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# GNOSIS

*Victoriam Legalis - Advocates & Solicitors | Newsletter*



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We here, at Victoriam Legalis, believe in continuous learning and growth, and agree that one way to do the same is to keep up with the developments and changes taking place around us.

We live in an Information Age, and while there is no dearth of knowledge and information, we, through this newsletter, hope to give you a consolidated account of relevant updates and developments.

In light of the same, we present to you the first issue of our newsletter, which we hope, you find beneficial!

Happy Reading!



# Media and Entertainment

## **1. Global Innovation Index: India jumps to 48th rank as grant of trademark and patent registrations increase**

With reduction in patent filing fee and exponential increase in number of patents granted during 2020 – 2021, as compared to 2013 – 2014 along with a record number of trademark registration being granted in the last four years, India's ranking in the Global Innovation Index has jumped to 48th position in 2020 from 81st position in 2016. The aim, as per the Union Commerce & Industry Minister's statement, is to become one of the top 25 nations in the Global Innovation Index.

## **2. X v. <https://WWW.YOUTUBE.COM/WATCH?V=IQ6K5Z3ZYS0> & Ors: Delhi High Court upholds right to be forgotten: Directs videos to be removed**

In a case filed before the Hon'ble Delhi High Court, the facts comprised of plaintiff being allegedly lured into participating in demonstration video/trailer comprising of explicit scenes for a web series which was never produced, and the said videos were without uploaded on the producer's Youtube channel and website. In this case, it was held that the plaintiff was entitled to the right to be left alone and the right to be forgotten and was also entitled to protection from invasion of her privacy by strangers and anonymous callers on account of such publication/streaming/transmission of the suit videos by the defendants. The Hon'ble Court directed the defendants to remove /pull down the suit videos, footage, clip audio only and/or any part of the suit videos and to stop uploading/publishing/streaming/transmitting/broadcasting/communicating to the public the suit videos, footage, clip audio only and/or any part of the suit videos.

## **3. Partnership between Netflix and Excel Entertainment for “Dabba Cartel” and “Queen of the Hill”**

Netflix announced a strategic multi year partnership deal with Excel Entertainment for two projects tentatively titled, “Dabba Cartel” and “Queen of the Hill”. While Dabba Cartel is set to a be series based on the story of five housewives running a cartel, the backdrop of the series titled Queen of the Hill will be around Mumbai of 1960s and relationship between two ambitious women.

## **4. Interim relief granted to Salman Khan against the game “Selmon Bhoi” found to be tarnishing the actor's image**

Bombay City Civil Court granted interim relief to renowned actor, Salman Khan against an online game titled Selmon Bhoi allegedly based on the actor's alleged hit and run incident in 2002. As per the Court's ruling, the creators of the game, namely Parody Studios Pvt Ltd have been directed not launch, relaunch, disseminate or duplicate the said game as it tarnishes the actor's image and infringes upon his personality rights.

## **5. Alpha Exploration and SBS Consulting arrive at a settlement over trademark dispute**

Reportedly, the SBS Consulting group and Clubhouse's parent company, Alpha Exploration Co., have filed a joint notice before federal court in Arizona after reaching a settlement agreement in an ongoing trademark dispute. The said dispute was over the trademark “THE CLUBHOUSE”. As per the Business Insider India's report the terms of such settlement remain undisclosed for the time being.





# Technology and E-Commerce Updates

## 1. Amazon infuses Rs 450 cr. in Amazon Pay

Amazon has infused Rs 450 crore into its payments unit in India, Amazon Pay, according to regulatory documents. The fresh infusion comes just ahead of the festive season where the US e-commerce giant will compete for head-on against Walmart-owned Flipkart and others. Amazon Pay (India) has allotted 45 crore equity shares, aggregating to Rs 450 crore to Amazon Corporate Holdings Pvt Ltd and Amazon.com. incs Ltd regulatory documents filed with the Ministry of Corporate Affairs.

