

CENSORSHIP ON VIDEO GAMES: TIMEPASS OR MANIA?

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Introduction

Video games in the course of recent years has seen so much traction that today, it is a major businesses. From computer games on non-exclusive Personal computers to video games at enormous fields on very good quality Personal computers, the business is making an unimaginable measure of chances to all the computer game fans.

But just like every other industry, the computer game industry has its dark side as well. While numerous computer games have effectively got the enthusiasm of individuals over the world, there are numerous different games that couldn't effectively vanquish the market in numerous locales and got restricted.

In a research investigation by Dr. Jeanne Funk duly published in the Journal of India Pediatrics, it was revealed that children found violent and high-stress games exciting especially among the children who are in age group of class 7th and 8th students, 29% were inclined towards sports games but with violent graphics and a mere 2% were interested in educational games. With the advancement in technology, digital game designers have amplified the sadism and violence content with more realism.¹

Effect of Video games and Online Games

According to the American Heritage Medical Dictionary study of correlations between the mind, behavior, and bodily mechanisms, the effect or the result of playing violent video games on children on psychological variables such as aggression and stress and the physiological variables such as pulse, respiration, blood pressure².

The very essential and important aspect of life which is interaction and communication with others is lacking now a days due to technology. The excessive use of technology by children and adolescents is becoming very widespread and has a deep impact on the social skills and

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¹<http://www.legalservicesindia.com/articles/cenpb.htm>

² http://shodhganga.inflibnet.ac.in:8080/jspui/bitstream/10603/19446/7/07_chapter%201.pdf

speech of children³. This is because of the amount of time a child or a teenager spends on these devices which result in less interaction and communication with others. Another problem about the video games and online games is the aggression and violence in children⁴. Research shows that children and adolescents who play violent video games showed an increase in emotional arousal and aggression and a consequent decrease of activity in brain involving self-control, reticence and awareness. Some video games have led to aggressive behavior and negative thoughts. Some researchers suggest a co-relationship between depression and playing online games. Children or teenagers who are depressed tend to spend a lot of time alone on these new technologies. They find solace in spending time on these technologies.

The Blue Whale Challenge: A Typical Case

All over the world a game called blue whale challenge was responsible in abetting suicides of children and young adults. It is estimated that around 130 teenagers lost their lives in Russia alone⁵.

In 2017, due to the alleged Blue Whale game, Indian media reported many cases of child suicide, self-harm and attempted suicide⁶. Several newspaper articles also wrote about the stories of children committing suicides as a result of this game⁷. As there was an apprehension of more suicides, the Indian Government's Department of Ministry of Electronics and Information Technology, requested several internet companies like Facebook, Google, etc., to remove all the links which linked to the use the game⁸. The Centre for Internet and Society which is an internet watch dog in India condemned the coverage of the news which stated that the suicides resulted from the game as there was lack of evidence⁹. A series of cases was also filed before the High Court of Madras and Delhi seeking a ban on the game. Subsequently a petition was filed before the Supreme Court in the form of a Public

³ Griffiths, M.D. Friendship and social development in children and adolescents: The impact of electronic technology.

⁴ Bonita Klemm, Video-Game Violence, *Young Children*, Vol. 50, No. 5 (JULY 1995), pp. 53-55

⁵ <https://www.thesun.co.uk/news/worldnews/3003805/blue-whale-suicide-game-challenge-deaths-uk/>

⁶ <http://www.newindianexpress.com/states/tamil-nadu/2017/sep/01/bluewhale-challenge-at-least-75-whalers-in-tamil-nadus-madurai-1651006--1.html>

⁷ <https://www.financialexpress.com/india-news/blue-whale-challenge-indore-boy-noted-tasks-in-schooldiary-before-trying-to-kill-self/803991/>

⁸ <https://www.independent.co.uk/news/world/asia/blue-whale-suicide-game-latest-news-india-onlineviral-internet-google-ban-links-a7954786.html>

⁹Supra note 10

Interest Litigation¹⁰. The Supreme Court directed the Central government to ban the game, following which the government contended that it was not possible to regulate or ban the dangerous game that had claimed many lives across the globe.

