

Bill No. CIX of 2022

THE HATE SPEECH AND HATE CRIMES (PREVENTION) BILL, 2022

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AS INTRODUCED IN THE RAJYA SABHA
ON 8TH DECEMBER 2023

Bill No. CIX of 2022

THE HATE SPEECH AND HATE CRIMES (PREVENTION) BILL, 2022

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BILL

*to effectively prevent and combat hate speech and hate crimes, their
negative effects on individuals, groups and societies, and to
protect the constitutional values of autonomy, dignity, and
equality and for matters connected therewith
and incidental thereto.*

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

CHAPTER I

PRELIMINARY

5 **1.** (1) This Act may be called the Hate Speech and Hate Crimes (Prevention) 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.

Definitions.

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

(a) "accused person" means a person who has been arrested for or formally charged with an offence under this Act;

(b) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government; 5

(c) "audience" means a person who is a listener or a viewer of hate speech;

(d) "Court of Session" means a court defined under section 9 of the Code of Criminal Procedure, 1973; 2 of 1974

(e) "group of persons" means a group of two or more persons;

(f) "hate crime" means an offence defined under section 15 of this Act; 10

(g) "hate speech" means an offence defined under section 3 of this Act;

(h) "hatred" and "hostility" means intense and irrational emotions of opprobrium, enmity and detestation towards the victim;

(i) "victim" means any person, who has suffered physical, mental, psychological or monetary harm as a result of the commission of any offence under this Act; 15

(j) "witness" means any person who is in possession of any information or has knowledge necessary for the purpose of investigation, inquiry, or trial of any crime involving an offence under this Act.

CHAPTER II

20

OFFENCE OF HATE SPEECH

Hate speech.

3. A person who intentionally and within the hearing or sight of another person or group of persons uses, publishes, presents, produces, plays, provides, distributes or directs the performance of any speech that:—

(i) incites, justifies, promotes or spreads discrimination, hatred, hostility, or violence against a person or group of persons; or 25

(ii) denigrates a person or group of persons by reasons of their real or attributed characteristics or status, which includes religion, race, caste or community, sex, gender identity, sexual orientation, place of birth, national or ethnic origin, language, age, or disability shall be guilty of an offence of hate speech. 30

Protection of action done in good faith.

4. No legal proceedings shall be instituted against a person under section 3 for an action done in good faith in the course of engagement in:

(i) any artistic or creative, performance or other form of expression, to the extent that such performance or expression does not advocate hatred or hate speech; or 35

(ii) any academic or scientific inquiry; or

(iii) fair and accurate reporting or commentary in the public interest.

Punishment for hate speech.

5. (1) Whoever commits the offence of hate speech shall be punished with imprisonment of either description for a term which may extend to three years or with fine, or with both. 40

(2) The award of punishment under this section shall be based on the severity of the offence, which shall be assessed by the following six factors:—

(i) social and political context prevalent at the time the offence was committed;

(ii) the position or status of the offender in the society;

5 (iii) the relationship between the intent of the offender, subject and object of the offence, and the audience;

(iv) content of the offence which may include the degree to which the offence was provocative and direct, as well as the form, style, nature of arguments deployed in the offence;

10 (v) reach of the offence, its public nature, its magnitude and size of the audience; and

(vi) probability that the offence would succeed in inciting actual action against the victim. Punishment for hate speech.

15 (3) An offence of hate crime shall be cognizable, non-bailable and non-compoundable and shall be triable by the Court of Session exercising jurisdiction in that area in which the offence is committed.

CHAPTER III

INVESTIGATION, PROSECUTION AND TRIAL FOR THE OFFENCE OF HATE SPEECH

2 of 1974 **6.** (1) The provisions of the Code of Criminal Procedure, 1973 (hereinafter referred to as the Code of Criminal Procedure) shall apply to this Chapter, save as supplemented to the extent provided under this Chapter. Application of the Code of Criminal Procedure.

(2) Notwithstanding anything contained in sub-section (1), section 95 of the Code of Criminal Procedure shall apply to any newspaper, book, painting, drawing or photograph, the publication of which is punishable under section 5 of this Act.

