

## **The Impact of Censorship on Modern Indian Theatre: A Study Before and After Independence**

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### **Abstract**

The Dramatic Performances Act (DPA), introduced in 1876 during British colonial rule, marked a significant turning point in the regulation of theatre, aiming to curb anti-government sentiment. This legislation reflected the colonial administration's political anxieties by imposing stringent censorship on theatrical productions, fundamentally altering performance practices in India. This paper takes a comparative historical approach to analyze censorship in Indian theatre across two pivotal periods: Colonial India and Post-Independence India. It explores the DPA and associated colonial laws alongside the post-independence censorship mechanisms, including state legislation, review boards, and criminal codes. Through a selection of ten case studies, five from each era, this study highlights significant legal and cultural aspects, public controversies, and the treatment of these plays in academic discourse. Each play is examined in light of the specific grounds for censorship, whether political, moral, or religious, the state's rationale compared to public reception, and the artistic strategies employed to navigate these restrictions. The findings emphasize the intricate relationship between law and performance, placing these examples within broader theoretical frameworks of power and public dialogue, particularly those articulated by Foucault and Habermas. The research indicates that while independence brought constitutional guarantees of free expression, many colonial suppression methods still affect today's theatre landscape in India. Theatre remains vulnerable to interference, especially regarding socially or politically sensitive topics. The paper argues that the legacy of the DPA continues to shape theatrical practice, showing that censorship has evolved rather than faded, still significantly influencing cultural expression.

**Keywords:** *Dramatic Performances Act, censorship, Indian theatre, colonial law, cultural expression, case studies, freedom of expression, performance politics.*

## **Introduction**

Throughout history, theatre has been a crucial medium for communication, allowing for the exchange of ideas through artistic expression and the preservation of cultural traditions. It has often acted as a powerful catalyst for social change, giving a voice to the oppressed during revolutions and periods of colonial struggle. While rulers have frequently attempted to stifle dissent and maintain the status quo, the resilience of cultural expression and activism has propelled human civilization forward.

In India, censorship and repression marked the relationship between art and authority. Many plays and performances were banned for reflecting collective aspirations for liberation from colonial rule. These artistic works embodied sacrifice, resilience, and resistance, even as the colonial administration tried to quash them. Following the Battle of Plassey in 1757, the East India Company consolidated power in India. By 1773, Warren Hastings had become the first Governor-General. Under his administration, Asia's first weekly news magazine, Hickey's Bengal Gazette, was launched on January 29, 1780, by James Augustus Hickey. It promised independence with the tagline "Open to all Parties, but Influenced by None," but soon faced censorship after criticizing the Company. Hastings's council banned its distribution through the post office, and Hickey was imprisoned, yet he continued to publish until his press was confiscated (Lal, 2022, p. 13; Otis, 2018). This marked the beginning of systematic press restrictions in colonial India.

Governor-General Wellesley enacted the first Censorship of Press Act in 1799, followed by Regulation III of 1818, under which Lala Lajpat Rai was imprisoned in Mandalay. The Licence Regulation Act of 1823, the Press Act of 1835 (Charles Metcalf Act), and the Licensing Act of 1857 continued this trajectory of repression. During the First War of Independence in 1857, the Urdu paper Payam-e-Azadi (Message of Freedom), edited by Mirza Bedar Bakht, called for revolt. The Company executed him and punished readers found with copies. After 1858, Section 124-A (sedition) was enacted, and leaders like Bal Gangadhar Tilak were prosecuted under it; his newspaper Kesari led to his six-year imprisonment (Lal, 2022, p. 13). The repression extended

beyond the press to the theatre. In 1876, the colonial government enacted the Dramatic Performances Act (DPA), empowering authorities to ban plays deemed seditious, obscene, or against public interest. It was modeled after Britain's Licensing Act of 1737 and explicitly aimed at containing the nationalist movement inspired by the 1857 revolt. The Act sought to curb the theatre's role in stirring anti-British sentiment.

