

The Paradoxical Right of Freedom of Speech in the Digital Era: A Critical Analysis

Dr, Ashwani kumar

Principal, Himachal Pradesh College of Law, Kala- Amb, sirmaur, H.P

Abstract: In today's digital era, the trajectory of free speech in India has experienced both significant development and pressing challenges. Anchored in democratic principles, Article 19 of the Indian Constitution stands as a cornerstone for the protection of this right, symbolizing the nation's dedication to ensuring its citizens' ability to voice their thoughts. The emergence of digital platforms—including social media networks and online news outlets—has expanded the scope and speed at which individuals can share their opinions. In the context of digital communication, this quote resonates deeply. While the internet offers unprecedented avenues for public expression, it also exposes society to risks such as the uncontrolled spread of false information and polarizing narratives. This study explores the scope and significance of Article 19 in this new communication landscape, underlining its essential role in protecting speech while recognizing the contemporary challenges it faces. The digital age demands a delicate equilibrium—one that fosters the free exchange of ideas while curbing the harms that arise from irresponsible use. Furthermore, the paper examines the complexities introduced by various forms of censorship, including state-imposed restrictions and the phenomenon of self-censorship driven by social pressures or fear of backlash. As India progresses toward a more digitally engaged society, it becomes increasingly vital to uphold the integrity of free speech. In doing so, it is equally important to promote accountability and ethical discourse. Ultimately, this paper highlights the urgent need to strike a thoughtful balance between the liberties afforded by Article 19 and the responsibilities that digital expression inevitably entails.

Keywords: Article 19, Digital media, Free Speech, Hate Speech.

INTRODUCTION

The advent of the digital age has significantly transformed how we perceive and exercise the right to free speech, blurring the distinction between protected expression and speech that incites hatred. While the principle of free expression remains a fundamental human right, there is a growing international movement towards regulating and moderating online content to maintain societal balance and peace. Article 19 of the Constitution forms the bedrock of the right to speech and expression—an essential pillar of the nation's democratic structure.

However, as the digital landscape expands, so do its complications. Platforms like social media, digital news outlets, and independent online forums have created vast arenas for dialogue and dissent, but they have also become breeding grounds for misinformation and divisive narratives. The rapid amplification of voices in the digital sphere can, at times, veer into realms of hostility, cyberbullying, and online manipulation, making the safeguarding of freedom of speech a more intricate task.

Countries around the world, including India, are now wrestling with the delicate task of balancing digital freedoms with responsible governance. A recent development in this regard has been the enactment of the Digital Personal Data Protection Act, a step aimed at reinforcing digital accountability. Under such laws, tech corporations

are now compelled to implement systems that swiftly respond to harmful or illegal content, including appointing designated compliance officers.

This unfolding story highlights a long-standing tension between liberty and oversight, further complicated by the unpredictable nature of the internet. The Indian government's increasing involvement in monitoring and regulating digital platforms has sparked considerable debate. Critics warn of overreach, while others see it as a necessary intervention to maintain societal cohesion.

At the core of this debate lies a powerful truth: freedom of speech is a vital right cherished by citizens across the country—from bustling cities to quiet rural towns. However, with the influx of digital communication comes an inevitable tide of problematic content that risks undermining social harmony. Defining what constitutes harmful expression in this ever-evolving digital space is no easy feat.

This issue has spurred dialogues not only among legal experts and policymakers but also among ordinary citizens, students, journalists, and activists. Whether in casual street-side discussions or formal academic seminars, a common concern emerges: how can India protect the sanctity of free expression while ensuring that digital spaces are not weaponized to spread hate and fear?

Ultimately, this is not merely a matter of preserving a constitutional right. It is about cultivating a digital environment where freedom can truly thrive—one that upholds individual liberties while fostering a collective sense of responsibility. As India continues to navigate the challenges of the digital age, it must strive to build a framework that honours democratic values without allowing them to be exploited.

