



# **DAILY EDITORIAL ANALYSIS**

**TOPIC**

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**DIGITAL CONTENT CENSORSHIP IN  
INDIA**

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## DIGITAL CONTENT CENSORSHIP IN INDIA

### Context

- Censorship of digital content in India has sparked widespread debate, particularly with the rise of social media platforms, streaming services, and independent journalism.
  - ♦ The recent controversy surrounding the show 'India's Got Latent' has reignited discussions about digital censorship.

### Understanding Digital Content Censorship

Digital content censorship refers to the control or suppression of online content by governments, organizations, or other entities. This includes:

- Blocking websites and apps
- Removal of social media content
- Regulation of OTT (Over-The-Top) streaming platforms
- Restrictions on digital news and journalism

### Arguments for a Digital Censor Board

- **Preventing Hate Speech & Misinformation** – Unchecked fake news and inflammatory content can disrupt social harmony.
- **Protecting Cultural Sensitivities** – India's diverse religious and cultural sentiments require safeguards.
- **Regulating Online Harassment & Obscenity** – Addresses concerns over explicit content, cyberbullying, and privacy violations.
- **Ensuring Child Safety** – Digital platforms expose minors to inappropriate content, necessitating age-based restrictions.

### Legal Framework Governing Digital Censorship in India

- **Right to Freedom of Speech (Article 19(1)(a))** – Subject to reasonable restrictions under Article 19(2) concerning decency, morality, and public order.
- **Information Technology (IT) Act, 2000** – Section 69A grants the government power to block online content for security or public order concerns.
- **Intermediary Guidelines & Digital Media Ethics Code, 2021** – Regulates social media, OTT platforms, and digital news media.
- **Self-Regulation by OTT Platforms** – Platforms like Netflix and Amazon Prime follow self-regulatory frameworks such as the Digital Publishers Content Grievances Council (DPCGC).
- **Cinematograph Act, 1952 (Amendments for OTT Platforms)** – Discussed amendments aim to bring streaming platforms under similar censorship regulations as films.
- **Press & Registration of Periodicals Bill, 2023** – Seeks to regulate digital news platforms, ensuring editorial accountability.

### Global Perspectives on Digital Censorship

- **China:** Enforces strict state censorship on digital content.
- **European Union:** Introduced the Digital Services Act, focusing on content moderation without excessive censorship.
- **United States:** Relies more on platform-driven self-regulation.

### Challenges in Digital Censorship

- **Balancing Freedom of Speech & Regulation** – Over-regulation can suppress creativity, while under-regulation can spread harmful content.
- **Transparency & Accountability** – Content moderation and censorship decisions often lack clear guidelines, raising concerns about misuse.

- **Jurisdictional Issues** – Many digital platforms operate from outside India, making enforcement difficult.
- **Technological Advancements** – The rapid evolution of digital media complicates consistent and fair regulation.
- **Ethical Concerns** – The subjective nature of obscenity laws can lead to arbitrary censorship.

### Supreme Court's View on Digital Censorship

- The **Apoorva Arora v. Govt. of NCT of Delhi (2024)** case emphasized the need for objective criteria to determine obscenity, focusing on whether content arouses sexual or lustful thoughts rather than the perceived decency of language. However, subjective interpretation remains a challenge.

### Way Forward: Balanced Regulation

- **Strengthening Independent Regulatory Bodies** – Ensuring that courts and neutral institutions review censorship decisions.
- **Enhancing Transparency in Content Moderation** – Digital platforms should publish periodic transparency reports on content takedowns.
- **Encouraging Digital Literacy** – Educating citizens to identify fake news rather than enforcing restrictive censorship.
- **Public Consultation in Policymaking** – Involving journalists, legal experts, and civil society in framing digital content regulations.

### Conclusion

- A **digital censor board poses a risk** to free speech, creativity, and independent journalism. While curbing harmful content is necessary, any regulation must be **balanced, transparent, and impartial** to protect democracy and innovation. The internet should remain a space for **open dialogue and expression**, ensuring that censorship does not become a tool for political control or suppression of dissent.

Source: TH

### Mains Practice Question

Considering the potential impact of a digital censor board on freedom of expression and democratic values, what are the arguments for and against implementing such a board, and how can governments balance the need for regulation with the protection of individual rights and freedoms?

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