## 2. Puma launches '1DER' in partnership with KL Rahul, celebrates 10 year partnership

Walmart-owned Flipkart stated that it has strengthened its partnership with sports brand Puma and will make '1DER' range of athleisure products available on its platform. Designed in collaboration with cricketer K L Rahul, '1DER by PUMA' will be available from September 30 onwards on Flipkart puma.com, and select Puma stores. The launch also marks the 10-year partnership between Puma and Flipkart. Athleisure fashion' has seen tremendous adoption and growth - which has led to the emergence and significant growth of the 'athleisure' category. Sportswear and athleisure as sub-categories have seen about 60% growth over the last year on Flipkart.

## 3. Facebook Live Audio Rooms Launched for Creators, Public Figures, Groups Globally

Facebook is rolling out a new feature to enhance users' audio experience on the platform. The social media giant has unveiled Live Audio Rooms to public figures, creators, and groups globally. The new feature launched in response to rising interest in Clubhouse. This will allow users to host live audio discussions on the platform. Facebook recently added the podcast listening options in the US. The company is testing the Soundbites audio clips options as well. Users can discover Live Audio Rooms to join from places like News Feed and via notifications. While listening to a conversation, users will be notified when friends or followers join.

## 4. Twitter Adds New Feature to Remove Followers Without Blocking Them on Web

Twitter is rolling out a new privacy-related feature that lets users remove a follower without blocking them. The latest tool is designed to provide users greater control over their follower lists and is currently available on the Web version. Twitter was testing this option from September this year. Once a Twitter user has removed someone, the user's tweets will no longer automatically appear in their timeline. The social media company states that the followers a user removes using the new tool won't be notified of the change.





# Fashion & Sports Law Updates

## **1. APEC: GST Council's decision to correct inverted duty structure to lessen tax burden of apparel industry**

The Apparel Export Promotion Council (AEPC) stated that the decision of the GST Council to correct inverted duty structure on textiles from January 1, 2022 will lessen the tax burden on manmade fibre (MMF) fabrics and garments. The GST Council in its latest meeting on September 17 agreed to correct inverted duty structure on footwear and textiles from January 1, 2022. Inverted duty structure has been an issue with the apparel industry and that the council had made recommendations to the government for the elimination of this anomaly that has been resulting in input tax credit accumulation blocking crucial working capital for businesses. It creates a tax structure where the rate on inputs is higher than that on the outputs and this increases the effective rate of taxation of MMF F fabrics and garments and violates the principle of the fibre neutrality.

## **2. UK fashion retailer ASOS targets lower carbon footprint with new objectives**

UK's ASOS aims to cut its environmental impact, use more sustainable material and appoint more diverse corporate leaders, joining a growing list of apparel companies setting new ESG targets. The online fashion retailer also said its environmental, social and governance (ESG) goals include becoming carbon neutral in its direct operations by 2025 and achieving net-zero carbon emissions across its value chain by 2030. ASOS specified that it would also ensure all of its own-brand products and packaging are materials by 2030. It already uses "over 80% recycled material" across mailing and garment bags. The company also vowed to ensure at least 50% female representation and over 15% ethnic minority representation at every leadership level by 2030.

## **3. Manyavar owner Vedant Fashions files IPO papers with Sebi**

Vedant Fashions Ltd, which owns ethnic wear brand Manyavar, has filed preliminary papers with capital markets regulator Sebi to raise funds through an initial share-sale. The initial public offer (IPO) is purely an offer for sale of 36,364,838 equity shares by promote and existing shareholders, according to the draft red herring prospectus. The OFS comprises sale of up to 1.74 crore shares by Rhine Holdings Ltd; up to 7.23 lakh shares by Kedaara Capital Alternative Investment Fund-Kedaara Capital AIF I; and up to 1.81 crore shares by Ravi Modi Family Trust.

## **4. Rajasthan Royals and INSEAD launch joint online education programme on leadership**

IPL team Rajasthan Royals and business school INSEAD have jointly launched a joint online programme on 'Leadership and performance'. The programme will be conducted by INSEAD faculty who will impart knowledge and share their experiences to help executives adapt to the challenges faced in the fast-paced digital era. Additionally, INSEAD coaches will provide one-on-one guidance to help emerging leaders chalk out a personalised leadership action plan. The course will also see Rajasthan Royals' skipper Sanju Samson and Director of Cricket Kumar Sangakkara deliver masterclasses on leadership through reflections into their experience at the highest level of competitive sport.







