



A critical analysis of censorship in India

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Abstract

One of an authority's controlling mechanisms is censorship. It is organised and decided by a body that is controlled by a country's sociopolitical and religious forces. The current cinema censorship methods in India are examined in this research. It draws attention to the reasons for India's cinema censorship, which has been a hot topic in 21st-century politics. "Media is an essential part of democracy," as many texts, precedents, and experts have reaffirmed. The media is proud of its role in shaping, altering, and presenting the opinions of the general public. In recent years, social media has supplanted conventional media in India, such as radio and newspapers. However, "cinema" has shown itself to be a medium that has endured over time, and its influence in the contemporary world has only grown.

This study offers a thorough critical examination of India's film censorship system. With its effects on artistic freedom, cultural expression, and society norms, film censorship has long been a contentious topic. The categories of film certification and the CBFC's power to decide on scenes or even entire films are covered in the paper. In a medium as interpretive as film, this essay draws attention to the possible dangers of letting a small number of people determine what is appropriate for public consumption. In addition to examining the recent Cinematograph amendment bill 2023 and its complex effects on the film industry, this essay provides insightful analysis of the complex interrelationships between artistic expression, cultural standards, and governance. It advocates for a well-rounded strategy that respects artistic freedom while taking into consideration the various viewpoints that add to the rich fabric of Indian culture.

Keywords: Censorship, films, India, artistic freedom, societal values, CBFC

Introduction

The phenomenon of censorship occurs when an authority exercises its power over its subjects. An authority uses a variety of media to communicate with its subjects, including print media like books, newspapers, and documents as well as audio-visual media like films and television shows. The media can be used to inform, inspire, and control the subjects. A media is more than just a medium, and no medium has a static function. People may watch films for amusement, but they can also learn something new or be inspired by them. A medium has multiple functions, elements, structures, and readings; it lives in a plural-sphere. As a medium, a movie can document history, create new customs, rewrite geography, raise awareness, advance scientific discoveries, and much more. It has the greatest impact on people since it is one of the most seductive audio-visual media. The authority censors the effect-producing pictures if the impact deviates from its established standards. The Supreme Court of India claims that cinema censorship is required because, in contrast to printed words, films guarantee a high level of attention and memory and inspire thought and action (CBFC, India). The topic of Indian film censorship will be covered in this paper.

The History of Censorship in India

With laws and procedures that date back to colonial times, censorship in India has a lengthy and complicated history. Censorship regulations were mainly employed to suppress political dissent and uphold the colonial government's authority during British administration. After gaining independence in 1947, the Indian government acquired

these laws. India's censorship laws have evolved over time to cover new media, such cinema and social media, but the fundamental idea is still the same: to regulate information flow and shield the government from criticism. The Cinematograph Act of 1952 is one of the most contentious censorship legislation in Indian history. This law allowed the government the authority to restrict films before they were made available to the general public, and it was commonly used to restrict films that were thought to be socially or politically inappropriate. For instance, the Indian government prohibited the showing of Richard Attenborough's 1982 film "Gandhi," which portrayed the life of the Indian independence leader, for more than ten years, claiming that the movie's portrayal of the prime minister was untrue.

In India, censorship refers to the government, regulatory agencies, and sometimes non-state entities restricting, suppressing, or regulating speech, public communication, and information. Article 19(1)(a) of the Indian Constitution provides freedom of speech and expression as a basic right, although this right is not unqualified. According to Article 19(2), the state may impose "reasonable restrictions" for the sake of India's sovereignty and integrity, state security, friendly relations with other states, public order, decency, morality, or in connection with defamation, incitement to an offence, or contempt of court.

In India's past, censorship has taken many different forms, from the stringent pre-publication press censorship enforced during The Emergency (1975–1977) to the prohibition of publications and films that are thought to offend political or religious institutions. The 21st century has seen a significant

increase in digital censorship. The Information Technology Act of 2000 and its later amendments, like the IT Rules of 2021 and 2026, have been used by the government to restrict artificial intelligence (deepfakes), regulate over-the-top (OTT) media services, block websites, and require social media intermediaries to remove content. Digital rights organisations also claim that India has continuously had the greatest number of state-ordered internet shutdowns worldwide.