25 (3) Notwithstanding anything contained in sub-section (1), section 96 of the Code of Criminal Procedure shall apply to any newspaper, book, painting, drawing or photograph, punishable under section 5 of this Act against which a declaration of forfeiture has been made under section 95 of the Code of Criminal Procedure.

7. No police officer below the rank of Inspector shall investigate an offence committed under section 3, of this Act. Powers to investigate.

30 **8.** (1) The Court of Session shall follow the procedure for the trial prescribed by the Code of Criminal Procedure, while trying the accused person. Powers of Court of Session.

(2) The Court of Session may also try any offence, other than the offence under section 3, with which the accused person may, under the Code of Criminal Procedure, be charged at the same trial if the offence is connected with the offence under this Act.

35 (3) If, in the course of any trial under this Chapter, it is found that the accused person has committed any other offence, the Court of Session may, try such person of such offence and pass any sentence authorised by law for the punishment thereof.

40 **9.** (1) The Court of Session may, on an application made by a witness in any proceeding before it or by the Public Prosecutor in relation to such witness or on its own motion, take such measures as it deems fit for keeping the identity and address of the witness secret. Rights of victims and witnesses.

(2) A victim shall have the right to reasonable, accurate, and timely notice of any court proceeding and shall be entitled to be heard at any proceeding under this Chapter

in respect of bail, discharge, release, parole, conviction or sentence of an accused or any connected proceedings or arguments and file written submissions on conviction, acquittal or sentencing.

(3) Notwithstanding the offender or any suspect as the case may be, having been arrested, granted bail, charged, convicted or sentenced, the Superintendent of Police or an officer designated by him shall inform the victim in writing about the details of the offender or suspect, and the progress of investigations into the offence.

(4) The victim shall have the right to receive a copy of any statement of witness recorded during investigation or inquiry, and a copy of all statements and documents filed under section 173 of the Code of Criminal Procedure, including the charge-sheet or closure report submitted by police.

(5) A victim shall be entitled to receive free legal aid, if they so choose and to engage any advocate who they choose from among those enrolled in the legal aid panel under the Legal Services Authorities Act, 1987, and the Legal Services Authority established under the said Act shall pay all costs, expenses and fees of the advocate appointed by the victim or informant in accordance with relevant rules.

(6) It shall be the duty and responsibility of the police for making arrangements for the protection of victims and witnesses against any kind of intimidation, coercion or inducement of violence or threats of violence.

(7) The police shall inform the Court of Session about the protection provided to any victim, informant or witness and the Court of Session shall periodically review the protection being provided under this section and pass appropriate orders.

Appeals. **10.** (1) An appeal shall lie as a matter of right from any judgment, sentence or order of a Court of Session to the High Court both on facts and on law.

(2) An appeal under this section shall be preferred within a period of sixty days from the date of the judgment, sentence or order appealed from:

Provided that the High Court may entertain an appeal after the expiry of the said period of sixty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of sixty days.

CHAPTER IV

OFFENCE OF HATE CRIME

Hate crime. **11.** "Hate crime" means any offence recognised under the Indian Penal Code, 1860 (hereafter in referred to as the Penal Code), the commission of which is motivated by the offender's prejudice or intolerance towards the victim by reasons of their real or attributed characteristics or status, which includes religion, race, caste or community, sex, gender identity, sexual orientation, place of birth, national or ethnic origin, language, age or disability.

Punishment for hate crime. **12.** Whoever commits any offence which is hate crime in accordance with the provisions of section 11 shall be punished with the punishment as provided for in the Penal Code for such offence:

Provided that the severity of such punishment shall be determined by the fact that such offence has been classified as a hate crime under section 11 of this Act:

Provided further that such punishment shall be just and reasonable.

CHAPTER V

REPORTING

13. (1) The Central Government shall publish annually in such manner as may be prescribed, both national and State-wise data regarding:—

- 5 (a) hate speech cases and hate crime cases registered and at their disposal;
and
(b) persons convicted for the offence of hate speech and hate crime.

Publication of registered hate speech and hate crime cases and convictions.

(2) The data under sub-section (1) shall be classified in a manner as may be prescribed.

