INTERNATIONAL JOURNAL OF RESEARCH IN COMPUTER APPLICATION & MANAGEMENT



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CONTENTS

Sr. No.	TITLE & NAME OF THE AUTHOR (S)	Page No.	
1.	SOCIAL NETWORKS IN THE ERA OF MOBILE DEVICES: THE SIMULATION OF PRIVACY ALEX J. CAMACHO-MARTÍNEZ, EDGAR FERRER-MORENO, ISABEL RIVERA-RUIZ & ANGEL OJEDA CASTRO		
2.	THE BEST PRACTICES FOR SOCIAL MEDIA, THEIR CONSUMERS, AND REGULATORS APPALAYYA MEESALA, VANI, H. & MUTYALU NAIDU, MURRU		
3.	REVISITING BRIC ECONOMIES: TESTING STOCK MARKET INTERDEPENDENCE: COMPARISON BETWEEN PRE AND POST CRISIS PERIODS TARUNIKA JAIN AGRAWAL & RAHUL AGRAWAL		
4.	IMPACT OF FDI ON S & P NIFTY INDEX H NANJEGOWDA & ABDUL HALEEM QURAISHI		
5.	CULTURAL FACTORS INFLUENCE EFFECTIVE KNOWLEDGE MANAGEMENT FASEEHA BEGUM & DR. C. SWARNALATHA		
6.	ROBOTICS IN NURSING DR. JANET. J	24	
7.	COMPOUND EXPONENTIAL LIFETIME DISTRIBUTION-II AND ITS APPLICATIONS G. SIRISHA & R.J.R.SWAMY	28	
8.	A STUDY ON ETHICS AND CHALLENGES IN ORGANISED RETAIL IN INDIA DR. MARUTHI RAM.R, MANJUNATHA.N. & VINISH.P		
9.	UNDERSTANDING HUMAN FACTORS THROUGH HUMAN FACTOR ANALYSIS AND CLASSIFICATION SYSTEM (HFACS) CAUSING AVIATION INCIDENTS / ACCIDENTS DR. ASHUTOSH SHUKLA		
10.	MERCHANT BANKING: A BOON FOR THE INVESTORS! (WITH REFERENCE TO REGULATIONS AT SEBI IN INDIA) CHALUVADI.B.V.L.SUDHEER, Y.JAYARADHA SANKAR & ISAAC NAVEEN DEEP		
11.	AN INSIGHT INTO THE RECENT TRENDS IN FDI: AN ANALYTICAL STUDY WITH SPECIAL REFERENCE TO BRICS NATIONS DR. MOHD ASIF KHAN & NISHA KM		
12 .	A COMPREHENSIVE STUDY ON NETWORKING ISSUES R. ANURATHA & DR. M. GANAGA DURGA		
13.	A STUDY OF THE IMPACT OF MICRO FINANCE ON THE EMPOWERMENT OF RURAL WOMAN IN INDIA DR. P. SEKAR		
14.	COMPARATIVE ANALYSIS OF BROADBAND SERVICES IN TWIN CITY: AIRTEL Vs. OTHERS DR. S. K. PATIL		
15 .	AN EFFECTIVE STUDY ON CAUSES AND PREVENTIONS OF CURRENCY FLUCTUATION RAJSHEKAR, M.ABDUL RAHAMAN, M.JAMMANNA, M.SRIKANTH & B.VENKATESH		
16 .	AN EMPIRICAL STUDY ON STAY INTERVIEW: A SPECIAL EMPHASIS ON WORKING ENVIRONMENT CASE OF ABC HOTEL HUBLI KIRAN AMBEKAR, DR.RAMANJENEYALU & TEJASWINI PATIL		
17.	A CRITICAL APPRAISAL OF NIGERIAN CABOTAGE POLICY, REGULATIONAL FRAMEWORK, EMPLOYMENT PROSPECTS AND WAY FORWARD OBED B.C. NDIKOM & BUHARI SODIQ .0		
18 .	FOREIGN DIRECT INVESTMENT INFLOW IN INDIA SARWAN KUMAR		
19.	ASSESSMENT AND MANAGEMENT OF FLOOD HAZARD, DIGARU RIVER CATCHMENT ARUNACHAL PRADESH RINKIOLU CHAI		
20 .	EVALUATING THE PERFORMANCE APPRAISAL SYSTEM (PAS) OF SENIOR LEVEL EXECUTIVES WITH REFERENCE TO INDIAN CEMENT INDUSTRY SHANKAR K.JHA		
	REQUEST FOR FEEDBACK & DISCLAIMER	94	

