



Ministry of Electronics & IT

# Twitter needs to comply with the laws of the land

## Government condemns statement issued by Twitter as totally baseless, false and an attempt to defame India to hide their own follies

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The Government strongly controverts the claims made by Twitter today in its press release. India has a glorious tradition of free speech and democratic practices dating back centuries. Protecting free speech in India is not the prerogative of only a private, for-profit, foreign entity like Twitter, but it is the commitment of the world's largest democracy and its robust institutions.

Twitter's statement is an attempt to dictate its terms to the world's largest democracy. Through its actions and deliberate defiance, Twitter seeks to undermine India's legal system. Furthermore, Twitter refuses to comply with those very regulations in the Intermediary Guidelines on the basis of which it is claiming a safe harbour protection from any criminal liability in India.

The larger question is, if Twitter is so committed then why it did not set up such a mechanism in India on its own? Twitter representatives in India routinely claim that they have no authority and that they and the people of India need to escalate everything to the Twitter Headquarter in USA. The purported commitment of Twitter, to its Indian user base, thus not only sounds hollow but completely self-serving.

Twitter has a large user base in India, it earns significant revenue from its Indian operations but is also the most reluctant to appoint an India based grievance redressal officer and mechanism, chief compliance officer and nodal officer to whom its own users can complain, when they are subjected to offensive Tweets.

The Rules empower the ordinary users who become victims of defamation, morphed images, sexual abuse and the whole range of other abusive content in blatant violation of law, to seek redress.



These Rules were finalized after widest possible consultations including with representatives of social media platforms. Ministry of Electronics and IT put the draft Rules in public domain and invited public comments. The Ministry received large number of comments from individuals, civil society, industry associations and organizations. A significant number of counter comments to these comments were also received. There are also various judicial orders by various courts including the Supreme Court of India directing the Government to take appropriate steps. There are also several Parliamentary debates and recommendations to take appropriate measures.

Freedom of Speech and Expression is a Fundamental Right under the Indian Constitution. The Government of India respects the right of people to ask questions and also criticize on these social media platforms including on Twitter. The Government equally respects the right of privacy. However, the only instance of scuttling free speech on Twitter is Twitter itself and its opaque policies, as a result of which people's accounts are suspended and tweets deleted arbitrarily without recourse.

Twitter needs to stop beating around the bush and comply with the laws of the land. Law making and policy formulations is the sole prerogative of the sovereign and Twitter is just a social media platform and it has no locus in dictating what should India's legal policy framework should be.

Twitter has claimed that it is committed to the people of India. Ironically, this commitment of Twitter has been most invisible in recent times. It is pertinent to share some recent examples:

- Twitter chose to show the geo-location of certain locations in Union Territory of Ladakh as part of People's Republic of China at a time when India and China were engaged in peaceful resolution of border related issues through bilateral dialogue. Twitter took several days, that too only after repeated reminders, to rectify this blatant disrespect to India's sensitivity and territorial integrity.
- Twitter chose to take suo-moto action against those users who it considered as perpetrators of violence at the Capitol Hill in the USA. But, just a few days after the unlawful incidents on Red Fort in Delhi, Twitter refused to take prompt action on the lawful request made by the Government of India to block contents that sought to incite violence on the pretext of a fake genocide plan. Later, it chose to comply, that too partially, when the damage had been done.
- Twitter's lack of responsibility has led to rampant proliferation of fake and harmful content against India and Indians. Promoting vaccine hesitancy has been rampantly done through the use of Twitter platform and yet Twitter has taken no action. Is this commitment to the people of India?
- Discriminatory behavior has been practiced against Indians and people of Indian origin because of malicious tagging of B.1.617 mutant as 'Indian variant' name despite strict WHO guidelines against it. Again, Twitter has taken no action against such fake narratives and Tweets while grandiosely claiming to serve the people of India.

Twitter Inc., a USA based private company, in its communique says that it seeks "constructive dialogue", "collaborative approach" from the government of a sovereign democratic republic to "safeguard interests of the public". It is time that Twitter disabuses itself of this grandiosity and comply with the laws of India.



The Government also wishes to emphatically assure that representatives of social media companies including Twitter are and will always remain safe in India and there is no threat to their personal safety and security.

Government condemns the unfortunate statement issued by Twitter as totally baseless, false and an attempt to defame India to hide their own follies.

The Delhi Police has also issued a detailed press release, pertaining to an ongoing investigation, which answer the completely baseless allegations raised by Twitter.

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**RKJ/M**

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