Further colonial restrictions:

In 1878, Viceroy Lytton passed the Vernacular Press Act, intensifying control over Indian-language publications. In 1898, Section 124-A (introduced in 1870) was expanded to criminalize any speech or performance inciting hatred against the colonial state. Section 153-A was added to prevent writings or performances from encouraging communal discord, while Article 295-A (1927) targeted expressions that offended religious sentiments, aiming to avoid riots (Lal, 2022, pp. 13–14).

Together, these measures revealed a consistent strategy: to silence nationalist voices and regulate all mediums of expression. Plays, performances, newspapers, and books critical of British rule were censored, banned, or punished by imprisonment and fines. As Nag (2022) notes, the DPA mainly targeted playwrights, theatre companies, and productions that expressed anti-colonial ideas. The timing of the DPA also coincided with the growth of cinema. Recognizing film's potential to influence public opinion, the British introduced the Indian Cinematography Act of 1918 (effective from 1920), modeled on the British Cinematograph Act of 1909. Earlier, laws such as the Official Secrets Act (1898), the Indian Post Office Act, and the Indian Customs Act already imposed restrictions on publishers and performers, while the Indian Press Act of 1910 expanded censorship.

Hence, the DPA formed part of a broader colonial legal framework to control culture and suppress political dissent. While Britain was repealing similar restrictive laws, they were enforced in India to tighten the colonial grip. As a dynamic medium for political awakening, theatre was one of the primary targets. Even after independence in 1947, the DPA of 1876 continued to exist in state-level legislations, reflecting the long-lasting legacy of colonial censorship. The trajectory from Hickey's Bengal Gazette to the Dramatic Performances Act and beyond reveals how colonial authorities systematically sought to silence dissent through law. Theatre, press, and later cinema were subjected to strict regulation because of their ability to

inspire resistance and mobilize collective action. Despite these suppressions, Indian artists continued challenging authority, ensuring that art remained a powerful site of resistance and social transformation.

### **Research Methodology**

This study employs a comparative historical analysis to explore censorship in Indian theatre during two significant periods: Colonial India (1876–1947) and Post-Independence India (1947–2018). It investigates the functioning of the Dramatic Performances Act (DPA) and related legislation in the colonial era. At the same time, in the post-independence period, it examines continuities and changes in censorship through state laws, scrutiny boards, and criminal codes. The analysis is supported by five carefully selected case studies from each period, chosen for their legal and cultural significance, documented controversies, and presence in scholarly literature. The plays are analyzed based on several factors: the grounds for censorship be it political, moral, or religious, the justifications provided by the state in contrast to public reception, and the artistic strategies employed to navigate these restrictions. This dual approach emphasizes the relationship between legal history and creative expression, positioning theatre within broader contexts of power, knowledge, and public discourse, drawing on frameworks established by thinkers such as Foucault and Habermas.

### **Implementation of the Dramatic Performances Act (DPA), 1876, censorship during the colonial period**

The Dramatic Performances Act, enacted in 1876, was significant legislation regulating theatrical performances. This Act was introduced to address various concerns related to censorship, public morality, and the management of stage plays. It sought to establish guidelines for the content presented in public performances, ensuring adherence to specific standards. This Act played a crucial role in shaping the landscape of dramatic arts during that period, influencing the creation and presentation of theatrical works. The bill was introduced in the Viceroy's Council in March 1876. It was passed into law by the Imperial Legislative Council on December 16, 1876 (Act No. XIX of 1876), despite strong public resistance (Mukherjee, 1982). The Act imposed restrictions on dramas, pantomimes, and other public performances. It stated that its

performance would be prohibited if the state government deemed any drama objectionable for threatening social values or inciting anti-government activities.

