

KARNATAKA'S HATE SPEECH AND HATE CRIMES (PREVENTION) BILL



The State Cabinet approved the Karnataka Hate Speech and Hate Crimes (Prevention) Bill, 2025.

Objective - to effectively curb, prevent, dissemination, publication or promotion of hate speech and hate crimes, which cause disharmony and hatred in society.



Key Features of the Bill

Purpose and Scope: It seeks to prevent dissemination, publication, and promotion of hate speech and hate crimes.



It aims to curb actions causing injury, disharmony, enmity, or hatred against individuals, groups, or organisations.



It is applicable to both persons and institutions.



The prejudicial interest includes religion, race, caste or community, sex, gender, sexual orientation, place of birth, residence, language, disability or tribe.



The offences are cognisable, non-bailable, and triable by the Judicial Magistrate First Class.



Hate speech definition - It includes any expression which is made, published, or circulated in words, either spoken or written, or by signs or by visible representations or through electronic communication in public view, with an intention to cause injury, disharmony, or feelings of enmity or hatred or ill-will against a person alive or dead, a class or group of persons, or a community to meet any prejudicial interest.



The punishment for hate crime includes imprisonment from one to seven years and a fine of ₹50,000.



Alignment with Central Laws: The Bill incorporates provisions of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 for procedural uniformity.



Constitutional Provisions

Article 19(2) - It deals with the reasonable restrictions that can be placed on the fundamental right to freedom of speech and expression under Article 19(1)(a).



Article 19(2)



Conditions under which speech can be restricted by the state: Security of the State, Public Order, Decency or Morality, Contempt of Court, Defamation, Incitement to Offense.



Steps taken address hate speech

Indian Penal Code (IPC) / Bharatiya Nyaya Sanhita (BNS), 2023: Specific sections like Section 153A, Section 295A, etc in penal codes criminalize promoting enmity between groups (religion, race, language), outraging religious feelings, or inciting public fear/disorder.



In the case of **Amish Devgan v. Union of India (2020)** the Supreme Court of India addressed the balance between freedom of speech and expression (Article 19) and the need to restrict hate speech to maintain public order and communal harmony.



Representation of the People Act, 1951: Sec. 123(3), 123(3A): Prohibit political speech that promotes hatred or appeals to religion, caste, community during elections.



The Supreme Court, in the case of **Pravasi Bhalai Sangathan v. Union of India (2014)**, acknowledged the lack of specific legislation on hate speech and recommended that the Parliament enact a comprehensive law to address this issue.