

Election Commission issues rules on use of social media

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By Pooja Dodd,
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Political campaigning used to mean gathering crowds and yelling catchy slogans to lure voters – *Garibi Hatao* (Abolish Poverty) and the like – larger-than-life grinning political leaders staring down large from hoardings and full-page newspaper advertisements. With television came the addition of films, beautifully shot on 70mm with Dolby sound (remember *India Shining?*). Cut to the 2014 elections and once again political parties and candidates have adapted, happily using social media sites such as Facebook and Twitter to engage and educate voters.

Everyone's doing it

The Aam Admi Party – the new kid on the block that has taken Delhi (read India) by storm – realized early on that an election campaign must have a formidable online presence to support its offline efforts. The Bharatiya Janta Party isn't far behind. Narendra Modi, who is being projected as its prime ministerial candidate, is using social media such as Google Hangout and Facebook in an attempt to woo the young voter, who is not only net literate, but also influences the votes of any given family. The Congress Party too has jumped onto the social media bandwagon, albeit a little too late, using WhatsApp as its engagement tool and Facebook to propagate its many initiatives. Congress politicians such as Shashi Tharoor were among the earliest to recognize the reach of Twitter and other social media apps.

Instructions issued

The Election Commission of India has demonstrated its awareness of the explosive growth of social media and the magnitude and importance of their use during election campaigns, by issuing a set of instructions to be followed with

respect to use of social media in election campaigns.

The Election Commission has broadly classified social media in the following categories: (1) collaborative projects (such as Wikipedia); (2) blogs and micro blogs (such as Twitter); (3) content communities (such as YouTube); (4) social networking sites (such as Facebook); and (5) virtual game-worlds (such as apps).

The commission's instructions clarify that all extant legal provisions relating to other media apply to social media as well.

The commission has made it mandatory for candidates to declare all authentic social media accounts held by them at the time of filing of nominations, on an affidavit sworn under oath.

In addition, every registered political party and every contesting candidate that proposes to use television or a cable network to run a political campaign must obtain a pre-certification from a media certification and monitoring committee.

Declaring expenditure

Section 77(1) of India's Representation of the People Act, 1951, requires all candidates to keep a separate, accurate and correct account of all expenditure in connection with the election campaign incurred or authorized by them or by their election agent between the date on which they file their nomination and the date of declaration of the result. The Election Commission has clarified that expenditure on an election campaign through any advertisement on social media is a part of all expenditure in connection with the elections. This includes payments made to internet companies and websites that are used in the election campaigns. It also includes payments to content developers, payments to advertising agencies in relation to developing

creative campaigns, and payments to individuals who are employed by candidates and political parties to maintain their social media accounts.

Lately social media have also been used by miscreants to spread misinformation that undermines a candidate or party. The Election Commission in consultation with the Ministry of Communications and Information Technology is formulating instructions in relation to content posted on social media accounts that do not belong to or that are not authorized by the candidates and political parties.

The commission's model code of conduct, which is applicable from the date elections are announced by the commission until the completion of the elections, will also apply to all the content being posted on social media by candidates and political parties.

Conclusion

While Indian political parties will continue to rely on the traditional forms of campaigning such as holding rallies, print advertisements and door-to-door visits to woo voters, most realize that the social media platform cannot be ignored.

A study on the social media and the Lok Sabha elections, conducted by the IRIS Knowledge Foundation and the Internet and Mobile Association of India, found that social media could impact the election result in 160 of the 543 constituencies that will choose representatives in the coming Indian elections. India being a "young" nation, with 75% of its population under the age of 35, it is no surprise that political parties are embracing social media to reach young voters. After all, they are learning that if you don't stay with the times you get left behind.

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