

IT Rules Amendments: How IT Rules May Lead to Pre-Censorship in India

April 17, 2026 • vajiramandravi.com



IT Rules Latest News

- Criticism is growing over the Centre's proposed amendments to the IT Rules, which aim to bring the entire digital news ecosystem—including user-generated “news and current affairs” content—under tighter regulation.
- Experts warn that this could **treat independent creators and influencers like formal publishers**, imposing compliance burdens and stricter content controls.
- Industry concerns centre on the impact on the creator economy, as increased regulation, binding advisories, and takedown pressures may lead to **self-censorship**, reduced visibility for news content, and reluctance among brands to collaborate with independent voices.
- More broadly, the changes raise concerns about **freedom of expression**, as expanding regulation to ordinary users could transform everyday online speech into a compliance-heavy activity, potentially resulting in a more cautious and restricted digital public space.

Expanding Regulatory Control Over Online Content

- The proposed amendments to the IT Rules are being criticised for going beyond regulating content to monitoring who creates and posts it.
- This raises concerns about the government's intent, as existing laws already provide ample powers to act against harmful or misleading content.

Existing Legal Powers for Content Regulation

- **Section 69A** of the IT Act empowers the government to block online content.
- **Section 79(3)(b)** allows central and state authorities to direct platforms to remove content.
- These provisions have been widely used, including against satirical content, indicating that censorship tools are already extensive.

Various Concerns

- While the government attributes increased content blocking to issues like deepfakes and misinformation, critics argue that censorship in India often functions as a political tool, raising concerns about selective enforcement.
- The new rules may enable the government to seek details of users posting news-related content, even if they are not professional publishers.
- This could undermine online anonymity and discourage open expression.

Role of Inter-Departmental Committee

- A proposed Inter-Departmental Committee, led by the Ministry of Information and Broadcasting (MIB), would:
 - Review flagged content
 - Recommend actions such as apology, modification, or takedown
- This adds a new layer of oversight with direct intervention in content creation.

Psychological Impact of Proposed IT Rules on Online Expression

- **Expansion of Regulatory Scope** – The proposed rules extend beyond professional publishers to cover all **user-generated content** related to news and current affairs. This includes satire, commentary, fact-checking, and even sharing or analysing news links on social media platforms.
- **Blurring the Line Between Users and Publishers** – By bringing ordinary users under regulatory scrutiny, the rules effectively treat individual creators, comedians, and commentators like formal news entities, significantly expanding compliance expectations.
- **Rise of Self-Censorship** – Experts warn that such oversight could create a psychological tendency toward self-censorship. Most individuals lack the resources or willingness to challenge government action. Fear of penalties or scrutiny may discourage open expression.
- **Impact on the Digital Ecosystem** – Increased caution among users could lead to a less vibrant and diverse online space. This runs counter to the government's push for a thriving creator-driven digital economy.

("orange economy").

- **Limited Resistance from Tech Companies** – Despite concerns, major tech platforms are unlikely to strongly oppose the rules publicly, as they have generally avoided direct confrontation with government policies in India.

Parallels Between IT Rules Amendments and the Withdrawn Broadcasting Bill

- The proposed IT Rules amendments are widely seen as a continuation of the government's earlier attempt to regulate digital content through the now-withdrawn Broadcasting Services (Regulation) Bill, 2024.

Key Features of the Withdrawn BSR Bill

- The draft BSR Bill had proposed:
 - Expanding the Ministry of Information and Broadcasting's (MIB) jurisdiction to include social media users and online creators
 - Broadly defining "digital news broadcasters"
 - Introducing mandatory government registration
 - Setting content evaluation standards
- These provisions raised concerns about excessive regulatory control over digital content.
- Although the proposed IT Rules do not mandate registration, they grant the MIB comparable powers to monitor and regulate online content, especially in the domain of news and current affairs.

Source: IE

Source: <https://vajiramandravi.com/current-affairs/it-rules-amendments-may-lead-to-pre-censorship-in-india/>

© Vajiram & Ravi. For personal use only.