

THE TELANGANA GAZETTE PART IV-A EXTRAORDINARY PUBLISHED BY AUTHORITY No. 20] HYDERABAD, SUNDAY, MARCH 29, 2026. TELANGANA BILLS TELANGANA LEGISLATIVE ASSEMBLY The following Bill was introduced in the Telangana Legislative Assembly on 29th March, 2026. L. A. BILL No. 20 OF 2026.

A BILL TO CURB AND PREVENT DISSEMINATION, PUBLICATION OR PROMOTION OF HATE SPEECH AND CRIMES, WHICH CAUSE DISHARMONY, HATRED IN THE SOCIETY, AGAINST THE PERSON OR GROUP OF PERSONS, ORGANISATIONS AND TO PROVIDE PUNISHMENT TO SUCH CRIMES AND TO PROVIDE ADEQUATE COMPENSATION TO THE INJURED VICTIMS AND FOR MATTERS CONNECTED THEREWITH FOR THE PURPOSES HEREINAFTER APPEARING.

B. 214-1 [1] 2 TELANGANA GAZETTE EXTRAORDINARY [

Part IV-A Short title and commencement. Definitions. Be it enacted by the Telangana State Legislature in the Seventy-seventh Year of the Republic of India, as follows:- 1. (1) This Act may be called the Telangana Hate Speech and Hate Crimes (Prevention) Act, 2026. (2) It shall come into force on such date, as the State Government may, by notification in the Telangana Gazette, appoint. 2. (1) In this Act, unless the context otherwise requires, - (i) 'Hate Speech' 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 or otherwise, in public view, with an intention to cause injury, disharmony or feelings of enmity or hatred or ill-will against person alive or dead, class or group of persons or community, to meet any prejudicial interest; (ii) 'Prejudicial interest' means and includes, the bias on the grounds of, - (a) religion, (b) race, (c) caste or community; (d) sex, (e) gender, (f) sexual orientation, (g) place of birth, (h) residence, (i) language, (j) disability, or (k) tribe; (iii) 'Hate Crime' means communication of hate speech, by making, publishing or circulating or any act of promoting, March 29, 2026] TELANGANA GAZETTE EXTRAORDINARY 3 propagating, inciting or abetting or attempting, such hate speech, to cause disharmony or feelings of enmity or hatred or ill-will against any person dead or alive or group of persons or organisation; and (iv) 'Communication' means and includes communication of expression, made in public view, by way of verbal, print, publication, electronic means, or other means to convey such expression. (v) 'Repeat offender' means a person or group of persons who have been charged of an offence, at least once under this Act in a court of Law. (2) Notwithstanding anything contained in sub-section (1), the provisions of this Act shall not extend to any book, pamphlet, paper, writing, drawing, painting representation or figure in electronic form or otherwise the publication of which is proved to be justified as being for the public good on the ground that such book, pamphlet, paper, writing drawing, painting representation or figure is in the interest of science, literature, art or learning or other objects of general concern; or which is kept or used for bona fide heritage or religious purposes. (3) The words and expressions used and not defined in (Central this Act but defined in the Bharatiya Nyaya Sanhita, 2023 Act 45 of or the Bharatiya Nagarik Suraksha Sanhita, 2023 or the 2023). Information Technology Act, 2000 shall have the meaning Act 46 of respectively assigned to them in those Acts. 3. (1) Whoever, - (i) commits hate crime shall be punished with imprisonment for a term which

shall not be less than one year, which may extend to seven years with a fine of Rs.50,000/-; and (Central 2023). (Central Act 21 of 2000). Punishment for hate crime. 4 TELANGANA GAZETTE EXTRAORDINARY [Part IV-A (ii) commits any subsequent or repetitive offences, the punishment shall not be less than two years, which may extend to ten years with fine of Rs.1,00,000/-. (2) The Court may award adequate compensation to the victim by calculating the injury caused due to hate crime, depending upon the gravity of the impact of the crime. (3) The offences under this Act shall be cognizable, non bailable and triable by the Judicial Magistrate of First Class. (Central (4) The provisions of Chapter-IX of the Bhartiya Nagarik Act 46 of Suraksha Sanhita, 2023 so far as may be, apply for the 2023). purposes of sub-section (1). Preventive action to be taken by the law and order machinery.