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THE BEST PRACTICES FOR SOCIAL MEDIA, THEIR CONSUMERS, AND REGULATORS

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ABSTRACT

Frequent and compulsive visits by individuals to social media sites have become an essential part of their daily lives. The dominant purpose of this behavior is to be in touch with the members of their circle and learn the things that will help in their lives. But social media companies which have to generate revenues for survival and growth pass the data of the social media consumers to others for commercial gain besides inviting advertisers to post their commercial messages on the social media pages. Social media has given utmost autonomy to individuals for content creation and its posting. In fact, each individual is functionally a journalist and a newspaper. But the social media has to be used most responsibly and cautiously. Most importantly, social media companies are selling the data of their consumers, and thus undermining the privacy of the individuals. Consumers are also exposing themselves to preying behaviors of unscrupulous commen and anti-social elements. Quite a good number of crimes committed on gullible social media users are reported day in day out. Besides, advertisers are raining their freedom to innovate and use the latest technology. This paper is an attempt to review current status of social media user, its down side, the safety provisions available in the social media sites, and privacy settings in the browsers. This paper further presents the best practices for individual users, social media companies, and regulatory agencies. Important among them are privacy by default, informed consent from consumers, contextual integrity, do-not-track options in browsers, posting only authentic information that does not defame others, creation of separate groups, avoiding plagiarism, setting of privacy commissions, cautious legislation that does not trample innovative technologies and so on.

KEYWORDS

Social media, privacy, contextual integrity, Face book, cybercrimes, and content posting.

INTRODUCTION

or a growing number of people, both at home and in the workplace, a quick look into their Facebook account or Twitter, the most popular social media providers, for- being in touch and exchanging information with their important people- is a key part of their daily activity. Average time spent on Facebook per visit is 20 minutes. Social media gives unlimited autonomy to creative audience that was capable of producing high learning and recreation value; this could not be provided by the traditional media (Peirson and Heyman, 2011). Generation Y (persons born after 1981) cohort depends heavily on technology for entertainment, interacting with others, and also for emotional support from others; they are fortunate to be prosperous for a long period and have seen tremendous advances in communication technologies, social networking, and globalization (Park and Gursoy, 2012).

The extent of 'compulsive use' of Facebook testifies to the popularity of social media. Facebook site had 1.28 billion monthly active users as on March 31, 2014; this is equivalent to 128 crores which is the size of the total population of India. Facebook users in India and Brazil are key sources of growth in the first quarter of 2014 relative to the same period in 2013, according to the filing of Facebook with US Securities Exchange Commission; of these account, 5 to 15 million accounts are fake. (Facebook may have 100 million fake accounts globally, 2014).

Five new profiles are created every second. It bears repetition that average time spent on Facebook per visit is 20 minutes. What is the traffic on Facebook? -Every 60 seconds on Facebook, 510 comments are posted, 293,000 statuses are updated, and 136,000 photos are uploaded. Thirty percent of the users are aged 25-34 years and 50% of 18-24 year-olds go on Facebook when they wake up. The users are 53 per cent women and 47 percent men. Twenty percent of page views in USA are of Facebook. Forty-two percent of the marketers opine that Facebook is critical for their businesses (www.zephoria.com, 2014).

Juxtapose it with cybercrimes reported! Cybercrime cases against women in undivided Andhra Pradesh registered a steep increase during 2013. According to National Crime Records Bureau (NCRB), undivided AP recorded 225 cases of eve-teasing and harassment, a 55% jump over 2012's figures. Many vulnerable persons particularly children and unmarried women are falling prey to the persons who take control of personal information and use it for personal gains or with criminal intentions.

The frenetic embracement of social media as being witnessed now vis-à-vis the alarming number of cases of misuse and preying of innocent persons being reported is a matter of great concern for the society. Social media operators, their users, and the regulatory agencies have to act in ways that technology is best used, innovations encouraged, business not smothered and individuals not harmed. This article is an attempt to discuss some best practices for social media operations, its users, and regulatory agencies.