EVOLUTION OF FREE SPEECH IN INDIA

Throughout history, the importance of Article 19 has been widely acknowledged, with its journey mirroring the transformation of India's social and democratic ethos. For citizens immersed in an era of expansive expression, comprehending the intricacies of this Article is much like navigating their own intellectual liberties. Instituted in 1950 during the early days of India's independence, Article 19 unfurled the banner of expressive freedom, encompassing rights such as peaceful assembly—an assertion of civil liberty untainted by violence or force.

Yet, the beauty of freedom has always coexisted with the weight of accountability. As the Indian democracy matured and its citizenry became more vocal and diverse, Article 19 too expanded and adapted. Over the decades, constitutional amendments have refined its scope, incorporating more precise definitions and stronger safeguards. Notably, the 1971 amendment stands out for elevating the importance of a free and independent press under Article 19(1)(a), affirming the press's role as the heartbeat of democratic dialogue.

In a country defined by its pluralism and diversity, recognizing the media's independence was equivalent to honouring the ink that chronicles the nation's democratic journey. The evolution didn't stop there. As the 21st century approached, Article 19(1)(g) was introduced, securing the right to practice any profession or trade. This addition echoed the aspirations of a generation propelled by entrepreneurial energy and digital innovation. In today's digital-centric world, the recognition of internet access as part of one's economic liberty signals India's readiness to prepare its youth for the digital tomorrow.

Digital platforms have done more than just enable communication—they have decentralized information and energized public discourse. These platforms have become tools for advocacy, dissent, and democratic engagement. However, this digital

empowerment has been accompanied by growing anxieties within governance circles. Repeated episodes of digital unrest and online incitement have prompted rising calls for regulation and content moderation. Yet, these measures have also sparked public demand for transparency, especially when such controls risk infringing on fundamental freedoms.

Article 19, therefore, is far from static. It remains a dynamic, evolving framework that continues to respond to India's shifting socio-political environment. While it champions the vital role of free expression in a functioning democracy, it also accepts the necessity for boundaries. The balance is delicate—where expansive speech must often be harmonized with public interest and social order. Striking this balance is not merely a legal exercise, but a democratic imperative. It is the responsibility of policymakers and institutions to ensure that regulation does not become repression and that freedom is not mistaken for license.

In truth, unqualified freedom of speech is a myth. The academic world, much like the digital landscape, often demands thoughtful navigation—some content must be approached with care, some dialogues with balance, and some platforms with responsibility. This interplay of liberty and restraint is what defines the essence of Article 19. Legal milestones such as *Shreya Singhal v. Union of India* AIR 2015 SC 1523 have been instrumental in clarifying these nuances, reinforcing the foundational commitment to uphold freedom while recognizing legitimate limits.

These judicial interventions are akin to constructive feedback in a classroom—they do not diminish the value of speech but rather sharpen its purpose and accountability. They prompt vibrant conversations about the scope of rights and the justifications for restriction. Yet, amidst these debates, the spirit of Article 19 remains unshaken.

At its core, the Article embodies the unwavering desire of every Indian to express, to share, and to participate in the democratic process. As academia grows more dynamic—infused with new ideas, technologies, and global dialogues—so too does the relevance of Article 19. It continues to walk the tightrope between freedom and restraint, reaffirming the Constitution's promise to preserve the voice of its people while safeguarding the nation's democratic fabric.

THE CONNECTION BETWEEN FREEDOM OF SPEECH AND DIGITAL MEDIA: OPPORTUNITIES AND CHALLENGES

Digital media platforms—from social networking sites to independent news portals—have redefined how citizens communicate, empowering them to share ideas, express dissent, and mobilize public opinion. These tools have democratized information, breaking down barriers to accessibility and giving voice to historically marginalized communities. Small-town youth have risen as influential digital personalities, while urban thinkers increasingly use platforms like Twitter (now X) and personal blogs to critique politics, society, and global affairs. In doing so, they challenge dominant narratives and exercise their constitutional right to freedom of speech.

