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To
The Secretary,
Ministry of Electronics and Information Technology
Government of India

Subject: Joint Representation regarding Content Takedowns, Platform Restrictions, Impact on Livelihood, and the Need for Procedural Safeguards

Respected Sir/Madam,

We, the undersigned, write to express our concerns regarding the increasing use of content takedowns, account and group restrictions, and other forms of opaque content moderation across digital platforms, and the significant impact it has on our rights, livelihoods, and participation in public discourse.

Social media, messaging, video-sharing, and other online platforms have become essential spaces for communication, dissemination of information, journalism, political expression, community organising, and civic participation. They provide an avenue for content creators, journalists, artists, small businesses, independent media organisations, freelancers, educators, and other individuals to reach audiences, communicate with customers, generate income, and sustain their professional activities in the digital economy.

Over the past few months, especially since July 2026, we have come across, faced and documented several instances across platforms where content has been removed or restricted, accounts or groups have been suspended, or the visibility and reach of content have been significantly reduced. The scale and pattern of these restrictions are unprecedented and raises serious concerns about the extent at which government authorities are increasingly leaning on digital platforms to restrict online expression. Platforms also appear to be increasingly resorting to censorship, including high usage of automated moderation systems and restricting content beyond what may be legally required because of increasing regulatory pressure and the threat of losing safe harbour protections. In several instances, users have reported that these actions were undertaken through automated systems or pursuant to “legal requests” or legal requirements, without adequate information regarding the basis of the restriction or an effective mechanism to challenge it.

The problem is not limited to the removal of individual posts, it extends to other platform level restrictions. Account restrictions include suspensions, disabling of features like livestreaming, commenting, reposting, and even shadowbanning and other visibility restrictions. Some of these have immediate and substantial consequences for users who depend on digital platforms for their livelihood. Even a temporary account suspension can deprive a creator or small business of access to its audience and customers. Reduced visibility can affect advertising revenue, sales, professional opportunities, and audience growth. For journalists and independent media organisations, the loss of access to their audience during a critical period can undermine their ability to disseminate information, as well as their audience’s trust in their reporting. Even if content is subsequently restored, the harm caused during the period of restriction may not be reversible. Users may lose income, subscribers, customer and professional opportunities.

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Clarity on the basis for restrictions

We are particularly concerned about the difficulty faced by ordinary users in determining why and on whose authority their content has been restricted. A content restriction may result from (i) a government or court order; (ii) a request or direction issued by a government authority; (iii) enforcement of the platform's own terms or community standards; (iv) an automated system deployed by the platform or a combination of these mechanisms. However, users are often provided with insufficient information limiting their ability to distinguish between these different forms of intervention. This distinction is important for the user to seek appropriate remedy as the source of the restriction determines the nature of the remedy available to the user.

Lifetime account bans

When takedown orders are issued against accounts it results in a permanent and indefinite loss of the account without a meaningful opportunity for review or appeal. Such bans can severely disrupt the livelihood of content creators, journalists, small businesses, and other users who depend on their accounts for their work and income and who have already established a base on the platform with respect to the audience and reach on the platform. We therefore request the Government to not evoke permanent bans without an accessible appeal and review mechanism.

Need for safeguards against automated and erroneous enforcement

We are also concerned about the increasing reliance on automated systems for implementing content restrictions and legal compliance requirements. Automated systems can operate at scale but may also produce erroneous or disproportionate outcomes. This is clear from the instance of temporary removal of the Prime Minister of India Facebook Post, which the platform later accepted to be an internal technical and automated moderation error. Thus such systems should not be relied upon to make content takedown decisions without meaningful human oversight and an effective mechanism for review.