4. The Executive Magistrate or the Special Executive Magistrate may, on receiving information and after such inquiry as he may think necessary, has reason to believe that a repeat offender within the local limits of his jurisdiction is likely to commit an offence or has threatened to commit any offence under this Act and is of the opinion that there is sufficient ground for proceeding, take necessary preventive action for keeping the peace and good behaviour and maintenance of public order and tranquility. Offences 5. If the person, committing an offence under this Act, is by Organisa- an Organisation or Institution, every person who, at the time tion or of the offence committed, was in charge of, and was Institu- responsible to, such Organisation or Institution for the tion. conduct of the business of the same, as well as such Organisation or Institution, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this section shall render any person liable to punishment if he proves that the offence was committed without his knowledge, or that he had exercised all due diligence to prevent the commission of such offence. March 29,2026] TELANGANA GAZETTE EXTRAORDINARY Explanation: For the purpose of this section 'Organisation or Institution' means and includes association of persons whether registered or not. 6. The Designated Officer, as notified by the State Government, shall have the power to direct any service provider, intermediaries, person or entity to block or remove the hate crime materials from its domain including electronic media. 7. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force. 8. No suit, prosecution or other legal proceedings shall lie against public servants for anything which is done in goop faith or intended to be done under this Act, or the rules made thereunder. 5 Power to block or remove the hate crime materials. Application of other laws not barred. Protection of action taken in good faith. 9. If any difficulty arises in giving effect to the provisions of Power this Act, the State Government may, by order published in to the Official Gazette, make such provisions, to remove such remove difficul- difficulty: ties. Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act. 10. (1) The State Government may, by notification, after Power previous publication, make rules to carry out the purposes to make of this Act. rules. (2) Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty 6 TELANGANA GAZETTE EXTRAORDINARY [Part IV-A days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the session

immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or to be of no effect as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything done under that rule. March 29, 2026] TELANGANA GAZETTE EXTRAORDINARY STATEMENT OF OBJECTS AND REASONS In recent years, there has been a discernible increase in incidents of hate speech and hate crimes, particularly through digital and social media platforms, which have potential to spread rapidly and cause serious harm to public order and social harmony. Such acts promote enmity, hatred, and disharmony among individuals and groups on grounds such as religion, caste, ethnicity, language, gender, and other identities, thereby undermining the constitutional values of equality, dignity, and fraternity. hate to The existing legal framework does not comprehensively address the evolving nature and manifestations of hate speech and crimes, necessitating a dedicated and robust legislation effectively prevent, regulate, and penalize such conduct, while also ensuring protection and redress to affected persons. to; It is, therefore, considered necessary to enact a legislation (i) curb and prevent the dissemination, publication, or promotion of hate speech and hate crimes that incite disharmony or hatred in society against any person, group of persons, organizations; or (ii) provide for stringent and deterrent punishment for the commission of such offences; and (iii) ensure adequate compensation to victims affected by such acts. This bills seeks to achieve the above objects. A.REVANTH REDDY, Chief Minister. 8 TELANGANA GAZETTE EXTRAORDINARY [Part IV-A MEMORANDUM REGARDING DELEGATED LEGISLATION Clauses 1(2), 6, 8, 9 and 10 of the Bill authorizes the Government to issue notifications or to make rules in respect of matters specified therein and generally to carry out the purposes of the Act. All such rules so made or notifications issued which are intended to cover matters mostly of procedural in nature, are to be laid on the Table of both the Houses of State Legislature and will be subject to any modifications made by the Legislature. The above provisions of the Bill regarding delegated legislation are thus of normal type and are mainly intended to cover matters of procedure. A.REVANTH REDDY, Chief Minister. March 29, 2026] TELANGANA GAZETTE EXTRAORDINARY 9 MEMORANDUM UNDER RULE 95 OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE TELANGANA LEGISLATIVE ASSEMBLY. The Telangana Hate Speech and Hate Crimes (Prevention) Bill, 2026, after it is passed by both the Houses of the State Legislature may be reserved by the Governor for the consideration and assent of the President under article 254(2) of the Constitution of India. A.REVANTH REDDY, Chief Minister. RENDLA THIRUPATHI, Secretary to Legislature (Legislative Assembly).