Yet, this digital empowerment comes with a caveat. The very openness that makes these platforms inclusive also renders them vulnerable to misuse. Numerous instances have revealed how unverified content has triggered communal unrest and undermined societal cohesion.

This brings us to a critical dilemma: how can one effectively regulate digital spaces without encroaching upon the freedom they are meant to protect? Content moderation mechanisms often face criticism for lack of transparency, inconsistency, and potential bias. What qualifies as 'harmful' content can be highly subjective, creating a slippery slope where genuine dissent may be silenced under the guise of public order. As a result, many users resort to self-censorship, fearful of crossing undefined boundaries and facing online or legal backlash. Such apprehension can stifle the diversity of thought essential to a thriving democracy.

Nonetheless, there is no denying the transformative potential of digital media. Movements such as *“Me Too”* exemplify the strength of collective voices amplified through social platforms. Online news portals also contribute by offering multiple perspectives, countering the often singular viewpoints promoted by mainstream media.

Still, a darker undercurrent persists. The same tools that facilitate empowerment can also be wielded to sow division and unrest. The unchecked spread of hate speech and disinformation can endanger the very principles of liberty, equality, and fraternity that Ambedkar envisioned. Digital

liberty, when misused, can jeopardize the social balance, leading to a distorted version of free expression that erodes collective harmony.

THE CHALLENGE OF BALANCING FREE SPEECH AND DIGITAL MEDIA IN THE DIGITAL ERA

With more than 700 million internet users, India has emerged as a formidable presence in the digital world, shaping public opinion through a multitude of online platforms. At the heart of this democratic engagement lies Article 19 of the Indian Constitution, which guarantees every citizen the right to freedom of speech and expression—rights that now extend seamlessly into the digital domain. However, this freedom is not without its caveats. Article 19(2) allows the state to impose ‘reasonable restrictions’ under specific conditions, aiming to maintain public order, decency, or national integrity. The real challenge lies not in the existence of these limitations but in how they are interpreted and applied—often raising concerns about curbing dissent under the pretext of national interest.

The Supreme Court of India has consistently emphasized that any restriction on speech must withstand the ‘test of reasonableness’—meaning it must be necessary, proportional, and justified in a democratic setup.

In the fast-paced digital world, where content can go viral in moments, ensuring proportionality in legal interventions becomes even more crucial. Laws must evolve to address the realities of the internet age without tipping the scales toward suppression. Social media platforms, in particular, have come under heavy criticism for enabling the spread of misinformation, hate speech, and even content that incites violence. While such challenges call for regulatory action, the enforcement of restrictions must be careful and targeted, lest it endanger the foundational principles of democracy.

Navigating the digital space is much like walking a tightrope stretched between two extremes—one marked “Freedom of Speech” and the other “Digital Responsibility.” Leaning too far in either direction can lead to catastrophe: an authoritarian regime that crushes dissent, or a lawless digital environment flooded with chaos and falsehoods.

Therefore, the path forward demands a nuanced, context-sensitive interpretation of constitutional liberties. This must be paired with a transparent, accountable, and adaptive regulatory framework—

one that respects democratic values while addressing the unique challenges posed by the digital ecosystem. If India can strike this delicate balance, it has the potential to become a global exemplar—a nation that successfully marries free expression with responsible innovation in the digital era.

INCIDENTS OF FREE SPEECH THAT CREATED CONTROVERSIES IN INDIA

This section seeks to explore major disputes surrounding free speech, highlighting the complex challenge of balancing personal freedoms with the broader interests of society in an ever-evolving and dynamic digital landscape.

The Emergency and Press Censorship (1975-1977)

The period of Indira Gandhi's Emergency remains a stark reminder of how vulnerable free speech can be in a democratic setup. Invoking reasons such as national security and public order, the government at the time imposed harsh restrictions that silenced the press. Journalists were imprisoned, prominent newspapers were either shut down or forced into self-censorship, and media organizations were subjected to pressure and intimidation. This oppressive climate severely restricted dissent and suppressed critical voices, undermining the very spirit of democracy.