International criticism has been levelled at the nation's press and civil liberties environment due to a perceived decline in recent years. The advocacy group Freedom House gave India a global freedom score of 62 out of 100 in its 2026^[2] report, classifying it as "Partly Free," noting growing harassment of critics, journalists, and non-governmental organisations. Similarly, India was ranked 157th out of 180 nations in Reporters Without Borders' (RSF) 2026^[1] World Press Freedom Index, which categorised the country's press freedom status as "very serious."

Censorship has been employed more frequently in recent years to manage the narrative on social media and the internet. The BBC documentary "India's Republic at 71," which was critical of the current Prime Minister Modi, was banned by the Indian government in December 2020. The documentary, according to the government, was disseminating false information and encouraging anti-Indian attitude. Human rights organisations and the world community have condemned this action for infringing against the right to free speech and expression.

In addition to censorship laws, India has a number of laws and rules that might limit the right to free speech and expression, including the Information Technology Act of 2000 and the Indian Penal Code of 1860. Human rights advocates, journalists, and government critics have all been silenced by these laws.

In general, censorship has been employed historically in India to regulate the dissemination of information and uphold governmental authority. Although it has developed into various media, the fundamental idea is still the same. A prime example of how censorship rules are being used to stifle critics and uphold the government's narrative is the recent restriction on a BBC documentary about Prime Minister Modi.

The Current States of Censorship in India

In India, censorship is still a divisive topic today. Thru censoring laws and regulations, the government still has considerable control over the flow of information. The Central Board of Film Certification (CBFC), which has the authority to filter films before to their public release, is one of the most prominent instances of censorship in action. Films that are considered politically or socially incorrect, like "Padmavat," which showed a romantic relationship between a Muslim ruler and a Hindu queen, have been censored using this authority.

Social media is another arena where censorship is common. Content that the government deems offensive or a threat to national security may be blocked or removed. As a result, content that is denounced by the government or goes against its policies is frequently censored. Social media sites like Facebook and Twitter have also been known to comply with

orders from the government to suspend accounts or erase content.

In India, censorship has a major effect on the right to free speech and expression. Human rights advocates, journalists, and political critics are frequently silenced by censorship laws and policies. This can result in self-censorship and has a chilling impact on free speech. Additionally, it restricts the public's access to a wide variety of viewpoints and information, which is crucial for a robust democracy.

Further, censorship rules and regulations are sometimes unclear and contradictory, making it challenging for people and groups to understand what is and is not permitted. The government may utilise this to dominate the narrative, silence critics, and create confusion and doubt.

All things considered, censorship is still a major problem in India today. The nation's freedom of speech and expression is greatly impacted by the government's continued ability to restrict the flow of information thru censorship laws and regulations.

An Examination of India's Censorship System

India's censorship system has drawn criticism for potentially violating human rights, such as the freedom of speech and expression. The government's broad authority to censor anything that it considers offensive or a threat to national security is one of the primary issues. Because of this, anything that is criticised by the government or goes against its policies is frequently censored, which can stifle free speech and encourage self-censorship.

Further, India's censorship rules and policies are unclear and inconsistent. Confusion and doubt may result from this, making it challenging for people and organisations to understand what is and is not permitted. This can also be used by the government to control the narrative and stifle critics.

Furthermore, international human rights standards are not always complied with by censorship laws and regulations. For instance, speech crimes are made illegal under the Indian Penal Code, 1860, which may stifle free expression. Additionally, the government's actions have been condemned for being politically motivated rather than grounded in any genuine threat to national security, following the recent suspension of a BBC documentary on Indian Prime Minister Modi.