Additionally, individuals or groups failing to comply with a prohibition order could face penalties, including imprisonment for up to three months, a fine, or, in some cases, both. The Act also granted the government the right to seek information about all theatrical plays. The police were authorized to arrest anyone involved in the production, including producers, writers, stage operators, artists, and even audience members. Furthermore, the Act mandated that no public demonstration could occur in any locality without the approval of a license. Enacted on December 16, 1876, during the tenure of Viceroy Northbrook and drafted by Thomas Bering, this law remains in effect even after over 70 years of the country's independence.

### **Key Constituents of The Dramatic Performances Act 1876**

Commonly known as the DPA of 1876, this important four-page legislation governed theatrical presentations throughout India during the colonial era. This Act was introduced to address concerns regarding the content and influence of dramatic performances, providing a structured approach to their regulation and oversight. The provisions of the Act aimed to establish guidelines that would maintain public order, particularly in preventing any nationalist sentiments or negative portrayals of the British that might arise from theatrical works.

Per the Act, a Magistrate of Police in the Presidency towns or the district Magistrate is the authority responsible for overseeing and enforcing the provisions outlined in the Act. One of the pivotal provisions granted to local government was the power to prohibit any play, pantomime, or other drama, whether already performed or about to take place in a public place, if they believe it to be inappropriate, (a) scandalous or defamatory, (b) likely to incite disaffection towards the Indian Government, or (c) likely to corrupt viewers. Any building where the public pays to witness a performance is considered a "public place." An order prohibiting such performances can be issued to individuals involved or the venue's owner. Those who disobey the order may face a penalty of up to three months in jail, a fine, or both. The order through proclamation can be announced publicly and posted in locations where it will inform those intending to participate in or attend the prohibited performance (Act No. XIX of 1876). Essentially, the DPA allows authorities to regulate and, if necessary, prohibit dramatic

performances that are associated with growing nationalist sentiments, because they are deemed scandalous, defamatory, politically contentious, or potentially harmful to the moral sensibilities of the audience.

The DPA (Act No. XIX of 1876) granted colonial authorities in India the power to prohibit theatrical performances that were considered “scandalous,” “seditious,” or likely to provoke “feelings of disaffection” among the populace (Mukherjee, 1982). This legislation enabled magistrates to ban specific plays, arrest performers, and impose penalties on audiences. The Act closely resembled Britain’s Licensing Act of 1737 and Theatres Act of 1843, extending the concept of prior restraint on artistic expression to the Indian context.

### **Plays On Censorship during the Colonial Period**

#### **Nil Darpan (1860)**

Dinabandhu Mitra's play 'Nil Darpan' (The Indigo Mirror), written in 1859, addressed the exploitation of indigo planters and depicted the struggles of indigo farmers in rural Bengal. The play highlighted the actions of the British and their zamindars during the indigo farming rebellion. Due to its controversial content, the play faced opposition from British officials, leading to an official ban by the British government in 1861. Authorities believed the play could incite anti-British sentiments and social unrest, following the recent unrest in the 1857 rebellion. The ban on 'Nil Darpan' was significant, reflecting the British colonial government's efforts to suppress narratives that disclosed the economic exploitation in India. This incident indicates a broader pattern of censorship in that era, as the British sought to manage any dissent or criticism that could challenge their authority. The harsh portrayal of Indian peasants generated considerable response among the Indian populace, prompting British authorities to enforce the ban due to concerns about potential unrest and violence. The controversy surrounding 'Nil Darpan' contributed to enacting the Dramatic Performances Act (DPA) in 1876. When the play was translated into English and staged in Calcutta, some viewed it as an affront to British planters and administrators. The resulting performances and trials illustrated the influence of theatre in shaping public opinion, leading colonial officials to implement stricter censorship measures through the DPA (Bhatia, 2004).

