Bidar Sedition Case

What is the issue?

- Police are pursuing a complaint about a play performed by children of the age 9 to 12 of a private school in Bidar district of Karnataka.
- This case is an instance of the misuse of the sedition provision under Section124A of the Indian Penal Code (IPC).

What is the Sedition law?

- **Section 124A** of the IPC which was included in 1870 deals with sedition.
- It states that whoever brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the Government established by law in India shall be punished.
- The punishment varies from imprisonment up to 3 years to a life term and fine. Sedition is a **non-bailable offence**.

What were the actions taken?

- The police have taken **action for an allegedly seditious play** against the Citizenship (Amendment) Act.
- A teacher who supervised the performance and the parent of a child who added words to the script of the play were arrested.
- The primary school children are subjected to sustained harassment with utter disregard for child-friendly legislations.
- These actions are clear case of misuse of the power to arrest, as it is merely a verbal offence and doesn't require custodial interrogation.
- The police have deemed the opposition to the amendment act as something against the state.

What is the observed trend?

- A Supreme Court Bench observed that words such as 'anti-national' and 'sedition' were being bandied about loosely these days.
- The incident in Bidar serves as an example of this trend.
- This incident also confirms that the law is often used to silence political comment on matters deemed sensitive by the rulers.

How Sedition should be invoked?

- Sedition has been invoked to portray political dissent as promotion of disaffection.
- But, it can’t be invoked without the essential ingredients for invoking the section, namely, an imminent threat to public order and incitement to take up arms or resort to violence.
- This is a fact that is being forgotten often.
- The section itself has an explanation that nothing that seeks to get the government to change its policy by lawful means is sedition.

What could be done?

- The police system believes that everyone who is suspected of committing an offence is to be arrested
- This belief is something that needs to be changed.
- The conduct rules to punish the police personnel who violate the constitutional guarantees of free speech and personal liberty in an arbitrary way should be strengthened.

Source: The Hindu

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