

April 29, 2024

Chief Election Commissioner & Commissioners

Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi-110001

Subject: Urgent measures required to address the impact of deep fakes on the electoral process

Dear Sir(s),

The matter of deep fakes and abuse of technology in ongoing elections is a matter of deep concern. Going by the rampant abuse of IT and social media platforms during the State assembly elections in year 2023, we had drawn Commission's attention to this growing menace of deepfakes. The Commission had subsequently issued directions to take strict and timely action against such abuse.

The ongoing elections have witnessed an alarming rise in the use of deep fakes and mutilation of information via social media platforms. The challenges posed by deep fakes and manipulated content vitiates the sanctity of electoral process.

We list below some the fairly recent instances of deepfakes;

Case 1: Ranveer Singh, actor

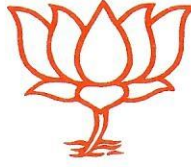
- **Appearance:** X account holder @sujataindia1st made a deepfake video in which the actor Ranveer Singh is heard saying: "*Modi ji's purpose and goal to celebrate our painful life, fear, and unemployment ... vote for justice, vote for Congress.*"
- **Reality:** Ranveer Singh, in an interview while he was in Varanasi had actually said, "*it is Modi ji's purpose and goal to celebrate our rich culture, heritage, history, and legacy ... we should never forget our roots, our cultural heritage.*". An FIR was lodged against the deepfake video.

Case 2: Shri Aamir Khan, actor

- **Appearance:** In a 27 seconds video, Aamir Khan is heard seeking votes for Congress.
- **Reality:** The above video was a deep-fake as Aamir Khan and an FIR was lodged against the deepfake video.

Case 3: Shri Amit Shah, Hon'ble Home Minister

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- **Appearance:** Hon'ble Home Minister is heard saying: भारतीय जनता पार्टी की सरकार बनेगी तो ये गैरसंवैधानिक SC, ST और OBC .. वो रिजर्वेशन को हम समाप्त कर देंगे।
- **Reality:** Hon'ble Home Minister had, in fact, stated that: “भारतीय जनता पार्टी की सरकार बनेगी तो ये गैरसंवैधानिक मुस्लिम reservation को हम समाप्त कर देंगे। ये अधिकार तेलंगाना के SC, ST और OBC का है, वो अधिकार उनको मिलेगा और मुस्लिम reservation को हम समाप्त कर देंगे।

Case 4: Shri Lalji Verma, General Secretary, Samajwadi Party operates an X (Twitter) account with user-name @LaljiVermaSP. He has repeatedly posted manipulated content in the recent past including:

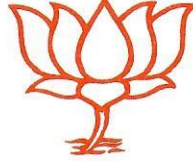
1. <https://twitter.com/LaljiVermaSP/status/1784225793603957159>: an old video of Acharya Pramod Krishnan from September, 2023 when he was a congress worker was posted on 27th April, 2024 and his words in the video were attributed to BJP.
2. <https://twitter.com/LaljiVermaSP/status/1783778180924588193>: misleading news circulated in the name of DIG, Moradabad Zone and refuted by UP police was posted on 26th April, 2024.

- **Appearance:** I.P.S Muniraj: ‘Abhi sab log namaj padne gaye hai aur 3 baje ke baad yeh bhir bahri vote karenge. Muslim boothe par 40% voting ho gayi hai. Kaise bhi 3 baje force laga dijiye. Aapko bahut bahut dhanyad.
- **Realty:** The official ‘X’ handle of the DIG Moradabad has denied such claim and message on 26.4.2024

*The link of ‘X’ handle of the DIG Moradabad is as follows:
https://x.com/digmoradabad/status/1784140396999643528?t=BaUgomHPdvw-mLI_SngwXw&s=03*

3. <https://twitter.com/LaljiVermaSP/status/1782757280964075868>: a statement by Shri Kirodi Lal Meena, Minister of Disaster Management and Relief of Rajasthan was presented out of context in a manipulative manner.