The Indian censorship system has drawn criticism for perhaps violating human rights, such as the freedom of speech and expression. Additionally, the laws and regulations pertaining to censorship are inconsistent, ambiguous, and not always compliant with international human rights norms. In order to guarantee the protection of freedom of speech and expression in India, it is crucial that modifications be implemented.

The Legal and Constitutional Framework

Article 19 and appropriate limitations

Article 19(1)(a) of the Constitution guarantees all Indian citizens the right to free speech. Article 19(2) of the First Amendment to the Constitution, however, was added in 1951 and gives the state the authority to pass legislation that places "reasonable restrictions" on this freedom. In order to preserve public order and community peace in a widely

diversified country, both the federal government and state governments regularly use these limitations as justification for the censorship of media, literature, and digital communications.

Security and public order laws

A number of security and criminal regulations serve as de facto filtering systems. Whistleblowers and journalists covering national security or defence have been prosecuted under the Official Secrets Act 1923, a colonial-era statute that protects sensitive government information. India's main counterterrorism statute, the Unlawful Activities (Prevention) Act (UAPA), has been used more frequently against academics, journalists, and activists who produce works of literature or journalism that the government believes to be supportive of insurgent or anti-national activities. Additionally, the Indian Supreme Court has closely examined the use of Section 124A of the Indian Penal Code (IPC), which criminalises sedition, as a means of stifling political dissent.

Religious beliefs and profanity

Laws protecting religious emotions are carefully enforced in India due to the country's complicated history of intercommunal conflict. Deliberate and malicious acts meant to offend the religious sentiments of any class are illegal under Section 295A of the IPC. The main legal tool used by religious organisations to demand that books, films, and artwork be banned is this statute, which frequently causes publishers and artists to self-censor in order to avoid drawn-out court disputes or mob violence.

Section 292 of the IPC, which forbids the distribution, sale, and display of pornographic items, governs obscenity. While it is generally acceptable to watch or own pornographic content in private, it is severely prohibited to distribute it.

Information Technology and Internet

Since the Information Technology (IT) Act of 2000 was passed, digital censorship has grown significantly. The government has the authority to order internet service providers (ISPs) and tech firms to restrict public access to any information that jeopardises the nation's integrity, sovereignty, or defence under Section 69A of the IT Act.

Internet shutdowns

India often leads the world in state-ordered internet shutdowns, according to international digital rights organisations including the Software Freedom Law Center (SFLC). The SFLC claims that during the past ten years, there have been hundreds of internet blackouts in India, mostly carried out by state governments to put an end to protests, curb intercommunal violence, or even prevent cheating on civil service exams.

In the past, Section 144 of the Code of Criminal Procedure (CrPC), an emergency clause to preserve public order, was used to impose shutdowns. The largest shutdown took place in Jammu and Kashmir, as the region's special autonomous status was revoked, resulting in a 213-day internet outage between August 2019 and January 2020. A 208-day internet outage in the state of Manipur during intense ethnic

conflicts in 2023 seriously hindered local emergency response and journalism.

App bans and content banning

Particularly during times of public upheaval like the 2020–2021 Indian farmers' revolt, the Indian government has regularly ordered social media sites like Facebook, YouTube, and Twitter (now X) to delete accounts and information critical of government policies.

Digital censorship has also been influenced by geopolitics. Citing worries over data privacy and national security, the Ministry of Electronics and Information Technology (MeitY) banned hundreds of Chinese apps after the China-India conflicts in 2020–2021, including the mobile version of PUBG and the video-sharing app TikTok.

Fact Check Units and Intermediary Guidelines

The government's regulatory authority over digital platforms was increased by the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, which were first implemented in 2021 and significantly modified in 2023 and 2026. According to the regulations, social media companies that disregard government takedown demands within stringent timescales risk losing their "safe harbour" status, which previously protected them from accountability for user-generated content.