# Corporate & Commercial Law Updates

## 1. ESOPs to Non-permanent Employees

Un-academy, the ed-tech unicorn, became the first Indian company to issue employee stock options to gig workers, i.e., educators on their platform, in July 2021. The issuance of such options is an unparalleled event, because it has transcended the scope of granting of ESOPs beyond the regular employees on the payroll of the company, to leverage the interests of educators as well. These educators were generally classified into the category of gig workers or contractual workers, and mostly denied benefits akin to permanent employees. However, SEBI has proposed in its discussion paper that the definition of the term “employee” under rule of the SEBI (Share Based Employee Benefits) Regulations, must be broadened so as to extend the benefits of ESOPs even to non-permanent employees.

## 2. Changes made after the 45th GST council meet

Training programs for skill development wholly/substantially funded by Central and state governments are exempted from GST. Programs where the Central Government or state government bear 75% of the cost of such training or higher will get exemption from GST. The import of aircraft and other goods on lease are now exempted from IGST to avoid double taxation. Necessary amendments will be made to customs laws as well. Lessors located in SEZ paying GST under forward charge are also exempted. On the issue of the inverted duty structure, the correction in footwear and textile sector anomalies will take place from 1st January 2022.

## 3. Extension of last date of filing of Cost Audit Report to the Board of Directors of the Companies (Cost Records and Audit) Rules

In view of the extraordinary disruption caused due to the pandemic, it has been decided that if cost audit report for the financial year 2020-21 by the cost auditor to the Board of Directors of the companies is submitted by 31st October, 2021, then the same would not be viewed as violation of rule 6(5) of Companies (cost records and audit) Rules, 2014. Consequently, the cost audit report for the financial year ended on 31st March, 2021 shall be filed in e-form CRA-4 within 30 days from the date of receipt of the copy of the cost audit report by the company.

## 4. SC rejects Adani Gas plea seeking distribution rights in parts of Gujarat, Win for the State

The Supreme Court threw out Adani Gas Ltd’s challenge to the decision of the Petroleum and Natural Gas Regulatory Board (PNGRB) to award the city natural gas distribution (CGD) network for Sanand, Bavla and Dholka in Gujarat-to-Gujarat Gas. SC not only rejected Adani Gas’s appeal against the Gujarat HC order, but also fined a cost of 10 lakh (INR) on it for acting naive about rules and regulations despite taking advantage of the same norms to bag gas distribution network projects in Ahmedabad municipal area.





# Hospitality & Real Estate

## **1. Make My Trip and Ministry of Tourism enter into a MoU for promotion of self certified hotels**

Aimed at promoting hotels which have self-certified themselves on the System for Assessment, Awareness and Training for the Hospitality Industry (SAATHI), the Ministry of Tourism, Government of India and Make My Trip have entered into a Memorandum of Understanding as per which, inter alia, MakeMyTrip will work closely with the Tourism Ministry to encourage accommodation properties to register on National Integrated Database of Hospitality Industry (NIDHI).

## **2. Pradhan Mantri Awas Yojana – Urban: Construction of more than 16000 houses approved**

At the 55th meeting of Central Sanctioning and Monitoring Committee, construction of 16,488 houses was approved under the Pradhan Mantri Awas Yojana – Urban proposed to be constructed under Beneficiary Led Construction and Affordable Housing vertices of the scheme. Total investment under this scheme would be of INR 7.39 lakh crore out of which there would be central assistance to the tune of INR 1.82 lakh crore.

## **3. Eldeco Infra and HDFC Capital aim to float SPV for projects comprising low rise plotted development**

With an initial outlay of INR 150 crore, projects in Panipat and Faridabad are sought to be undertaken through a partnership venture between Eldeco Infrastructure and HDFC Capital Affordable Real Estate Fund. The proposal is to develop low rise plotted development projects in tier 2 cities in the National Capital Region. An initial investment of INR 150 crore is to be undertaken by a Eldeco Greens Infrastructure Private Limited, a special purpose vehicle floated for these projects.