- **Appearance:** “मोदी जी 400 पार करेंगे आरक्षण को भी खत्म करेंगे और संविधान को भी बदल देंगे”
- **Reality:** ऐसा है कि कांग्रेस के एक भ्रम ऐसा फैला दिया, कि अगर मोदी जी 400 पार करेंगे, तो आरक्षण को भी खत्म करेंगे और संविधान को भी बदल देंगे, यह भ्रम योजनाबद्ध तरीके से पूरे देश में चलाया जा रहा है, और इन को गुमराह करके बोले बाले लोगो का वोट लेना चाहते हैं, और मोदी जी ने खुद ने बाड़मेर में कह दिया की भीमराव अंबेडकर बी अब इस धरती पर आ जाए, तो संविधान को नहीं बदल सकते हैं, ओर कल अमित शाह भी कह गए आरक्षण के साथ किसी प्रकार



की छेड़खानी नहीं की जाएगी ये आश्वासन मैं विशेष करके SC,ST के भाइयों को देने के लिए मैं आया और वो आश्चर्य हैं और उन्होंने भरोसा दिया है की 26 तारीख को कमल का बटन दबाकर ओम बिरला जी को विजय बनाकर सदन में भेजेंगे”

Case 5: Shri Dinesh Lal Yadav, MP

Shri Srinivas BV, National President, Indian Youth Congress has posted the doctored video with highly objectionable caption. The post along with the link of the video is given here:

- **Appearance:** "मोदी जी-योगी जी ने एक भी बच्चा पैदा नहीं किया ताकि देश में बेरोजगारी न बढ़े': BJP सांसद निरहुआ

<https://t.co/5oSPa15yv4>

(<https://x.com/srinivasiyc/status/1779723959820529903?t=5oqXtM6OPxaBWmnl6BKwAg&s=03>)

- **Reality:** Shri Dinesh Lal Yadav did not saying anything derogatory.

The act of circulating and creating the deepfake and doctored videos falls under the following provisions of law:

Information Technology Act,2000

Section 65: Tampering with computer source documents makes her liable for imprisonment up to three years, or with a fine which may extend up to two lakh rupees, or with both

Section 66D: Punishment for cheating by personation by using computer resources makes her liable to be punished with imprisonment of either description for a term which may extend to three years and shall also be liable to a fine which may extend to one lakh rupees.

Indian Penal Code, 1860:

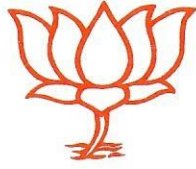
Section 171C. Undue influence at elections

Section: 469-Forgery for the purpose of harming reputation

Section:499- Defamation

Model Code of Conduct

(Clause 2 of Para 1 of Model Code of Conduct for the guidance of Political parties and candidates states as follows:



“Criticism of other parties or their workers based on unverified allegations or distortions shall be avoided”

(d) Clause 4.3.2(ii) chapter 4 states, “Election Commission, while expressing deep anguish on the progressively plummeting levels of political disclosures, put the political parties on notice that repeated violation of Model Code may invite action against them.”

The ECI has also issued letter no. 491/SM/2023/5/Communication dated 4.3.2023 has issued SOP “Media & Communication Division Standard Operating Procedure (SOP) for Quick Response Management.

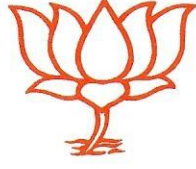
It is imperative to recognize that certain technological advancements, particularly deep fakes, pose significant threats to the level playing field expected in electoral contests. Such technologies enable the creation of highly realistic and often indistinguishable fake audio and visual media, which can easily sway public perception and voter behaviour under false pretences.

Instances of deep-fake content and manipulated content on social media have alarmingly increased. Thus, there is a need to hold individuals posting manipulated and deep-fake content and platforms delaying action against such content accountable for interference with the free exercise of electoral right to vote.

These malpractices not only tarnish the sanctity of our democratic procedures but also mislead and manipulate the electorate, thereby undermining the essence of a free and fair election. In light of these concerns, we urge the Election Commission of India to take decisive action.

We request the following to:

- 1. Direct social media oversight:** Mandate platforms such as X (Twitter), Facebook, Instagram, YouTube and others to enhance their monitoring mechanisms to detect and promptly remove deep fake content related to electoral processes.
- 2. Accountability Measures:** Several social media accounts repeatedly engage in creating and spreading misinformation, manipulated content and deep fakes even after the content posted and shared by such accounts is blocked on a number of occasions. An illustrative list of such content posted by one such account is annexed herewith as *Annexure II*. It is imperative to introduce stringent guidelines for social media platforms to block accounts that engage in creating and spreading misinformation, manipulated content and deep fakes.



3. Prominent advertisements educating the general public about the prevalence of deepfake content may be published in national and regional newspapers; and
4. A clear direction may be given to social media platforms to take proactive steps for detecting and taking down deepfake content. Further, social media platforms should be asked to block the accounts of individuals who post deepfake content.

While 2 phases of General Election, 2024 have concluded, there are still 5 remaining phases in the General Election. We trust that the Election Commission of India will treat this matter with the urgency and seriousness it warrants, ensuring that our elections remain transparent, fair, and free from undue influence.

Regards

Ashwini Vaishnaw

Anil Baluni

Om Pathak