

Question of Social Media Justice

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Public Policy Research Centre

**Under the Guidance of
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FOREWORD

“True democracy cannot exist unless all citizens have a right to participate in the affairs of the polity of the country. The right to participate in the affairs of the country is meaningless unless the citizens are well informed on all sides of the issues, in respect of which they are called upon to express their views. One-sided information, disinformation, misinformation and non-information all equally create an uninformed citizenry which makes democracy a farce when medium of information is monopolised either by a partisan central authority or by private individuals or oligarchic organisations”.

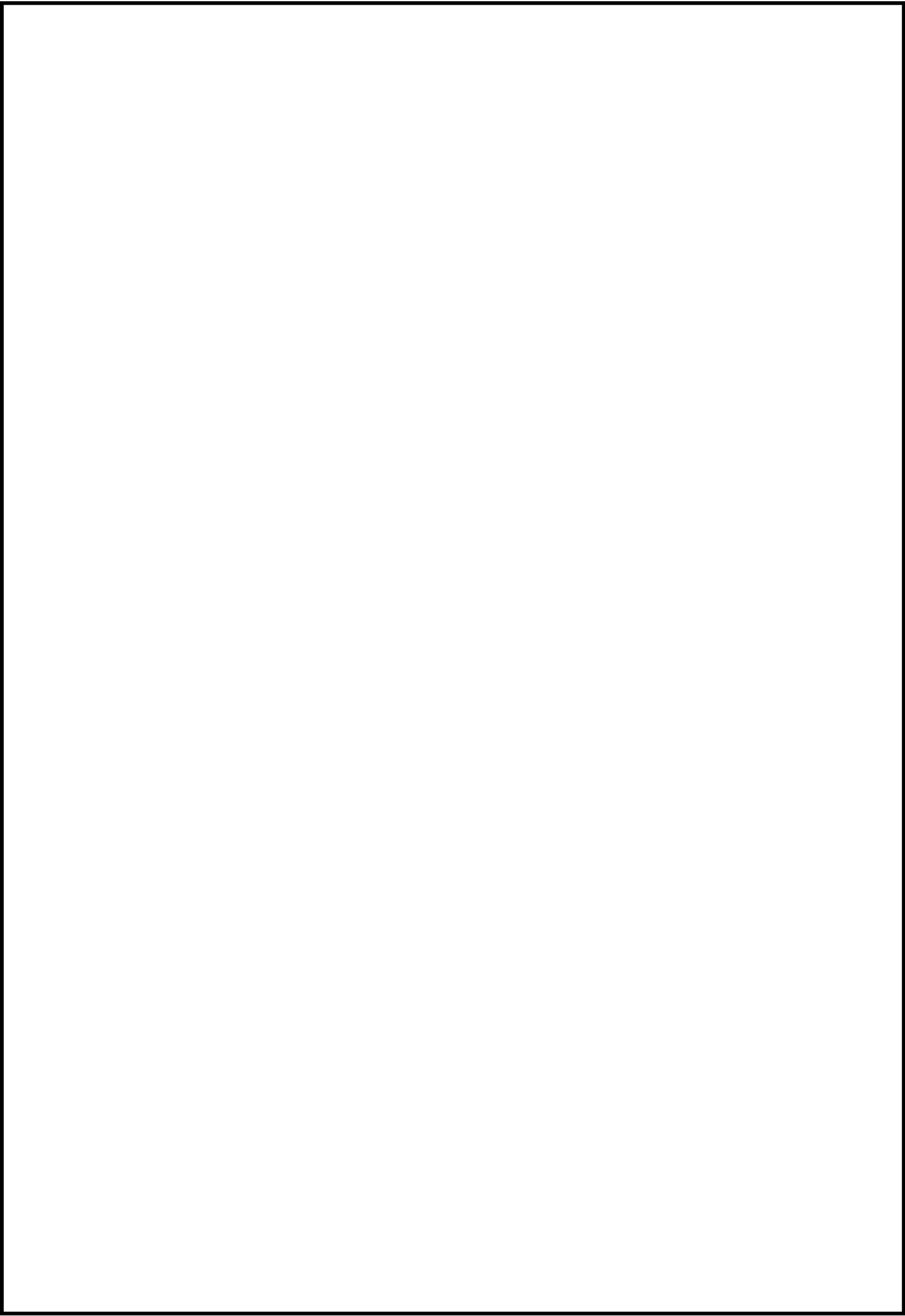
Eloquently stated by Justice P.B. Sawant speaking for the majority in the Secy. Ministry of Information and Broadcasting, Govt. of India v. Cricket Association of Bengal case (1995) 2 SCC 161, it is very important to state that right to free speech and expression is inscribed in the constitution as well as it is one of our strongest civilizational values.

In the age of *social media*, freedom of speech and expression is regulated by these unelected corporations. With over 400 million users, social media in India is very influential today. It is not only affecting India's social fabric but also a great challenge to India's democracy. Worldwide there have been allegations against these platforms that they have allowed their platforms to be used by outsiders to interfere in the elections. 2016 US elections and Brexit are very recent examples for that. There are allegation of biasness and abuse of discretionary power by these social media platforms.

This research report is an attempt to understand the conduct of these platforms in maintaining the right to free speech of people. Started as the platforms for free speech, there have been huge censorship in the last few years in the name of promoting healthy discussions. Their rules, regulations, terms of service and community standards are completely vague and opaque. This research also highlights their biasness towards one set of people. With comparative analysis of the content, this report is completely backed up by evidence. The discretionary use of power in suspension and deletion of accounts, highlights the threat that these organisations are posing to free speech. Shadow banning is another aspect where they are targeting one particular set of people belonging to an ideology. Evidence suggest that one of the most powerful leaders of the world, Indian PM Sh. Narendra Modi is also a victim of their policy of shadow ban.

In this light, this is perhaps the first and one of its kind research. Let's hope that this generates some debate about the need to restore sacredness of these platforms, their credibility and justice to the users.

Sumeet Bhasin
Director, Public Policy Research Centre
New Delhi



I. Introduction

Constitutional framework/philosophy.

Most people are aware of the constitutional status of the freedom of speech and expression being a fundamental right which arises from Article 19(1)(a) of the Constitution. The ambit of this right is subject to Article 19(2) that contains, “reasonable restrictions”, Such restrictions are within express categories namely, “the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence”. Hence to make any such restriction, it should first be under a legal order. Secondly it requires reasonability, and third, it has to be within the classifications provided under Article 19(2)¹.

The constitutional philosophy is to allow free speech. The right to freedom of speech and expression is also protected by Universal declaration of human rights² and is given legal force through article 19 of the International covenant on civil and political rights³. Thus right to free speech is not only a fundamental right but an international human right as well.