1. **In the long title and preamble, add: “and to ensure that no provision of this Act shall be construed or applied so as to penalise legitimate criticism, academic analysis, artistic expression, journalistic reporting, political debate, religious discourse made in good faith, or any expression protected by Article 19(1)(a) of the Constitution, subject only to Article 19(2).”**

This directly narrows the bill’s reach and helps defend it against overbreadth and chilling-effect attacks in writ proceedings, while preserving the object of curbing genuinely harmful hate speech. DOC-20260620-WA0008.doc+1

2. **Insert a new interpretive clause: “The provisions of this Act shall be read harmoniously with Articles 14, 19, 21, 25 and 226 of the Constitution, and the least restrictive interpretation consistent with the objects of the Act shall prevail.”**

This gives courts a constitutional lens for interpretation and improves defensibility if the Act is challenged for vagueness or disproportionality. DOC-20260620-WA0008.doc

3. **Replace the definition of “hate speech” with: “Hate speech means any public communication, whether oral, written, visual, digital or otherwise, which, taken as a whole and in context, intentionally and directly incites violence, discrimination, or imminent public disorder against a person or identifiable group on the basis of religion, race, caste, sex, gender, sexual orientation, place of birth, residence, language, disability or tribe.”**

This introduces an intent element, context test, and a proximity-to-harm requirement, which are critical to withstand constitutional scrutiny and avoid sweeping in protected speech. THE-HATE-SPEECH-BILL.docx+1

4. **After the definition of “hate speech,” add: “Mere advocacy, academic discussion, satire, artistic expression, religious exposition, political dissent, historical criticism, news reporting, or bona fide debate shall not constitute hate speech unless it satisfies the ingredients of the offence under this Act.”**

This is the most important safeguard against overbreadth and will reduce the risk that the law is struck down or narrowly read down in public interest writ petitions. THE-HATE-SPEECH-BILL.docx+1

Offence and procedure

5. **Rewrite the offence clause to read: “No person shall be prosecuted unless the competent authority records, in writing, prima facie satisfaction that the impugned communication satisfies the definition of hate speech under section 2 and that there is a reasonable nexus between the communication and the prohibited harm.”**

This creates a threshold filtering mechanism and blocks mechanical prosecutions driven by political or majoritarian pressure. DOC-20260620-WA0008.doc+1

6. **Add: “No offence under this Act shall be taken cognizance of except on a written complaint by an officer not below the rank of Deputy Superintendent of Police, or on a report forwarded by the Designated Hate Speech Review Officer after preliminary screening.”**

This prevents misuse through private vendettas and creates institutional accountability before prosecution. [THE-HATE-SPEECH-BILL.docx](#)

7. **Insert a new sub-clause: “Before registration of FIR, the officer shall conduct a preliminary assessment within seven days, record reasons, and consider whether the alleged words fall within protected speech or constitute a bona fide mistake, hyperbole, or isolated expression lacking the requisite harmful intent.”**

This helps the statute survive arbitrariness challenges and aligns the procedure with due process values. [DOC-20260620-WA0008.doc](#)

8. **Amend the punishment clause to provide graded penalties: “Where the act results in no actual violence or public disorder, punishment shall not exceed two years; where it causes actual violence, grievous harm, or large-scale public disorder, punishment may extend to seven years.”**

Graduated punishment makes the statute proportionate and less vulnerable to a challenge under Articles 14 and 21. [THE-HATE-SPEECH-BILL.docx+1](#)

Safeguards against misuse

9. **Insert: “No action shall be taken under this Act solely on the ground that the communication is offensive, unpopular, or hurtful to sentiments, unless the statutory ingredients of intent, target specificity, and incitement are established.”**

This is essential because “offence” or “hurt sentiments” by itself is too vague and too easy to weaponise in court or on the ground. [THE-HATE-SPEECH-BILL.docx](#)

10. **Add a non-discrimination clause: “The Act shall be applied without favour, fear or prejudice, and no complaint shall be entertained or action taken on the basis of the political, religious, ideological or social affiliation of the complainant or the person complained against.”**