WHAT IS SOCIAL MEDIA?

Social media is defined in simple terms as 'any online service through which users can create and share a variety of content' (Bolton et al., 2013).

According to Ellison, Seinfeld, and Lampe (2006), online social networks are defined as spaces for individuals to meet virtually one another, show their social connections, and establish or continue communications with others; these sites allow members to give personal information, share pictures, and connect with other users with similar interests; users often think that they are free and anonymous.

According to Encyclopedia of Communities of Practice in Information and Knowledge Management, social media is a social system built by a set of actors of certain attributes (age, profession etc.) for certain relations (friendship, exchange of knowledge etc.).

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Social media encompasses social networking, internet forums, blogs, wikis, podcasts, video-sharing, file-sharing, and instant messaging. Social media websites include Facebook, MySpace, Twitter, Linkedin, Blogger, Del.icio.us, Flickr, Photo bucket, WordPress, Skype, YouTube, Yelp, Friend Feed, Snapfish, Google Chat etc.

What happens on 'social media' or 'social computing 'can be referred as 'mass self-communication'; it means that communication sent by a single individual can potentially reach massive audience; another feature, importantly, distinguishing this from mass communication is that feedback (response from one or many of the audience back to communicator) is possible with this. To clarify, the reader of a blog can respond with a comment that either agrees or disagrees with the post or add something; similarly, a Facebook friend will say at least 'like' about a post made by another friend as a feedback.

For cultivating relationships and for learning things that enhance life, social media, also called, 'Web 2.0 technology' is godsend manna. In a survey done by IBM Institute for Business Value on 1056 consumers worldwide, it was found that 70 percent of consumers choose social media for "connecting with network of friends and family "while only 23 percent for interacting with brands (Baird, C.H. and Parasnis, G., 2011).

WHY IS SOCIAL MEDIA SO INCREDIBLY POPULAR IN A VERY SHORT SPAN?

The discussion that follows explains why and how individuals, consumers, business firms, marketing managers, academics, and HR departments have accepted social media and have been using it for an advantage in their personal and work-related areas. The study of Whiting, A. and Williams, D. (2013) has been done with the help of 25 in-depth interviews; it has identified ten uses and gratifications for using social media. They are: (a)social interaction, (b)information seeking, (c)pass time, (d) entertainment, (e) relaxation, (f)communicatory utility, (g)convenience utility, (h)expression of opinion, (i)information sharing, and (j)surveillance/knowledge about others. The foregoing benefits mostly relate to individuals and their well-being. The downside of social media from an individual's viewpoint is presented elsewhere later.

Here is a brief discussion on how social media is made use of in businesses. According to Tsimonis, G. and Dimitriadis, S.(2014) who interviewed 14 social media managers of their respective companies to study why business firms create brand pages, the main actions are (a) launching prize contests, (b)rolling out of new products and services, (c)interacting with fans, (d) giving advice and useful information, and (e)managing customer service issues. The main reasons driving the use of social media, as shown by their study, include rising popularity of social media, competitors' use of social media, the strategy of their corporate office, and cost reduction pressure. The expected outcomes are interaction with customers, brand awareness, creating and enhancing relationships with customers, customer engagement, promotion of products, and acquisition of new customers.

A qualitative case study (Vuori, 2012) was conducted on a global corporation to understand the main uses of social media; according to the study, internally, social media was used for internal communication and knowledge transfer, and conduct of internal idea crowd-sourcing. Externally, social media was used to enhance communications related to the company brand, to engage with customers, to build communities with various stakeholder groups and to engage external stakeholders in idea generation via a crowd-sourcing platform.

Social media has given the communicative autonomy to its consumers who are naturally consumers of many products and services, the most important constituents of businesses, and thus the balance of power in communications with others would lie with consumers only instead of with media operators; this is different from the case of traditional media like newspapers and TV channel who don't give autonomy to the audience.

Social media channels have facilitated self-expression and grass-root activism of the computer-literate human community; the social media facilitated spawning of commercial ideas, crowd-sourcing, and virtual open collaboration (Ahlqvist et al, 2010).

While social media benefits marketing functions as noted in the foregoing, the HR function too has its fair share of benefits from social media.

