Polity & Governance · GS - II

Examine the constitutional and procedural safeguards required to balance freedom of digital speech with the regulation of unlawful online content in India.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 28/10/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

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Answer Hint

Article 19(1)(a); reasonable restrictions under Article 19(2); IT Act Section 69A; procedural fairness; notice to affected users; judicial review; transparency and accountability

Model Answer

Introduction

Digital platforms have become important spaces for journalism, public debate and civic participation. Restrictions on online content must therefore balance legitimate regulatory objectives with constitutional freedoms and procedural fairness.

Constitutional and legal framework

Article 19(1)(a) guarantees citizens freedom of speech and expression, subject to reasonable restrictions under Article 19(2). Section 69A of the Information Technology Act, 2000 provides a statutory mechanism for blocking online information on specified grounds and under prescribed procedures.

Importance of procedural safeguards

Opaque or unauthorised takedown requests can result in arbitrary censorship and the removal of lawful speech. Notice to affected users, clear reasons for restrictions and compliance with authorised procedures improve accountability. The opportunity to challenge adverse decisions and access to judicial review help prevent misuse of executive power.

Way Forward

Authorities should follow legally prescribed approval processes, maintain transparent records and ensure that restrictions are necessary and proportionate. Independent scrutiny and periodic review can reduce erroneous blocking while protecting legitimate security and public-order interests.

Conclusion

Effective digital governance requires lawful restrictions, procedural transparency and meaningful remedies. Protecting constitutional freedoms while addressing genuine online harms is essential for a democratic digital ecosystem.

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