

public order IIPM, Public order, Religious sentiments, sacrilege, blasphemous, offensive, lascivious, scandalous, D.H. Lawrence, inflammatory
 Dissent Lady Chatterley's Lover, Ranjit Udeshi, prurient minds, Happy Book Stall, Caravan, copyright, access, obscenity, Sikkim, morality
 Protest Bandit Queen, Hicklin Test, present and imminent danger, A Tale of Four Cities, Salman Rushdie, Satanic Verses decency
 ban pornography
 block facebook
 censorship twitter
 take-down social media
 interception orkut
 surveillance heresy
 due process K.A. Abbas
 transparency 66A
 anonymity expression
 privacy art
 nudity defamation
 sedition Vishwaroopam
 hate speech Sadda Haq

FREEDOM OF EXPRESSION

Jaipur Film Festival, Jashn-e-Azadi, Cartoon Against Corruption, Amit Trivedi, Savita Bhabhi, Parrhesia, Arundhati Roy, creative freedom, contempt, tolerance, right to offend, Frank La Rue, Sikkim, Vinay Rai, Intermediary Liability, John Doe order, access to knowledge, Delhi University, Reasonable Restrictions, Maqbul Fida Hussain, First Amendment, profanity

Freedom of speech and expression Article 19(1)(a), constitution of india

All citizens shall have the right to freedom of speech and expression.



“The Freedom to receive and communicate information and ideas without interference is an important aspect of the freedom of free speech and expression”
 - Cricket Association of Bengal (1995) 2 SCC 161



“In democracy it is not necessary that everyone should sing the same song.”
 - S. Rangarajan (1989) 2 SCC 574



“Freedom of expression is a preferred right which is always very zealously guarded”
 - Odyssey (1988) 3 SCC 410

Reasonable restrictions on freedom of speech Article 19(2), constitution of india



“Very narrow and stringent limits have been set to permissible legislative abridgement of the right of free speech and expression”
 - Romesh Thapar AIR 1950 SC 124



“But we cannot simply balance the two interests as if they are of equal weight. Our commitment to freedom of expression demands that it cannot be suppressed unless the situations created by allowing the freedom are pressing and the community interest is endangered. The anticipated anger should not be remote, conjectural or far-fetched”
 - S. Rangarajan (1989) 2 SCC 574



“Restraints on the freedom of speech and expression are permissible under our Constitution, is not to say that any particular restraint is desirable or ought to be imposed.”
 - H.M Seervai, Leading Authority on Constitutional Law in India

The freedom of speech and expression guaranteed by Article 19(1) (a) of the Constitution can be limited by way of reasonable restrictions under Article 19(2) in the “interests of the

Laws imposing restrictions on statements or expressions which challenge the sovereignty and integrity of India which is likely to cause violence.

sovereignty and integrity of India,

Legislature can enact laws which would impose restrictions on expressions which endanger the security of the State and is intended to overthrow the government or waging a war or rebellion against the government.

the security of the State,

The State can put restriction on forms of expression if they are considered to be indecent, immoral or obscene. The Supreme Court in India while deciding whether the novel Lady Chatterley's Lover contained obscene material, upheld the Hicklin Test.

friendly relations with foreign states,

public order,

Public order means public peace, safety and tranquility of the people at large. The absence of public order is an aggravated form of disturbance of public peace, which affects the general life of the public. Any speech which intends to disturb public order can be restricted by enacting laws.

decency or morality,

Defamation is an intentional false statement either published or publicly spoken that injures another person's reputation or good name.

or in relation to

contempt of court,

The legislature has enacted laws which restrict the exercise of one's right of freedom of speech and expression if it interferes with due course of justice or lowers the authority or stature of the court. Although criticism of the judicial system or judges is not restricted, it must not impair or hamper the administration of justice.

defamation or

This ground permits legislations to punish or prevent incitement to commit an offence including serious offences like murder which lead to breach of public order.

incitement to an offence”.