This makes selective enforcement harder to justify and strengthens equality-based constitutional defence. [DOC-20260620-WA0008.doc](#)

11. **Insert a compensation clause with standards: “Compensation shall be awarded only after due hearing, on a reasoned determination of actual harm, and in accordance with a prescribed schedule having regard to gravity, extent of harm, and means of the offender.”**

This prevents arbitrary compensation awards and supports judicial review under Article 226. [DOC-20260620-WA0008.doc+1](#)

12. **Add a mens rea clarification: “A person shall not be liable unless the prosecution proves knowledge or intention, or wilful disregard of the likely prohibited consequences of the communication.”**

Mens rea is a key constitutional buffer; without it, the law becomes too close to strict liability for speech. THE-HATE-SPEECH-BILL.docx+1

Institutional design

13. **Create a Hate Speech Review Board: “The State Government shall constitute a multi-member Review Board consisting of a judicially trained chairperson, a senior police officer, and a person with expertise in constitutional law or media law.”**

An expert pre-prosecution board improves neutrality and creates a strong record against allegations of arbitrary enforcement. [DOC-20260620-WA0008.doc](#)

14. **Insert a reporting clause: “The Government shall publish annual anonymised statistics of complaints received, FIRs registered, prosecutions launched, convictions, withdrawals, and complaints rejected with reasons.”**

Transparency helps rebut claims of selective targeting and supports evidence-based constitutional defence. [DOC-20260620-WA0008.doc](#)

15. **Add a sunset and review provision: “The operation of this Act shall be reviewed by the Legislature after two years, and a report shall be laid before the House on its implementation, misuse, and constitutional compliance.”**

Periodic legislative review is useful where speech regulation is sensitive and evolving, and it shows proportional, supervised lawmaking. [DOC-20260620-WA0008.doc](#)

Blocking and takedown

16. **Redraft the blocking power to read: “No direction for removal, blocking, or disabling access shall be issued except by a speaking order, after notice and hearing where practicable, and only where immediate action is necessary to prevent imminent harm.”**

This narrows executive discretion and makes takedown powers far more defensible in writ jurisdiction. THE-HATE-SPEECH-BILL.docx+1

17. **Add: “Every blocking or removal direction shall be subject to review within 48 hours by the Review Board and shall be time-bound, proportionate, and the least restrictive measure available.”**

Time limits and review are crucial because speech-blocking powers are especially susceptible to Article 19(1)(a) challenge. THE-HATE-SPEECH-BILL.docx+1

Saving and construction

18. **Insert a saving clause: “Nothing in this Act shall be construed to restrict lawful religious preaching, political advocacy, academic inquiry, satire, reportage,**

counter-speech, or criticism made in good faith and without the intent required by this Act.”

This is a broad protective clause that will be especially helpful when facing writ petitions alleging hostility to dissent or ideological speech. THE-HATE-SPEECH-BILL.docx+1

19. **Add: “In case of doubt, the provision shall be construed to uphold constitutionality and avoid criminalisation of speech that can reasonably be dealt with by civil, regulatory, or remedial measures.”**

Courts often prefer narrowing constructions; this clause invites that approach and reduces invalidation risk. [DOC-20260620-WA0008.doc](#)

20. **Insert: “This Act shall not apply to any expression protected under Articles 25 and 26, except where such expression directly and intentionally incites violence or discrimination as defined herein.”**

This helps address religion-related speech disputes and reduces the likelihood of the Act being attacked as anti-religious or selectively anti-majoritarian. [THE-HATE-SPEECH-BILL.docx](#)

Practical framing

A strong version of this Bill should move from a broad “hate speech and hate crimes” format to a more legally disciplined model: **intent + context + target specificity + proximate harm + procedural safeguards + proportional penalties**. That combination is much better suited to survive Article 14, 19 and 21 scrutiny and to resist writ petitions alleging vagueness, overbreadth, selective enforcement, and prior restraint

Below is the three-part document you asked for: **A** is the clause-by-clause redline-style amendment draft, **B** explains why those changes should be incorporated, and **C** sets out a clean consolidated version of the resulting Bill. [DOC-20260620-WA0008.doc+1](#)