CHAPTER VI

MEASURES FOR EDUCATION AND RAISING AWARENESS

14. **The appropriate Government, in consultation with the National Human Rights Commission and the State Human Rights Commissions, as the case may be, shall promote awareness about the dangers of hate crimes and hate speech by:—**

Duties of the appropriate Government.

15 (i) **conducting education and information campaigns to raise awareness of the extent of hate speech and the harm it causes to individuals and communities;**

(ii) **conducting education and information campaigns to inform the public about the prohibition against hate crimes and hate speech;**

20 (iii) **conducting educational and information campaigns specifically for children and youth, parents and guardians, youth workers and volunteers working with children to enable them to understand and deal with hate crimes and hate speech;**

25 (iv) **taking specific measures to support Government and private educational institutions in the conduct of activities and cultural programmes for the general public that enhance commitment to human rights as part of a pluralistic democratic society, encourage critical thinking, promote equality and inter-cultural and inter-faith dialogue, and strengthen the competences needed to identify and counter hate crimes and hate speech;**

30 (v) **providing assistance and advice to any person who wants to file a complaint of a hate crime or hate speech;**

(vi) **ensuring that all public officials who may be involved in the investigation and prosecution of hate crimes and hate speech are educated and informed of the prohibition against these offences; and**

35 (vii) **training public officials on the prohibition, prevention and combating of hate crimes and hate speech and educating them on the prevailing social context in the country.**

CHAPTER VII

AMENDMENTS TO THE INDIAN PENAL CODE

15. Section 153A of the Penal Code shall be omitted.

Omission of section 153A.

40 16. Section 153B of the Penal Code shall be omitted.

Omission of section 153B.

Omission of section 295A.	17. Section 295A of the Penal Code shall be omitted.	
Omission of section 298.	18 Section 298 of the Penal Code shall be omitted.	
Insertion of new section 295AA.	19. After section 295 of the Penal Code, the following new section shall be inserted, namely:—	
Advocacy of hatred and/or hostility towards a religion or religious beliefs.	<p style="margin-left: 40px;">"295AA. A person who intentionally uses, publishes, presents, produces, plays, provides, distributes or directs the performance of any speech that advocates hatred or hostility against a religion or a religious belief of any class of citizens of India, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both:</p> <p style="margin-left: 40px;">Provided that such punishment shall not apply to an interpretation in good faith of any religious tenet, belief, teaching, doctrine or writings, to the extent that such interpretation does not advocate hatred that constitutes incitement to cause harm:</p> <p style="margin-left: 40px;">Provided further that such punishment shall be based on the severity of the offence, which shall be assessed by the factors as specified in sub-section (2) of section 5 of this Act."</p>	5 10 15
Insertion of new sections 304C and 304D.	20. After section 304B of the Penal Code, the following new sections shall be inserted, namely:—	
Mob lynching.	<p style="margin-left: 40px;">"304C. Where a group of two or more persons, commit any act or series of acts of violence or aid, abet or attempt an act of violence, whether spontaneous or planned, by a mob on the grounds of religion, race, caste or community, sex, gender identity, sexual orientation, place of birth, national or ethnic origin, language, age, or disability, such a group shall be guilty of an offence of mob lynching.</p>	20
Punishment for Mob lynching.	<p style="margin-left: 40px;">304D. Whoever commits the offence of mob lynching:—</p> <p style="margin-left: 80px;">(i) where the offence leads to the victim suffering hurt, shall be punished with imprisonment of either description for a term which may extend to seven years and with fine which may extend to one lakh rupees;</p> <p style="margin-left: 80px;">(ii) where the act leads to the victim suffering grievous hurt, shall be punished with imprisonment of either description for a term which may extend to ten years, and with fine which shall not be less than twenty-five thousand rupees and may extend to three lakh rupees;</p> <p style="margin-left: 80px;">(iii) where the act leads to the death of the victim, shall be punished with rigorous imprisonment for life and with fine which shall not be less than one lakh rupees and may extend to five lakh rupees."</p>	25 30 35
Amendment of section 505.	21. In section 505 of the Penal Code, after clause (3), the following proviso shall be inserted, namely:—	
	<p style="margin-left: 40px;">"Provided that such punishment shall be based on the severity of the offence, which shall be assessed by the factors specified in sub-section (2) of section 5 of the Hate Speech and Hate Crimes (Prevention) Act, 2022."</p>	40