Specific safeguards for Journalistic and public-interest content

Journalistic and media content should not be treated in the same manner as ordinary user-generated content. Professional journalists and media organisations provide factual information of public interest and play a distinct role in informing the public and enabling democratic participation. Restrictions affecting such content therefore require safeguards consistent with the protection afforded to freedom of the press. Where journalists or media organisations identify themselves to platforms as providers of public-interest content, any government-initiated request for removal or restriction should be subject to a mandatory prior notification period of at least 24 hours, except in narrowly defined circumstances where an immediate restriction is demonstrably necessary. This would provide journalists and media organisations an opportunity to understand the basis of the request and challenge it before their content is

removed. Such a safeguard should be established through an appropriate legal or regulatory framework and should not be left to voluntary platform practices, particularly where platforms are required to comply with government requests within significantly shorter timeframes. The framework should also require the notification to identify the legal basis, authority issuing the request, specific content concerned, and reasons for the proposed restriction, along with an accessible mechanism for review or challenge.

Misuse of takedown powers by government agencies

We recognise that the Government has legitimate responsibilities to address unlawful content and protect national security and public order. However, there are growing concerns that government agencies are misusing these powers and mechanisms to restrict lawful content that poses no threat to national security or public order, including journalism, political criticism, satire, and public-interest speech. There is little clarity regarding which government agencies are empowered to initiate content takedowns, the legal basis on which they exercise these powers, and the checks and balances in place to prevent their misuse. These concerns are particularly significant in relation to takedowns initiated under Section 79 of the Information Technology Act 2000 and mechanisms such as the Sahyog portal, where there is a lack of adequate procedural safeguards, transparency, notice to affected users, and meaningful opportunities to challenge restrictions.

Impact on free expression and democratic participation

The consequences are particularly serious where restrictions affect political expression, criticism of public authorities, satire, journalism, public-interest information, or peaceful protest. The ability to communicate and organise online has become an integral part of democratic participation. Opaque or erroneous restrictions can therefore affect not only individual users but also the public's ability to access information and participate in public debate.

In light of the above, we respectfully request that the Government consider the following measures:

1. Clear attribution of the basis for restrictions: The Government should provide clear legal basis to the users on whether a restriction results from a government or court order, a government request, enforcement of the platform’s own policies, or an automated system.

2. Meaningful notice and reasons: Users affected by government-directed or legally mandated restrictions should receive sufficient information regarding the legal basis, nature, scope, and duration of the restriction and the authority responsible for it.

3. Effective avenues of redress: The Government should have provisions in place for the users to have accessible and timely mechanisms to challenge or seek review of restrictions affecting their content, accounts, or groups.

4. Human review of automated restrictions: Where automated systems are used to implement legal or policy requirements, safeguards should be prescribed to prevent erroneous or disproportionate enforcement and for access to meaningful human review.

5. Protection against disproportionate livelihood impacts: The Government should consider the economic and professional consequences of content and account restrictions, particularly where individuals or entities depend on digital platforms for their livelihood. Less restrictive measures should be considered before imposing account-wide or prolonged restrictions. Any framework governing content restrictions should recognise the particular consequences for users whose livelihoods depend on digital platforms.

7. Transparency regarding government requests: The Government should publish periodic, meaningful transparency information regarding requests and directions issued to intermediaries for content restriction, including the number and nature of requests, legal provisions invoked, and broad categories of content affected, subject to legitimate confidentiality and security requirements.

8. Prior notification and robust safeguards for journalistic content: The Government should establish a mandatory prior notification procedure of at least 24 to hours for government-directed restrictions concerning content published by journalists and media organisations providing public-interest information, except in narrowly defined circumstances requiring immediate action. Such notification should specify the authority, legal basis, content concerned, and reasons for the proposed restriction, and provide an effective opportunity for the journalist or media organisation to seek review before the restriction takes effect.

We therefore request the Ministry to consider the concerns raised in this representation and take appropriate measures to strengthen transparency, procedural safeguards, accountability, and effective redressal in relation to content restrictions across digital platforms.

We would welcome an opportunity to engage further with the Ministry on these issues and to provide details of the instances if required.

Yours faithfully,

Organisations

1. Software Freedom Law Center, India (SFLC.in)
2. Free Speech Collective
3. Index on Censorship

Individuals

1. **Mohammad Areeb Hussain Shola**
2. Anand Kumar
3. SYED IRFAN
4. Evan Anton Arun
5.