## **4. Joint delegation of associations from the hospitality sector met Maharashtra Chief Minister: Assurances sought for easing of restrictions**

After a meeting between the Chief Minister of Maharashtra, a joint delegation of Hotel and Restaurant Association of Western India (HRAWI), Federation of Hotel & Restaurant Associations Of India (FHRAI), National Restaurant Association of India (NRAI), Indian Hotel and Restaurant Association (AHAR) and Hotel Association of India (HAI), reportedly, the Chief Minister assured that alternatives related to reopening of restaurants will be discussed with the COVID 19 task force in the upcoming meeting.

## **5. IBM and Bangalore International Airport Limited collaborate for Digital and IT transformation**

The operator of Kempegowda International Airport, namely Bangalore International Airport Limited has announced a 10 year partnership with IBM to create IT solutions in furtherance of their “Airport in a Box” project aimed at transforming the travel experience with technology and digitization as well as other aspects including but not limited to helping better utilization of IT assets and enhancement of employee productivity.





# Litigation & Dispute Resolution

## 1. Ford India MD gets interim protection from arrest in cheating case

Delhi Court has granted pre-arrest bail to managing director Anurag Mehrotra and director David Allen Schock in the cheating case on grounds that IO has nowhere requested for custodial interrogation of accused persons. The Complainant alleged that he entered into an agreement and under that agreement, the Accused persons could not authorise any other service station within a 10 square Km radius of his showroom. The Complainant learnt that the Accused person has breached the agreement and the same was reported to Ford India. The Complainant submitted that breach in the agreement has caused him a wrong full loss of 35 Crore.

## 2. 'Collusion Between NOIDA Officers & Builders': Supreme Court Directs Demolition of Illegal Twin Towers of Supertech Within 3 Months

The Supreme court bench upheld the order of Allahabad High Court directing the demolition of the Twin Towers of Supertech. The Bench further held the order directing demolition doesn't warrant the interference of the Apex Court. The Bench in its order stated that work of demolition shall be carried out by the appellant within a period of 3 months and at its own cost and under the supervision of NOIDA officials and Central Building Research Institute (CBRI) to ensure safe demolition. The Bench further directed the Appellant to refund the amount to all the existing flat purchasers within 2 months together at the rate of 12 % per annum.

## 3. SC orders DMRC to pay ₹2800 Crore to Reliance Infra in Arbitration matter

A two-judge bench of the Supreme Court upheld the 2017 arbitration award in favour of Reliance Infrastructure against Delhi Metro Rail Corporation and set aside the Delhi High Court Division Bench judgment. Reliance Infrastructure entered into a contract with DMRC for operating a project till 2038 but in 2012 dispute arose between the parties over operation fees and initiated the arbitration. In 2017 the Tribunal awarded 2800 Cr in favour of Reliance which was later challenged before Delhi High Court Single Bench Judge and same was upheld and again it was reversed by the Division Bench of Delhi High Court.

## 4. Arbitration Reference Can Be Declined If Dispute In Question Does Not Correlate To Arbitration Agreement: Supreme Court

The Two Judge Bench of Supreme Court observed that prayers for appointment of arbitrator under section 11 of the Arbitration and Conciliation Act 1996 can be denied if the dispute in question is not in connection with the arbitration agreement. The Supreme Court referred to earlier judgment Vidya Drolia and Others v. Durga Trading Corporation observing that the Court has to apply its mind to the core preliminary issues within the framework of section 11 (6-A) of the Act. After hearing both parties, the Supreme Court-appointed Justice (Retd.) R.V. Raveendran, Former Judge, Supreme Court of India as the sole arbitrator to resolve all disputes differences between the parties.

## 5. Will table bill on arbitration in the winter session of the house: Union law minister

Kiren Rijju the Union Law Minister at the foundation laying stone of NLU in Uttar Pradesh said that the Central government is looking forward to introducing a new mediation bill in the upcoming winter session in Parliament. The mediation bill is in line with the Central government vision and strategy to promote procedure for settling disputes without litigation. The Minister further added that the Government is very keen on working closely with all the national law Colleges and law academies.

