

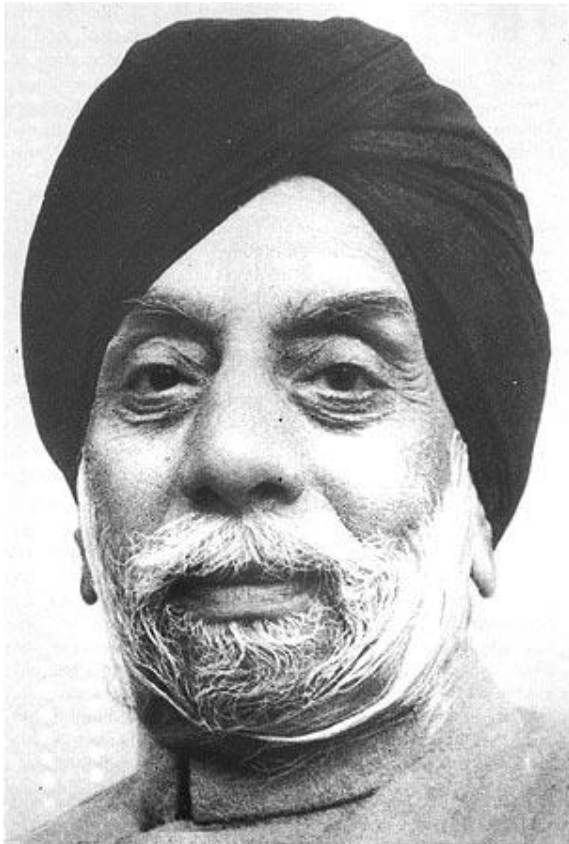


*Part III*  
*Fundamental Rights*

## ON THE FREEDOM OF SPEECH AND EXPRESSION

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# DECEMBER 1, 1948



“The very object of a Bill of Rights is to place these rights out of the influence of the ordinary legislature, and if, as under clauses (2) to (6) of article 13 [now Article 19], we leave it to this very body, which in a democracy, is nothing beyond one political party, to finally judge when these rights, so sacred on paper and glorified as Fundamentals, are to be extinguished, we are certainly making these freedoms **illusory**.”

— Hukam Singh

# OCTOBER 5, 1963 (TO PRESENT)

## **Article 19(1)(a)**

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

## **Article 19(2)**

Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the **sovereignty and integrity of India**, the **security of the State**, **friendly relations with foreign States**, **public order**, **decency** or **morality**, or in relation to **contempt of court**, **defamation** or **incitement to an offence**.

# MARCH 25, 1947

## Article V(I)

**There shall be** liberty for the exercise of the following rights, subject to public order and morality:

(a) the right of the citizens to **freedom of speech and expression**.

The publication or utterance of seditious, **obscene, slanderous, libellous** or **defamatory** matter shall be **actionable** or punishable in accordance with law.

## Constitution of Ireland

*Article 40(6) 1°*

The State guarantees liberty for the exercise of the following rights, subject to public order and morality:

(i) the right of the citizens to express freely their convictions and opinions.

The publication or utterance of blasphemous, seditious, or indecent matter is an offence which shall be punishable in accordance with law.

# APRIL 16, 1947

## Clause 10

There shall be liberty for the exercise of the following rights, subject to public order and morality **or to the existence of grave emergency declared to be such by the Government of the Union or the unit concerned whereby the security of the Union or the unit, as the case may be, is threatened:**

(a) the right of the citizens to freedom of speech and expression.

The publication or utterance of seditious, obscene, slanderous, libellous or defamatory matter shall be actionable or punishable in accordance with law.

# APRIL 23, 1947

## Clause 8(a)

There shall be liberty for the exercise of the following rights, subject to public order and morality or to the existence of grave emergency declared to be such by the Government of the Union or the unit concerned whereby the security of the Union or the unit, as the case may be, is threatened:

(a) the right of the citizens to freedom of speech and expression. The publication or utterance of **blasphemous**, seditious, obscene, slanderous, libellous or defamatory matter shall be actionable or punishable in accordance with law.



# APRIL 30, 1947

## **Clause 8(a)**

There shall be liberty for the exercise of the following rights, subject to public order and morality and except in a grave emergency declared to be such by the Government of the Union or the unit concerned whereby the security of the Union or the unit, as the case may be, is threatened:

(a) the right of the citizens to freedom of speech and expression.



# DECEMBER 1, 1948

## **Article 13(1)(a)**

**Subject to the other provisions of this article**, all citizens shall have the right to freedom of speech and expression.

## **Article 13(2)**

**Nothing in sub-clause (a) of clause (1) of this article shall affect the operation of any existing law, or prevent the State from making any law, relating to libel, slander, defamation, sedition or any other matter which offends against decency or morality or undermines the authority or foundation of the State.**





# JANUARY 26, 1950

## **Article 19(1)(a)**

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

## **Article 19(2)**

Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law in so far as it relates to, or prevent the State from making any law relating to, libel, slander, defamation, **contempt of court** or any matter which offends against decency or morality or which undermines the **security of, or tends to overthrow**, the State.



# JUNE 18, 1951

## **Article 19(1)(a)**

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

## **Article 19(2)**

Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, **in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.**



# OCTOBER 5, 1963

## **Article 19(1)(a)**

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

## **Article 19(2)**

Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the **sovereignty and integrity of India**, the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.