



Mains Practice Question

Q. There is a need to abolish the sedition law on the ground that it is used to curb freedom of expression and speech. Discuss.

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Approach

- Start the answer by briefly explaining what sedition law is.
- Discuss the associated issue with the Sedition Law.
- Conclude Suitably.

Introduction

Section 124A IPC deals with the charges of sedition. It envisages to punish any activity of individuals that attempts to bring into hatred or contempt towards, the Government of India.

However, the sedition law is often used to stifle dissent against the government and the recent increasing number of sedition cases reflects the repressive approach to democracy.

Body

Associated Issue with Sedition Law

- **Colonial Legacy:** Colonial administrators used sedition to lock up people who criticised the British policies. Thus, rampant use of the sedition law recalls the colonial era.
- **Stand of Constituent Assembly:** The Constituent Assembly did not agree to include sedition in the Constitution. The members felt it would curtail freedom of speech and expression.
- **Disregarding Supreme Court's Judgement:** Supreme Court in Kedar Nath Singh vs State of Bihar case 1962, limited application of sedition to "acts involving intention or tendency to create disorder, or disturbance of law and order, or incitement to violence".
 - However, invoking sedition charges against academicians, lawyers, socio-political activists and students is in disregard of the Supreme Court's order.
- **Repressing Democratic Values:** Increasingly, India is being described as an elected autocracy primarily because of the callous and calculated use of sedition law.

Conclusion

Government faces a dilemma between maintaining law & order & freedom of speech & expression. Therefore, if the government doesn't see scrapping the sedition law as a pragmatic step in present circumstances, it can narrow down the definition of sedition to include only the issues pertaining to the territorial integrity of India as well as the sovereignty of the country.