A. Redline draft

1. **Long title and preamble: for the existing long title, substitute the following text: “A Bill to prohibit and prevent serious hate speech and hate crimes that intentionally and directly incite violence, discrimination, or imminent public disorder against persons or identifiable groups on prohibited grounds; to provide for proportionate punishment, victim relief, preventive and corrective measures, procedural safeguards, review mechanisms, and constitutionally compliant regulation of online dissemination; and for matters connected therewith or incidental thereto.”**[THE-HATE-SPEECH-BILL.docx+1](#)

This narrows the Bill from vague offence-based language into a constitutionally defensible harm-based framework tied to public order, discrimination, and targeted violence rather than mere offensiveness. [DOC-20260620-WA0008.doc+1](#)

2. **After the long title, insert the following preambular recital: “Whereas the Constitution guarantees equality, dignity, fraternity, and freedom of speech and expression; and whereas the State may impose only such reasonable restrictions as are consistent with Article 19(2); and whereas it is necessary to prevent serious forms of targeted expression and conduct that undermine equal citizenship, public order, and constitutional morality while preserving legitimate religious, political, academic, artistic, journalistic, and historical expression made in good faith.”**[THE-HATE-SPEECH-BILL.docx+1](#)

This makes the Bill’s constitutional balance explicit and helps rebut writ challenges based on overbreadth, viewpoint discrimination, and chilling effect. [DOC-20260620-WA0008.doc+1](#)

3. **Clause 1: retain the short title, but amend sub-clause (2) to read: “It shall come into force on such date as the State Government may, by notification in the Telangana Gazette, appoint; and different dates may be appointed for different provisions.”**[THE-HATE-SPEECH-BILL.docx+1](#)

This permits phased operationalisation of institutions, rules, and review mechanisms and follows the more careful implementation style seen in the comparative draft. [DOC-20260620-WA0008.doc](#)

4. **Insert a new Clause 2A titled “Interpretation” reading: “(1) This Act shall be interpreted consistently with Articles 14, 19, 21, 25 and 26 of the Constitution. (2) The provisions of Part III and Part IV of the Constitution shall inform and guide the interpretation of this Act. (3) Where two constructions are reasonably possible, the construction that preserves constitutionality and least restricts protected speech shall be preferred.”**[DOC-20260620-WA0008.doc](#)

The source Bill lacks an interpretive clause, while the comparative draft uses one

expressly; that is valuable here because constitutional challenges will focus on how the definitions are read and applied.[THE-HATE-SPEECH-BILL.docx+1](#)

5. **Clause 2(1)(i): for the definition of “Hate Speech”, substitute: “ ‘Hate speech’ means any public communication, whether oral, written, printed, symbolic, audio-visual, digital or otherwise, which, taken as a whole and in its context, intentionally and directly incites violence, discrimination, or imminent public disorder against a person or an identifiable group on one or more prohibited grounds.”**[THE-HATE-SPEECH-BILL.docx+1](#)

The present definition turns on injury, disharmony, hatred, ill-will, and ‘prejudicial interest’, which is too open-ended; the amended text introduces intent, context, directness, and proximity to harm.[THE-HATE-SPEECH-BILL.docx](#)
6. **Clause 2(1)(ii): for “Prejudicial interest”, substitute “ ‘Prohibited grounds’ means religion, race, caste, community, sex, gender, sexual orientation, gender identity, place of birth, residence, language, disability, descent, ethnicity, or tribe.”**[DOC-20260620-WA0008.doc+1](#)

“Prejudicial interest” is imprecise and litigation-prone; “prohibited grounds” is cleaner, neutral, and more easily justiciable.[DOC-20260620-WA0008.doc+1](#)
7. **Clause 2(1)(iii): substitute: “ ‘Hate crime’ means an offence under any law for the time being in force, where the act is intentionally committed against a person or property wholly or partly on account of a prohibited ground, or is preceded, accompanied, or aggravated by hate speech as defined in this Act.”**[THE-HATE-SPEECH-BILL.docx+1](#)