The judiciary, which is traditionally seen as the protector of fundamental rights, also faced challenges during this era. Though not entirely unyielding, the courts struggled to uphold civil liberties under political duress. However, in the aftermath of the Emergency, the judiciary made conscious efforts to rebuild public trust in constitutional freedoms. Justice P.N. Bhagwati's statement, "If the journalists are forcibly silenced, the role of judiciary would be reduced to a nullity," powerfully underscores the interdependence between a free press and an independent judiciary—both pillars essential for sustaining democratic values.

This period is often cited in debates on freedom of expression because it illustrates how quickly democratic institutions can erode when free speech is curtailed. The press, often described as the "Fourth Estate," plays a crucial role in holding power to account and ensuring transparency.

The Taslima Nasrin Controversy (1994)

The 1994 controversy surrounding Bangladeshi author Taslima Nasrin and her novel *Lajja* served

as a significant benchmark in evaluating India's dedication to upholding the right to free speech as enshrined in Article 19 of the Constitution. The novel, which highlighted the suffering of Hindu minorities in Bangladesh, placed Nasrin at the centre of a storm involving religious sensitivities and constitutional freedoms. Facing accusations of blasphemy from Islamic fundamentalists, she became the subject of intense public outrage, with demands for her arrest and expulsion gaining momentum.

In response to the controversy, the Indian authorities initiated legal proceedings against Nasrin under Section 295A of the Indian Penal Code—a provision that penalizes deliberate and malicious acts intended to offend religious sentiments. This was not a routine legal action but rather a move that reignited national debate on the boundaries of free speech. The complexity of the issue was aptly articulated by Justice S. Rajendra Babu, who noted that in a country as diverse as India—linguistically, culturally, and religiously—even perceived insults to deeply held beliefs can have serious repercussions.

What makes the Nasrin episode particularly revealing is its illustration of the delicate balance the state must strike in a pluralistic democracy. On one hand, there is the imperative to protect the individual's right to express dissenting or controversial views. On the other, there lies the state's duty to prevent public unrest and maintain communal harmony. This dual responsibility posed a difficult challenge in Nasrin's case, as the government sought to preserve peace without appearing to suppress literary expression.

Critics of the government's action argued that bowing to fundamentalist pressures undermined the principle of free expression and set a dangerous precedent for intellectual freedom. Conversely, supporters maintained that in a volatile socio-religious landscape, such steps were necessary to prevent large-scale disruption.

This incident thus sharply brings into focus the ongoing friction between constitutionally guaranteed freedoms and the state's obligation to safeguard social cohesion. As Justice J.S. Verma aptly observed, "Freedom of expression cannot be absolute or transcend constitutional limitations and must be exercised in a manner that it does not conflict with other individuals or groups' equally significant freedoms." The Nasrin case remains a poignant example of the constant balancing act

required in a democracy where freedom must coexist with responsibility.

The M.F. Hussain Controversy (2006)

The 2006 controversy surrounding renowned Indian artist M.F. Hussain stands as a pivotal moment in the legal and cultural discourse on the limits of artistic freedom in India. As a trailblazer in modern Indian art, Hussain faced a barrage of legal challenges and public backlash for his depictions of Hindu deities—artworks that some groups found offensive. Right-wing organizations led widespread protests against him, and the mounting hostility eventually compelled Hussain to go into self-imposed exile, distancing himself from the country he had artistically celebrated for decades.

This incident raised pressing questions about the scope and protection of artistic freedom. Central to the debate was whether creative expression should be constrained by religious or cultural sensitivities, and to what extent the state should intervene to protect such freedoms. Many critics viewed the government's passive stance during the controversy as a failure to defend one of its most celebrated artists, calling into question its dedication to nurturing a secure and open environment for artistic exploration.

