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ECI's letter on deepfakes: What poll panel has said, and what remains unclear

The ECI has not discouraged parties from using AI to create campaign material, but has only asked them to refrain from sharing content which is "misinformation or information which is patently false, untrue or misleading in nature and those that impersonate another person"

Written by [Soumyarendra Barik](#) [Follow](#)

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The ECI said the use of “manipulated, distorted, edited content on social media platforms has the potential to wrongfully sway voter opinions, deepen societal divisions, and erode trust in electioneering process by attacking laid out instrumentalities of the electoral steps in terms of means and material”. (File)

In its first formal response to the use of deepfakes in this election season, the Election Commission of India (ECI) **has directed political parties to not share such content** on social media and, if they come to know of such content, to take it down within three hours, and “warn” the person in the party who had shared it.

“...The scale of spread of such misinformation has been observed to be dangerously unrestrained due to the availability of the option of “forwarding/ re-sharing/ re-posting/ re-tweeting”...,” the ECI wrote to all recognised parties on Monday (May 6).

The [BJP](#), Congress, DMK, AIADMK, and accounts affiliated to these parties have shared deepfakes, or content created by using artificial intelligence (AI), during the ongoing elections.

A BJP delegation comprising Union IT Minister [Ashwini Vaishnaw](#), spokesperson Anil Baluni, and senior leader Om Pathak had brought to the ECI’s notice alleged deepfake videos of Home Minister [Amit Shah](#) and actors [Aamir Khan](#) and [Ranveer Singh](#) that were used to peddle fake narratives.

“misinformation or information which is patently false, untrue or misleading in nature and those that impersonate another person”.

Here is what the ECI has said, and the questions that it has left unanswered.

What the ECI has said

FLAGGING EROSION OF TRUST: The ECI said the use of “manipulated, distorted, edited content on social media platforms has the potential to wrongfully sway voter opinions, deepen societal divisions, and erode trust in electioneering process by attacking laid out instrumentalities of the electoral steps in terms of means and material”.

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PROTECTION OF WOMEN: The ECI asked parties to not share on social media content that included impersonation of another person, including political parties or their representatives, and to not post or promote content that was derogatory to women or “repugnant to the honour and dignity of women”.

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GRIEVANCES COMMITTEE: In case of “continued presence of such unlawful information or fake user account after reporting to social media platform”, parties have been asked to approach the Grievance Appellate Committee (GAC) under Rule 3A of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. The IT Ministry had formed three GACs last year for users who were not satisfied by action taken by social media platforms on their reported content to seek redressal.

THREE-HOUR DEADLINE: The ECI has directed that “whenever such deepfake audios/ videos come to the notice of political parties, they shall immediately take down the post but maximum within a period of 3 hours and also identify and warn the responsible person within the party”.

What remains unclear

REAL OUTCOMES: The ECI has chosen to react after two phases of the election are already over — whereas deepfakes have been shared by parties from long before that. Also, what real impact the ECI's letter has in curbing the menace remains to be seen.

UNCERTAIN LANGUAGE: It is unclear what the Commission means by saying that parties should take down deepfakes when it comes to their “notice”, when it is the parties' official handles themselves that are sharing the content. Also, the advice to “warn” the person responsible for sharing such content is vague and appears to be lacking teeth, besides suggesting the existence of free agents within parties with access to official handles.

WHAT ABOUT WHATSAPP? The ECI's letter covers content shared on social media platforms such as [Facebook](#), X, and Instagram, but it is unclear what is being done

The encryption security of such platforms prevents anyone from knowing the texts, images, and videos being shared, which makes it difficult to assess the total quantum of misinformation/ disinformation. WhatsApp is used by more than 500 million users in India, and is perhaps the most effective way to spread misinformation/ disinformation.

DIRECT AI-BASED CALLS: Parties have been using AI-based real-time calls to voters, [The Indian Express](#) has reported earlier. These calls happen outside the purview of social media platforms, but can be potentially weaponised by parties or candidates. The ECI's letter does not deal with this aspect.

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