commit such an offense, an additional imprisonment of up to one year shall be added to the punishment prescribed under the prevailing laws.

(2) If a person commits an offense under this Act more than once, they shall receive double the prescribed punishment for each repeated offense.

(3) If a person holding a public position or receiving benefits from the state treasury commits an offense under this Act, they shall be subject to up to 50% additional punishment beyond what is prescribed under this Act.

(4) If a person commits an offense under this Act using children, an additional imprisonment of up to one year shall be imposed.

29. Prohibition on Incitement, Attempt, or Conspiracy

Any person who incites, attempts, conspires, assists, or aids in any manner in committing an offense under this Act shall be subject to half the punishment prescribed for the principal offender.

30. No Obstruction to Punishment Under Prevailing Laws

If any act deemed an offense under this Act is also considered an offense under any other prevailing law, and if the punishment prescribed under such law is greater than that mentioned in this Act, separate legal action may be taken under the prevailing law, and this Act shall not be considered an obstruction to such prosecution and punishment.

31. Compensation Must Be Provided

If any person suffers harm, loss, distress, or damage because of an offense punishable under this Act, the offender shall be required to provide appropriate compensation to the victim.

32. Government as the Plaintiff

Cases related to offenses under this chapter shall be considered as government cases and shall be included in Schedule-1 of the National Criminal Procedure Code, 2074(BS).

33. Statute of Limitations

If any person commits an offense under this Act using social media, the affected person must file a complaint within three months from the date they become aware of the offense.

34. Admissibility of Electronic Evidence

Any information or data generated through an electronic system or stored in any electronic or other format shall be considered admissible as evidence in proceedings related to offenses under this Act.

35. Appeal

(1) If a person is not satisfied with the decision made by the District Court under this Act, they may file an appeal with the High Court within 35 days from the date they become aware of the decision.

(2) If a person is not satisfied with the fine imposed by the Department under Sections 12, 13, and 16, they may file an appeal with the District Court within 35 days from the date of the decision.

Chapter 6

Miscellaneous

36. Formation of a Rapid Response Team

(1) To ensure the immediate protection of the rights of victims affected by offenses under this Act, the Department may form a Rapid Response Team (RRT), including experts and representatives from relevant authorities.

(2) The Department may establish a separate help desk with necessary personnel to receive complaints via telephone, email, fax, or social media and to provide a rapid response to such complaints.

(3) The Rapid Response Team, formed under sub-section (1), may issue directives to any platform, individual, or entity to:

- Immediately remove any content disseminated on social media,
- Store such content in a restricted manner, making it inaccessible for public viewing, or

- Take any necessary action to protect the rights of the victim.

(4) It shall be the duty of the concerned platform to comply with and enforce the directives issued under sub-section (3).

37. Conducting Awareness Programs

(1) The Department, relevant authorities, and platforms shall conduct educational and awareness programs for the welfare and security of social media users through any or all of the following means:

- (a) Publication and broadcasting,
- (b) Websites,
- (c) Seminars and workshops,
- (d) Public welfare advertisements,
- (e) Dialogue programs,
- (f) Any other appropriate means.

(2) To facilitate the implementation of educational and awareness programs under sub-section (1), the Ministry, the Provincial Government's education-related ministry, and the local level education department shall provide necessary support, coordination, and facilitation.

38. Authority to Issue Directives

The Ministry may issue necessary directives to the Department regarding the regulation and management of the operation and use of social media.

39. Submission of Reports

The Department shall prepare an annual report detailing the activities carried out by itself and the relevant authorities in accordance with this Act and the rules formulated under it and submit the report to the Ministry.

40. Authority to Form Rules

The Government of Nepal may formulate necessary rules for the implementation of this Act.

41. Authority to Issue Directives or Procedures

The Ministry may issue necessary directives or procedural guidelines under this Act and the rules formulated under it.

Prohibition on Incitement, Attempt, or Conspiracy:

Any person who incites, attempts, conspires, or assists in committing an offense under this Act, or who aids in any way in carrying out such an offense, shall be subject to half of the punishment prescribed for the principal offender.

29. No hindrance to punishment according to prevailing laws:

If any act considered an **offense** under this Act is also deemed an offense under any other **prevailing law**, and if the punishment for such an offense under the existing law is **more severe** than what is prescribed in this Act, the offender shall be **punished according to the stricter provision** of the prevailing law.

30. Compensation payable:

If an individual suffers any kind of loss, damage, harm, or distress due to an offense committed under this Act, the responsible offender shall be required to compensate the victim with an appropriate amount determined by the authorities.

31. Government as the Plaintiff:

Cases related to offenses under this chapter shall be considered as government cases and shall be included in Schedule-1 of the National Criminal Procedure Code, 2074.

32. Time Limit for Filing a Complaint:

If any person commits an offense under this Act through the use of social media, the victim or affected party must file a complaint **within three months** from the date they become aware of the offense.

33. Admissibility of Electronic Evidence:

Any information or data recorded in electronic form or in any other format within an electronic system shall be considered admissible as evidence in proceedings related to offenses under this Act.

34. Formation of a Rapid Response Team:

(1) To ensure the immediate protection of the rights of victims affected by offenses under this Act, the Department may form a Rapid Response Team (RRT), which shall include experts and representatives from relevant authorities.

(2) The Department may establish a Help Desk with necessary personnel to receive complaints via telephone, email, fax, or social media and provide a rapid response to such complaints.

(3) The Rapid Response Team may issue directives to social media platforms, individuals, or concerned authorities to:

- Immediately remove any content published on social media,
- Prevent its further collection or dissemination,
- Take necessary measures to protect the rights of the victim.

(4) It shall be the responsibility of the relevant social media platform to comply with the directives issued under sub-section (3).

35. Conducting Awareness Programs:

(1) The Department, related authorities, and social media platforms must conduct awareness and sensitization programs for the safety and interests of social media users through any or all of the following means:

- (a) Publications and broadcasts,
- (b) Websites,
- (c) Workshops and seminars,
- (d) Public welfare advertisements,
- (e) Dialogue programs.

(2) The Ministry, the ministry responsible for publicity at the provincial level, and the publicity department of the local level shall also provide necessary cooperation, coordination, and facilitation in conducting the awareness and sensitization programs mentioned in sub-section (1).

36. Issuance of Directives:

The Ministry may issue necessary directives to the Department regarding the regulation and management of social media operation and usage.

37. Authority to Form Regulations:

The Nepal Government may introduce additional rules for implementation.

38. Issuance of Directives and Procedures:

The Ministry may issue necessary **directives or procedural guidelines** under this Act and the regulations formulated under it.