

# **Election Commission of India**

Nirvachan Sadan, Asoka Road, New Delhi-110001

## **Press Note**

No. ECI/PN/91/2019

Dated: 26<sup>th</sup> September, 2019

### **“Voluntary Code of Ethics” by Social Media Platforms to be observed in the General Election to the Haryana & Maharashtra Legislative Assemblies and all future elections.**

Internet & Mobile Association of India (IAMAI) on behalf of its members has agreed to observe the “Voluntary Code of Ethics” during all elections including the ongoing general elections to the Haryana & Maharashtra legislative assemblies and various bye elections being held simultaneously. IMAI and social media platforms Facebook, Whatsapp, Twitter, Google, Sharechat and TikTok had presented and observed this “Voluntary Code of Ethics” during the General Election to 17<sup>th</sup> Lok Sabha 2019. IMAI has assured the Commission that the platforms will cooperate in ensuring the conduct of free and fair elections.

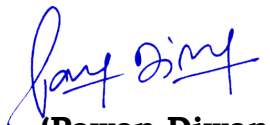
As a result of Commission’s vigorous persuasion, all the major social media platforms and IMAI came together and mutually devised this “Voluntary Code of Ethics” for the General Elections 2019. This came into immediate effect from the day it was presented to the Commission on 20<sup>th</sup> March, 2019. During the election period, social media platforms took action on 909 violative cases, reported by the ECI.

The highlighted features of “Voluntary Code of Ethics” are as follows:

- (i) Social Media platforms will voluntarily undertake information, education and communication campaigns to build awareness including electoral laws and other related instructions.
- (ii) Social Media platforms have created a high priority dedicated grievance redressal channel for taking expeditious action on the cases reported by the ECI.

- (iii) Social Media Platforms and ECI have developed a notification mechanism by this ECI can notify the relevant platforms of potential violations of Section 126 of the R.P. Act, 1951 and other electoral laws.
- (iv) Platforms will ensure that all political advertisements on their platforms are pre-certified from the Media Certification and Monitoring Committees as per the directions of Hon'ble Supreme Court.
- (v) Participating platforms are committed to facilitate transparency in paid political advertisements, including utilising their pre-existing labels/disclosure technology for such advertisements.

The text of the Code alongwith the assurance received from the IAMAI is linked below.

  
**(Pawan Diwan)**  
Under Secretary

Subho Ray  
President  
9464347198



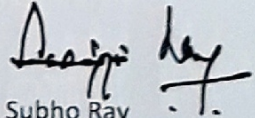
23 September, 2019

Dear Sir,

**Subject: Voluntary Code of Ethics – reg.**

1. Please refer your office letter No 491/Social Media/2019/Communication dated 02<sup>nd</sup> September 2019 and the meeting held at the office of Sh. Umesh Sinha, Sr. Deputy Election Commissioner on 19<sup>th</sup> September 2019.
2. Internet and Mobile Association of India on behalf of its members who are signatories to the **"Voluntary Code of Ethics" (VCE)** for the General Elections to Lok Sabha, 2019 are pleased to inform that we would observe the VCE during all elections subject to the Election Commission of India being the nodal office for all types of communication with the Social Media platforms on matters relating to the VCE.
3. We would be happy to cooperate with the Election Commission of India in ensuring the conduct of free and fair elections.

Yours Sincerely

  
Subho Ray

**To:**

Shri. Standhope Yuhlung  
Principal Secretary  
Secretariat of the Election Commission of India  
Nirvachan Sadan, Ashoka Road  
New Delhi – 110001

**Copy to:**

Shri. Dharendra Ojha  
Director General, Communications  
Election Commission of India  
Nirvachan Sadan, Ashoka Road  
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## **Voluntary Code of Ethics for the General Elections 2019**

### **Preamble**

The Internet has created opportunities for all to access reliable information, seek out credible sources, and obtain relevant facts. The web's openness has made these benefits available to all no matter who they are and where they are located.

This equally applies to elections, which are key to nurturing and strengthening a democratic culture. A free and fair election is the foundation of democracy. Access to reliable information and communication platforms via the Internet enables people to make informed choices in exercising their franchise during elections.

Keeping this context in mind and as per recommendations of the Sinha Committee Report, Participants recognise that while their products/services allow users to post content, the Participants are neither the author(s) nor the publisher(s) of such content. However, the Participants have together developed this 'Voluntary Code of Ethics for the General Elections 2019' (Code) and are committed to helping support such democratic processes by improving the integrity and transparency of the electoral process.

The Participants recognize that their group companies provide and administer different products and services, each operating under different business models and technologies while having varying audiences. Therefore, the Participants will endeavour to ensure that such products/ services meet the spirit of the Code while accounting for the diverse nature of the products/ services, which are governed by their respective product policies.

The Code shall apply within the existing legal framework in India. In case of any conflict between the voluntary framework and the existing legal framework, the legal framework will prevail.

### **Purpose of the Code**

The purpose of this voluntary Code is to identify the measures that Participants can put in place to increase confidence in the electoral process. This is to help safeguard the products

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and/ or services of the Participants against misuse to vitiate the free and fair character of the 2019 General Elections in India.

### **Commitments**

The Participants will endeavour to meet, in good faith and to the best of their ability, the following commitments during the 2019 Lok Sabha General Elections in India:

1. Participants will endeavour to, where appropriate and keeping in mind the principle of freedom of expression, deploy appropriate policies and processes to facilitate access to information regarding electoral matters on their products and/ or services.
2. Participants will endeavour to voluntarily undertake information, education and communication campaigns to build awareness including electoral laws and other related instructions. Participants will also endeavour to impart training to the nodal officer at ECI on their products/ services, including mechanism for sending requests as per procedure established by law.
1. Participants and the Election Commission of India (ECI) have developed a notification mechanism by which the ECI can notify the relevant platforms of potential violations of Section 126 of the Representation of the People Act, 1951 and other applicable electoral laws in accordance with procedures established by law. These valid legal orders will be acknowledged and/ or processed within 3 hours for violations reported under Section 126 as per the Sinha Committee recommendations. All other valid legal requests will be acted upon expeditiously by the Participants, based on the nature of reported violation.
1. Participants are creating/opening a high priority dedicated reporting mechanism for the ECI and appoint dedicated person(s) / teams during the period of General Elections to interface with and to exchange feedback as may assist with taking expeditious action upon receipt of such a lawful request, following due legal process, from the ECI.



2. Participants will provide a mechanism for relevant political advertisers, in accordance with their obligations under law, to submit pre-certificates issued by ECI and/ or Media Certification & Monitoring Committee (MCMC) of the ECI in relation to election advertisements that feature names of political parties, candidates for the 2019 General Elections. Further, Participants shall expeditiously process/action paid political advertisements lawfully notified to Participants by the ECI that do not feature such certification.
3. Participants will commit to facilitating transparency in paid political advertisements, including utilising their pre-existing labels/ disclosure technology for such advertisements.
4. Participants will, pursuant to a valid request received from the ECI, via Internet and Mobile Association of India (IAMAI) provide an update on the measures taken by them to prevent abuse of their respective platforms.
5. IMAI will coordinate with the Participants on the steps carried out under this Code and IMAI as well as Participants will be in constant communication with the ECI during the election period.

***Entry into Force***

This Code will become effective and will enter into force on 20 March 2019 and will be in force for the duration of the 2019 Indian General Elections.