The establishment of a government-run "Fact Check Unit" with the authority to detect and order the suppression of "fake, false, or misleading" news about central government operations was made possible by a highly contentious 2023^[10] amendment. The Bombay High Court heard a split decision in early 2024 after critics and political satirists contested the modification, claiming the regulations would lead to widespread self-censorship. The Supreme Court of India intervened in March 2024^[3] and halted the Fact Check Unit's notification while it underwent additional constitutional assessment.

Press freedom

The Indian press works in a complicated context where political influences, statutory restrictions, and constitutional guarantees frequently collide. In a well-known act of defiance, the Bombay edition of The Times of India published an obituary on June 26 that stated, "D.E.M. O'Cracy beloved husband of T.Ruth, father of L.I. Bertie, brother of Faith, Hope and Justica expired," despite Prime Minister Indira Gandhi's complete censorship of the press during The Emergency in 1975. When emergency rule ended in March 1977, the censorship was lifted.

According to international benchmarks, press freedom in modern India has been steadily declining. India's ranking in the Reporters Without Borders (RSF) World Press Freedom Index fell from 140 in 2019 to 157 out of 180 nations in 2026^[2]. The RSF emphasised that critical reporting is subject to anti-terror laws, judicial harassment, and Strategic Lawsuits Against Public Participation (SLAPPs). Additionally, groups like Reporters Without Borders and the Committee to Protect Journalists have observed that a culture of institutional self-censorship has been fostered by the economic concentration of media ownership among a small number of corporate conglomerates closely associated with political leadership, diluting independent investigative journalism.

Media-Based Censorship

Television and films

The Central Board of Film Certification (CBFC), a statutory authority under the Ministry of Information and Broadcasting, must grant pre-exhibition certification for films in India. Films are categorised by the CBFC into four different ratings: restricted to adults (A), restricted to specialised professions (S), unrestricted public exhibition (U), and unrestricted exhibition with parental advice for children under the age of twelve (U/A).

In the past, the CBFC has required drastic cutbacks or outright bans on films that discuss sexuality, communal violence, or political issues. Due to the protagonist's remarkable likeness to Indira Gandhi, Gulzar's political play *Aandhi* (1975) was banned during the Emergency. Before the Supreme Court allowed its publication, Shekhar Kapur's biographical drama *Bandit Queen* (1994) was the subject of protracted legal disputes regarding its portrayal of sexual violence and nudity. In a similar vein, Anurag Kashyap's *Black Friday* was postponed for three years because of concerns that it may interfere with the ongoing legal proceedings concerning the explosions in Mumbai in 1993.

Filmmakers and critics point out that political sensitivities still affect film clearance, despite the fact that judicial interventions have historically forced the CBFC to take a more liberal stance—acknowledging that film has a tremendous capacity to promote that and should not be arbitrarily prohibited. Within two days of its debut in 2024, the biographical film *Satluj* (formerly named *Punjab '95*), which told the story of the murdered human rights activist Jaswant Singh Khrala, was removed from the streaming service ZEE5. The movie was in the CBFC pipeline for almost three years before it was released on OTT, during which time the board required 127 edits and several title changes.

After the IT Rules 2021 were put into effect, over-the-top (OTT) streaming services like Netflix and Amazon Prime Video were placed under a self-regulatory grievance redressal framework. As a result, these services were forced to remove or edit politically sensitive content in order to comply with government regulations.

Literature and Print

The most common reason for literature censorship in India is the application of IPC Section 295A (outraging religious sensibilities). India was the first nation in the world to forbid the import of Salman Rushdie's book *The Satanic Verses* in 1988 due to pressure from Muslim organisations. The ban was not legally contested or overturned for many years. Conservative Hindu organisations have used similar legal strategies to stifle scholarly writing. Penguin Books India controversially removed and destroyed copies of American Indologist Wendy Doniger's *The Hindus: An Alternative History* in 2014 due to the prospect of a lawsuit using Section 295A. The scholarly book *Shivaji: Hindu monarch in Islamic India* by James Laine was outlawed in Maharashtra in 2004 following an attack on the Bhandarkar Oriental Research Institute by the Sambhaji Brigade, who claimed the author was spreading derogatory stories about the Maratha monarch.

