



भारत निर्वाचन आयोग
Election Commission of India

By E-mail/Speed Post
निर्वाचन सदन
Nirvachan Sadan,
अशोक रोड, नई दिल्ली-110001
Ashoka Road, New Delhi-110001

No. 491/SM/2023/5/Communication

Dated: 4th August, 2023

To,
Chief Electoral Officers of all the States/UTs

Sub: SOP for Quick Response Management on Fake News related to elections- reg.

Sir/Madam,

With reference to the subject cited, it is stated that a number of cases of Fake News on election matters viz. EVMs, indelible ink, electoral roll, law & order, postal ballot facility etc. circulated during election and non-election period have been noticed by the Commission. Such fake news items/disinformation campaigns have the potential to promote mistrust amongst various shareholders on the electoral process and in some cases even result in law-and-order issues. It disturbs the level playing field, polarizes public opinion may also lead to social discord.

In view of above, an 'SOP for Quick Response Management' (*copy enclosed*) has been prepared for identification and quick response in cases of Fake News and misleading/unverified media stories, during election and non-election period. Further, the SOP may kindly be shared with DEOs also for swift action and better coordination in future cases of fake news.

Yours faithfully,

(RAJESH KUMAR SINGH)
UNDER SECRETARY
E-mail: rajesh@eci.gov.in
Phone No.: 011-23052131

Media & Communication Division
Standard Operating Procedure (SOP) for Quick Response Management

Index

1. Introduction
2. Setting up of Media Cell
3. SOP for response to a Media Story
4. SOP for action on Fake News/Misinformation on social media
 - a. National /Generic Issues – Response by ECI
 - b. Localised Issues (during elections)- Response by CEO/DEO
 - c. Localised Issues (during non-election period)- Response by CEO/DEO
5. Response Timeline
6. Quick Response Team for countering fake news/misleading media stories at ECI level
7. Proforma for reporting Violations & Action Taken
8. A list of probable fake narratives during elections
9. Link to SMPs legal portals/Email for reporting violations
10. Legal Provisions

1. Introduction

A number of cases/links/videos/posts/fake news etc. related to elections are either forwarded or noticed by the Commission during election and non-election period. Such news items have the potential to promote mistrust amongst various shareholders on the electoral process and in some cases even result in law-and-order issues. It disturbs the level playing field, polarizes public opinion and such disinformation campaigns may also lead to social discord. Accordingly, an SOP has been prepared for identification and quick response to any fake news/misinformation and Media Story as under.

2. Setting up of a Media Cell at CEO & DEO/RO level

The media cell to regularly monitor and scan the media space for any fake news and misleading stories. Shall Fact Check and respond to any fake news identified and amplify through local media and social media platforms.



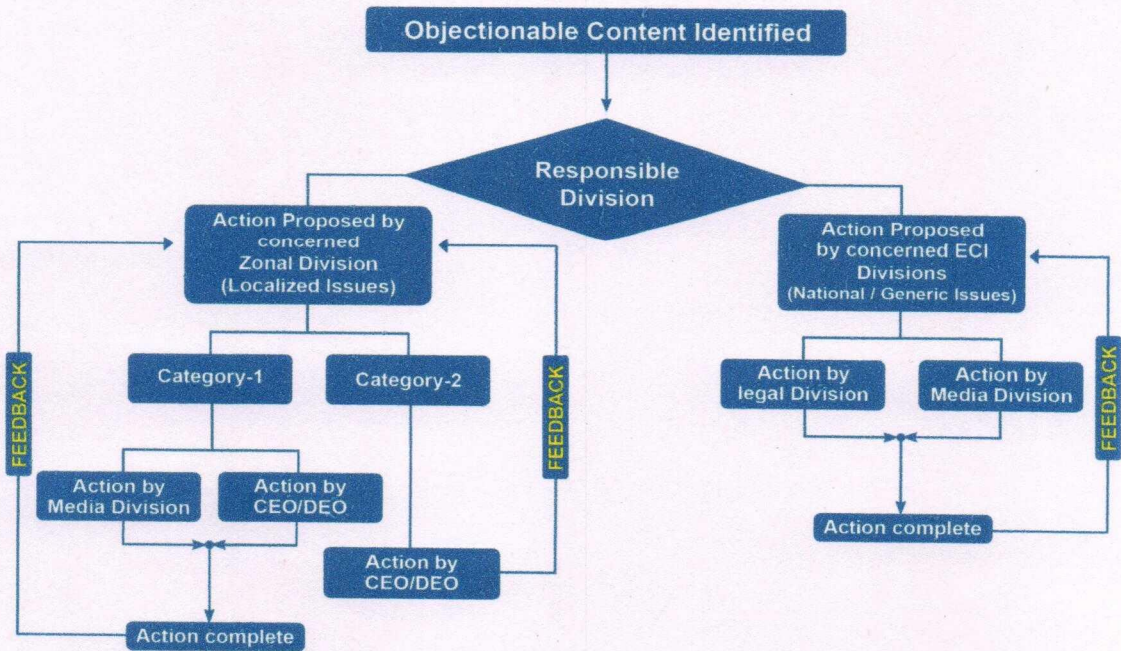
3. SOP for response to Media Story (in mass media such as newspapers/TV channels/Online news portals, blogs, etc)

