



Sedition, once more

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Invoking it against those opposed to changes in citizenship law is reprehensible

- The slapping of sedition charges against noted Assamese scholar Hiren Gohain and two others for remarks made against the proposed citizenship law is a textbook case of misuse of the law relating to sedition.
- The FIR against Mr. Gohain, peasant rights activist Akhil Gogoi and journalist Manjit Mahanta relates to speeches at a recent rally that alluded to the possibility of a demand for independence and sovereignty if the Citizenship (Amendment) Bill was pushed through Parliament. Mr. Gohain and others have obtained interim bail from the Gauhati High Court.
- The registration of the case has caused much public outrage in Assam.
- In addition to Section 124A (sedition), they have been accused of entering into a criminal conspiracy to “wage war against the government of India” (Section 121) and “concealing a design to facilitate” such a war (Section 123).
- The action of the police in charging them with “offences against the state” under the Indian Penal Code is quite reprehensible.
- In recent years, there have been many instances of State governments seeking to silence political dissent by accusing dissenters of promoting disaffection.
- Mere expression of critical views, howsoever scathing, cannot be an excuse for accusing someone of planning to wage war or promote disaffection against the government.
- It is against such a backdrop that the Law Commission, in a consultation paper released last year, had called for a reconsideration of the sedition section in the IPC.
- While the provision, which is couched in broad terms, needs a much narrower definition, the right course is to scrap Section 124A, a relic of the colonial era, altogether.

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