The Jawaharlal Nehru University (JNU) Sedition Case (2016)

In February 2016, the otherwise serene campus of Jawaharlal Nehru University (JNU) in New Delhi became the epic centre of a nationwide debate on the boundaries of free speech and the notion of nationalism. The controversy erupted following a university event where certain students, including then JNU Students' Union president Kanhaiya Kumar, were accused of raising slogans deemed anti-national. Their subsequent arrest under sedition charges—a law originating from colonial-era statutes—sparked a polarizing national dialogue about its relevance and appropriateness in modern democratic India.

The situation ignited strong and divergent public responses, ranging from massive protests defending the students' right to dissent, to equally intense counter-protests denouncing the alleged insult to national integrity. The incident placed a spotlight on the fine line between lawful dissent and speech considered seditious. As Justice Rohinton Fali Nariman once aptly stated, "Speech may be silenced for the sake of freedom; we may have to put up with noise to ensure one's freedom

of speech." This sentiment captures the complex tension between maintaining public order and safeguarding individual liberties.

The Padmaavat movie controversy (2018)

In 2018, filmmaker Sanjay Leela Bhansali's film *Padmaavat* became the center of a national controversy, sparking intense backlash primarily from the Karni Sena and segments of the Rajput community. Detractors accused the film of distorting historical facts and dishonoring the legacy of the Rajput queen, Padmavati. What began as vocal opposition soon escalated into widespread unrest—including threats directed at the film's cast, violent demonstrations, and demands for an outright ban.

Despite receiving clearance from the Central Board of Film Certification, several state governments attempted to restrict its release, citing potential threats to public order. The incident underscored the delicate interplay between creative freedom, the portrayal of history, and maintaining social harmony. Ultimately, the Supreme Court intervened, reaffirming the constitutional guarantee of free expression and emphasizing that state authorities are responsible for ensuring peace and security, rather than curbing artistic content under public pressure.

The incident of Citizenship Amendment Act Protests (2019-2020)

In December 2019, the Indian government enacted the Citizenship Amendment Act (CAA), a legislative decision that sparked widespread protests across the country. Detractors argued that the law undermined India's secular foundation by appearing to discriminate against particular religious and ethnic communities. As the dissent gained momentum, the authorities adopted a range of measures to suppress the unrest—including the imposition of curfews, internet shutdowns, and the arrest of activists and demonstrators under serious charges such as sedition and incitement.

The Arrest of Stand-up Comedian Munawar Faruqi (2021)

In January 2021, Indian stand-up comedian Munawar Faruqi was taken into custody following allegations that he had made offensive remarks about Hindu deities during a live performance. He, along with five others, was booked under Section 295A of the Indian Penal Code, which penalizes deliberate and malicious acts intended to outrage religious sentiments.

Notably, the accusations were not supported by any verifiable video evidence of the alleged act.

The incident sparked widespread debate on the permissible limits of satire and comedy in India's diverse and culturally sensitive society. It also raised significant concerns about the potential misuse of legal provisions to curb freedom of speech and artistic expression. Although the Supreme Court later granted Faruqi interim bail, the episode highlighted the precarious environment in which performers must navigate their right to expression within the framework of existing laws.

Kunal Kamra controversy (2025)

Comedian Kunal Kamra made controversial remarks against Shiv Sena chief Eknath Shinde during one of his shows. Following the controversy, Eknath Shinde's Shiv Sena youth group, Yuva Sena, vandalised the Habitat comedy venue where the show was filmed. An FIR was also registered on Kunal Kamra for this remark.

Operation Sindoor and TRP Game of news channels (2025)

When Operation Sindoor began, India's television newsrooms went into overdrive. The usual suspects – political party spokespersons and loudmouth analysts – quietly stepped aside, making space for a fresh crop of self-styled defence experts, security analysts, and retired military personnel, suddenly back in demand.

This new cast did little to elevate the discourse. If anything, they took the absurdity to greater heights. Many had emerged from the obscurity of long retirements (your humble narrator included), summoned into studio lights and seated before frothing anchors chasing ratings.