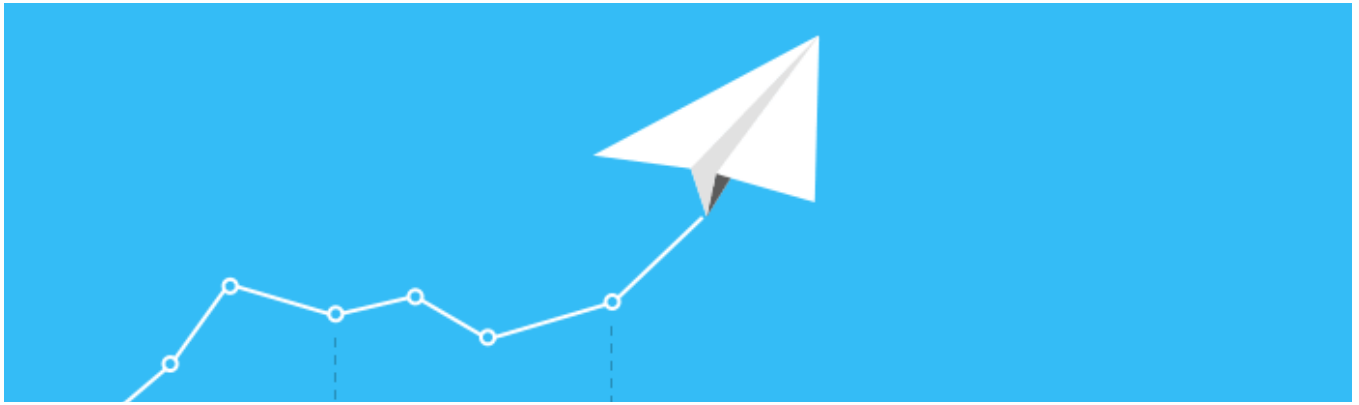


## **6. New Decree, Dubai will reaffirm its credentials as a Top 10 global arbitration hub**

The new Decree No. 34 of 2021 issued by the Dubai Government has dissolved the Emirates Maritime Arbitration Centre and the Dubai International Financial Centre (DIFC) Arbitration Institute and has transferred all the power to Dubai International Arbitration Centre (DIAC). The step has been taken to enhance the UAE's pro-arbitration stance and pro-enforcement of arbitral awards with the objective of promoting foreign investment.







# Start-Up Advisory & Consultancy

## 1. India becomes the third largest startup ecosystem in the world

India has emerged as 3rd largest startup ecosystem after the United States and China with 3 unicorns per month totalling 51 over the last year with a total valuation of \$ 168 Billion. India has surpassed United Kingdom (31 unicorns) and Germany (18 unicorns) and the pace of growth of startups is not showing any sign of slowing down. The US topped the list with 396 unicorns and China on the second spot with 277 unicorns.

## 2. China intensifies crackdown on crypto trading; Bitcoin, ether, dogecoin fall

The China government is tightening the crypto ban in the mainland with a statement from China's Central Bank stating it would be cracking down on crypto trading, banning overseas exchanges for providing services to Mainland investors. The world largest cryptocurrency by capital slipped around 5 % at \$ 42810. Furthermore, the bank said that it will bar financial institutions, payment companies and Internet firms from facilitating cryptocurrency trading and strengthen the monitoring of the risk from such activities.

## 3. Mumbai, Bangalore, London Named among World's top Startup Hubs

As per the Comprehensive ranking published by Startup Genome, Mumbai, London, Bangalore ranks amongst the world's top startup hubs. Bangalore ranks 23rd globally i.e. under the top 30 cities and Delhi made it under the top 40 cities with a global ranking of 36th. In other segments, Mumbai ranks 1st in the emerging Ecosystem ranking outperforming other ecosystems in parameters of areas of funding, performance, market research and talents. The finding behinds London's top position is that it is the most attractive destination outside Silicon Valley for access to funding and quality.