SOCIAL MEDIA & HR

According to Madia (2011), organizations must consider adding social media to their overall recruitment strategy to meet the goals of being cost-effective, targeted, and strategic; remaining competitive; and sourcing top talent.

Today's technology-fueled change, often referred to as Web 2.0, is transforming HR's interaction with employees and managers. A key element of Web 2.0 is social media, which can take many different forms, including text, images, audio and video. Similarly, academics too are using social media to their advantage substantially.

The study of Tenopir et al,(2013) on 2000 academics working in UK has shown that academics are supplementing their traditional scholarly material with the content from social media, although the latter cannot be a substitute for traditional scholarly material.

DOWNSIDE OF SOCIAL MEDIA

The growth and adoption of social media driven by the value seen by the media consumers has its downside as well; the media consumers who are swarming to the social media are not aware that they will be preyed upon by the businesses. The social media consumers leave a lot of their personal identification information (PII) which has value for the businesses. This data and their visits to social media platform are the 'merchandise' for social media operators.

PERSONAL INFORMATION OF INDIVIDUALS IS THE GRIST FOR THE MILL OF SOCIAL MEDIA!

Social media operators who are leaving no stone unturned for creating value for its consumer is not for nothing or as a charity; social media bring the users to a common platform so that the platform can be used by the advertisers who will pay for it. In other words, social relations are commoditized, and these social relations platform is sold for advertisements. Advertisements are acceptable to certain tolerable level in that they should be fewer to avoid cluttering of the web page; that apart, the ads should not cause disruption to interaction with the friends. Another source of revenues for social media operators is: selling the members' personal information to research companies, direct marketing companies, and importantly, advertisers who want to precisely target the customers. Those firms which buy personal information may cause disturbance to the persons by contacting them in ways that are to their liking, and invading their privacy. That being the commercial value of personal information and visits to social media sites, unethical stalkers and dishonest personal profit seekers can grab the PII for pursuing their goals. This phenomenon of keeping track of personal data in a way harmful to the person is referred to as 'dataveillance'. Let us walk you through the social media-related crime scenario.

CYBER CRIMES

A look at the following news item that appeared in Times of India, Hyderabad on 07 May, 2014 points to the state of cybercrimes, modus operandi, and the reasons behind such crimes:

Cybercrime cases against women in undivided Andhra Pradesh registered a steep increase during 2013. According to National Crime Records Bureau (NCRB), undivided AP recorded 225 cases of eve-teasing and harassment, a 55% jump over 2012's figures. The state is second to Maharashtra cybercrimes. Of all the registered cases, only six culprits were convicted under IT Act, 2000.

Online cases are perpetrated by strangers to victims. Besides abuse of content on social-media, culprits also create fake profile of a visibly successful individual and post such profiles on matrimonial sites to attract gullible women. There were about 20 women lured to impersonated profiles and got cheated.

A cursory look at the newspaper reports of arrests for cybercrimes shows how conmen cheat gullible women and youngsters, and how persons fall prey to them. A few cases are listed in the table produced below.