Social Media companies and Right to free speech

In India at large, the right to free speech is protected by democratic institutions. Online, however, who gets to say what is based on the judgment of unelected corporations. What you say, and what you see, depends on the judgments made by the guardians of the social media “commons”⁴. These platforms were once hailed as the champions of free speech. However, these platforms in the past few years have increased censorship of the content posted by its users. While they claim that the aim of the censorship is to promote healthy discussions, it has been disputed by several members who are using the platforms. The questions of biasness and abuse of discretionary power has been raised regularly by its users. As reported in the media as well, many users of these platforms protested against the biased policies⁵. The incidences of shadow banning, suspension, deletion, etc. have increased. Interestingly, these things are being done in a biased manner. Maximum of the affected users either belong to a particular ideology or are supporters of the government. There are several anomalies in the provisions made by these platforms to regulate and review the content of the users, which are inconsistent with free speech requirements. Words like “grossly offensive”, “menacing character”, “annoyance”, “danger”, “obstruction”, “insult” and “injury” do not have any precise definition. A prominent question that has been left unanswered is whether these words are to be construed with regard to the sensibilities of the particular person the words are addressed to or as per that of a reasonable man. Going by the sensibilities of particular individuals, it is most likely that even authors of innocent communication through e-mail could be accused of having violated the law⁶.

¹ <https://apargupta.com/unconstitutional-twitter-blocks-6d0549d90c09>

² http://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf

³ <https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf>

⁴ <https://www.theguardian.com/commentisfree/2018/sep/06/facebook-twitter-free-speech-sandberg-dorsey>

⁵ <https://www.indiatoday.in/india/story/-protests-held-outside-office-of-twitter-india-for-anti-right-wing-policy-1445967-2019-02-03>

⁶ <https://www.thebetterindia.com/107128/freedom-of-speech-in-the-age-of-twitter/>

II. Social Media, its importance in Indian case.

More than 400 million⁷ people in India are connected to Internet. Most of them are on social media. Social media today is a very important tool which is influencing the masses of India's democracy. The picture in people's minds about the world is significantly influenced by social media. The agenda and narrative set by social media also has significant implications beyond the general image created in people's minds.

Facebook and Twitter have immense power over public discourse. When they decide content isn't fit public consumption, it can disappear forever, as if into a black hole⁸.

The role of social media in shaping the public opinion is very important. A large number of people in the country are influenced by the content of the social media. Today social media has the power to influence the people or shape the narrative of our society. When the general elections are approaching in 2019, it is very important that these platforms act in a fair and transparent manner. Their actions can't be biased when it is affecting India's democracy. Especially when these platforms allegedly played a significant role in the recent US elections⁹¹⁰¹¹ and the Brexit poll¹². The question of social media justice follows that whether their actions are biased, arbitrary, discretionary, and unconstitutional.

III. Methodology.

The approach for this research report has been qualitative and it is primarily a comparative, analytical research. The data has been collected through primary as well as secondary sources, including methods of library research, observational analysis, expert interviews and analysis of different social media platforms.

IV. Observations.

1. *Most prominent social media platforms like Facebook, Twitter, You Tube, etc. have been doing censorship of the content shared by its users on the platforms.*

Facebook, Twitter, Google have admitted during an investigation in the United States that the content posted on the platforms is reviewed regularly as per their policies¹³. In the past few years, censorship and regulation has increased. They have themselves admitted that several accounts have been deleted and suspended. While it is fine for a private entity to make policies as per their suitability, the problem arises when it starts abusing its policies in a discretionary fashion.



⁷ <https://www.statista.com/statistics/255146/number-of-internet-users-in-india/>

⁸ <https://www.theguardian.com/commentisfree/2018/sep/06/facebook-twitter-free-speech-sandberg-dorsey>

⁹ <https://www.reuters.com/article/us-usa-trump-russia-socialmedia/russia-used-social-media-for-widespread-meddling-in-u-s-politics-reports-idUSKBN1OG257>

¹⁰ <https://www.nytimes.com/2018/12/17/technology/social-media-russia-interference.html>

¹¹ <https://www.bbc.com/news/technology-46590890>

¹² <https://www.theguardian.com/world/2018/jan/10/russian-influence-brexit-vote-detailed-us-senate-report>

¹³ https://www.washingtonpost.com/technology/2018/09/04/facebook-sheryl-sandberg-twitters-jack-dorsey-face-questions-congress-about-russia-censorship-this-week/?utm_term=.cfcd393b8eb2

2. *Censorship violates fundamental right to free speech and universal declaration of human rights.*

In its defence, these platforms claim to be independent companies who are regulated by their policies and the censorship of the content is also as per their existing terms and conditions. A report by ARTICLE 19 organization states that the rules, policies and guidelines of these platforms are of confusing structure and there is always a lack of clarity regarding the process through which those rules are applied¹⁴. The policies which are applied for reviewing the content lack consistency and give discretionary power to these platforms. During the research, it was found that the platforms have done abuse of power by utilising their discretionary powers. This is clearly in violation of the principles of Rule of Law which is part of the basic structure of Constitution of India. It is understandable that they are a private entity and hence they can frame their own policies. But when the fundamental rights of millions of Indians are directly affected by the policies of these social media platforms, it must be within the constitutional philosophy. In the past it has been seen that the apex court of the country has forced private entities to ensure that the fundamental rights of the citizens are enforced by them.

3. *Not only India, these social media platforms have been engaged in censorship of free speech that too in a biased manner.*

‘Republicans Accuse Twitter of Bias Against Conservatives’ reads the headline of New York Times on 5th September, 2018¹⁵. Freedom Watch, an American association accused Google, Facebook, Twitter and Apple of “suppression and censorship of conservative content”¹⁶. ‘Twitter censors more conservatives’ reports the Herald Sun¹⁷. Joining the voices U.S president Donald Trump claimed that Trump claims social media ‘discriminating’ against right-wing voices as reported by The Independent¹⁸. Even Twitter has admitted to plan for shadow ban as reported by CBN News¹⁹. Twitter CEO has himself admitted that “conservative-leaning” employees “don’t feel safe to express their opinions” while working at the Silicon Valley social media company. This was reported by The Telegraph, UK²⁰.

It is high time that Indian authorities gear up and stop the biasness of these platforms.

4. *Twitter has been indulged in shadow banning²¹ of influential users who are either from the government or a sympathiser of the government.*

After surveying 194 twitter users who have switched on the notification for PM Modi’s tweets, 70% of users complained about not receiving notifications whenever there is a new tweet by the PM. They also complained about the tweets of the PM not being visible in the timeline of the user. Apart from

¹⁴ <https://www.article19.org/resources/twitter-rules-analysis-against-international-standards-on-freedom-of-expression/>

¹⁵ <https://www.nytimes.com/2018/09/05/technology/lawmakers-facebook-twitter-foreign-influence-hearing.html>

¹⁶ <https://www.thestar.com.my/tech/tech-news/2018/09/04/google-facebook-twitter-apple-censored-conservative-content-us1bil-lawsuit-claims/>

¹⁷ <https://www.heraldsun.com.au/blogs/rita-panahi/twitter-censors-more-conservatives/news-story/2f5dce60aa8af4f73c17502a05cdc986>

¹⁸ <https://www.independent.co.uk/news/world/americas/us-politics/donald-trump-twitter-social-media-discrimination-right-wing-voices-a8497531.html>

¹⁹ <https://www1.cbn.com/cbnnews/world/2018/may/twitter-admits-shadowban-plan-conservatives-on-twitter-brace-for-more-censorship>

²⁰ <https://www.telegraph.co.uk/technology/2018/09/14/twitter-staff-feel-silenced-left-wing-workforce/>

²¹ <https://www1.cbn.com/cbnnews/world/2018/may/twitter-admits-shadowban-plan-conservatives-on-twitter-brace-for-more-censorship>

the PM, the respondents also complained about not being able to see the tweets of popular figures who sympathize with the government. Twitter admitted to be indulged in ‘unfairly filtering’ 600,000 accounts including some owned by top politicians²².