## 4. India, UK agree on \$1.2B investment in green projects and renewable energy

India and UK in 11th India - UK Economic and Financial Dialogue agreed to invest \$ 1.2 Billion in green projects and renewable energy boost to India. The agreement was signed between Finance Minister Nirmala Sitarama and her counterpart Rishi Sunak marking the way forward for bilateral agenda for enhancing trade partnership. The investment includes a \$ 1 Billion investment from the UK's development finance institutions in the green project in India and the rest of \$ 200 Million private and multilateral investment shall be invested into Joint Green Growth Equity Fund.





## Section 124A IPC

- Adesh Agarkar

### INTRODUCTION

The Supreme Court Chief Justice N.V. Ramana strongly opined that section 124A IPC is used to trample upon the citizen's fundamental right to free speech by the authorities. Concerned over the gross misuse of the sedition laws in the country, the Apex Court has repeatedly sent strong messages to the successive government to repeal the colonial provision which was used to suppress the voice of Indian freedom fighters.

Recently the Apex Court has agreed to examine the petition challenging the legality section 124A IPC filed Editor Guild of India and Rtd General and issued notice to the Centre directing their response on the same. (and various NGOs has filed the petition on the same cause). The Petitioners herein have argued that the restrictions mentioned under section 124A are unreasonable and does not attract reasonable restriction enshrined under Article 19(2) of the Constitution.

### SUPREME COURT RULINGS

A simple reading of section 124A creates vagueness and ambiguity for practical implementation which has a chilling effect on the democratic right of people to criticize the elected government for the betterment of the society. The Apex Court in 1962 in Kedar Nath Singh Vs State Bihar<sup>1</sup> upheld the constitutionality of section 124A also attempted to restrict the scope of section 124A by differentiating the act which amounts to sedition and vice – versa.

In a sedition case filed against journalist Vinod Dua<sup>2</sup> by a local politician in Himachal Pradesh against his interview on youtube showing the Prime Minister in a bad light. The Apex Court quashed the FIR and observed that “Every journalist is entitled to protection under the Kedar Nath Singh judgment. In various

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<sup>1</sup> 1962 AIR 955 1962 SCR Supl

<sup>2</sup> Vinod Dua v. Union of India, [2021 SCC OnLine SC 414](#)



instances, the Supreme Court has given directions and made observations in seditions cases for curbing misuse of executive power.

Recently a lower Court in Delhi granted bail to environmentalist Disha Ravi<sup>3</sup> in the toolkit case. The Court observed that scanty and sketchy evidence against the Applicant cannot be the ground for prosecution under section 124A IPC and that citizens cannot be arrested or jailed for mere criticizing the government. It is important to analyze the history behind the introduction of section 124A in IPC. It is important to into account the data National Crime Records Bureau, the number of such cases rose by 160% to 93. But in 2019, the conviction rate in such cases was down to only 3.3%, which means that just two of the accused were convicted<sup>4</sup>.

## HISTORY

Section 124A of the Indian Penal Code (IPC), was introduced by British politician Thomas Babington Macaulay to prevent any further uprising in the Indian subcontinent and to criminalized the same. This section was in line with the Treason Felony Act 1848 that penalised seditious expressions.

In *Queen Vs Jogendra Chandra Bose*<sup>5</sup>, the defendant was charged with sedition for criticizing the Age of Consent Bill and the negative economic impact of British colonialism. In *Queen Vs Bal Gangadhar Tilak*<sup>6</sup>, the defendant was accused of publishing an article in a newspaper urging people to overthrow British rule. The same judgment become a precedent and influenced the amendment to section 124A wherein the explanation defined disaffection to include disloyalty and feelings of enmity. The same ratio decidendi in the *Bal Gangadhar Tilak* judgment that excitement of feelings of enmity to the government was sufficient to establish guilt under Section 124A is reflected in the actions of the successive governments against the citizens since independence.