THE AFTERMATHS OF CENSORSHIP ON FREE SPEECH IN THE DIGITAL ERA

The suppression of free expression through censorship in the digital age is an issue of growing concern. Censorship emerges in multiple forms—ranging from governmental restrictions and platform-specific content moderation policies to the subtler form of self-censorship practiced by individuals. For instance, in 2017, the Indian government suspended access to several social media platforms such as Facebook, Twitter (now X), and YouTube in Jammu and Kashmir amidst regional unrest, demonstrating how state-imposed digital blackouts are used as tools during politically sensitive times.

In an era increasingly shaped by digital communication, such constraints on speech raise critical questions about the boundaries between security and liberty. While content moderation can be instrumental in curbing the spread of hate speech and harmful misinformation, excessive regulation often leads to the erosion of open discourse and the exclusion of dissenting voices.

Governmental control over digital platforms remains one of the most visible and controversial forms of censorship in India. It frequently intensifies during moments of socio-political instability, limiting citizens' ability to express their views and participate in democratic dialogue.

Equally concerning is the rise of self-censorship, wherein individuals restrain their own expression due to fear of backlash, legal consequences, or social ostracism. This internalized form of suppression, although less visible, can be just as damaging—diminishing the diversity of viewpoints and undermining the richness of collective dialogue in society.

The relationship between censorship and freedom of expression in the digital realm is deeply complex. While regulatory actions can protect communities from online abuse and inflammatory content, they may also suppress legitimate speech and disrupt the democratic fabric of discourse. Even the perception of being under surveillance or censored can deter individuals from voicing their opinions, ultimately weakening the marketplace of ideas and the democratic spirit it sustains.

THE IT RULES 2021 AND DIGITAL MEDIA REGULATION: A NEW APPROACH

In February 2021, the Indian government introduced the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, aimed at regulating digital news platforms and over-the-top (OTT) content providers. These guidelines were framed with the stated intent of combating the spread of misinformation and shielding users from harmful online content. However, they have sparked significant controversy. Detractors argue that the rules grant excessive control to the state, enabling undue interference in digital communications and posing a serious threat to freedom of expression and creative autonomy.

Several digital media platforms and civil liberties organizations have challenged the constitutional soundness of these provisions in court, raising

concerns about the implications for digital freedom in an increasingly connected society.

These developments spotlight the ongoing challenge of protecting the right to free speech in a country as socially and culturally diverse as India. The attempt to reconcile the constitutional guarantee of expression with competing priorities—such as public order, religious sensitivities, and national interest—has consistently been a matter of legal and public contention.

THE EXPECTED FUTURE OF FREE SPEECH IN THE DIGITAL AGE

Digital platforms have revolutionized civic participation by amplifying the voices of underrepresented groups and promoting a more inclusive democratic environment. They have also opened new avenues for grassroots journalism and digital activism. However, this expansion of online discourse has also introduced significant challenges—such as the spread of misinformation and the surge of hate speech. As a result, striking a balance between the right to free expression and the need to protect privacy and public safety has become increasingly critical.

Addressing these shifting dynamics requires a nuanced understanding of the factors shaping the future of digital free speech. A core requirement will be the modernization of legal systems to meet the complexities of the digital age. Existing laws, largely based on constitutional provisions conceived for a pre-digital world, often fall short when dealing with modern online threats. Therefore, the development of new legislation tailored to regulate digital platforms while safeguarding freedom of expression is essential. These reforms should aim to protect users from harmful content without stifling legitimate speech.

The government plays a crucial role in this balancing act—both in enacting laws and in ensuring that digital freedoms are not eroded under the pretext of national security or public order. Initiatives in areas such as internet governance and platform accountability reflect ongoing governmental efforts to navigate this evolving space. However, the responsibility of upholding digital rights does not rest solely with state authorities. Citizens, advocacy groups, media organizations, and technology companies must also contribute actively.

CONCLUSION

In a nation like ours, where the ideal of “Unity in Diversity” forms the very backbone of our social fabric, the principle of free speech holds profound significance. Article 19 of the Indian Constitution has served as a powerful shield protecting this freedom, but in today’s digital era, this right faces fresh and formidable challenges.