5. Manipulation of Twitter Trends

At the same time, it has been alleged that Twitter has been manipulating the trends. As per their rules, number of tweets with a particular hashtag is one of the factor to determine the trends. But the policies of Twitter has not been transparent at all as to what all factors they take to determine a trend in India? It is important to note that Trends are very important to generate and establish a perception.



6. Biasness while enforcing its policies, rules and regulations.

It has been observed that the platforms have enforced its policies, and guidelines in a discretionary manner. There is absolute lack of transparency in the way these things are done. This is one of primary reasons for the growing distrust against social media platforms throughout the world. In the United States, it is being alleged by the authorities that these platforms are curbing the conservative and republican voices through shadow banning, suspending or decreasing the followers count. Several groups in India has been protesting against the biasness of twitter. It is alleged that these platforms are engaged in Shadow Banning, Suspension, etc of the users.

The platforms should promote healthy discussions but differential treatment to users belonging to certain ideology and having a particular political mindset is not justifiable in the name of promoting healthy discussions.

Let's do a comparative analysis of their response to a pro government user and anti-government user's account under similar circumstances.

²² <https://metro.co.uk/2018/09/06/twitter-admits-shadowbanning-and-unfairly-filtering-600000-accounts-7920206/?ito=cbshare>

These are some of the examples against which Twitter has taken actions citing its rules, regulations and terms of service.



Ashwani Kumar
@AshwaniKumar__

|| Editor-in-Chief #CosmoTimes || followed by
@SirPareshRawal @SambitSwaraj @KapilMishra_IND
@PiyushGoyaloffc @AbhijitSinger_ @Shehzad_ind
@mssirsa@sitaraman

📍 नई दिल्ली, भारत 🌐 cosmotimes.in 📅 Born 13 April 1976
📅 Joined March 2017

0 Following 0 Followers

Tweets Tweets & replies Media Likes

Edit profile



Ashwani Kumar
@MeAshwaniKumar
16.5K Following 48.9K Followers

Account suspended
Twitter suspends accounts that violate the [Twitter Rules](#).

13

Vodafone IN 8:52 PM 24%

Case# 95019029: Appealing an account suspension - @AshwaniKumar__ [ref: 00DA0000000K0A8.5004A00001VaOd3:ref] Inbox

Twitter Support
to me
6 Oct 2018 View details

Hello,

Your account was permanently suspended due to multiple or repeat violations of the **Twitter Rules**: <https://twitter.com/rules>.

This account will not be restored.

Please do not respond to this email as replies and new appeals for this account will not be monitored.

Thanks,

Twitter Support

Vodafone IN 8:50 PM 24%

Case# 0103835605: Appealing an account suspension - @MeAshwaniKumar [ref: 00DA0K0A8_5004A1a15wu:ref] Inbox

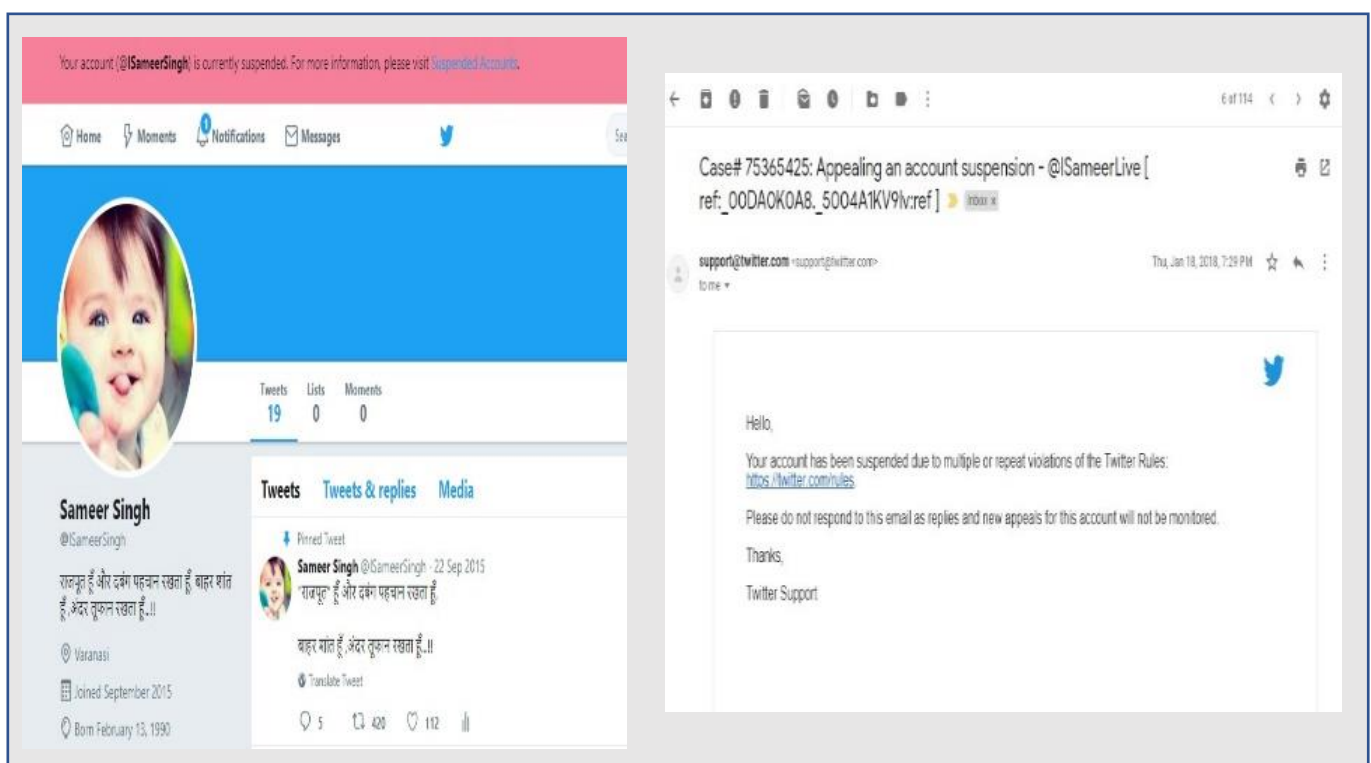
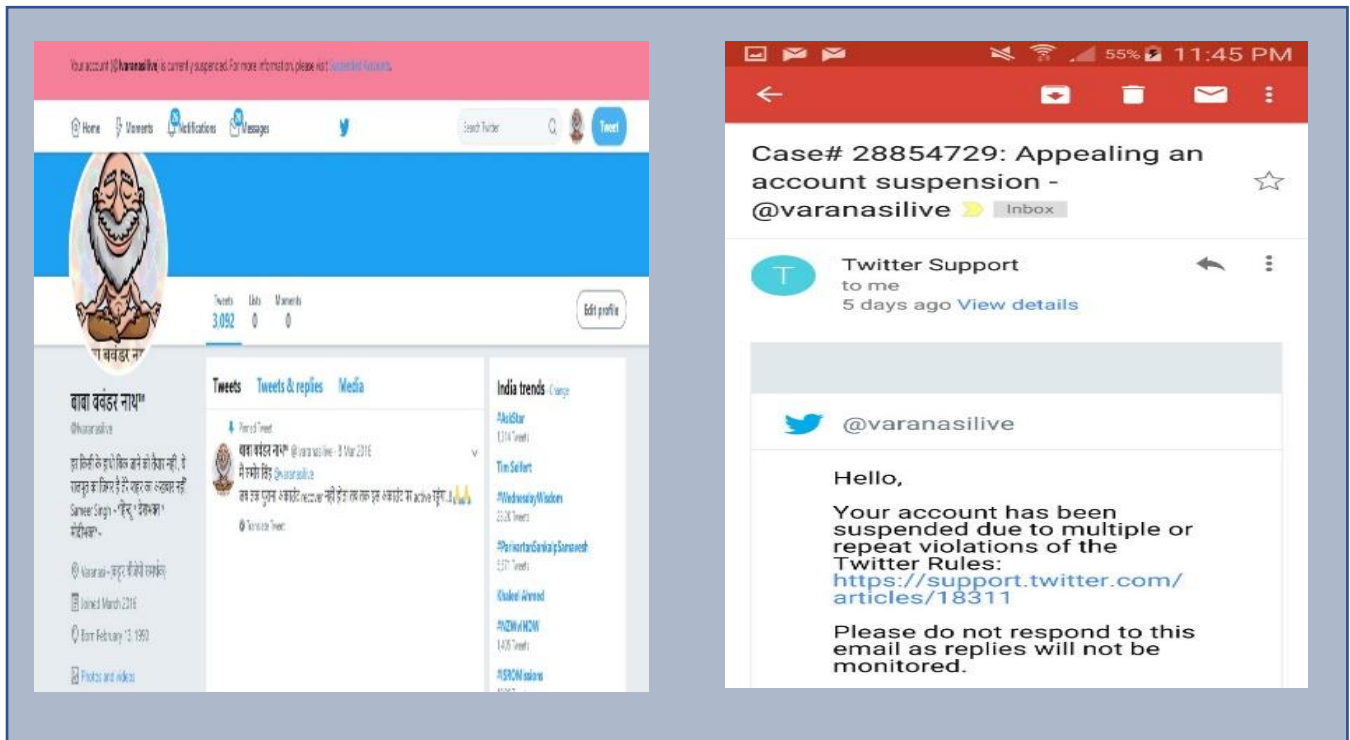
support@twitter.com
to me
28 Jan View details