- District specific story**
- DEO to ascertain local facts and prepare an immediate response in consultation with State CEO, based on damage potential.
 - State CEO to brief Zonal DEC to brief the Commission, if required
 - Zonal DEC to consult DG Media for response strategy, if required on case to case basis
 - After approval, response to be issued to local media/on social media by DEO
 - If required, a detailed response to be issued after consulting CEO & Zonal DEC.
 - Response to be amplified by CEO Social Media
 - Response issued shared with the Commission by Zonal DEC

- State Specific Story**
- CEO to ascertain local facts and prepare an immediate response in consultation with Zonal DEC, based on damage potential
 - Zonal DEC to brief the Commission of the matter, if required
 - Zonal DEC to consult DG Media for response strategy
 - After approval, response to be issued to state media/on social media by CEO (in vernacular language also)
 - If required, a detailed response to be issued after consulting Zonal DEC & DG Media.
 - Immediate & Detailed Response issued is shared with the Commission by Zonal DEC
 - Response to be amplified by ECI Social Media and shared with National Media by DG media (to be decided on case to case basis)

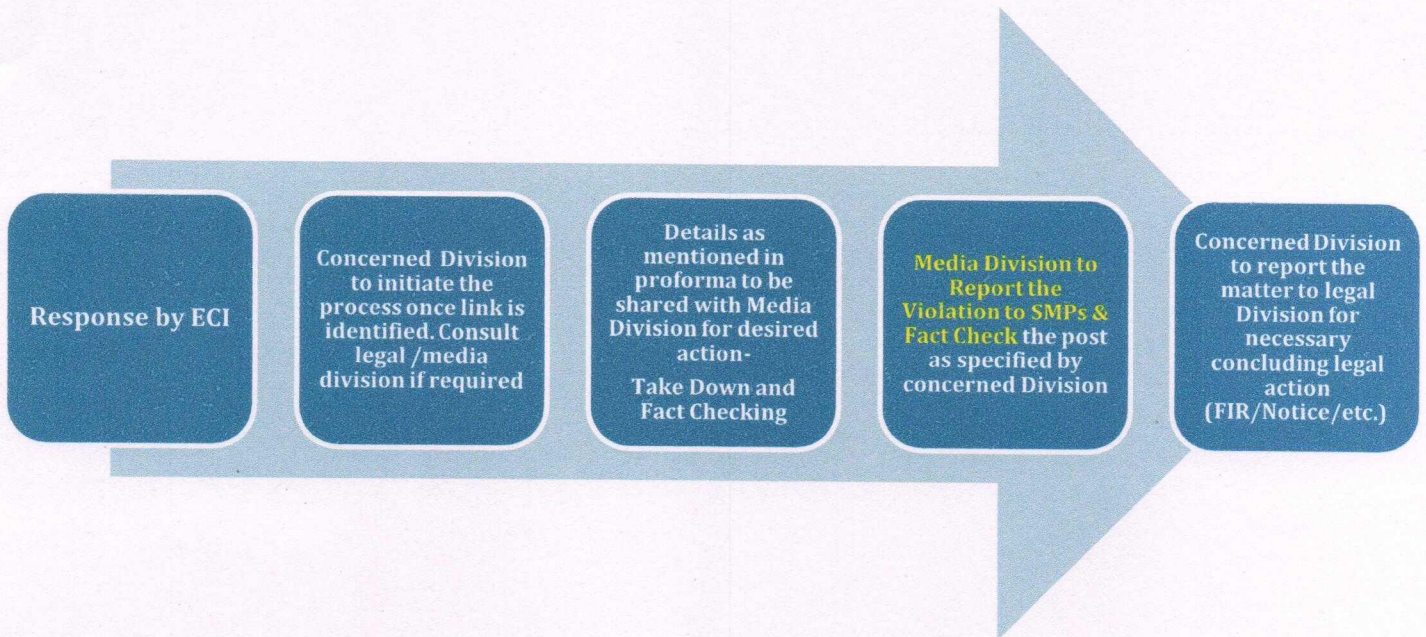
- National level Story**
- Division in-charge at ECI to prepare an immediate response in consultation with DG Media
 - Division in-charge to brief the Commission on the matter, if required
 - Dissemination Strategy to be briefed to the Commission by DG Media on case to case basis
 - After approval of the response and strategy by the Commission, response to the national media/ECI social media to be shared by DG Media
 - If required, a detailed response to be issued
 - Immediate and Detailed Response to be shared with the State CEO/CEO(s) if having implication in the state/states.
 - CEOs to amplify the response by sharing with local media. Also to be shared locally in vernacular language

