

India Tells Karnataka High Court: Illegal Content on X Threatens Democracy



The Indian government has informed the Karnataka High Court that the spread of illegal content on X (formerly Twitter) poses a serious threat to democratic stability and public order. Government counsel highlighted the social media platform's alleged failure to promptly remove posts flagged under Indian law.

During Thursday's hearing, the Ministry of Electronics and Information Technology (MeitY) cited repeated delays in compliance with content removal orders under Rule 3(1)(d) of the Information Technology (IT) Rules, 2021, and Section 79 of the IT Act, 2000. MeitY warned that continued non-compliance could lead to the loss of intermediary "safe harbour" protections, which currently shield platforms from legal liability for user-generated content.

The Solicitor General, representing the central government, supported this assertion, stating that Rule 3(1)(d) empowers authorities to flag illegal posts, and platforms must act or risk court action. MeitY emphasized that misuse of the safe harbour provision amounts to evading accountability.

The proceedings also touched on free speech rights under Article 19 of India's Constitution. Government attorneys argued that X, as a digital intermediary, does not possess constitutional free speech protections. "X is merely a notice board, not a voice," the attorney told the court, citing the landmark Shreya Singhal judgment, which recognized that platforms using public resources can be regulated in the public interest.

In submissions to the court, MeitY argued that X's "unchecked algorithmic control" poses a greater risk to speech than government regulation, warning that users may be trapped in echo chambers driven by engagement-maximizing content.

X Corp has pushed back against the government's position, claiming it bypasses legal protections by invoking Rule 3(1)(d) without following the transparent and procedural safeguards outlined in Section 69A of the IT Act. The platform has described this as an "ingenious workaround" that avoids judicial oversight.

Legal experts suggest the case could determine the limits of government authority over digital intermediaries in India. "Platforms must follow lawful orders or lose their immunity. There's no room for selective compliance," said advocate Anil Kumar, speaking from Bengaluru.

The Karnataka High Court is reviewing both sides' arguments. It is expected to address whether X should face stricter compliance requirements, financial penalties, or even lose safe-harbour status. Observers note that a ruling in favor of the government may reshape how social media platforms operate in India's expanding digital economy.