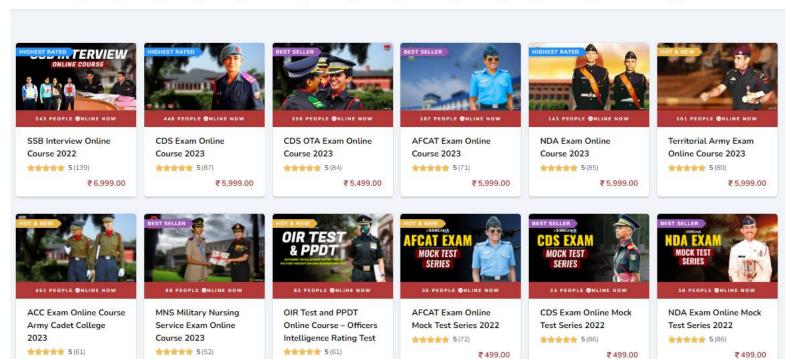


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Law Commission Against Scrapping Of Sedition Law, Says It Will Protect India's Unity

Why In The News?

- The 22nd Law Commission Has Told The Govt That The Scrapping Of The Sedition Law Is Not Needed And Advocated For Making It More Stringent.
- In Its Report To The Centre, The Law Commission Said That The Section 124A Of The Indian Penal Code (IPC) Dealing With Sedition Needs To Be Retained With Certain Amendments.

What Is Sedition?

- The Term "Sedition" Means : An Offence Against State.
- Section 124-A Of Indian Penal Code.
- Sedition In India Was First Used In 1891 & Was First Charged Against J C Bose.
- Punishment Under Section 124A: A Non-bailable Offence, Imprisonment Up To 3 Years To A Life Term & Barred From A Government Job.
- Sedition Law Was Originally Drafted In 1837 By Thomas Macaulay, Section 124A Was Inserted In IPC In 1870 By Sir James Stephen.



22nd Law Commission:

- The Law Commission Is A **Non-Statutory Body**, Constituted By The Central Government From Time To Time.
- The 22nd Law Panel Was Constituted For A **Period Of Three Years** On February 21, 2020, And **Its Chairperson, Justice Rituraj Awasthi (Retd),** Assumed Office On November 9, 2022.
- Besides, Identifying Laws Which Are No Longer Relevant, It Is Also Mandated
 To Suggest Enactment Of New Legislations As May Be Necessary To Implement
 The Directive Principles And To Attain The Objectives Set Out In The Preamble
 Of The Constitution.
- In Feb 2023, The Term Of The Panel Has Been Extended Up To August 31, 2024.



Highlights Of The Report:

- The Commission Has Advised The Central Government To Increase The Present Jail Term In Sedition Case From Three Years To Seven Years.
- Advocating For The Sedition Law To Continue, The Law Commission Said That Such An Act Is Required To Protect India's Unity, Sovereignty And Would Help In Tackling Radicalization.
- Notably, The Report Comes Amid Supreme Court Asking The Centre To Review
 The Sedition Law.
- Sedition Being A Colonial Legacy Is Not A Valid Ground For Its Repeal, The Law Commission Headed By Justice Ritu Raj Awasthi (Retd) Stated.

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- The Panel In Its Report Said It Has Taken Cognizant Of The Views On The Misuse
 Of Section 124A And Recommends That The Model Guidelines Curbing Them
 Be Issued By The Centre.
- The Commission Noted There Are Plethora Of Examples Of Various Laws Being Misused By Ill-intentioned Individuals Only To Settle Their Scores In Cases Of Personal Rivalries And Vested Interests, With Even The Supreme Court Recognizing The Same In Several Decisions.
- What Is Then Required In Such Cases Is Only **To Introduce Legal Ways And Means To Prevent The Misuse Of Such A Law.**

Centres Response Over Sedition:

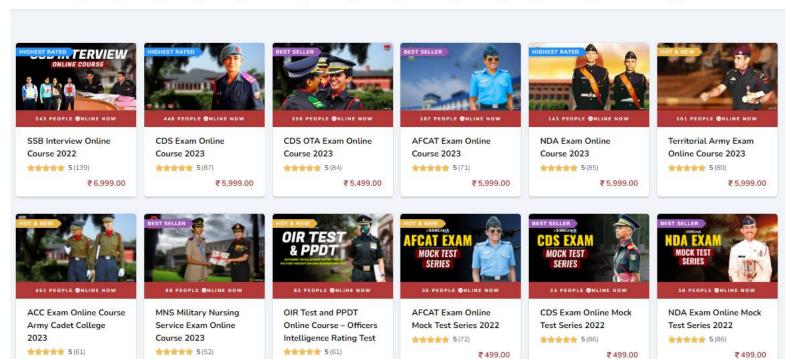
- Earlier, The Centre Had Filed An Affidavit Saying It Will Re-examine And Reconsider The Rationality Of The Sedition Law And Requested The To Defer The Exercise Adjudicating Its Constitutional Validity.
- The Centre Agreed To Re-examine The Sedition Law After It Staunchly
 Defended The Colonial-era Provision In The Supreme Court And Sought The
 Dismissal Of Pleas Challenging It.
- Later, The Central Government Had Filed A Fresh Petition In The Supreme Court
 That Read: "PM Modi Is Of The Firm View That Baggage Of Colonial Era Laws,
 Which Outlived Their Utility, Must Be Scrapped At A Time When The Country Is
 Marking Its 75th Year Of Independence Azadi Ka Amrit Mahotsav."





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