4. SOP for action on Fake News/Misinformation/Disinformation on social media

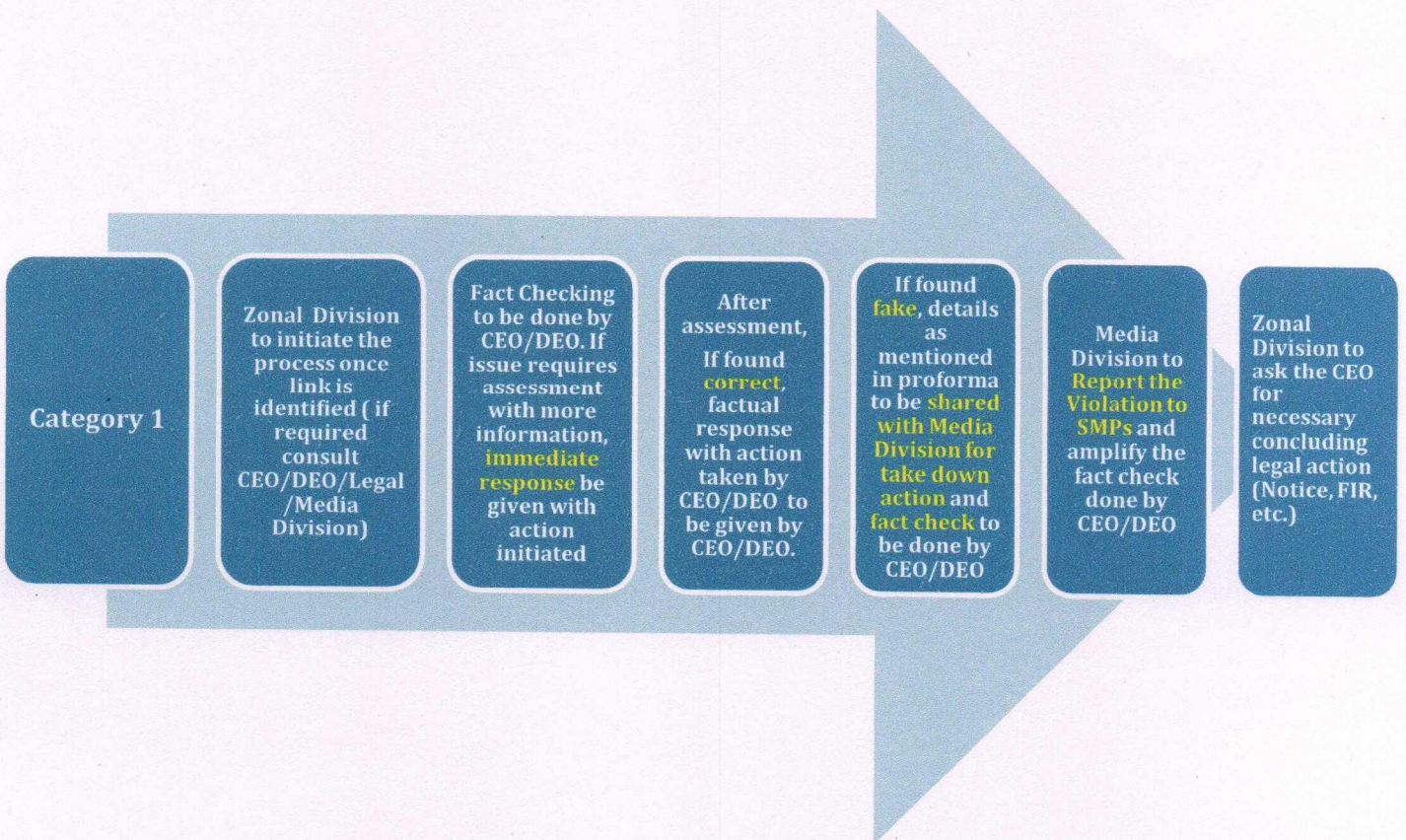


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a. National/Generic Issues – Response/Action by ECI (during election and non-election period)