Hello,

Your account has been suspended and will not be restored because it was found to be violating the Twitter Terms of Service, specifically the Twitter Rules against managing multiple Twitter accounts for abusive purposes.

You can learn more about our rules around multiple accounts and against abusive behavior here: <https://twitter.com/rules>.

Please note that creating new account(s) to evade this suspension is also against



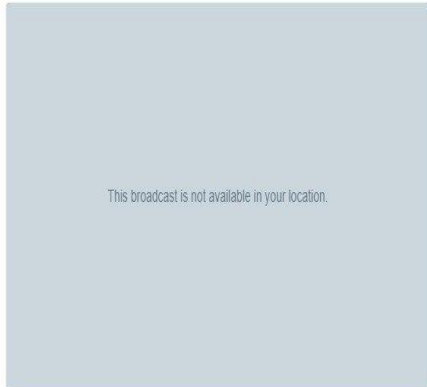


Harshal Purohit (चाय वाला)
@iPurohitHarshal

Incase if you missed how #HimaDas made us proud, here you can.

#BetiBachaoBetiPadhao

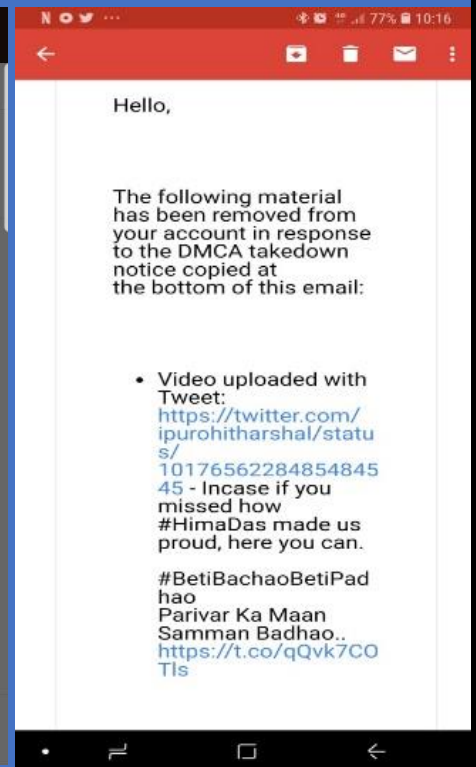
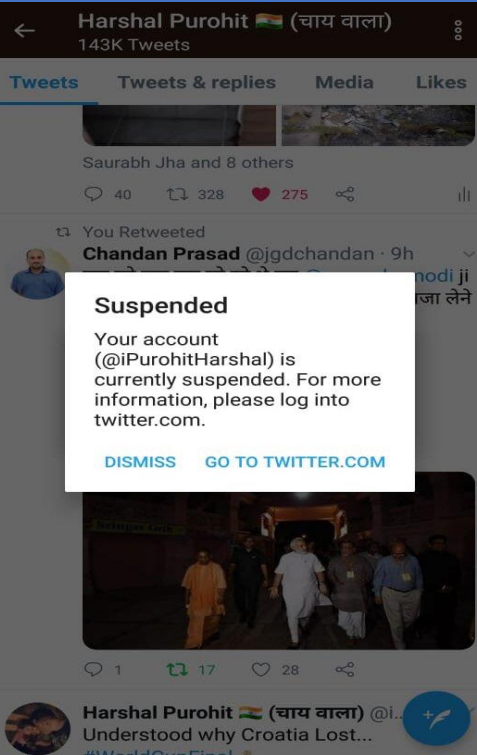
Parivar Ka Maan Samman Badhao..



This broadcast is not available in your location.

11:55 AM - 13 Jul 2018

24 Retweets 34 Likes



Delete Tweet.

Tweet 1 of 1



Paresh Rawal
@SirPareshRawal

Instead of tying stone pelter on the army jeep tie Arundhati Roy !