### **Police of Pig and Sheep (1876)**

The Great National Theatre, founded in 1873, had a bold vision: to stage plays that entertained audiences, raised awareness about pressing social issues, and fueled reform efforts. A highlight of this mission was Dakshina Charan Chattopadhyay's thought-provoking satire, 'Police of Pig and Sheep,' which premiered on March 1, 1876. This sharp critique aimed at the colonial police force, daringly confronting authorities and exposing their oppressive tactics. Set against the chaos that followed the First War of Independence in 1857, the play cleverly blended societal tensions with humour and irony. The revolt was ignited by deep-seated grievances among Indian soldiers, particularly over the use of animal fats from pigs and cows in ammunition cartridges, an affront to both Muslim and Hindu troops that sparked widespread rebellion against British rule. In his narrative, Chattopadhyay highlighted the bumbling actions of Sir Stuart Hogg, the Commissioner of Police, and Mr. Lamb, the Superintendent of Police. Their often arrogant and clumsy attempts to censor earlier theatrical productions became a focal point, reflecting a broader critique of colonial authority and its efforts to silence dissenting voices. The humour threaded through the play served as a poignant reminder of the hypocrisy at the heart of British governance (Indian Culture Portal, n.d.).

In the face of rising discontent fueled by such performances, Lord Northbrook, the Governor-General of India, felt compelled to take action. He enacted an ordinance banning dramatic performances across Bengal, fearing they might incite unrest. This decision ultimately established the 1876 Dramatic Performance Act, further restricting artistic expression. British officials labeled these productions as 'scandalous' and 'obscene,' perceiving them as a direct threat to their colonial authority. Through its incisive satire, "Police of Pig and Sheep" challenged the status quo and illuminated the motivations behind government censorship. This daring theatrical piece played a crucial role in the budding freedom struggle in India, emphasizing the urgent need for resistance against colonial oppression and uniting calls for social and political reform.

### **Surendra Binodini and Sati' ki Kalankini**

On March 4, 1876, during a 'Sati ki Kalankini' performance at the Great National Theatre in Kolkata, the Deputy Commissioner of Police arrested several individuals, including director

Upendranath Das and Amritlal Bose. This crackdown followed their previous conviction for obscenity related to the play 'Surendra Binodini,' which depicted the European magistrate sexually assaulting his maid, who jumps out of the window to save her honour. Although 'Surendra Binodini' had staged nearly a year of uninterrupted performances, a police report in 1876 branded it as seditious, citing its violent themes and critique of a European magistrate. Upendranath Das and Amritlal Bose received sentences of one month in prison; however, the High Court later overturned the conviction on March 20, stating that the play did not actually contain obscene content. This ruling ignited a debate over the definitions of obscenity and brought to light the inconsistencies in colonial censorship practices. The heated atmosphere surrounding the case was further intensified by the removal of Justice Phear, who presided over the trial and was subsequently repatriated to Britain (Bhatia, 2004; Indian Culture Portal, n.d.).

### **Keechaka Vadha**

The play Keechaka Vadha (The Killing of Keechaka), written by Krishnaaji Prabhakar Khadilkar and premiered in 1907, illustrates how Indian theatre served as a focal point for political resistance during the nationalist movement in Maharashtra. The play is based on a story from the Mahabharata, in which Keechaka persistently harasses Draupadi and is ultimately defeated by Bhima. For audiences of that time, the symbolic meanings were precise: Keechaka represented Lord Curzon, the British Viceroy responsible for the controversial partition of Bengal in 1905, while Draupadi stood for the "Motherland." Bhima's killing of Keechaka thus embodied the aspiration to end colonial rule (Bhatia, 2004; Dharwadker, 2005). The performance 'Keechaka vadha' provided entertainment and a platform for audiences to express and define nationalist feelings. By weaving anti-colonial messages into a mythological context, the play appealed to many spectators and made the notion of resistance culturally significant. Concerned by these allegorical interpretations and the play's broad popularity, colonial authorities prohibited Keechaka Vadha in 1907. The censorship of the play underscores how theatre, as a form of cultural expression, was both a vehicle for liberation and a target of governmental oppression.

