

## Unit 9 - Week 8

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## Assignment 8

The due date for submitting this assignment has passed.  
As per our records you have not submitted this assignment.

**Due on 2020-12-10, 23:59 IST.**

- 1) Which of the following is true of the freedom of speech and expression under Article 19(1)(a)? 1 point
- It is unrestricted  
 It is subject to reasonable restrictions on grounds of public order, morality and decency  
 It is subject to the discretion of the government  
 None of these

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*It is subject to reasonable restrictions on grounds of public order, morality and decency*

- 2) What does the phrase "reasonable restrictions" in Article 19(2) mean? 1 point
- There must be a reasonable nexus between the restriction on speech and the objective of the legislation  
 The restrictions must not be over-broad or expansive. It must be narrowly defined to impose only those restrictions that are necessary  
 Both of these  
 None of these

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*Both of these*

- 3) What is the constitutional position on hate speech? 1 point
- Hate speech can be restricted if it inflames religious passions so as to put a community in the way of harm  
 Any speech that offends any religious mindset can be banned  
 Any speech that is false can be banned  
 All of these.

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*Hate speech can be restricted if it inflames religious passions so as to put a community in the way of harm*

- 4) Can one be subject to criminal sanctions for an act of defamation? 1 point
- Yes, it is a criminal offence and is not protected by the freedom of speech and expression  
 No, criminal defamation is too draconian a restriction on the freedom of speech and expression  
 No, we can only be subject to civil suits, for money. Criminalization is too excessive  
 None of these

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*Yes, it is a criminal offence and is not protected by the freedom of speech and expression*

- 5) Can politically dissenting speech be criminalized as sedition under s. 124A of the Indian Penal Code? 1 point
- Yes, since politically dissenting speech speaks up against the government, which is anti-national in character  
 Yes, since politically dissenting speech can cause disaffection against the policies of the government of the day  
 Yes, but only if the politically dissenting speech causes an incitement to violence or disruption to public order  
 No, sedition is unconstitutional since it imposes too great a restriction on the freedom of speech and expression

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*Yes, but only if the politically dissenting speech causes an incitement to violence or disruption to public order*

- 6) Which of the following is true in relation to the freedom of religious expression under the Indian Constitution? 1 point
- Yes, all persons are free to profess, practice and propogate the religion of their choice  
 Yes, but the state can interfere with the religious beliefs of an individual if the majority participants of that faith do not agree with that individual view  
 Yes, we can practice our religion privately but cannot publicly propogate our religion or advocate conversions  
 Both (a) and (b)

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*Yes, all persons are free to profess, practice and propogate the religion of their choice*

- 7) When can the State interfere with the religious practices of a community? 1 point
- When they are discriminatory in character  
 When they are not in tune with the community standards  
 When the Government believes that they are superstitious and not rational  
 None of these

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*When they are discriminatory in character*

- 8) Can religious minorities establish their own educational institutions? 1 point
- Yes, Article 30 guarantees the right to establish minority institutions  
 Yes, but if they are state-funded, they cannot force religious instruction.  
 None of these  
 Both of these

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*Both of these*

- 9) What did the Supreme Court hold in the recent Sabrimala case? 1 point
- That the right to religious freedom cannot be used to exclude menstruating women.  
 That the exclusion of women from the *sanctum sanctorum* was not part of the essential religious practice of the temple.  
 That menstruating women cannot enter the Sabrimala temple because the diety has taken a vow of *brahmacharya*.  
 Both (a) and (b)

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*Both (a) and (b)*

- 10) What can be said of the conflict between individual rights and the freedom of a religious group to prescribe norms for its members? 1 point
- The issue is a very fraught one and is currently being debated by the Supreme Court in *Kantaru Rajeevaru v. Indian Young Lawyers Association*  
 While groups have freedom to practice their religion, the Constitution permits legislation to remove discrimination in Hindu religious public institutions  
 The *triple talaq* decision in *Shayara Bano v. Union of India* demonstrates that cultural religious practices cannot abrogate individual rights  
 All of these

No, the answer is incorrect.  
Score: 0

Accepted Answers:

*All of these*