CHAPTER VIII

AMENDMENTS TO THE CODE OF CRIMINAL PROCEDURE

22. In section 95 of the Code of Criminal Procedure, for the words, figures and letters "section 124A or section 153A or section 153B or section 292 or section 293 or section 295A", the words, figures and letters "section 124A or section 292 or section 293 or section 295AA" shall be substituted. Amendment of section 95.
23. In section 106 of the Code of Criminal Procedure, in clause (a) of sub-section (2), the words, figures and letters "section 153A or section 153B or" shall be omitted. Amendment of section 106.
24. In section 108 of the Code of Criminal Procedure, in sub-clause (a) of clause (i) of sub-section (1), for the words, figures and letters "section 124A or section 153A or section 153B or section 295A", the words, figures and letters "section 124A or section 295AA" shall be substituted. Amendment of section 108.
25. In section 196 of the Code of Criminal Procedure:— Amendment of section 196.
- (i) in clause (a) of sub-section (1), the words, figures and letters "section 153A section 295A", the words, figures and letters "section 295AA" shall be substituted; and
- (ii) in clause (a) of sub-section (1A), the words, figures and letters "section 153B" shall be omitted.
26. In section 320 of the Code of Criminal Procedure, in sub-section (1), the entry pertaining to section 298 in the TABLE, shall be omitted. Amendment of section 320.
27. In the First Schedule of the Code of Criminal Procedure, under the heading "I. OFFENCES UNDER THE INDIAN PENAL CODE":— Amendment of the First Schedule.
- (1) entry relating to section 153A shall be omitted;
- (2) entry relating to section 153B shall be omitted;
- (3) entry relating to section 295A shall be omitted;
- (4) entry relating to section 298 shall be omitted;
- (5) after the entry relating to 295, the following entry shall be inserted, namely:—
- | Section | Offence | Punishment | Cognizable or Non-Cognizable | Bailable or Non-Bailable | By what Court triable |
|---------|---|--|------------------------------|--------------------------|-----------------------|
| 295AA | Advocacy of hatred or hostility towards a religion or religious beliefs | Imprisonment for 3 years, or fine, or both | Cognizable | Non-bailable | Court of Session |

STATEMENT OF OBJECTS AND REASONS

In recent years, India has witnessed an increase in the discrimination and dehumanisation of marginalised groups through hate speech. The Law Commission, in its 267th report, and the Supreme Court, on several occasions, have expressed the need for a specific law to combat hate speech. However, at present, no such law exists in our country. Further, India has an international obligation under article 20(2) of the International Convention Civil and Political Rights, 1966, to prohibit hate speech. This Bill seeks to remedy the issue.

Hate speech is problematic, mainly for three reasons. *First*, the hostile and unwelcoming environment resulting from hate speech alienates the victims and leads them to recede from the active fabric of the social structure. Thus, it deprives them of choices and opportunities and undermines their autonomy. *Second*, hate speech affects the dignity of the victims since it undermines the victim's self-worth and fails to recognise them as full-fledged agents whose views count. *Third*, hate speech affects the victim's status in the society, and is responsible for the entrenchment of stereotypes which result in inequality and subordination. Hence, to effectively prevent and combat hate speech, and to preserve and uphold the constitutional values of autonomy, dignity and equality, the Bill: —

- (a) defines the offence of hate speech and provides a list of exceptions;
- (b) provides the punishment for hate speech;
- (c) provides the manner in which investigations, prosecutions and trial should be conducted;
- (d) provides for the rights of victims and witnesses during the trial;
- (e) mandates the annual reporting of the data related to hate speech in a prescribed manner;
- (f) mandates the appropriate Government, the National Human Rights Commission, and the State Human Rights Commission to take up educational and awareness-raising measures for the prevention of hate speech;
- (g) makes requisite amendments in the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973; and
- (h) inserts new provisions in the Information Technology Act, 2000 and the Information Technology (Intermediary Guidelines) Rules, 2021 to prevent hate speech on online platforms.