Certain plays in colonial India faced explicit bans due to their nationalist themes. For example, 'Siraj-ud-Daulah,' performed around 1905, depicted the historical Nawab of Bengal in a manner that the authorities considered a negative portrayal of Europeans during the early Swadeshi

movement. Consequently, the playwright was arrested under the Dramatic Performances Act, highlighting colonial fears of theatre as a space for political opposition (The Wire, 2017). Similarly, Laxman Singh's 'Coolie Pratha,' released in 1916, was seized shortly after its debut because of its critical examination of social and political injustices under British rule. Through the character of Shankar, Singh's satire targeted societal indifference and aimed to inspire youth to engage in activism, referencing instances of Indian labor exploitation in places like Fiji (Choudhury, 2024).

Thousands of plays were censored throughout the country under the DPA of 1876, which profoundly impacted Indian society, particularly in the realm of cultural and artistic expression. By imposing censorship and prohibiting performances that critiqued colonial rule, the Act stifled creativity and created hurdles for the nationalist movements through performances. This legislation restricted artistic self-expression, forcing playwrights and actors to navigate strict censorship laws, and often, creators relied on allegorical symbolism to convey their messages safely. The Act's cultural repression also affected other artistic fields like literature and music. Despite these challenges, the Indian theatre community resisted imperial control through clandestine performances and symbolic representations that fostered connections between creators and audiences. This resilience highlighted the spirit of Indian artists committed to freedom and justice.

### **The Dramatic Performance Act and its Influence on Post-Independence Plays**

Despite the initial promise of independence, which was supposed to guarantee freedom of expression, the reality has been that censorship remains a significant challenge. This ongoing issue is highlighted by the introduction of state-specific amendments to the DPA, which have served to restrict rather than enhance public discourse. Additionally, new mechanisms of control have emerged, including increased surveillance of digital communications and the regulation of online content, further complicating the landscape of freedom of expression. These developments illustrate a growing trend of using legal frameworks not just to protect privacy, but also to limit the voices of dissent and regulate the flow of information.

## Key Developments

After India gained independence in 1947, the colonial legacy of DPA technically continued to be in effect under Article 372 of the Constitution. However, its application varied significantly across different states. A significant turning point occurred on May 10, 1956, when the Allahabad High Court ruled in the case of *State v. Baboo Lal*. The court held that the procedures outlined in the DPA-1876 were "ultra vires" because they imposed unreasonable and non-justiciable prior restraints on free speech. As a result, the court quashed prosecutions that were based on the subjective bans issued by District Magistrates without due process (Allahabad High Court, 1956; *The Wire*, 2025). This landmark decision effectively weakened the enforceability of the DPA in Uttar Pradesh and served as a constitutional warning to the rest of the country.

The regulation of theatre has evolved in various states, with many replacing colonial-era laws with local legislation tailored to their needs. For example, the Tamil Nadu Dramatic Performances Act was enacted in Madras in 1954, but this legislation was later annulled by the Madras High Court in 2013. The act was designed to regulate performances considered "obscene" or disruptive to public order (Vajiram & Ravi, 2025). In Rajasthan, the Dramatic Performance & Entertainment Rules were introduced in 1955, documented under Notification No. F.1(128) Police H/51(A) on June 11, 1955, and included in the Rajasthan Gazette on May 23, 1955. Additionally, Punjab implemented its Dramatic Performances Act in 1963, which was followed by establishing operational rules in 1965 that focused on the licensing and regulation of performances (Punjab Act, 1963; Punjab Rules, 1965). In contrast, West Bengal began to move away from specific stage censorship laws by the early 1960s, instead relying more on general public order and obscenity provisions. Other regions shifted control of the theatre to police and licensing frameworks, such as performance scrutiny boards, which allowed for script pre-clearance without utilizing colonial texts. This approach was notably seen in Maharashtra, where pre-censorship through a state scrutiny board continued into the twenty-first century (Scroll, 2016).