12:30 PM - 21 May 2017

Delete



Anand Ranganathan
@ARanganathan72

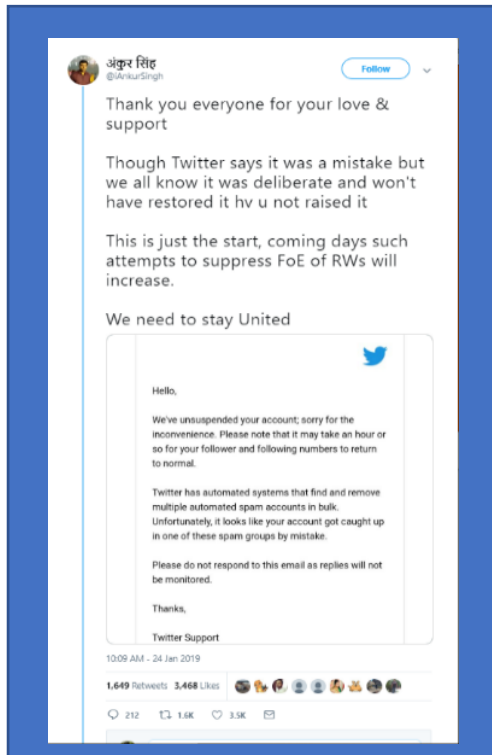
He has bashed & abused me; I don't agree with much of his views; but he will ALWAYS be the one who through his unparalleled writings opened my eyes to media's crooks.

My column on @mediacrooks, the Impossible Diamond. Now suspended by @twitter. SHAME.



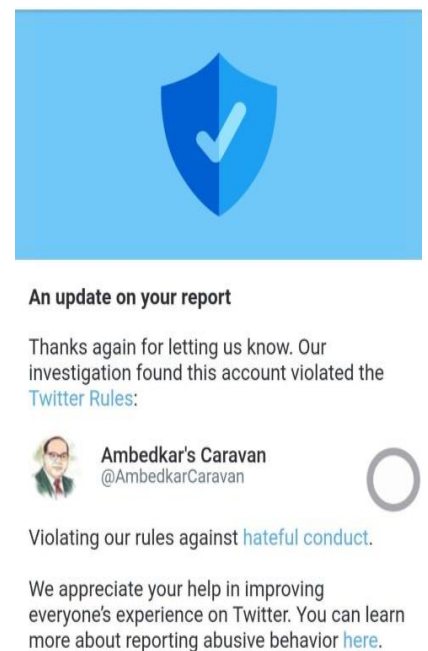
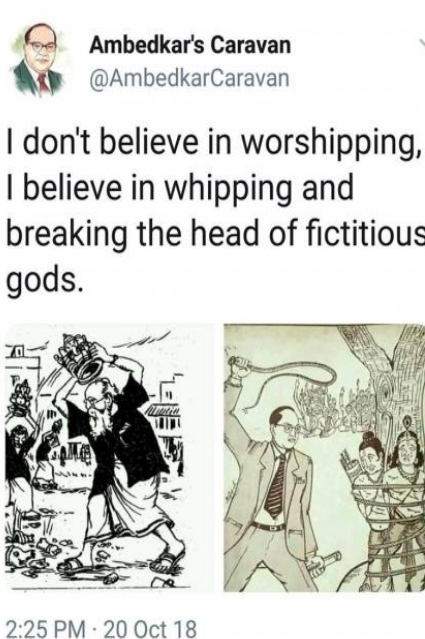
Who's Afraid Of MediaCrooks
newslaundry.com

2:16 AM - 31 Dec 17 - Twitter Web Client



Above are some of the examples in which twitter either asked the user to delete the account or suspended the account citing its rules, and policies. The images attached are self-explanatory.

These are similar tweets for which Twitter didn't initiate any action even after multiple reports and requests.





Hindustan Aeronautics Limited ✈️

Unofficial ➡️

@HAL_India

Design, fabrication & assembly of Aircraft, Jet Engines, Helicopter and their spare parts. HAL Enthusiast and Unofficial Account.

📍 Bengaluru, India 🌐 hal-india.com

📅 Joined September 2018

0 Following 3,854 Followers

No Action on this fake Account



Priyanka ✓

@autumnrainwish

God is dead, if God existed trust me you would definitely have gotten the swine flu way back in 2002. Please take as much time as it is humanly possible to recover from this sickness and if you don't recover, may you never rest in peace. 🙏🏻

Amit Shah ✓ @AmitShah

मुझे स्वाइन फ्लू हुआ है, जिसका उपचार चल रहा है। ईश्वर की कृपा, आप सभी के प्रेम और शुभकामनाओं से शीघ्र ही स्वस्थ हो जाऊंगा।

10:55 PM · 16 Jan 19 · Twitter Web Client



KAPIL ✓

@KapilSharmaK9

Following

@Spotboye Vicky lalwani.. u r a mother fucker liar.. who only spread negativity about me for a very little money ..N I know who is giving u money .. mehnat ki kha.. tattti matt kha madarchod .. u know what .. I can pay u more then ur worth .. but I don't want to pay u.

4:00 AM · 6 Apr 2018

15 Retweets 26 Likes



💬 29 🔄 15 ❤️ 26 📧



KAPIL ✓

@KapilSharmaK9

Maa chuda Gaya yahan ka system.. Saale ghatiya log .. Agar main prime minister hota to fake news banane walo ko faansi laga deta.. saale ghatiya

4:34 pm · 06 Apr 18

217 Retweets 542 Likes



Swara Bhasker ✓

@ReallySwara

Some assholes with big caste pride, tied men to a jeep, flogged them publicly and recorded it ; #ButLiberalsAreFanatics #SadhguruSays

8:42 AM · 10 Aug 18



Kamaal R Khan KRK

@kamaalrkhan

Follow

My God a person @KapilSharmaK9 who Walks like a girl, who talks like a chutiya n who laughs like a Chakka will slap me. Main Darr Gaya bhai.

12:30 PM - 2 Jul 2014

71 RETWEETS 59 FAVORITES





Sanjukta Basu 
@sanjukta

 Follow

Looks like Virat Kohli was playing with his dick that got distracted seeing girlfriend Anushka Sharma.

RETWEETS
93

LIKES
40



5:42 AM · 26 Mar 2015



Sanjukta Basu 
@sanjukta · 1s

Replying to @rajcumartambi

Tu apne maa ke gaand se nikla tha, ya kisi ke gaaye ke gaand se? Jis din gaaye ke gaand se insaan nikalne lage us din aana baat karne.



Tweet



Perna Bakshi 
@bpurna

Dear @narendramodi - Just wanted to say - fuck you! 😊

6:03 PM · 09 Jul 14

6 RETWEETS 8 LIKES



Rana Ayyub 
@RanaAy... · 13 Aug 14

Discourse ! "@DhakadJatin: @RanaAyyub talking abt hindu problems is communal??teri maa ki chut saale"

246

116

65



RKHURIA
@rkhuria

Replying to @RanaAyyub

@RanaAyyub @DhakadJatin In the interest of your sanity / mental peace, pl block / report such people

10:23 PM · 13 Aug 14 from Mumbai, India




Ajaz Khan 
@AjazkhanActor

Abey sali forwarder msg Hai whole world know this Tu chor Tera baap chor aur Tera pura Khandaan chor Tu Mera naam leke famous ho ja kahi mil to sahi jaan pls check out some khan they r bigggggggggg 🤔🤔🤔🤔 from heart

Sonam Mahajan 
@AsYouNotWish
Stop stealing my tweets, you morally bankrupt loser. twitter.com/ajazkhanactor/...