The existing definition collapses hate speech and hate crime into each other; the amendment distinguishes speech offences from bias-motivated underlying crimes, which makes the statute more coherent.[THE-HATE-SPEECH-BILL.docx](#)
8. **Clause 2(1): insert new definitions: “ ‘Direct incitement’ means expression that expressly or by necessary implication calls for the commission of violence, discrimination, or hostile acts against a person or identifiable group.”; “ ‘Imminent public disorder’ means a real and proximate risk of violence, disturbance, or targeted hostile action and not a speculative, remote, or hypothetical possibility.”; “ ‘Good faith expression’ means expression made without intent to incite prohibited harm and for bona fide religious, academic, artistic, literary, journalistic, scientific, historical, legal, or public-interest purposes.”**[DOC-20260620-WA0008.doc+1](#)

These definitions supply the missing limiting standards that courts usually look for when testing speech restrictions for vagueness.[DOC-20260620-WA0008.doc+1](#)
9. **Clause 2(2): substitute: “Nothing in this Act shall apply to any book, pamphlet, paper, writing, performance, artistic work, academic material, journalistic report, legal argument, religious exposition, historical analysis, satire, or other expression proved to have been made in good faith for public good,**

scholarship, art, literature, criticism, reporting, heritage, or bona fide religious purposes, unless such expression independently satisfies all ingredients of an offence under this Act.”THE-HATE-SPEECH-BILL.docx+1

*The existing exception is too narrow and insufficiently protective of legitimate discourse, especially religious and political speech likely to be put in issue in writ proceedings.*THE-HATE-SPEECH-BILL.docx

10. **Clause 2: insert sub-clause (4): “Mere insult, ridicule, annoyance, hurt sentiment, unpopular opinion, sharp criticism, theological disagreement, political dissent, or advocacy of lawful reform shall not by itself constitute an offence under this Act.”**DOC-20260620-WA0008.doc+1

*This is essential to prevent the law from being used as a sentiment-protection statute in disguise.*DOC-20260620-WA0008.doc+1

11. **Clause 3: substitute the punishment clause with: “(1) Whoever intentionally commits hate speech shall be punished with imprisonment which may extend to three years, or with fine, or with both. (2) Where such hate speech results in violence, targeted property damage, or imminent public disorder, the punishment may extend to five years and fine. (3) Whoever commits a hate crime shall be punished in addition to the punishment prescribed for the underlying offence, with imprisonment which may extend to seven years and fine. (4) A repeat offender previously convicted under this Act may be punished with imprisonment which may extend to ten years and fine.”**THE-HATE-SPEECH-BILL.docx+1

*This replaces the current minimum-sentence model with a graded and more proportionate structure, which is easier to defend under Articles 14 and 21.*THE-HATE-SPEECH-BILL.docx

12. **Clause 3: insert sub-clause (5): “No person shall be convicted under this Act unless the prosecution proves intention, knowledge, or wilful disregard of the likely prohibited consequences of the impugned act or expression.”**DOC-20260620-WA0008.doc+1

*A clear mens rea clause is one of the strongest protections against arbitrariness and overcriminalisation.*DOC-20260620-WA0008.doc+1

13. **Clause 3(2): substitute the compensation clause with: “The Court may, after hearing the parties, award interim or final compensation, restitution, counselling support, relocation assistance, or other appropriate victim relief having regard to the gravity of harm, the vulnerability of the victim, and the means of the offender.”**THE-HATE-SPEECH-BILL.docx+1

*The present compensation clause is skeletal; this version makes victim relief concrete and reviewable.*THE-HATE-SPEECH-BILL.docx

14. **Clause 3(3): substitute with: “Offences under this Act shall be cognizable; provided that no arrest shall be made except in accordance with the Bharatiya**

Nagarik Suraksha Sanhita, 2023, and after recording reasons in writing as to necessity. Bail shall be considered having regard to the nature of harm, risk of repetition, and risk of witness intimidation.”DOC-20260620-WA0008.doc+1
*Automatic non-bailability is vulnerable to challenge as excessive, while reasoned arrest and structured bail considerations are more defensible.*DOC-20260620-WA0008.doc+1

