

Bill No. XLIX of 2022

THE INDIAN PENAL CODE (AMENDMENT) BILL, 2022

A

BILL

further to amend the Indian Penal Code, 1860.

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 Indian Penal (Amendment) Act, 2022.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

45 of 1860. 5

2. In the Indian Penal Code, 1860 after section 295A, the following sections shall be inserted, namely:—

Insertion of
new sections
295B & 295C.

"295B. Whoever willfully defiles, damages or desecrates copy of Srimad Bhagwad Gita, Sri Gurugranth Sahib, Holy Quran, Holy Bible or any holy scripture by whatever name called or of an extract therefrom or uses it in any derogatory manner or for any unlawful purpose or with the intentions to hurt the religious feelings of the people, shall be punishable with imprisonment of either description for a term which may extend to three years, or with fine or with both.

Willfully
defiling of
Srimad
Bhagwad Gita,
Sri Gurugranth
Sahib, Holy
Quran and
Holy Bible etc.

Use of impious
utterance or
action
concerning
God or sacred
things.

295C. Whoever, by words, either spoken or written or by visible representation or by any imputation, innuendo or insinuation directly or indirectly, defiles the sacred names concerning God or sacred things, shall be punishable with imprisonment for life and with fine."

STATEMENT OF OBJECTS AND REASONS

In India, secularism has been highlighted in Preamble and the Fundamental Rights in the Constitution of India. Articles 25, 26, 27 and 28 of the Constitution provide religious freedom to all citizens of India and articles 29 and 30 provide cultural and educational rights. However, these provisions do not imply separation of religion and State. Currently, around 25 per cent. of the countries in the world have defined punishments of criminal nature for the offence of blasphemy. In India, blasphemy is punishable under provisions of Indian Penal Code, 1860. Since, India is a secular State, all the religions and even different denominations thereof is protected under the blasphemy law.

Recently, a wave of religious fanaticism has engulfed the entire globe, its magnitude is no less in India, which has been witnessing the same trend. Religious sensitivities, once provoked can immediately lead to conflagration and get uncontrolled. Freedom of expression should not outrage the freedom and sensitivities of others. The proposed Bill implies that sacrilege and blasphemy are socially and culturally unacceptable. It is in time with recent events of intolerance and outrage against diverse religious sentiments.

The Bill aims to maintain peace and tranquillity among the citizens. It, proposes to further criminalise acts of blasphemy committed by way of defiling the holy books and scriptures and sacred names and things concerning God. The Bill is a symbol of cultural and religious affirmation and prohibits incitement of hatred in the name of religion or the actions or offence of speaking sacrilegiously.

Hence, this Bill.

DR. ASHOK BAJPAI

RAJYA SABHA

A
BILL

further to amend the Indian Penal Code, 1860.

(Dr. Ashok Bajpai, M.P.)