TABLE 1				
Caption of the news item	Date and Newspaper/	Details		
	News agency			
Man held for creating fake	08-09-2011, Indian	A person called Kanwaljeet Singh created a fake Facebook profile of lady out of enmity and to settle		
Facebook profile of a	Express, Sasnagar,	scores; he depicted her as an organizer of musical dance group; this is a case of defamation.		
woman	Mohali, Punjab			
Man held for allegedly	19-05-2013, Press	A person called Santosh of Chirala in A.P. created a fake profile of a girl student on Facebook; he posted		
creating obscene profile of	Trust of India,	the girl's morphed picture and obscene and false information about her. He gave her contact numbers		
a girl student on Facebook	Hyderabad	also.		
Man poses as affable	07-11-2012, Press	Rajapathi, 31- year old man, duped a girl of Rs.3.00 lakhs in cash and gold ornaments, promising to		
suitor on Facebook, dupes	Trust of India,	marry her; this resulted from his creating a false profile on a social networking site. Although he is a		
teenage girl	Hyderabad	very short person, he morphed his picture and showed himself as a handsome person and created his		
	-	profile on a couple of networking sites.		
Spies create top NATO	13-03-2012, Indo-	Some persons have created a Facebook account with a fake profile of NATO's Supreme Allied		
commander's fake	Asian News Service	Commander in Europe Admiral James Stavridis; many Defense personnel accepted his 'friend requests'		
Facebook profile		believing them as true. Evidence points to the Chinese state-sponsored hackers.		
19-yr-old created fake	18-05-2012, Mid-	A 19-year oldBBA student called AnubhavBipinkumar Yadav of U.P. created the false Facebook profile of		
Facebook profile of	day.com, Mumbai	Mumbai City Police Commissioner. He was caught with the help of information from Google and		
Mumbai top cop		Internet Service Provider.		
Man changes gender to	11-05-2012, Mid-	A man called Bahekar, a divorced medical shop owner, created a fake Facebook profile as a girl and sent		
befriend, harass woman	day.com, Mumbai	friend requests. A girl called Kalpana accepted the request. Later, her phone number was floated with		
		an ad about free sex. He continuously called her on phone to befriend and harass her.		
Man fakes girl's facebook	12-04-2012, Mid-	A 3 rd year B.Com. student called Suraj Ravi Bhat created a fake Facebook profile of a 21-year old girl		
profile, posts obscene	day.com, Mumbai	who refused to talk to him and posted vulgar photos and obscene content about her. He was arrested		
content		under IT Act.		

What are the social media infractions that land the companies and their users into trouble? Here is brief review of how social media commit follies wittingly or unwittingly.

CONTEXTUAL INTEGRITY

Contextual integrity, which refers to use of information only for the purposeimagined by the provider, is most likely compromised by the social media operator. To clarify, contextual integrity means use of the shared information for the specific intended purpose only, and it should not be used outside the context for which it was originally intended to be used. For example, a physician who has got information about the patient's ailments should use it for determining the steps to be taken for medical treatment only; it can be shared with other medical colleagues also but only for determining the best treatment; but it should not be used for any other purpose. Information provided by an individual or a body to another individual or a boy for a certain intended purpose should be used for it only, and so it is illegitimate to be used for some other purpose. It follows that social media organization which collects personal information from an individual should not pass it to other parties for gain.

PRIVACY

Social media is today seen as infringers of privacy. Privacy, according to Professor Howard Beales of George Washington University, is founded on six principles: (1)individual control over personal information; (2)fair information handling processes; (3) the right to personal solitude, or the right to withdraw; (4) the right to security of the person; (5) the right to liberty of the person; and (6) the right to dignity. The four dimensions of dimensions of privacy, according to Professor Landry, are: (1) preservation of anonymity, (2) freedom from surveillance, (3) preservation of private space, and (4) access to sound management of personal information. The individual, according to Professor Landry, must be able to "control access, circulation, sharing and accuracy of their personal information (Dusseault, 2013)..

INDIAN PRIVACY POLICY

On April 11, 2011, India's Ministry of Communications and Information Technology notified the Information Technology (Reasonable security practices and procedures and sensitive personal data or information) Rules, 2011 under the Information Technology Act, 2000.

The law relates to "sensitive personal data or information" (SPD) which covers the following: (a) passwords, (b) financial information such as bank account or credit card or debit card or other payment instrument details; (c) physical, physiological and mental health condition; (d) sexual orientation; (e) medical records and history; and (f) biometric information. Importantly, SPD in this context relates to the information of individuals but not information of businesses. Every business is required to have a privacy policy, to be published on its website, according to these privacy-related rules.

A business cannot collect SPD unless it obtains the prior consent of the provider of the information. The consent has to be provided by letter, fax or email. Further, prior consent is needed for parting with the information to any party other than the government. The business can use personal information only for the purpose for which it was collected. The IT Act requires reasonable security procedures to be maintained in order to escape liability.

The law includes financial information within SPD but a large part of business information relates to finances only. The requirement of consent as a mandatory condition for the use of all SPD restricts the freedom and thus stifles business.

The IT Act was amended in 2008 to provide for the following:

(a)A new civil provision prescribing damages for an entity that is negligent in using "reasonable security practices and procedures" while handling "sensitive personal data or information" resulting in wrongful loss or wrongful gain to any person.

(b)Criminal punishment for a person if (a) he discloses sensitive personal information; (b) does so without the consent of the person or in breach of the relevant contract; and (c) with an intention of, or knowing that the disclosure would cause wrongful loss or gain (mens rea- intention to cause harm).