15. **Insert a new Clause 3A titled “Previous sanction and screening”:** “(1) No court shall take cognizance of an offence under this Act except upon a complaint or police report approved in writing by an officer not below the rank of Superintendent of Police. (2) Before such approval, the officer shall conduct a preliminary legal assessment of the impugned material, including context, intent, reach, likelihood of imminent harm, and the availability of statutory exceptions. (3) The approving authority shall record brief reasons in writing.”THE-HATE-SPEECH-BILL.docx+1
*This is a crucial anti-misuse filter and will materially improve the statute’s writ survivability.*DOC-20260620-WA0008.doc
16. **Clause 4: substitute with:** “Where an Executive Magistrate or Special Executive Magistrate receives credible information that a person previously convicted under this Act is likely to commit a cognizable offence involving imminent violence or targeted disorder, the Magistrate may, for reasons recorded in writing and after hearing the person where practicable, require execution of a bond for keeping the peace in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023.”THE-HATE-SPEECH-BILL.docx+1
*The existing preventive clause is too broad and untethered to imminence, prior conviction, and procedural fairness.*THE-HATE-SPEECH-BILL.docx
17. **Clause 5: substitute with:** “Where an offence under this Act is committed by an organisation, association, institution, company, or other body of persons, every person who, at the time of the offence, was directly in charge of and responsible for the conduct of its affairs shall be liable only if the offence was committed with that person’s consent, connivance, authorisation, or culpable neglect.”DOC-20260620-WA0008.doc+1
*This avoids unconstitutional overreach through vicarious criminal liability without fault.*THE-HATE-SPEECH-BILL.docx
18. **Clause 6: substitute with:** “(1) The Designated Officer may, by a reasoned written order, direct any intermediary, service provider, publisher, broadcaster, or platform to remove, disable, or restrict access to specific content only where such content prima facie constitutes an offence under this Act and immediate action is necessary to prevent imminent harm. (2) Save in cases of demonstrable urgency, no such order shall be passed without notice and opportunity to respond. (3) Every emergency order shall be reviewed within forty-eight hours by the Hate Speech Review Committee constituted under

section 6A. (4) Every order under this section shall be narrowly tailored, time-bound, and subject to challenge before the jurisdictional court.”DOC-20260620-WA0008.doc+1

*The present blocking clause confers unstructured executive censorship power; this redraft adds reasons, notice, urgency limits, review, and proportionality.*DOC-20260620-WA0008.doc+1

19. **Insert a new Clause 6A titled “Hate Speech Review Committee”:** “The State Government shall constitute a Review Committee consisting of a retired District Judge or a person qualified to be one, a senior police officer not below the rank of Deputy Inspector General, and a person with expertise in constitutional law, media law, digital rights, or civil liberties, to review blocking orders, maintain oversight, and issue periodic guidance.”DOC-20260620-WA0008.doc

*The comparative draft shows the value of institution-based safeguards, hearings, and structured oversight; a review body will help defend this Bill against accusations of partisan enforcement.*DOC-20260620-WA0008.doc

20. **Insert a new Clause 6B titled “Annual transparency report”:** “The State Government shall publish annually anonymised data on complaints, screenings, FIRs, arrests, prosecutions, convictions, acquittals, withdrawals, blocking orders, and compensation orders under this Act.”DOC-20260620-WA0008.doc

*Transparent reporting reduces selective-enforcement risk and creates an evidentiary basis to defend the law’s administration.*DOC-20260620-WA0008.doc

21. **Clause 7: substitute with:** “The provisions of this Act shall be in addition to, and not in derogation of, other laws for the time being in force; provided that no person shall be punished twice for the same offence, and the narrower construction preserving constitutional freedoms shall prevail where overlap arises.”THE-HATE-SPEECH-BILL.docx+1

*This prevents double-punishment concerns and reduces interpretive conflict with existing criminal provisions.*THE-HATE-SPEECH-BILL.docx+1

22. **Clause 8: substitute with:** “No suit, prosecution, or other legal proceeding shall lie against the Government or any public servant for anything done in good faith under this Act; provided that this protection shall not apply to acts done mala fide, without jurisdiction, or in wilful disregard of statutory safeguards.”THE-HATE-SPEECH-BILL.docx+1

