

Why do you need the 'colonial law' of sedition, CJI asks govt.

'It suppresses freedom and is prone to misuse'

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Chief Justice of India N.V. Ramana, in what may be an unprecedented judicial criticism of the way the sedition law is used by the government to crush liberties, asked why a colonial law used against Mahatma Gandhi and Bal Gangadhar Tilak continued to survive in the law book 75 years after Independence.

"Sedition is a colonial law. It suppresses freedoms. It was used against Mahatma



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If you look at the history of use of this Section 124A of IPC, you will find that the conviction rate is very low. There is misuse of power by executive agencies

N.V. RAMANA Chief Justice of India

Gandhi, Tilak... Is this law necessary after 75 years of Independence?" Chief Justice Ramana, heading a three-judge Bench, orally addressed Attorney-General K.K. Venugopal and Solicitor-General Tushar Mehta, appearing for the Centre.

The CJI said the sedition

law, or Section 124A of the Indian Penal Code, was prone to misuse by the government. "The use of sedition is like giving a saw to the carpenter to cut a piece of wood and he uses it to cut the entire forest itself."

The CJI's oral statement in open court takes a signifi-

cant note amid rising public denouncement of Central and State law enforcement agencies using the law to silence dissent, muzzle free expression and deny bail to jailed activists, journalists, students and civil society members. A number of petitions have been filed highlighting the "chilling effect" sedition has on the fundamental right of free speech. The CJI's remarks have also opened the floor for debate and introspection on the court's own verdict in 1962, in the *Kedar Nath* case, which upheld Section 124A.

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