## POST INDEPENDENCE JURISPRUDENCE

In the case of *Ram Nandan v. State of Uttar Pradesh*,<sup>7</sup> the Court quoted Pt. Jawaharlal Nehru, who while introducing the (First Amendment) Bill 1951 which empowers the state to put reasonable restriction on the fundamental rights of the citizens, referred to sedition and stated: “*Now so far as I am concerned that particular Section is highly objectionable and obnoxious and it should have no place both for practical and historical reasons, if you like, in any body of laws that we might pass*”.

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<sup>3</sup> <https://www.thehindu.com/news/cities/Delhi/disha-ravi-gets-bail/article33912743.ece>

<sup>4</sup> Crime in India - Statistics, National Crime Records Bureau, Ministry of Home Affairs (2016).

<sup>5</sup> *Queen Emperor v. Jogendur Chandra Bose* (1892) 19 ILR Cal 35.

<sup>6</sup> ILR (1898) 22 Bom 112

<sup>7</sup> AIR 1959 All 101



It was Indira Gandhi Government who made the offence under section 124A cognizable for 1<sup>st</sup> time authorizing the police to arrest the person without a warrant. In *Balwant Singh & Anr Vs State of Punjab*<sup>8</sup>, 1995, the Supreme Court dropped sedition charges against two men who raised slogans in the cinema hall in favour of Kalistan in the aftermath of Indira Gandhi assassination stating that the slogans did not lead to disturbance and not likely to cause violence in the minds of targeted audience.

The Supreme Court in 2011 in *Indra Das Vs State of Assam*<sup>9</sup> and *Arup Bhuyan Vs State of Assam*<sup>10</sup> held that mere membership of the banned organization is not sufficient to incriminate the person unless it proved to have resorted to violence or there is imminent danger to public tranquillity.

## COMPARATIVE JURISPRUDENCE

### UNITED KINGDOM

Sedition was devised to curb the advent of the printing press in the 13<sup>th</sup> century for its ability to criticize the king. Under the Seditious Act printing, writing, preaching against the King was made punishable and later on, it evolved to define slander and libel against the public authorities was also considered as a seditious act.

The seditious libel was repealed by section 73 of the Coroners and Justice Act, 2009, the then Parliamentary Under-Secretary of State at the Ministry of Justice of the United Kingdom opined that:

***“Sedition and seditious and defamatory libel are arcane offences – from a bygone era when freedom of expression wasn’t seen as the right it is today...”***

### UNITED STATES

Sedition was made a punishable offence in the United States through the Sedition Act of 1798 but the same was repealed in 1820. In World War I, the US Congress again enacted Seditious Act to protect the interest of America.

In *Schenck v. the United States*<sup>11</sup>, the Court while adjudging the validity of Sedition Act 1918, laid down the ***clear and present danger*** test for restricting freedom of expression. In *Yates v. the United States*<sup>12</sup>, the Supreme Court distinguished advocacy to overthrow as an abstract doctrine from advocacy to action.

Despite the various authorities attempted by courts to narrow down the scope of sedition, it survives as an offence in the United States, though it is very narrowly construed and can even be said to be rarely in use.

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<sup>8</sup> AIR 1995 SC 1785

<sup>9</sup> (2011) 3 SCC 380

<sup>10</sup> (2011) 3 SCC 377

<sup>11</sup> 249 U.S. 47 (1919)

<sup>12</sup> 354 U.S. 298 (1957)





## **SEDITION LAW AND INDIA**

The law of Sedition has become a tool to suppress the dissenting voices by successive governments to put forward their propaganda paving the way for the next election win. The working paper published by the law commission of United Kingdom stated that historically examination shows that state sponsored prosecution has a political motive.

The Central Government has filed its affidavits stating that the Supreme Court can lay down fresh guidelines to restrict the use of sedition laws indicating that the government and the Supreme Court are on the same page. The CJI pointed out that ground reality is very concerning and that state governments are slapping sedition cases against the opposition for criticizing the policies. Justice Chandrachud addressing a public event emphasized that criminal law should not be used for muzzling down the voices of citizens and the court act as a first-line defence against deprivation of liberty.



## Get in Touch

We hope you enjoyed reading the newsletter, and we would love to hear your thoughts on what you want to be covered in our next edition!

You can get in touch here:

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