3:31 PM · 27 Feb 18 from Mumbai, India



Ram Subramanian (Voice Of Ram) 
@VORdotcom

Since it has become our culture to announce supari in public here is mine.
ONE LAKH RUPEES REWARD!!!
For anyone who throws a shoe at Narendra Modi in a public rally.
(GST applicable).

19/11/17, 5:34 PM from Mumbai, India



Voice Of Ram 
@VORdotcom

If Narendra Modi's mum would have considered an abortion it would have been a wonderful gift to every son of India on **#MothersDay**

11:41 am · 13 May 18 from मुंबई, भारत



Ajaz Khan 
@AjazkhanActor

Chor yeh forwarded Hai chor sali u have Muslim boyfriend and u hate Muslim so much bagal mai Chura aur Gaun mai didhura

Sonam Mahajan 
@AsYouNotWish
Things that Sridevi's untimely death teaches us:

- Life is unpredictable
- Life is too short for egos in relationships
- Make the most of your time, say what you w...



Ajaz Khan 
@AjazkhanActor

Shurti jaan it was joke meri mardangi apney baap Modi se aur yogi se puch and @AsYouNotWish is my x so u can ask her also she hate me so much now Coz I don't give her what she want ask her



Shehla Rashid @Shehla_... · 15 Apr ▾

I wish @DelhiPolice in Ramjas college had tied an ABVP goon on a police jeep.

The other ABVP goons would have stopped pelting stones.

↩ 259 ↺ 538 ❤ 994 ✉

one tip one hand_ follows



Shehla Rashid @Shehla_... · 23 Apr ▾

Agra @Uppolice should tie Yogi Adityanath to a jeep to stop the attack on police station by Hindu Yuva Vahini to free their members frm jail



Shehla Rashid @Shehla_Rashid ▾

Gautam Gambhir tied to an army vehicle, while he was on his way to vote in the bypoll.



Tehseen Poonawalla @tehseenp ▾

Also BJP MLA sir, thru you may I request @smritiirani ji we must also 'erect' a 56 inch pole in every Univ with a condom on it #symbolism

23/02/16, 17:44



Manish Tewari @ManishTewari

Follow

Is Se Khate Hain Chutiyon Ko Bhakt Bana Na or Bhakton Ko Permanent Chutiya Bana Na -Jai Ho. Even Mahatma can not teach MODI Deshbhakti 🙄🙄🙄🙄

twitter.com/deepak7130626...

11:59 AM - Sep 17, 2017

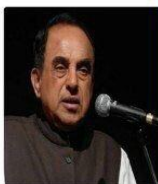
💬 15,785 ↺ 1,932 ❤ 3,003



Abhishek Mishra @meamabhishek ▾

ये हराम का पिल्ला सुब्रमण्यम स्वामी अपनी औकाद भूल चुका है. इसको मेंटल हॉस्पिटल में नंगा करके मारना चाहिए @Swamy39

Translate from Hindi



"सोनिया गांधी एक बैरिया है" -
सुअर का पिल्ला
भाजपा नेता
सुब्रमण्यम स्वामी



In reply to Nikunj Sahu

Abhishek Mishra @meamabhishek · Jul 12
@NikunjSahu tu Bol raha tha ki Kejriwal ki maa ki chut... Ye bata teri maa Ka Lund hai kya???

↩ 4 ↺ 8 ❤ ...



Abhishek Mishra @meamabhishek · Jul 12

@NikunjSahu Kejriwal ki maa ki chut.. Theek hai... But Randi ki nasal ye bata teri maa Ka Lund hai kya???

↩ 1 ↺ 1 ❤ ...



In reply to Shekhar P.

Abhishek Mishra @meamabhishek · Feb 22
@lamdeshmukh bhen ke Lund gussa dila rahe hain ye madarchod

↩ 2 ↺ 2 ❤ ...

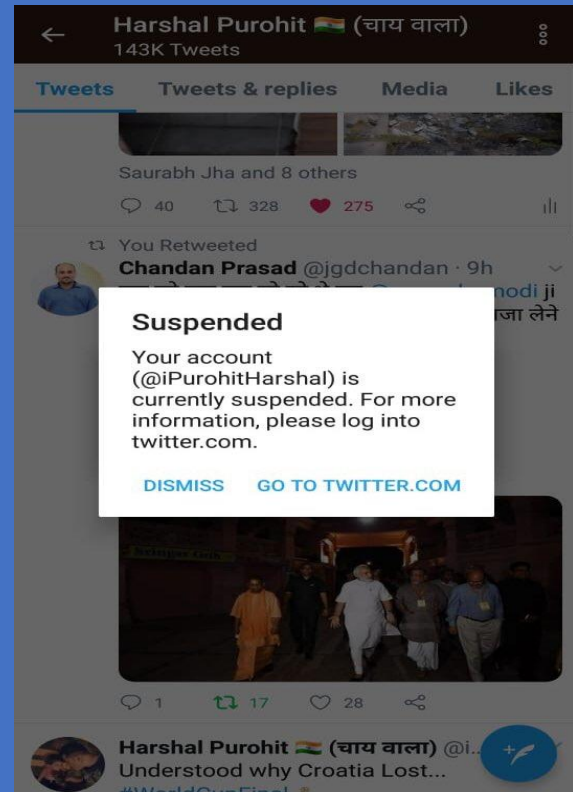


Raghu Ram @tweetfromRaghu



@im_ab oye chutiye. Tu mere baare mein nahin jaanta. Apni maa se poochh. Laudu...

Translate from Indonesian



Both posted same content and shared same video. But twitter took action on one tweet and there was no action on the other account.

Facebook also follows similar approach while enforcing its guidelines.

1. <https://www.facebook.com/iSupportNamo/posts/2243664602321280>

3rd Part Fact Checker Article > <https://hindi.boomlive.in/has-sonia-gandhi-started-praying-to-lord-rama-recently/>

This strike or article makes no sense. Congress party submitted an affidavit in the court telling that RAM never existed and Ram was MYTH. It is in public knowledge.

<https://timesofindia.indiatimes.com/india/No-historical-proof-of-Ram-Centre-tells-SC/articleshow/2363595.cms>



2. <https://www.facebook.com/iSupportNamo/posts/2235847639769643>
3rd Party Fact Checker Article - <https://www.boomlive.in/rahul-gandhis-temple-visit-photo-viral-with-misleading-context/>

Here Rahul Gandhi is in temple, for which we posted writing this as CHUNAVI HINDU, which meant that he visits temples during elections. It is not stated that he was reading Namaz, but the 3rd party fact checker has assumed that the page has posted it writing that he was reading namaz.

It is believed that they have targeted the page and unnecessarily flagging posts as fake news when they are not.



3. A user 'Kajal Hindustani' on facebook posted this picture. Facebook said it is against their community standards without even explaining that what is wrong with the picture which violates its community standards



During research, it was observed that multiple pages which are propagating anti-government news and ideas, have not faced any kind of restriction from the facebook.

Facebook fake news fact checkers never look into blatant fake news being spread by pages having anti-government agenda. They never remove it or penalize pages which promote fake news. Few examples below are just tip of the iceberg. However since the bias comes from the agencies involved themselves, most of the posts will go un-noticed.