Need for the Censorship

It safeguards children from very violent and pornographic content. The internet, smart phones and TV have made things easy for children even though they have adverse effects over all sorts of content. Press surveillance allows children more ability to access the internet and watch tv while shielding themselves from nudity and abusive content.

To protect children from unhealthy content.

Parents have plenty of work to do in today's society to protect their children from unhealthy influences. There is content everywhere, including items that slip through parental filters and kid-friendly apps, that could lead to harmful encounters in the future.

Censorship can provide another level of security to a country's profile.

We also use censorship as a way to limit the amount of information that the general public receives every day from their government, businesses, and large institutions

Censorship protects the rights of artists, innovators, and inventors.

Did you know that copyright laws are a form of censorship? The same is said for patents and any other legal construct that gives someone exclusive access to a specific form of content or work without allowing others to do the same.

Regulations governing video games and online games in India

Just one state in India has managed and authorized a law relating to online based gaming. The Sikkim Online Gaming (Regulation) Act, 2008 was passed on June 28, 2008 by the Government of Sikkim and the primary goal of the act is to control and manage the online based gaming and furthermore to force charge on the games.

¹⁰ (2018) 12 SCC 674

Indian Penal Code, 1860 (“IPC”) section 292¹¹ punishes those who deal with sale, drawing, writing, painting, publication, advertising, import, export of obscene books. The penalty of committing this offence is imprisonment for a term of up to two years and fine of Rupees Two thousand for the First Conviction. If the accused is guilty for the same offence again he is liable to be punished and imprisoned for a term which may extend to five years and fine of Rupees Five thousand.

Section 293¹² of IPC punishes selling of obscene objects to young people. Here the age of the person should be below 20 years. So if a person sells, distributes or even shows an obscene object to a young person who is below the age of 20 years he is liable to be punished

The Information Technology Act, 2000 which briefly covers the aspect of punishing the works of publishing obscene or sexual content in the electronic form Section 672 and 67A of the IT Act deals with punishment for publishing and transmitting obscene content in electronic form.

According to Section 67¹³ if the material is obscene, in electronic form and in its nature is lascivious and appeals to the prurient interests and corrupts them then such a person who ever is publishing it is liable to be punished with an imprisonment which may extend to three years and with fine which may extend to Rupees five lakh in case of first conviction and in case of second conviction the imprisonment may extend up to five years and fine which may extend to rupees ten lakh

According to Section 67A¹⁴ if a material is published or transmitted which is sexually explicit in nature then whoever does it is punishable for imprisonment which may extend to five years and fine which may extend to Rupees Ten Lakh in case of first conviction. In case of second conviction he shall be punishable for imprisonment which may extend to seven years and fine which may extend to Rupees Ten Lakh.

The Indecent Representation of Women [Prohibition] Act, 1986 which also prohibits indecent representation of women. It prohibits showing or depicting of a women’s body or

¹¹<https://indiankanoon.org/doc/1704109/>

¹²<https://indiankanoon.org/doc/601866/>

¹³<https://indiankanoon.org/doc/1318767/>

¹⁴<https://indiankanoon.org/doc/15057582/>

any part thereof, which is done through advertisement, drawing, painting, or publication etc., and penalizes the person responsible for it.

Conclusion

As per the study these legislation deals with matters that are only obscene in nature. It doesn't specifically touch upon the subject matter of violent video games and online games. It does not specify to curb violent video games that might have a negative impact on the minds of an individual. For example violent games like blue whale challenge could not be banned in India due to technical and legal issues. These issues are not recognized by our laws as there is no specific legislation dealing with the same. When there are no specific laws relating to video games and online games in India, it rather becomes difficult to deal with the legal issues that arise on this subject matter.

In order to make the society comprehend the impact of these games we need to make sure those professionals who are in these areas share their knowledge onto the parents by which we can try to regulate the impact of violent games on adolescent minds and help them develop positive skills for better behavior and better interaction.