CONTENTS

CHAPTER-I INTRODUCTION 1-35

(a) Indian Constitution and the Nature of Fundamental Rights 1
(b) Nature of the Constitution of U.S.A. 24
(c) Hypothesis 31
(d) Objectives of the Study 32
(e) Methodology 33

CHAPTER-II FREEDOM OF SPEECH AND EXPRESSION IN THE CONSTITUTION OF INDIA 36-98

(a) Meaning and Concept 36
(b) Judicial Interpretation 43
(c) Analogous Provision in other Constitution 55
(d) Picketing, Demonstration-and Strike 56
(e) Freedom of Information 59
(f) Advertisement 66
(g) Freedom of the Press 69
(h) Film Censorship 86
(i) Right to Privacy 91
(j) Broadcasting and Telecasting 93
(k) Freedom of Silence – Right not to Speak 95
(l) Importance of Freedom of Speech 96

CHAPTER-III REASONABLE RESTRICTIONS ON FREEDOM OF SPEECH AND EXPRESSION IN INDIA 99-158

(a) Areas of Restrictions and Constitutional Prerequisites for Imposition of Restrictions 103
(b) Security of the State 121
(c) Friendly relation with Foreign States 123
(d) Public Order 124
(e) Decency and Morality 128
(e) Decency and Morality 128
(f) Contempt of Court 135
(g) Defamation 139
(h) Incitement to an Offence 142
(i) Integrity and Sovereignty of India 144
(j) Freedom of Speech and Discipline in Civil Suit 146
(k) Administrative Discretion and Reasonable Restriction 151
(l) Important Foreign Decision (USA) 154

CHAPTER-IV EMERGENCY AND FREEDOM OF SPEECH AND EXPRESSION IN INDIA 159-172

CHAPTER-V FREEDOM OF SPEECH AND EXPRESSION AND POLICE POWER IN UNITED STATES 173-219

(a) Pure Speech 175
(b) Speech Plus Conduct 181
(c) Picketing in Labour Disputes 182
(d) Obscenity 185
(e) Libel 187
(f) Symbolic Speech and Expression 188
(g) Commercial Free Speech 190
(h) Freedom of Press 192
(i) Clear and Present Danger Test 196
(j) Police Power 200
(k) Applicability of American Decisions 214
       Determining ‘reasonableness’ of a restriction under Article 19
(l) Difference between Restriction and Prohibition 218
(m) Public Order 219

CHAPTER-VI CONCLUSION 220-253

BIBLIOGRAPHY 254-266