Hate Crimes have also witnessed a steady rise over the last few years in India. Pertinently, the cases of mob lynching have plagued the country, and the Supreme Court, in *Tehseen S. Poonawalla v. Union of India and others*, has urged the Parliament to "create a separate offence for lynching and provide adequate punishment for the same". Therefore, to prevent crimes that are motivated by the offender's prejudice towards the victim, including the crime of mob violence, the Bill:

- (a) defines the offence of hate crime and makes a provision for its punishment;
- (b) inserts a provision in the Indian Penal Code, 1860, which define the offence of mob violence;

(c) inserts a provision in the Indian Penal Code, 1860, which provides for the punishment of mob violence. Such punishment is proportionate to the harm caused to the victim;

(d) makes requisite amendments in the Code of Criminal Procedure;

(e) mandates the annual reporting of the data related to hate crimes in a prescribed manner; and

(f) mandates the appropriate Government, the National Human Rights Commission, and the State Human Rights Commission to take up educational and awareness-raising measures for the prevention of hate crimes.

Hence, this Bill.

K.R. SURESH REDDY.

FINANCIAL MEMORANDUM

Clause 14 of the Bill provides for the duties of the Central Government, towards raising awareness of the dangers of hate crimes and hate speech. The Bill, therefore, if enacted, would involve both non-recurring and recurring expenditure from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the expenditures.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 13 of the Bill provides that the data regarding hate crime and hate speech shall be published by the National Crime Bureau of India in the 'Crime in India' Report and the data so published shall also be classified in the manner as may be prescribed. The matters in respect of which the rules and regulations may be made are generally matters of procedure and administrative details and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

ANNEXURE

EXTRACTS FROM THE INDIAN PENAL CODE, 1860
(45 OF 1860)

* * * * *

153A. (1) Whoever—

(a) by words, either spoken or written, or by signs or by visible representations or otherwise, promotes or attempts to promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, or

(b) commits any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities, and which disturbs or is likely to disturb the public tranquility, or

(c) organizes any exercise, movement, drill or other similar activity intending that the participants in such activity shall use or be trained to use criminal force or violence or knowing it to be likely that the participants in such activity will use or be trained to use criminal force or violence, or participates in such activity intending to use or be trained to use criminal force or violence or knowing it to be likely that the participants in such activity will use or be trained to use criminal force or violence, against any religious, racial, language or regional group or caste or community and such activity for any reason whatsoever causes or is likely to cause fear or alarm or a feeling of insecurity amongst members of such religious, racial, language or regional group or caste or community, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

Promoting enmity between different groups on ground of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.

(2) Offence committed in place of worship, etc.—Whoever commits an offence specified in sub-section (1) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment which may extend to five years and shall also be liable to fine.

153B. (1) Whoever, by words either spoken or written or by signs or by visible representations or otherwise—

(a) makes or publishes any imputation that any class of persons cannot, by reason of their being members of any religious, racial, language or regional group or caste or community, bear true faith and allegiance to the Constitution of India as by law established or uphold the sovereignty and integrity of India, or

(b) asserts, counsels, advises, propagates or publishes that any class of persons shall, by reason of their being members of any religious, racial, language or regional group or caste or community, be denied, or deprived of their rights as citizens of India, or

(c) makes or publishes and assertion, counsel, plea or appeal concerning the obligation of any class of persons, by reason of their being members of any

Imputations, assertions prejudicial to national integration.

religious, racial, language or regional group or caste or community, and such assertion, counsel, plea or appeal causes or is likely to cause disharmony or feelings of enmity or hatred or ill-will between such members and other persons, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

(2) Whoever commits an offence specified in sub-section (1) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment which may extend to five years and shall also be liable to fine.

* * * * *

Injuring or defiling place of worship, with intent to insult the religion of any class.

295. Whoever destroys, damages or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons or with the knowledge that any class of persons is likely to consider such destruction, damage or defilement as an insult to their religion shall.

Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs.

295A. Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or otherwise, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

* * * * *

Uttering words, etc., with deliberate intent to wound religious feelings.

298. Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that persons or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

* * * * *

Dowry death.

304B. (1) Where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry, such death shall be called "dowry death", and such husband or relative shall be deemed to have caused her death.