## **Plays on Censorship in the post-colonial period**

### **Ningalenne Communistakki**

In the 1950s, the administrators of Kerala exercised significant executive power, evident in their response to the leftist classic "Ningalenne Communistakki" (You Made Me a Communist). The play revolves around a feudal landlord family and the struggles of peasants and workers under systemic exploitation. Through personal conflicts and collective awakening, the narrative illustrates how ordinary people develop political consciousness and embrace communism as a path to social justice (Nair, 2011; Menon, 1994). This seminal work by Thoppil Bhasi, produced in 1952 for the Kerala People's Arts Club (KPAC), faced prohibitory measures in 1953. This incident highlights how district-level interventions could effectively suppress dissent without relying on formal legal proceedings under the DPA-1876 Act. Interestingly, even after the undetermined legal status of the DPA post-1956, authorities utilized alternative mechanisms to maintain order. They employed provisions from the Criminal Procedure Code (CrPC) to prevent public disturbances, as well as sections of the Indian Penal Code (IPC) such as 295A, 153A, and 292, which address issues related to religious sentiments and obscenity, in addition to municipal licensing regulations.

### **Sakharam Binder &Ghashiram Kotwal**

Censorship of plays after Independence often operated at the intersection of multiple legal and political frameworks. In Maharashtra, Vijay Tendulkar's Sakharam Binder (Sakharam, the Binder), written in 1972, exposed the male hypocrisy of social morality, gender oppression, and the abuse of power in intimate relationships. It was banned in 1974 on grounds of obscenity. The producers contested this action, and the subsequent rulings of the Bombay High Court became a significant reference point in free speech jurisprudence relating to theatre (Sahapedia PDF, n.d.; Open Magazine, 2018). Tendulkar's Ghashiram Kotwal (Ghashiram, the Police Chief), also written in 1972, was a satirical historical drama on power, corruption, and sexual exploitation in 18th-century Pune. It faced repeated bans and disruptions for allegedly insulting particular communities and historical figures, yet it later returned to the stage as a modern classic.

### **Kallol & Mee Nathuram Godse Boltoy**

In West Bengal, Utpal Dutt's *Kallol* (The Sound of Waves), written in 1965, dramatized the 1946 naval mutiny as an act of anti-colonial resistance, directly challenging the official nationalist narrative. Its radical stance led to Dutt's preventive detention and triggered a broader crackdown on political theatre. This illustrated how the state employed detention and police powers rather than relying exclusively on the Dramatic Performances Act (DPA) to silence dissent (Literary Herald PDF, 2020; Telegraph, 2019). In the 1990s and 2000s, Pradeep Dalvi's *Mee Nathuram Godse Boltoy* (I, Nathuram Godse, Am Speaking) staged the courtroom defence of Gandhi's assassin as a provocative counter-history. The play was repeatedly denied permission and eventually banned in Maharashtra and Kerala. Although the Bombay High Court later lifted the ban in Maharashtra and struck down the forfeiture orders, performances faced political disruptions (Times of India, 2001; Rediff, 1998).

**Maulana Azad:** In 2003, the censor board in Gujarat objected to the play *Maulana Azad*. Although the play had previously been staged across the country without any issues, it faced objections when it was set to be performed in Gujarat. The censor board took issue with a line in the play in which Maulana Azad states, "Sardar Patel was perhaps the founder of India's partition." The board ignored the fact that the playwright did not write this line; instead, it was taken directly from Maulana Azad's book, 'India Wins Freedom'. The censor board insisted that the line be removed, but the producers disagreed, resulting in the play not being staged (Sova, 2016 n.d.).

