

Age rating to list of don'ts: Draft rules on obscenity online

The draft code mandates the classification of all digital content with labels based on themes and messages, including violence, obscenity, nudity, sex, language, drugs and horror.

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The draft IT (Digital Code) Rules, 2026, proposes the classification of all digital content by age suitability.

The Centre is looking at introducing draft rules to address obscenity in online content, *The Indian Express* has learnt. Besides drawing some red lines — attacks on religions or communities, inciting people, false and suggestive innuendos, among others — the draft IT (Digital Code) Rules, 2026, proposes the classification of all digital content by age suitability.

Last March, the Supreme Court had asked the Solicitor General to [draft proposals safeguarding free speech under Article 19\(1\)\(a\)](#) of the Constitution while ensuring the constitutionally permissible “reasonable restrictions” under Article 19(2). This came in the backdrop of public backlash against [social media influencers Ranveer Allahbadia and Samay Raina over their comments](#). The case is scheduled to be heard on January 29.

According to sources, the Information and Broadcasting Ministry has proposed the draft IT (Digital Code) Rules, 2026, under Section 87 (1) of the IT Act, 2000, — to be read with Sections 67, 67A, 67B and 66B of the Act. Section 67 of the IT Act provides for imprisonment and fine for publishing or transmitting obscene material in electronic form.

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The draft IT (Digital Code) Rules, 2026, which seems to have been significantly borrowed from the Programme Code under the Cable TV Network Rules, 1994, says any digital content shall be deemed to be obscene if it is “lascivious, or appeals to the prurient interest, or if its effect... tends to deprave and corrupt persons...”

According to the draft rules, digital content shall not:

- Offend against good taste or decency;
- Deride any race, caste, colour, creed and nationality;
- Contain attack on religions or communities, or visuals or words contemptuous of religious groups, or which promote communal attitudes;
- Contain anything obscene, defamatory, deliberate, false and suggestive innuendos and half-truths;
- Tend to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way;
- Present violence, obscenity or criminality as desirable;
- Represent indecent, vulgar, suggestive, repulsive or offensive themes;
- Criticise, malign or slander any individual in person or certain groups, segments of social, public and moral life of the country;
- Contain visuals or words which reflect a slandering, ironical and snobbish attitude in the portrayal of certain ethnic, linguistic and regional groups;
- Denigrate women through the creation or possession or sharing/ accessing/ uploading or depiction in any manner of the figure of a woman, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to women (including objectification of women or perpetuation of harmful stereotypes), or is likely to deprave, corrupt or injure the public morality or morals;
- Denigrate children;
- Contain any bad language or explicit scenes of violence, if meant for children;

Denigrate persons with disabilities;

The draft code mandates the classification of all digital content with labels based on themes and messages, including violence, obscenity, nudity, sex, language, drugs and horror. It also proposes classification of all digital content by age suitability: 'U' for all ages, 7+, 13+, 16+, adult-only, and specific categories for professionals like doctors or scientists.

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It suggests that all digital content should display a prominent content descriptor and age rating at the beginning to inform users and enable informed viewing decisions. Content rated U/A 13+ or higher must have parental control mechanisms, while adult-only content should implement a reliable age verification system.

All the provisions of the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, would also apply to these rules.

When contacted, an I&B Ministry spokesperson said, "We are preparing a draft code as per the court's directions, which will be shared for public consultation once it is finalised."

Meanwhile, the decision has raised concern among content curators about potential arbitrary and widespread complaints.

Industry sources said the proposed strategy of amending the IT Rules to introduce "civil consequences" for obscenity on Online Curated Content Providers (OCCPs) threatens to undo years of "nuanced legal distinction" between linear broadcast and on-demand digital streaming.

Sources said when the Intermediary Guidelines and Digital Media Ethics Code were issued, the ministry rejected the option to adopt the Programme Code for OCCP platforms, acknowledging the fundamental technological differences.

"This inexplicable U-turn contradicts the government's broader mandate of ensuring certainty, predictability and continuity in policy-making. By reversing its own understanding without cause, the ministry is injecting unnecessary regulatory uncertainty into a thriving sector," said a source.

Sources said that OCCPs have a "pull" nature, where content is accessed by choice. The digital ecosystem is already equipped with age-gating, content descriptors, parental locks, and curation tools that allow adults to make informed choices as opposed to the push nature of

Linear TV, which is beamed into homes uninvited, necessitating a programme code to protect inadvertent viewers.

“Applying the analogue broadcast-era ‘obscenity’ standard, originally designed for family living rooms of the 1990s, to a password-protected, age-gated, on-demand environment is a regression. It ignores the agency of the viewer and the technological safeguards inherent to OTT platforms,” the source said.

Sources further said the upcoming Supreme Court hearing was largely precipitated by concerns over insensitive and unregulated content on User Generated Content (UGC) platforms, like YouTube, and it would have been more appropriate to clarify to the Court that the core issue relates to such content, not curated content. “It was pertinent for the ministry to explain the distinct frameworks required for different stakeholders — OCCPs, news publishers, and UGC platforms,” the source said.

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