

Bill No. 102 of 2022

THE PROHIBITION OF PUBLICATION AND DISSEMINATION OF
OBJECTIONABLE MATERIAL ON RELIGION BILL, 2022

By

SHRI SUNIL KUMAR SINGH, M.P.

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BILL

to prohibit the publication and dissemination of objectionable material on religion in any form in the country and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Prohibition of Publication and Dissemination of Objectionable Material on Religion Act, 2022.

Short title,
extent and
commencement.

5 (2) It extends to the whole of India.

(3) It shall come into force with immediate effect.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “Agency” means the agency for prohibition of publication and dissemination of objectionable material on religion as established under section 4;

(b) “complaint” means an objection registered with the Agency by any Indian citizen or institution;

(c) “dissemination” means information communicated through recorded messages on telephones, radio, television, internet film-strip, movies or videos along with other means of communication;

(d) “objectionable material” means any publication or dissemination of contents hurting the religious sentiments of any Indian citizen;

(e) “prescribed” means prescribed by rules made under this Act; and

(f) “publication” means a book, article, picture, photograph, pamphlet, advertisement on poster, banner or any other printed document.

Prohibition of publication and dissemination of objectionable material on religions.

3. Notwithstanding anything contained in any other law for time being in force, the publication and dissemination of objectionable material on any religion in the country is hereby prohibited.

Establishment of an agency for prohibition of publication and dissemination of material on religion.

4. (1) **The Central Government shall, as soon as may be, by notification in the Official Gazette, establish an Agency to be known as the Agency for Prohibition of Publication and Dissemination of Objectionable Material on Religion for carrying out the purposes of this Act.**

(2) **The Central Government shall appoint such number of officers and staff as it considers necessary for the efficient functioning of the Agency.**

(3) **The salary and allowances payable to and other terms and conditions of service of the officers and staff employed in the Agency shall be such as may prescribed.**

(4) **The headquarters of the Agency shall be at such place, as may be prescribed.**

Functions of the agency.

5. The Agency shall—

(a) register complaints pertaining to the publication and advertisement on dissemination of objectionable material on religion received from concerned institutions and public, and their redressal;

(b) investigate the complaints duly registered;

(c) impose a prohibition on publication and dissemination thereof, on the basis of the outcome of investigation; and

(d) derecognise the respective publisher and advertising agency involved in publication and dissemination of objectionable material on religion.

Penalty.

6. Whoever contravenes the provisions of section 3 shall be punished with imprisonment for a term which shall not be less than two years but which may extend upto five years and with a fine which may extend upto one lakh rupees.

7. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide to the Agency, such requisite funds, from time to time, as may be necessary, for carrying out the purposes of this Act.

Funds to be provided by Central Government.

5 **8. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.**

Act to have overriding effect.

9. (1) The Central Government may, by notification in the Official Gazette make rules for carrying out the purposes of this Act.

Power to make rules.

10 (2) Every rule made under his Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or successive sessions aforesaid both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or
15 annulment shall be without prejudice to the validity of anything previously done under such rule.

STATEMENT OF OBJECTS AND REASONS

In recent times, there has been a sudden rise in the cases of Publication and dissemination of objectionable material on religion in the country. Certain mischievous elements try to hurt the religious sentiments of citizens of the country with support from certain publishers and advertising agencies. In the name of right to freedom of expression enshrined in our Constitution, they tend to threaten the integrity of the country. Such publication and dissemination of objectionable material on religion needs to be restricted in order to preserve the secular fabric of the country.

Hence, this Bill.

NEW DELHI;
7 March, 2022.

SUNIL KUMAR SINGH

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for the establishment of an Agency for Prohibition of Publication and Dissemination of Objectionable Material on Religion and appointment of officers and employees in the Agency. Clause 7 provides that Central Government shall provide the funds for carrying out the purposes of this Act. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees one hundred crore is likely to be involved from the Consolidated Fund of India.

A non-recurring expenditure of rupees six hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(Shri Sunil Kumar Singh, M.P.)