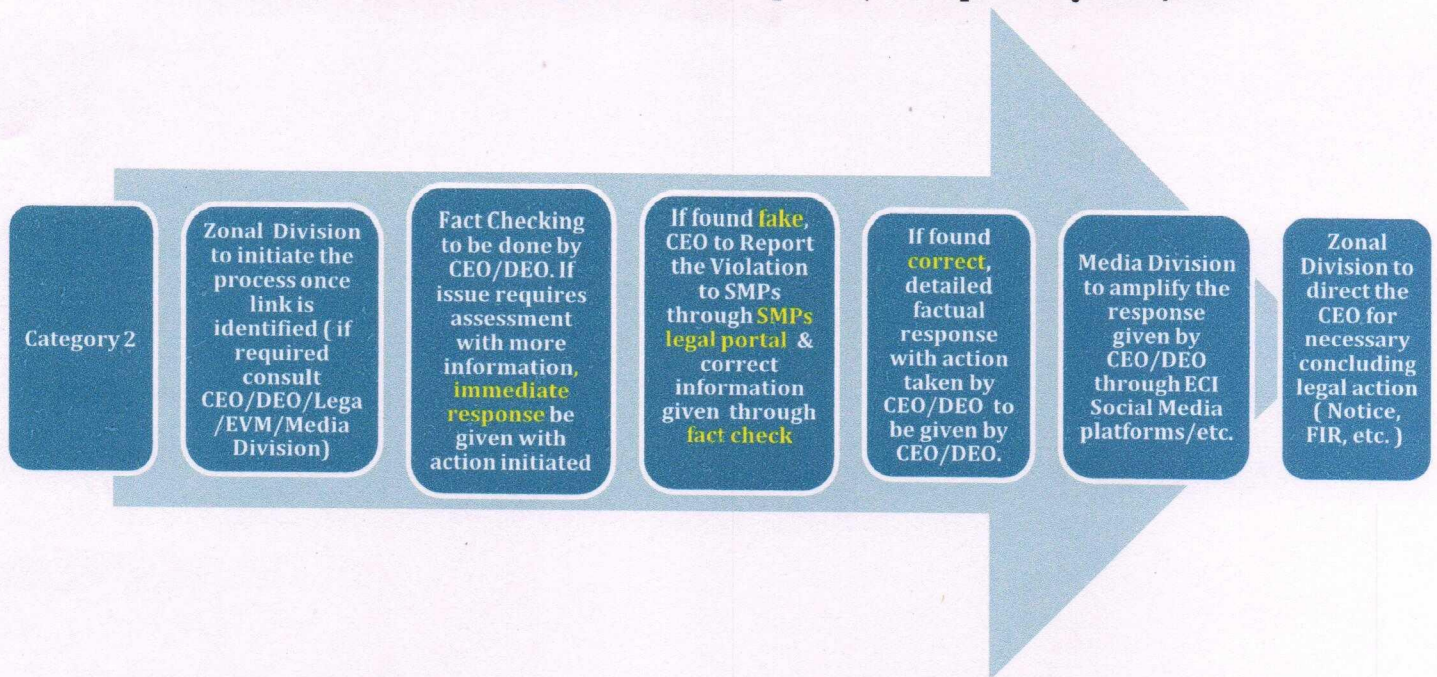


b. Localized Issues (during Election period)- Response by CEO/DEO



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c. Localized Issues (during non-election period) – Response by CEO/DEO



5. **Response Timeline – 3 hrs** for an immediate response and **24 hrs** for a detailed response, if the issue requires further investigation/more information;
Immediate response to provide factually correct information including action initiated and
Detailed response to provide details of the investigation, relevant factual details and action taken
6. **Quick Response Team for countering fake news/misleading media stories at ECI level:**
A multidivisional response team consisting of officials from EVM, Legal, Media, MCC, ER, Political Parties, EDMD and Zonal DEC In charge for taking instant action on any such case being notified. A Whats app group may be formed of officials for smooth and fast coordination and decision making.

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7. Proforma for reporting Violations on social media & Action Taken

| S. No | Particular | Details |
|--------------|--|--|
| 1. | Initiating Division | Zonal/EVM/ER/MCC/PP/etc. |
| 2. | Source of violation / case (Platform) | Facebook/Twitter/YouTube/Whats App/Google/Koo, etc.) |
| 3. | Clickable link /Whatsapp no | Give actual clickable link of the violation/Whats App number |
| 4. | Brief of the violation/case | Gist of the matter specifically where violation has happened in English |
| 5. | Provision violated (Legal) | Specific legal clause of the RP Act/IPC/ECI Conduct of Election Rules/MCC etc. |
| 6. | Transcript (if required) | Brief Gist in English of the issue where violation has happened |
| 7. | Action as desired by concerned Division/Zonal: | Take Down; Fact Check/Response; Amplification of the response |
| 8. | Correct Factual Information (In brief) for Fact Check | Factual details for dissemination of correct information. |

Signature

Action Taken by Media Division/CEO (Tick mark)

1. Reported to SMPs for killing the post/Take down
2. Fact Check /Response disseminating correct information
3. Amplification of the CEO/DEO response

Signature