1. Page Link - <https://www.facebook.com/RaveeshKumarS/>
Post Link - <https://www.facebook.com/RaveeshKumarS/photos/a.1818145871808381/2283950511894579/?type=3&theater>

Remark - Alok verma never said something like that as claimed in the post.

<https://www.thequint.com/news/webqoof/alok-verma-did-not-call-modi-most-corrupt-pm-in-letter>



2. Page Link –

<https://www.facebook.com/imSoniaGandhi/>

Remark – This report states that BJP president has to run away from many public programs because of public anger. Totally false news. No such event has happened.

Post Link –

<https://www.facebook.com/440758672981569/posts/938113133246118/>



3. Page Link – <https://www.facebook.com/imSoniaGandhi/>

Post Link-

<https://www.facebook.com/440758672981569/posts/93729089995008/>

Remark – News says that BJP stopped Live streaming of Rahul Gandhi speech. It's unsubstantiated propaganda shown as a news.

4. Page Link – <https://www.facebook.com/ISupportVinodDua/>

Remark – Photo Posted in the name of Ayodhya is actually old photo from Shahjahanpur used in the construction of drains.

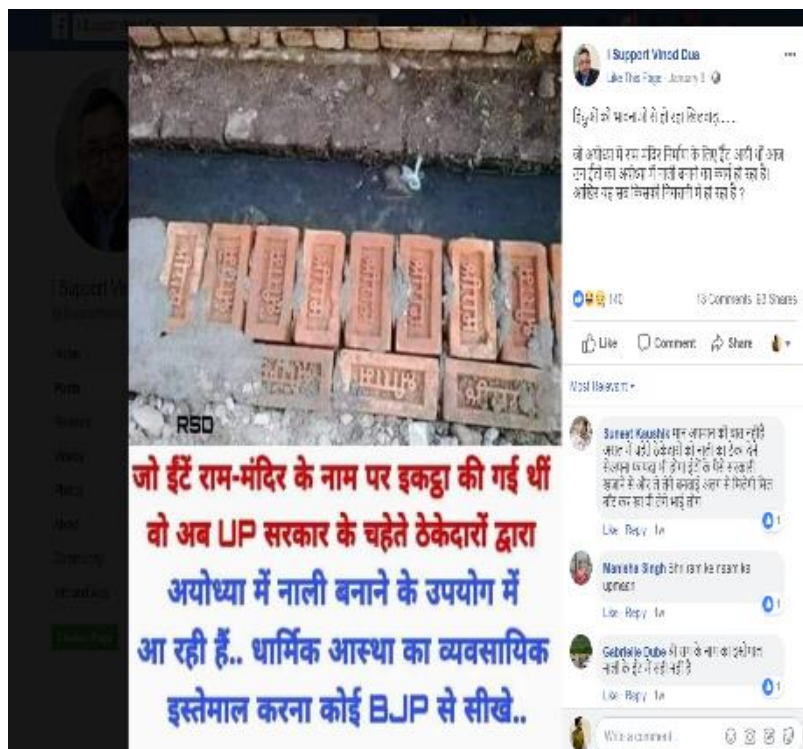
<https://www.indiatoday.in/fact-check/story/fact-check-truth-behind-viral-images-of-shri-ram-bricks-used-for-drain-construction-1426592-2019-01-08>

Post Link –

<https://www.facebook.com/ISupportVinodDua/photos/a.792074150968095/1184115325097307/?type=3&theater>



5. Page



Link –

<https://www.facebook.com/ravishrealhero/>

Post Link –

<https://www.facebook.com/ravishrealhero/photos/a.108573842945229/174049616397651/?type=3&theater>

Remark – This picture of dead man is actually from a farm land in Rajasthan. they are using this picture saying this man died standing line due to



demonetization. <https://m.patrika.com/ajmer-news/police-found-a-dead-body-of-a-man-who-was-working-in-their-field-2516048/>

6. Page Link – <https://www.facebook.com/SirAbhisarSharma/>

Remark – In this picture they are saying that BJP govt. has not done any farm loan waiver. while in UP only BJP govt did 36 crore worth of loan waiver.

Post Link –

<https://www.facebook.com/SirAbhisarSharma/photos/a.110282089664404/272190256806919/?type=3&theater>

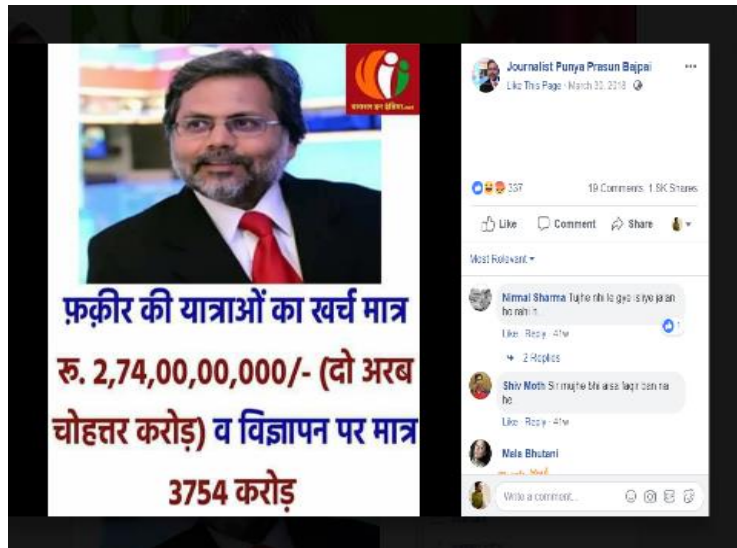


7. Page Link – <https://www.facebook.com/ppbajpai1>

Remark – Wrong figures being given about money spent on Modi's foreign trips & advertisement by BJP. Also PP bajpai never said anything like this(No available source for this).

Post Link –

<https://www.facebook.com/ppbajpai1/photos/a.1075959535859635/1507283502727234/?type=3&theater>



8. Page Link – <https://www.facebook.com/WeSupportShatrughanSinha>

Remark – Fake quote being attributed to Raghuram Rajan, he never said anything like that as claimed in this picture.

Post Link –

<https://www.facebook.com/WeSupportShatrughanSinha/photos/a.719591021574351/912715335595251/?type=3&theater>



9. Page Link – <https://www.facebook.com/IamwithRAGA/>

Remark – Fake quote being attributed to Murli Manohar Joshi, he never said anything like that as claimed in this picture.

Post Link –

<https://www.facebook.com/IamwithRAGA/photos/a.527592104263637/606182723071241/?type=3&theater>



10. Page Link –

<https://www.facebook.com/WeSupportPrakashRaj>

Remark – This picture is spread on the name of being from the recent farmer protest while actually it is from 2013 protest. <http://archive.indianexpress.com/news/tense-meerut-erupts-six-hurt-in-clash-with-police-at-banned-mahapanchayat/1176031/>

Post Link –

<https://www.facebook.com/WeSupportPrakashRaj/photos/a.235991476943361/367209000488274/?type=3&theater>



11. Page Link – <https://www.facebook.com/priyankagandhiindian>

Remark – They are saying that Modi govt brought a new rule that INR 10 will be deducted every time you change your ATM pin & password while the truth is that there is no such rule.