**Sonka:** A notable instance of theatrical censorship in recent years occurred with the Polish play "Sonka," produced by the Aleksander Wegierko Drama Theatre and performed at Rabindra Mandap in February 2016 as part of the Bharat Rang Mahotsav theatre festival. The play drew strong objections from the state women's commission and government officials due to a specific scene in which Nazi soldiers enact sexual violence against the protagonist, Sonka, stripping her upper body. This portrayal was deemed objectionable within the local sociocultural context.

Following the backlash, when the play was later scheduled to be performed at other venues as part of the festival, the director was instructed to remove several sequences, including the sexual

assault scene and another scene depicting villagers slaughtering a cow. This incident highlights the tensions between artistic expression and sociopolitical sensitivities, illustrating how depictions of violence. It can provoke regulatory responses and lead to work modifications, whether gendered or religious(Pluwak, 2021).

**Jai Bhim Jai Bharat:** The Marathi play Jai Bhim, Jai Bharat faced significant censorship, with nineteen cuts suggested in Mumbai. The play by Janardan Jadhav addresses Dalit atrocities through an imagined conversation between Ambedkar, Gandhi, and a Dalit activist. It was scheduled to be performed at Kalyan Theatre on February 7, 2016. According to Mumbai Mirror, terms such as "Bahmanshahi" (Brahminism), "Gandu Bagicha" (an award-winning poetry collection by Namdev Dhasal), and "Hindutva" were among the words deemed objectionable. The censor board also requested that words like "kutra" (dog) and "mahar" (a caste) be replaced with alternatives. Furthermore, Kalyan Theatre was compelled to change the names of localities like Khairlanji and Ramabai Nagar, where Dalits were reportedly killed in police firing in 1997(Bhatia, 2010).

**Chintamani:** The play "Chintamani," written by social reformer Kallakuri Narayana Rao during the pre-independence era, was initially intended to address social issues such as prostitution through a narrative focused on moral and spiritual transformation. This message was particularly relevant at the time. However, various theatre groups have added inappropriate scenes to the original work. These adaptations, aimed at modern audiences, have fundamentally altered the play's original intent and ignited discussions about cultural preservation and artistic integrity. The emergence of these provocative versions ultimately led to government intervention. On January 17, 2020, the ruling state authority in Andhra Pradesh officially banned the play following a complaint from the Arya Vaishya community, which found the depiction of the character "Subbi Setti" to be offensive and humiliating. They cited censorship laws in Telugu theatre (N. Pejjai & S. P. Tumu, 2024). Despite numerous practitioners advocating for removing scenes that inappropriately represented Subbi Setti and calls to delete objectionable dialogues and scenes from the performance text, the ban on the play remains in effect to this day.

## **Repealing Censorship**

During the period 2014–2019, Parliament repealed the Dramatic Performances Act (DPA) as part of its broader effort to clear obsolete legislation from the statute book. This was carried out through the Repealing and Amending (Second) Act of 2017, which was officially notified in 2018 (Government of India, Gazette Notification, 2018). However, courts and legal commentators had long observed that the DPA had effectively lost constitutional validity as early as 1956, following the Supreme Court's jurisprudence on free expression. In *State of Bombay v. F.N. Balsara* (1951), the Court emphasized limits on overbroad restrictions, while in *K.A. Abbas v. Union of India* (1970), the Court upheld film pre-censorship but required procedural safeguards, weakening blanket prohibitions (Abbas, AIR 1971 SC 481). Despite its repeal, the regulatory influence of the DPA continues through state-level scrutiny boards, police licensing requirements, and the invocation of criminal provisions such as IPC Sections 292 (obscenity), 295A (outraging religious feelings), and 153A (promoting enmity).

Despite the repeal of the legislation concerning DPA 1876, numerous theatrical productions found themselves still subject to bans imposed by various state governments in which Chintamani play is among one. These restrictions often stemmed from concerns over sensitive topics, community standards, or political pressures, which led to ongoing debates about censorship and artistic freedom within the performing arts. As a result, many playwrights and producers faced significant challenges in bringing their work to audiences, highlighting the persistent struggle between artistic expression and governmental regulation in the theater world.