8. A list of probable fake narratives during elections:

| FAKE NARRATIVES DURING ELECTIONS | |
|---|--|
| SUBJECT | Probable list of Fake Narratives |
| EVM | <ul style="list-style-type: none"> ● Capturing of EVM ● EVMs can be hacked ● VVPAT Slips from training, mock polls ● Training EVMs projected as polled EVMs ● Unauthorized movement/transportation of EVMs ● Ban on EVMs ● Fake EVMs ● No security at strong room ● Warehouse related ● EVM taken out of warehouse |
| Law & Order | <ul style="list-style-type: none"> ● Violence videos from other regions, times being released with present election contexts (Dated videos) ● CAPF stopping voters from reaching polling stations ● Fake Violence videos ● Certain groups capturing and sloganeering at polling booths ● Bogus voting/ Rigging/Booth capturing ● Certain groups not allowed to come to booth |
| Electoral Roll | <ul style="list-style-type: none"> ● Mandatory linking of Voter id with AADHAAR ● Circulation of Fake Electoral Rolls ● Deletion of Specific categories of Voters including Influencers/Celebrities from Electoral Roll |
| Election Integrity | <ul style="list-style-type: none"> ● Distributing freebies/money to voters by polling agents ● Morphed images/audio/video of the Commission/Deep Fakes ● Dated videos |
| Polling Station Facilities | <ul style="list-style-type: none"> ● No AMF at polling stations ● Morphed videos of people returning from polling stations without voting due to long queues/ voting allowed only with EPIC as ID card ● Polling booths not accessible ● Denial of voting facilities to PwDs |
| Postal Ballot facility | <ul style="list-style-type: none"> ● Unable to cast a vote at polling station - filled form 12D ● Polling agent casting vote for absentee voters ● Violation of secrecy of voting |
| Secrecy while voting | <ul style="list-style-type: none"> ● Morphed Images of persons casting a vote on EVM to a particular candidate ● Family members casting vote during absentee voting |
| Service Voters | <ul style="list-style-type: none"> ● One person/CO casting vote for all service officials |
| Election Planning/ | <ul style="list-style-type: none"> ● Fake Election dates are being circulated before the election announcement |