Post Link –

<https://www.facebook.com/priyankagandhiindian/photos/a.1030766227075553/1372156796269826/?type=3>



12. Page Link – <https://www.facebook.com/BhoolKaPhool>

Remark – Fake quote being attributed to Sh. Lal Krishna Advani. He never said anything like that.

Post Link –



<https://www.facebook.com/BhoolKaPhool/photos/a.1570182469975844/2159456624381756/?type=3>

13. Page Link - <https://www.facebook.com/Fekunama/>

Remark - Japan didn't stop funding of Bullet Train. is a fake news.

Post Link -



This

<https://www.facebook.com/Fekunama/photos/a.780951368598626/2392979884062425/?type=3>

14. Page Link - <https://www.facebook.com/JoblessJack>

Post Link -

<https://www.facebook.com/JoblessJack/photos/a.831245323559534/2157212414296145/?type=3>

Remark - Fake tweet image created in the name of PM Modi.



15. Page Link - <https://www.facebook.com/bluffmastermodi>

Post Link -

<https://www.facebook.com/bluffmastermodi/photos/a.584257228253511/2273319742680576/?type=3&theater>

Remarks - Photo Posted in the name of Ayodhya was actually old photo from Shahjahanpur used in the construction of drains.

<https://www.indiatoday.in/fact-check/story/fact-check-truth-behind-viral-images-of-shri-ram-bricks-used-for-drain-construction-1426592-2019-01-08>



It is very important to note that these posts or pages have not been flagged by Facebook and the third party checkers.

As is evident from the examples that how Facebook and its third part fact checkers are implementing their rules and regulations in a biased manner. It is discretionary and complete abuse of power. Playing with the fundamental right to free speech is completely unconstitutional. It is also evident now that there is clear ideological bias in the approach of these platforms.

7. Third party fact checkers hired by these platforms are biased.

Outsourcing “truth policing” to a third-party fact checker can only work if the fact-checkers themselves have sound and trusted judgment.

In the name of fact-checking, these platforms have done tie-up with organizations like boom-live, Alt News, etc. which are not only biased in their agendas but have also acted in a very irresponsible manner by compromising the privacy of many citizens.

In the previous section, it has been shown that how these third party fact checkers are doing the fact checking in a more biased manner. Fact checking is mostly done on contents shared by the people who are a part of the government or are sympathisers of the government. Most pages and users who spread fake news against the government don't get flagged by these fake news busters.

8. Redressal mechanism in case of suspension, deletion, or any other issue.

This is very important to note that there is no concrete redressal mechanism for the users who have faced any issue under the community guidelines, rules, regulations or their terms of service. It is also very important to clarify that there have been multiple instances in which the account of users have been suspended or deleted without issuing even a single notice about the violation of their rules. This is extreme violation of the principles of natural justice. The fundamental right to free speech cannot be curtailed in a manner which is unconstitutional.

Secondly, even after the action is taken against the user, there is lack of proper transparent redressal system to resolve the issue. This research found out that many Facebook pages have been deleted and aren't restored till date even after multiple appeals and complaints. Twitter accounts have been suspended and not restored.

A young software engineer said, 'I did so much of hard work for months in building a Facebook page which was deleted suddenly by the platform after it started gaining traction and reach'. The page was sharing positive things done by the government. Similarly, a twitter user quoted, "my account had 102k followers, one fine morning I posted some content which was also shared by some of the very prominent leaders. My account got suspended because of the content while others who shared the same stuff haven't faced any issue."

9. *Verification is another front where discrimination is rampant.*

There are many instances where users have less than a thousand followers has been verified. However, websites like rightlog.in, which has been around for two years now, which has some of the most distinguished writers, which has its articles shared by some of the most eminent Indians and a readership of millions every month, is yet to be verified. In the interview with editor of the media portal rightlog.in, he quoted, "I head the editorial process of this website, and my handle too is yet to be verified, while people who review movies once a week for some leftist portal have had their handles verified. Verification was something that users applied for earlier, but nowadays, it is solely Twitter's prerogative. It is evident therefore that important right-wing handles are ignored but Twitter literally looks for the most insignificant of left-wing handles that they can instantly verify. Verification brings credibility, and therefore, it is quite clear that Twitter is actively trying to discredit the right wing." Similar is the process of Facebook for verification.

It is evident that the biasness and discretionary powers are being used in the process of verification as well.

V. Conclusion

1. *Social Media platforms are curbing the right to free speech.*

There is enough evidence to suggest that a particular pattern seems to have been observed in the actions taken by these platforms against its users. In a country ruled by constitution under which every citizen is guaranteed fundamental right to freedom of free speech and expression, this is blatant violation of the constitutional articles and principles.

2. *They are using discretionary power.*

It is concluded that these social media platforms are abusing their policies in a discretionary manner. Evidence suggests that incidents of almost exactly similar characteristics are given differential treatment. This discrimination is evident through many factors as explained in the observation section.

3. *They are indulged in shadow banning.*

Shadow-ban is done to quietly silence the account of a user. It is evident to suggest that these platforms have been engaged in shadow banning of accounts associated with certain ideology. Even PM Modi's accounts have been shadow banned by the platform.

4. *There is absence of rule of law and principles of natural justice.*

Rule of law and principles of natural justice are component of the basic structure of the constitution. Time and again these principles have been established as the core of the constitution of India. Through the research, the evidence suggests that these social media platforms have blatantly violated these constitutional principles.

5. *International human rights and united nations frameworks is not being followed by these platforms.*

Right to free speech is a part of Universal declaration of human rights and many other international conventions. United nations throughout these years have advocated for free speech without any limitations unless prescribed by law. The platforms like Facebook, Twitter, YouTube, etc. are not following the international regulations for free speech.

6. *Denial of Social Media Justice*

Above all, the objective and credibility of social media platforms comes under question in this process of selective and biased actions against its users. This repeated disproportionate actions to a particular group of people is misleading the public at large and thus affecting the fabric of India's democracy. This endangers the socio-political conditions of the Nation at large.

Public Policy Research Centre

Public Policy Research Centre (PPRC) is a research organization established under Dr Mookerjee Smruti Nyas, which is a public charitable trust, in 2011. The Centre aims at constructively impacting the policy formulation process with emphasis on good governance practices, efficient implementation mechanisms and evidence-based policy-making including policy-audit and evaluation, in the larger interest of the nation.

Public interest is of paramount importance in a democracy. No democratically elected government can perform its duties as the custodian of public good without evidence-based research. Solid research is a prerequisite of sound policy formulation and design making. Dispassionate and objectively conducted research enhances democracy as it can reduce the ability of those with vested interests to influence the public policy debate. The idea behind PPRC is to undertake structured research and carry field-study projects to explore constructive solutions on important policy issues in an institutionalized manner, through discussions, debates, seminars, study circles and brainstorming sessions.

Since its inception, PPRC has worked on several short-study projects as well as full length research products and has come out with occasional papers, study reports, research-tools and similar publications.

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