Breach of confidentiality and privacy is an offence punishable with 2 years' imprisonment and fine up to Ra.1.00 lakh under the Indian IT Act.

In India, privacy is not given the status of fundamental rights but it is an implied obligation. Article 21 of the Constitution which guarantees right to protection of life and personal liberty has implicit reference to right to privacy.

INTEGRITY RISK

Social media is a wonderful facility to communicate very fast with a massive audience, that too, instantly. But, sometimes, poorly constructed, non-circumspect and hurried responses or first posts can draw flak from several public groups and will expose the person himself or his company to integrity risk. Integrity risk refers to possible injury to certain goals or values of organization or an individual. Consider the case of Nestle which happened in 2011.

In March 2011, an employee of Nestle who was managing the 'Fan Page' of Nestle's Facebook account hurriedly posted a response note in a negative language to a fan's offensive comments. This led to massive negative protest from fans themselves. Nestle's policy is to not give unpleasant or offensive reply to any query, no matter how offensive the stimulus is. Such behaviors, the company believes, will damage or risk Nestle or its reputation. This shows that social media

undermines the integrity of the company. Employee could probably make an offensive reply from his personal account instead of from the official account so as to not injure company's reputation.

TENSION BETWEEN BENEFITS AND NEGATIVE SIDE OF SOCIAL MEDIA

Can the governments tell the society to choose between unrestrained social media and severely restricted social media? Opting severely restricted social media undoubtedly amounts to throwing the baby with bath waters.

In a statement that underscores the importance of consumer data, Ms. Jennifer Barrett Glasgow, the representative of the Acxiom, a consumer data- based marketing services company, says that "when consumer data is properly used it can make significant contributions to the economy, and the growth and stability of an economy" (Dusseault, 2013)..But privacy protection measures in the form of laws and regulations will result in new technologies not being available to consumers. We have to strike a balance between privacy and economic growth.

BEST PRACTICES RECOMMENDED

FOR SOCIAL MEDIA COMPANIES

Social Media operators, in their efforts to fulfill their corporate social responsibility, should come out with a charter encapsulating rights of the social media consumers- default settings of privacy or use of information as consented by the individual.

User empowerment against the misuse of information on users' identity, their tastes and preferences should be ensured; it should not land into exploiters, stalkers, and professional cheats. As said before, a social media consumer has got the autonomy to create content but is likely to walk into trap of surrendering one's privacy for this. Simply stated, does autonomy for content creation and communication mean death knell to privacy?

PRIVACY AS A DEFAULT SETTING (PRIVACY BY DESIGN)

Privacy by design is "all about ensuring that the user has control of their data". Should this be case, the individual social media consumer who posts the information has the choice by default to hold back the whole data or part of it. He or she will part with the data after fully understanding the implications of parting with the data. This way, privacy is embedded in the system. Security of data and the person posting it is complete. There is transparency and visibility of what is happening to the data. Privacy by Design reflects user-centric practice of social media operators. To be clearer, in the current scenario, making personal data public happens by design and so privacy is ensured by effort only. It should be the other round, since the configuring privacy choices in the complex web is difficult for a new user. A new user cannot choose the right privacy settings on the first day of registering with the social media. What he does while joining is not after being well-informed.

FOR SEARCH ENGINES

DO-NOT-TRACK OPTIONS FOR INTERNET BROWSING

Like DND (do not disturb) option on mobile phones, do-not-track option for an individual browser (while viewing web pages) will save him from being tracked. Cookies of a browser, which store the details of a person's visits to a specific website and his preferences can be fraudulently retrieved and misused. Do-not-track option, a personal privacy setting in the browser, should be both robust and easy to configure. Besides, the browser should educate the users of it about this and how it should be used.

FOR INDIVIDUAL USERS OF SOCIAL MEDIA

DEFAMATION

Posting information that could potentially damage the reputation of another person will harm the person who posts it.

One should talk on social media as one does face-to-face. The dialogue initiator should be sensitive to the feelings of the receiving person; one should carefully choose the tone and content of the post. There should be only facts. Professional suggestions or advisory posts should comprise the context, probability of advice not working in certain contexts as expected, and encouraging the reader to take second opinion on the posted suggestion. Abusive language, profanity, lewd and sex-embedded words, stereotypes (for example, people of this area are crude), giving suggestions on an issues over which the one has no mastery or has little or patchy knowledge.