Digital platforms have transformed public discourse by giving every individual a voice and enabling widespread participation in democratic processes. Yet, this digital revolution has also unleashed problems—ranging from the unchecked spread of misinformation and hate speech to increasing online hostility. Although technology has widened the scope of self-expression, it has simultaneously created new vulnerabilities in the misuse of speech.

RECOMMENDATIONS

The key challenge, then, is to navigate this complex digital terrain without undermining the essence of free expression. To safeguard and strengthen freedom of speech in the online space, several proactive measures should be considered:

- Promoting media literacy: Empowering citizens with the ability to critically analyse and verify the content they consume can be a powerful antidote to fake news and manipulation.
- Encouraging responsible digital behaviour: By fostering a culture of respectful and informed online engagement, we can improve the tone of public discourse and promote accountability among users.
- Rethinking censorship mechanisms: While some level of regulation is necessary to curb harmful content, overly rigid or arbitrary censorship—whether by governments or tech platforms—can endanger democratic freedoms.
- Inclusive policymaking: Future laws and regulations must reflect the inputs of all relevant stakeholders—government bodies, judicial institutions, civil society organizations, and digital platform operators. Such a collaborative framework ensures that the policies remain dynamic and responsive to the rapidly evolving digital environment.
- Emphasizing transparency and accountability: Social media companies must operate with greater openness in their content moderation practices and be answerable to the public.

regarding how and why certain decisions are made.

REFERENCES

1. Madhav, K., Shukla, A., Naqshbandi, M. Q., Venaik, S., & Lal, R. "A Critical Analysis of Freedom of Speech and Expression in India." *Library of Progress-Library Science, Information Technology & Computer* 44.3 (2024).
2. Shreya Singhal v. "Union of India AIR 2015 SC 1523"
3. Dubey, D. D. "Historical Evolution Of Media In India: A Critical Analysis." *Indian Journal of Law and Legal Research Volume V Issue IV* | ISSN 2582 (2023): 8878.
4. Bhatia, G. "Offend, shock, or disturb: Free speech under the Indian Constitution." Oxford University Press, (2016)
5. Shankar, R., & Ahmad, T. "Information technology laws: Mapping the evolution and impact of social media regulation in India." *DESIDOC Journal of Library & Information Technology* 41.4 (2021): 295-301.
6. Kumar, A. "Freedom of Speech in India and Outside: Internet's Unyielding Influence." *Jus Corpus LJ* 3 (2022): 258.
7. Surani, T. "Social Media and Freedom of Speech and Expression: Challenges before Indian Law." *Supremo Amicus* 18 (2020): 946.
8. Mirchandani, M. "Fighting Hate Speech, Balancing Freedoms: A Regulatory Challenge." *J. Indian L. & Soc'y* 9 (2018): 47.
9. Das, D. "Hate speech in India: Contemporary legal challenges and responses." *LAW & PASS: International Journal of Law, Public Administration and Social Studies* 1.2 (2024): 250-264.
10. Mishra, S., & Shukla, A. K. "Balancing freedom of expression and hate speech: Case of India." *Pramana Research Journal* 9.6 (2019): 1409-1419.
11. Naruka, Y. S. "Balancing Cyber Liberties and National Interests: Examining India's Internet Freedom Landscape." *Issue 1 Indian JL & Legal Rsch.* 5 (2023): 1.
12. Kumar, R. "Sedition: An In-depth Analysis of a Controversial Crime." *Anand Bihari*: 321.
13. Kumar, A. "Controversy, Censor and Ban: Bollywood Films from 1970s Onwards." *Research Journal of Social and Life Sciences* 102.
14. Srivastava, P. K. "Cartoon Controversy And Right To Freedom Of Speech And Expression." *KVR Book Central* <https://www.hindustantimes.com/india-news/who-is-kunal-kamra-a-look-at-comedians-controversies-over-the-years-101742808644010.html>

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