After Independence, India saw a gradual decline in the authority of the Dramatic Performances Act (DPA) from 1956 onwards. However, its regulatory principles have continued through state legislation, police licensing, and related penal provisions. Notable censorship disputes, such as the Bombay High Court's involvement in Vijay Tendulkar's *Sakharam Binder* (1974) over obscenity, the preventive detention of Utpal Dutt following *Kallol* (1965), and the ban litigation surrounding Pradeep Dalvi's *Mee Nathuram Godse Boltoy* (1998–2001), demonstrate how a colonial-era system of prior restraint has transformed into a decentralized form of censorship that is administratively enforced. This ongoing evolution continues to influence Indian theatre today (Open Magazine, 2018; Times of India, 2001; Telegraph, 2019).

## Conclusion

The study illustrates that censorship in Indian theatre has consistently been intertwined with issues of power and authority. During the colonial period, the Dramatic Performances Act (DPA)-1876 served as more than just a legal mechanism; it functioned as a disciplinary apparatus, in Michel Foucault's terms, that not only silenced dissent but also structured what could be considered legitimate cultural expression (Foucault, 1977). Plays with nationalist themes, such as 'Nil Darpan' and 'Siraj-ud-Daulah,' were banned, while mythological or religious stories were tolerated. This shaped the theatre toward allegory and symbolism. In this context, censorship acted as a technology of power that produced compliant knowledge while marginalizing subversive narratives. Although the Constitution guaranteed free expression in the post-independence period, theatre continued to operate under surveillance. Jurgen Habermas's concept of the public sphere elucidates this continuity: Indian theatre often functioned as a counter-public space. For instance, Utpal Dutt's 'Kallol' mobilized political critique, while Vijay Tendulkar's 'Sakharam Binder' provoked debates on sexual morality (Habermas, 1989). Because theatre created spaces for dialogue outside state-sanctioned forums, it was frequently subjected to bans, scrutiny, or police interventions. Thus, even in democratic India, the theatre's role as a platform for public reasoning put it in direct conflict with state power.

Postcolonial theory provides insights into why colonial frameworks of censorship persisted long after independence. The DPA's survival in state laws until its repeal in 2017 illustrates what Homi Bhabha (1994) describes as the afterlife of colonial governance: postcolonial states often inherit and adapt colonial modes of control under the guise of order, stability, or public morality. Additionally, as Gayatri Chakravorty Spivak (1988) reminds us, the subaltern voice is frequently mediated or silenced by structures of authority. In Indian theatre, whether during British rule or under independent governments, censorship has consistently sought to contain voices that challenge dominant narratives, whether from the colonizers, the state, or majority religious sentiments. Partha Chatterjee's (1993) concept of the "derivative state" further explains this continuity, suggesting that postcolonial governments often reproduce colonial mechanisms to maintain legitimacy. Together, these perspectives highlight a notable continuity: while the targets of censorship shifted from anti-colonial resistance to postcolonial dissent, and from

sedition plays to those accused of offending morality or religious sentiments, the underlying logic of control remained unchanged. Consequently, theatre in India has been influenced by aesthetic or cultural trends and a persistent negotiation with censorship regimes.

At the same time, theatre-makers' resilience reveals the creative possibilities of resistance. Through allegory, satire, and folk idioms, dramatists have found ways to navigate restrictions and engage audiences in critical reflection (Solomon, 1994). In this sense, censorship has inadvertently inspired innovation, transforming theatre into a space where artists continuously redefine their artistic practices and political engagement. In conclusion, the Dramatic Performances Act and its successors illustrate how power operates through culture, not merely against it. Theatre in India remains a living testament to the struggle between state authority and artistic freedom, in which censorship has acted both as a repressive force and a paradoxical catalyst for creativity.

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