MEDIA ETHICS AND REGULATIONS

The media ethics that apply to journalists do apply to persons creating and posting content on the social media. The Commission on Freedom of Press appointed in 1947 and headed by Robert Hutchins, the then president of University of Chicago formulated guidelines based on two ideas. They are as follows. (1) Whoever enjoys a special measure of freedom, like a professional journalist, has an obligation to society to use their freedoms and powers responsibly. (2)Society's welfare is paramount, more important than individual careers or even individual rights. The lodestar of journalists is to: seek truth and report it. Some of the recommendations of Hutchins Commission for the press include the following. (1)Present meaningful news, accurate and separated from opinion. (2)Serve as a forum for the exchange of comment and criticism and to expand access to diverse points of view. (3) Project a representative picture of the constituent groups in society by avoiding stereotypes by including minority groups. (4) Clarify the goals and values of society; implicit was an appeal to avoid pandering to the lowest common denominator. (5) Give broad coverage of what was known about society.

SEPARATE GROUPS

Messages one sends are a potential source of problems. They may land into wrong hands and will probably be abused. Messages should be specific to groups. Posts which are good for one group may be irrelevant to others. A person's social media audience should be segregated into groups so that specific messages can be addressed to specific groups. Group-targeted posts limit the damage to both the sender and the receiver since receiver knows the value, context and complexity. Non-members are incapable of appreciating it.

The attraction of social media is its wider space and scope for remaining anonymous; but anonymity is just ephemeral and imaginary, and so reckless or predatory posts have the potential to bounce back to harm the person who posts.

CHECK HOW YOU PRESENT YOURSELF!

How one appears online and how others think of him on seeing him online may be completely different from what he first wanted to be. Others who don't know him at all judge him from how he appears. Particularly, the photos and what he writes gives clues about what he is. Highest and impeccable quality of content is critical to the fulfillment of a person's objective set for him as a digital persona. Poor language, inappropriate photos, offensive words, comments not supported by evidence, and suggestions based on half-baked knowledge give a poor impression about him.

POSTING INFORMATION NOT OWNED BY YOU

If one post information which he doesn't own and which is proprietary, he will attract copyright laws. If it is a direct quote from somebody's text, what one pick straightaway should not exceed forty words and the text should be within quotes. Besides this, credit should be given to the person who owns the idea or photos or picture. This will exonerate him from the charges of plagiarism and copyright law violations.

CONFLICT OF INTEREST

Recommending the use of some product in a professional capacity should not benefit him because he has interest in its sales, which is referred to as 'conflict of interest'. When people buy a product recommended by a professional and the product does not perform satisfactorily, the professional will be sued for breach of trust. Suppose a physician has recommended a particular treatment from a nursing home in which the physician has an ownership share, and treatment was not effective, the physician will be held for breach of trust under Section 406 of Indian Penal Code.

SOCIAL MEDIA INFORMATION AS EVIDENCE IN THE COURT OF LAW

The information on the social media can be used as evidence against a person's conduct; when a person, for example, is a facing serious criminal allegation, the prosecution authorities can use his profile information or previous posts as evidence to support the charges against him.

CONCLUSION

Use of social media in India is growing by leaps and bounds. Facebook users in India and Brazil are key sources of growth for Facebook. Social media companies are selling the data of their consumers, and thus undermining the privacy of the individuals. Consumers are also exposing themselves to preying behaviors of unscrupulous commen and anti-social elements. Quite a good number of crimes committed on gullible social media users are reported day in day out. Besides, advertisers are raining their messages on the users, interfering with their activity. The society is caught in a quandary- to choose between severely restricted activities of social media, and their freedom to innovate and use the latest technology.

Social media companies and browsers should educate and empower the users about the privacy provisions available with the sites. Users should be guided to give informed consent only. Privacy provision in the social media sites should be by default but not by choice. Browsers should have do-not-track option. Users should be cautious while parting with their personal information. They should set their privacy choices cautiously. Users should post and share content taking into account the provisions in copyright and defamation laws. Regulators should not smother the technological innovations and business opportunities.

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