

The provisions of the stringent National Security Act which provides punishment for social media posts is arguably a violation of article 19(1) of the Constitution of India. Critically comment. (150 words) 10 marks

The National Security Act of 1980 empowers governments to detain a person to prevent from acting in any manner prejudicial to its internal peace and security.

Arguments “against” laws like NSA:

1. It can arrest persons for social media posts citing vague terms like national security thereby suppressing freedom of speech and expression.
2. It creates an Authoritarian regime and fear among the people.
3. Such laws can be misused to target political opponents and journalists.

For example, a Manipur Journalist was arrested for a social media post. However , Supreme Court in **the Rangarajan VS P Jagjivan Ram case** , held that a mere threat to public order cannot be a ground to suppress free speech and expression , unless it leads to **imminent incitement of violence**.

Arguments “for” laws like NSA:

1. To **preserve public order and security**. For eg propaganda video by ISIS asking Indians to join its group.
2. Social media posts are unregulated and hence can be used for **cyber bullying and defamation**.
3. To regulate **online hate speeches** which have potential to cause communal riots. Eg morphed video incited communal riots in Muzzaffarnagar in 2013

The present situation makes such laws a **“necessary evil”**. However sufficient safeguards to the citizens should be provided so that such laws are not misused.