Literature has also been effectively suppressed by corporate and political interests. Hamish McDonald's 1998 biography of Indian business tycoon Dhirubhai Ambani, *The Polyester Prince*, was never released in India due to a court injunction obtained by the Reliance Company on anticipatory defamation grounds. The Indian government has historically prohibited the import of quotations from Chairman Mao Zedong, and West Bengal has banned a number of works by the exiled Bangladeshi author Taslima Nasrin due to accusations that they incite religious conflict and promote separatism.

Visual Arts and Theatre

Vandalism and political protests have sometimes resulted in de facto prohibitions for the visual arts and theatre. In 1978, orthodox groups including the Shiv Sena, Rashtriya Swayamsevak Sangh (RSS), and Hindu Mahasabha spearheaded extralegal bans and violent protests against Kiran Nagarkar's play *Bedtime Story*, which was partially based on the *Mahābhārata*, for 17 years.

The Marathi drama *Me Nathuram Godse Boltoy* (I, Nathuram Godse, Am Speaking), which portrayed the viewpoint of Mahatma Gandhi's killer, was outlawed by the Maharashtra government in 1999. The Bombay High Court later lifted the prohibition after finding that the government had overreached its jurisdiction. In the visual arts, well-known contemporary painter M. F. Husain lived out the last years of his life in self-imposed exile after receiving death threats and numerous criminal prosecutions under obscenity and religious offence legislation for his paintings of naked Hindu deities.

Cartography

The Criminal Law Amendment Act, passed by the Indian government in 1961, made it illegal to dispute India's borders or territorial integrity in a way that would jeopardise national security. As a result, the government mandates that all maps that are published, imported, or distributed in India represent its official territorial claims, most notably the entirety of Kashmir, which China and Pakistan dispute. Customs officials regularly seize, suppress, or black out foreign publications, journals, and globes that do not fit inside the Survey of India's declared limits.

India's Censorship Situation in the Future

To guarantee that India's censorship system complies with international human rights norms and strikes a balance between safeguarding the public and preserving freedom of speech and expression, a number of recommendations have been made. These include decriminalising speech violations, reviewing and amending censorship laws, boosting accountability and transparency, creating an impartial body to examine censorship rulings, and encouraging media and digital literacy.

Human rights organisations, media representatives, and members of the public are just a few of the many stakeholders that must be involved in the process in order for censorship laws and regulations to be effective. India can create a censorship system that balances safeguarding the public's rights to free speech and expression with a cooperative and inclusive approach.

Conclusion

In conclusion, the potential for India's censorship system to infringe upon human rights, particularly the freedom of speech and expression, has drawn concern. The government's broad discretion to censor content has resulted in the frequent censoring of content that opposes government policy or is denounced by the government, which can stifle free expression and encourage self-censorship. It is also challenging for people and organisations to understand what is and is not permitted due to the contradictions and ambiguities in the censoring rules and regulations.

An authority's influence over its subjects is known as censorship. In order to govern its subjects in a desired and planned manner, an authority is always political and establishes a number of rules. In a civilisation, authority is an artificial creation, even albeit it is composed of the individuals who report to it. It is possible to question the norms because of this. What is prohibited today might not be prohibited tomorrow. The way Indian films are regulated both observes and perpetuates the country's long-standing standards. Norms might not always be constant; they might evolve throughout time. The established norms are always out of step with reality, which could lead to an authority changing them. In India, it is now against social standards to depict homosexual relationships in films; however, this will change once homosexual relationships become a reality.

However, it is crucial to remember, yet, that censorship rules and regulations are in place to shield the public from objectionable or dangerous content. As a result, it is critical to find a balance between safeguarding the right to free speech and expression and making sure that the general public is not exposed to objectionable or dangerous material.

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