| | |
|------------|---|
| Management | |
| Results | <ul style="list-style-type: none"> • Wrongful declaration of votes • Manipulation of counting • Counting agent interference • Recounting wrongfully ordered |

9. Links to SMPs legal portals/Email for reporting violations

- a. Twitter - <https://legalrequests.twitter.com/>
- b. Google/YouTube - https://support.google.com/legal/answer/9312048?visit_id=637357659628981141-2599501998&rd=1
- c. Facebook - reports@content.facebook.com
- d. Facebook portal for Law Enforcement Agencies - <https://www.facebook.com/records/login/>
- e. Whats App- election.reports@whatsapp.com

10. Legal Provisions

(Hate speech, Misinformation, Fake News etc.)

| S. No | Legal Provisions | Brief |
|-------|--------------------------------|--|
| 1. | Section 505 of IPC | Statements conducing to public mischief. - (1) Whoever makes, publishes or circulates any statement, rumor or report, with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community, shall be punished with imprisonment which may extend to three years, or with fine, or with both |
| 2. | Section 125 of the RP Act 1951 | Promoting enmity between different classes in connection with election |
| 3. | Sections 153A of IPC | Promoting enmity between different groups on ground of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony |
| 4. | Sections 153B of IPC | Imputations, assertions prejudicial to national-integration. |
| 5. | Section 295A of IPC | Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs |
| 6. | Section 298 of IPC | Uttering words, etc., with deliberate intent to wound the religious feelings |
| 7. | Section 123(3A) of RP Act 1951 | The following shall be deemed to be corrupt practices for the purposes of this Act: — (3A) The promotion of, or attempt to promote, feelings of enmity or hatred between different classes of the citizens of India on grounds of religion, race, caste, community, or language, by a candidate or his agent or any other person with the consent of a candidate or his election agent for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate. |

| | | |
|-----|----------------------------------|---|
| 8. | Section 94 of the RP Act | Secrecy of voting not to be infringed— No witness or other person shall be required to state for whom he has voted at an election. 1[Provided that this section shall not apply to such witness, or other person where he has voted by open ballot. |
| 9. | Section 171 C of IPC | Undue influence at elections - (1) Whoever voluntarily interferes or attempts to interfere with the free exercise of any electoral right commits the offence of undue influence at an election. |
| 10. | Section 171 G of IPC | False statement in connection with an election. — Whoever with intent to affect the result of an election makes or publishes any statement purporting to be a statement of fact which is false and which he either knows or believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate shall be punished with fine |
| 11. | Section 126(1)(b) of RP Act 1951 | Silence Period - Under Section 126(1) (b) of RP Act, 1951, no person shall display any election matter to the public by means of cinematograph, television or other similar apparatus in any polling area during the period of forty-eight hours ending with an hour fixed for conclusion of poll for any election in that polling area. Opinion polls are banned during the silence period only. |
| 12. | Section 126 A of RP Act 1951 | Restriction of Exit Poll- Section 126A of the R.P. Act, 1951, prohibits conduct of Exit Poll and dissemination of their results during the period mentioned therein, i.e., the hour fixed for commencement of poll in the first phase and half hour after the time fixed for close of poll for the last phase in all the States. |
| 13. | Section 471 of IPC | Using as genuine a forged [document or electronic record]. — Whoever fraudulently or dishonestly uses as genuine any [document or electronic record] which he knows or has reason to believe to be a forged [document or electronic record], shall be punished in the same manner as if he had forged such [document or electronic record] |