Explanation.—For the purposes of this sub-section, "dowry" shall have the same meaning as in section 2 of the Dowry Prohibition Act, 1961 (28 of 1961).

(2) Whoever commits dowry death shall be punished with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life Dowry death.

* * * * *

Statements conducing to public mischief.

505. (1) Whoever makes, publishes or circulates any statement, rumour or report,—

(a) with intent to cause, or which is likely to cause, any officer, soldier, sailor

or airman in the Army, Navy or Air Force of India to mutiny or otherwise disregard or fail in his duty as such; or

(b) with intent to cause, or which is likely to cause, fear or alarm to the public, or to any section of the public whereby any person may be induced to commit an offence against the State or against the public tranquility; or

(c) with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

(2) Statements creating or promoting enmity, hatred or ill-will between classes.—Whoever makes, publishes or circulates any statement or report containing rumour or alarming news with intent to create or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

(3) Offence under sub-section (2) committed in place of worship, etc.—Whoever commits an offence specified in sub-section (2) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment which may extend to five years and shall also be liable to fine.

Exception.—It does not amount to an offence, within the meaning of this section, when the person making, publishing or circulating any such statement, rumour or report, has reasonable grounds for believing that such statement, rumour or report is true and makes, publishes or circulates it in good faith and without any such intent as aforesaid.

* * * * *

EXTRACTS FROM THE CODE OF CRIMINAL PROCEDURE, 1973

(2 OF 1974)

* * * * *

95. (1) Where—

(a) any newspaper, or book, or

(b) any document, wherever printed, appears to the State Government to contain any matter the publication of which is punishable under section 124A or section 153A or section 153B or section 292 or section 293 or section 295A of the Indian Penal Code (45 of 1860), the State Government may, by notification, stating the grounds of its opinion, declare every copy of the issue of the newspaper containing such matter, and every copy of such book or other document to be forfeited to Government, and thereupon any police officer may seize the same wherever found in India and any Magistrate may by warrant authorise any police officer not below the rank of sub-inspector to enter upon and search for the same in any premises where any copy of such issue, or any such book or other document may be or may be reasonably suspected to be.

Power to declare certain publications forfeited and to issue search-warrants for the same.

(2) In this section and in section 96,—

(a) "newspaper" and "book" have the same meaning as in the Press and Registration of Books Act, 1867 (25 of 1867);

(b) "document" includes any painting, drawing or photograph, or other visible representation.

(3) No order passed or action taken under this section shall be called in question in any Court otherwise than in accordance with the provisions of section 96.

* * * * *

Security for keeping the peace on conviction

106. (2) The offences referred to in sub-section (1) are—

(a) any offence punishable under Chapter VIII of the Indian Penal Code (45 of 1860), other than an offence punishable under section 153A or section 153B or section 154 thereof;

* * * * *

Security for good behaviour from persons disseminating seditious matters.

108. (1)(i)(a) any matter the publication of which is punishable under section 124A or section 153A or section 153B or section 295A of the Indian Penal Code (45 of 1860), or

* * * * *

Prosecution for offences against the State and for criminal conspiracy to commit such offence.

196. (1) (a) any offence punishable under Chapter VI or under section 153A, section 295A or sub-section (1) of section 505 of the Indian Penal Code (45 of 1860), or

* * * * *

(1A) No Court shall take cognizance of—

(a) any offence punishable under section 153B or sub-section (2) or sub-section (3) of section 505 of the Indian Penal Code (45 of 1860), or

* * * * *

Compounding of offences.

320. (1) The offences punishable under the sections of the Indian Penal Code (45 of 1860) specified in the first two columns of the Table next following may be compounded by the persons mentioned in the third column of that Table:—

TABLE

Offence	Section of the Indian Penal Code applicable	Person by whom offence may be compounded
Uttering words, etc., with deliberate intent to wound the religious feelings of any person.	298	The person whose religious feelings are intended to be wounded.

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to effectively prevent and combat hate speech and hate crimes, their negative effects on individuals, groups and societies, and to protect the constitutional values of autonomy, dignity, and equality and for matters connected therewith and incidental thereto.

(Shri K.R. Suresh Reddy, M.P.)