

ONLY COMPETITION IAS

DAILY
Editorials &
Articles



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UPSC 360°

The Hindu & Indian Express Unwrapped – Daily Current Affairs Mastery for UPSC CSE (Clear that it's based on The Hindu editorials / news analyses – very aspirant-friendly)



THE HINDU

The Indian EXPRESS

Significance

Internet censorship law is significant as it balances freedom of expression and national security. It helps prevent misinformation, hate speech, and cyber threats while maintaining public order. At the same time, it ensures that State power is not misused, protecting democratic values, individual rights, and digital governance in the modern era.

Internet Censorship Law: Balancing Freedom, Security and Digital Governance

Introduction

- ❖ Internet censorship refers to the regulation or restriction of online content by governments or authorized agencies. In today's digital era, it has become a crucial issue as it directly affects **freedom of expression, privacy, national security, and democratic values**.
- ❖ With the rapid growth of digital platforms, countries like India face the challenge of ensuring that regulation does not violate constitutional rights while maintaining public order.

Meaning and Scope of Internet Censorship

Internet censorship involves controlling access to information available online. It includes:

Forms of Censorship

- Blocking websites or applications
- Removal of objectionable content
- Restricting social media platforms
- Internet shutdowns or throttling
- Surveillance and monitoring of online activity

Nature of Regulation

- Preventive (blocking harmful content)
- Reactive (removal after publication)
- Regulatory (guidelines for platforms)

Legal Framework in India

1. Constitutional Basis

- **Article 19(1)(a)** guarantees freedom of speech and expression

- **Article 19(2)** allows reasonable restrictions on grounds such as:
 - Sovereignty and integrity of India
 - Security of the State
 - Public order
 - Decency and morality
 - Defamation and incitement to offence
- ❖ Thus, freedom of expression is **not absolute**, especially in the digital space.

2. Statutory Provisions

Information Technology Act, 2000

- **Section 69A:** Government can block public access to content
- **Section 79:** Provides conditional immunity to intermediaries

IT Rules, 2021

- Appointment of grievance officers
- Time-bound content removal
- Traceability requirements (in certain cases)
- Regulation of digital media and OTT platforms

Judicial Perspective

Shreya Singhal v. Union of India

- Section 66A struck down for being vague
- Affirmed protection of online free speech

K.S. Puttaswamy v. Union of India

- Declared privacy as a fundamental right
- Established limits on State surveillance

Rationale for Internet Censorship

1. National Security

- Prevents terrorism, cyber threats, and anti-national propaganda

2. Public Order

- Controls hate speech, riots, and misinformation

3. Protection of Society

- Restricts obscene, harmful, and misleading content

4. Combating Fake News

- Ensures authenticity of information

Challenges and Concerns

1. Threat to Freedom of Expression

- Over-censorship may suppress dissent and criticism

2. Arbitrary Use of Power

- Broad legal provisions may lead to misuse

3. Lack of Transparency

- Blocking decisions are often not publicly disclosed

4. Privacy Issues

- Monitoring and traceability may violate privacy

5. Economic Impact

- Restrictions may affect startups, innovation, and digital economy

Global Approaches

- **China:** Strict state-controlled censorship
- **United States:** Strong protection of free speech
- **European Union:** Balanced approach with data protection laws

India follows a **moderate approach**, but debates continue over its effectiveness and fairness.

Recent Trends

- Increasing internet shutdowns
- Greater regulation of social media platforms
- Concerns over fake news and deepfakes
- Debate over encryption vs national security

Way Forward

1. Balanced Regulation

Ensure laws protect both security and liberty

2. Transparency

Clear guidelines and public disclosure of censorship decisions

3. Judicial Oversight

Strong role of courts in reviewing government actions

4. Digital Literacy

Educate citizens to identify misinformation

5. Data Protection

Strengthen privacy laws and safeguards

Conclusion

- ❖ Internet censorship is a necessary but sensitive tool in governance. While it helps maintain **security and public order**, excessive control can undermine **democratic freedoms and innovation**.
- ❖ For India, the key lies in maintaining a **delicate balance between regulation and freedom**, ensuring that the internet remains a platform for **expression, innovation, and inclusive growth**.

10. UPSC CSE & State PCS Relevance

Prelims

- Key terms: Section 69A IT Act, DNS Blocking, Safe Harbour (Section 79), IT Rules 2021, Telecom Act 2023, Shreya Singhal case.
- Facts: 2025 study showed only 1,414 out of 43,083 blocked domains were uniform across six ISPs.

GS-2 (Polity & Governance)

- Freedom of speech vs reasonable restrictions; Digital governance; Transparency and accountability; Judicial review of executive actions.

GS-3 (Science & Technology)

- Internet regulation; Cybersecurity; Impact of technology on fundamental rights.

Essay / Interview

- "Internet Censorship in India: Striking a Balance Between National Security and Freedom of Expression."
- "Opacity in Digital Regulation: Challenges to Rule of Law in the Internet Age."
- "Does India Need a Comprehensive Digital Freedom and Accountability Framework?"

MCQs

1. Consider the following statements regarding internet censorship in India:
 1. Section 69A of the IT Act, 2000 empowers the government to block websites.
 2. DNS-level blocking is the most common method used by Indian ISPs.
 3. All blocked domains are uniformly enforced across every ISP. Which of the statements given above is/are correct?

(a) 1 and 2 only
(b) 2 and 3 only
(c) 1 only

(d) 1, 2 and 3

Answer: (a)

2. Which Supreme Court case struck down Section 66A of the IT Act as unconstitutional?

- (a) K.S. Puttaswamy case
- (b) Shreya Singhal v. Union of India
- (c) Navtej Singh Johar case
- (d) Sabarimala case

Answer: (b)

3. A 2025 study found that out of 43,083 blocked domains across six ISPs, how many were blocked by all six?

- (a) 43,083
- (b) 1,414
- (c) 294,000
- (d) 10,000

Answer: (b)

4. The “safe harbour” protection for intermediaries is provided under which section?

- (a) Section 66A
- (b) Section 69A
- (c) Section 79
- (d) Section 80

Answer: (c)

5. Which of the following is NOT a usual ground for blocking content under Section 69A?

- (a) Sovereignty and integrity of India
- (b) Public order
- (c) Promotion of international trade
- (d) Friendly relations with foreign states

Answer: (c)

Mains Questions

1. “While internet censorship is necessary for national security and public order, its opaque and inconsistent implementation poses a serious challenge to freedom of expression.” Critically examine

India's internet censorship regime with reference to Section 69A and recent studies on ISP blocking practices. (15 marks / 250 words)

2. Discuss the tension between Article 19(1)(a) and Article 19(2) in the context of digital censorship in India. Suggest reforms for a more transparent and proportionate regulatory framework. (15 marks / 250 words)
3. "Lack of uniformity and transparency in website blocking by ISPs undermines the rule of law in the digital space." Analyse this statement and propose measures to address the challenges. (10 marks / 150 words)