*Absolute immunity invites challenge; qualified good-faith protection is safer and fairer.*THE-HATE-SPEECH-BILL.docx+1

23. **Clause 9: retain the removal-of-difficulties provision but reduce the period from three years to one year and add:** “No order under this section shall alter the scope of any offence, penalty, defence, safeguard, or review mechanism

contained in this Act.”THE-HATE-SPEECH-BILL.docx+1

*This prevents the executive from substantively rewriting the statute through delegated power.*DOC-20260620-WA0008.doc+1

24. **Clause 10: retain rule-making but insert: “Rules shall, inter alia, provide for screening standards, approval forms, preservation of electronic evidence, victim relief, emergency blocking review, annual reporting, and training of police and magistracy in constitutional free-speech standards.”**THE-HATE-SPEECH-BILL.docx+1

*The existing rule power is too bare and does not compel operational safeguards.*DOC-20260620-WA0008.doc+1

25. **Insert a new clause titled “Equality of application”: “This Act shall be applied without discrimination on the basis of religion, political belief, ideology, caste, community, language, or viewpoint, and no prosecution shall be initiated or withheld for collateral political reasons.”**THE-HATE-SPEECH-BILL.docx+1

This directly addresses anticipated allegations that the law is a viewpoint-selective instrument aimed at one religious or ideological constituency.

B. Why these changes must be incorporated

The present Bill uses broad formulations such as “injury,” “disharmony,” “hatred,” “ill-will,” and “prejudicial interest,” while also making the offences cognizable, non-bailable, and subject to blocking powers with little structured review, which together create real exposure to vagueness, overbreadth, arbitrariness, and chilling-effect challenges. The comparative drafting in the second document repeatedly uses interpretive clauses, reasoned procedure, hearing requirements, institutional design, and defined powers, and that method is exactly what the present Bill needs if it is to survive constitutional testing. THE-HATE-SPEECH-BILL.docx+1

These amendments are necessary because any serious writ challenge will likely say that the Bill criminalises protected speech, leaves too much discretion to police and executive officers, does not sufficiently distinguish offensive speech from unlawful incitement, and permits content removal without adequate safeguards. By introducing intent, direct incitement, imminence, good-faith exceptions, reasoned sanction, hearing rights, review committees, transparency reporting, and proportional penalties, the revised structure makes the law look like a narrowly tailored public-order and equality statute rather than a general speech-control law. DOC-20260620-WA0008.doc+1

They are also strategically necessary against Hindutva-oriented or other ideological writ petitions, because the strongest attack on such a statute will not only be free-speech overbreadth but also alleged selective targeting of religious discourse or political majoritarian speech. The revised text answers that by making the law facially neutral, expressly protecting bona fide religious exposition and political advocacy, insisting on religion-neutral application, and tying liability to intent plus imminent harm rather than to theological content or ideological disagreement. THE-HATE-SPEECH-BILL.docx+1

Finally, the changes make the Bill administratively usable. The second document shows that durable legislation often depends not just on substantive prohibitions but on procedure, reporting, review, defined powers, and interpretation clauses, and the original Bill presently lacks most of those supports. Without those supports, even a well-intentioned law can be stayed, read down, or unevenly enforced; with them, the State has a much stronger record to defend the Act under Articles 14, 19, and 21. DOC-20260620-WA0008.doc+1

C. Completed Bill

Telangana Hate Speech and Hate Crimes (Prevention) Bill, 2026

A Bill to prohibit and prevent serious hate speech and hate crimes that intentionally and directly incite violence, discrimination, or imminent public disorder against persons or identifiable groups on prohibited grounds; to provide for proportionate punishment, victim relief, preventive and corrective measures, procedural safeguards, review mechanisms, and constitutionally compliant regulation of online dissemination; and for matters connected therewith or incidental thereto. [THE-HATE-SPEECH-BILL.docx+1](#)

Whereas the Constitution secures equality, dignity, fraternity, and freedom of speech and expression; and whereas only reasonable restrictions consistent with Article 19(2) may be imposed upon such freedom; and whereas it is necessary to prevent serious forms of targeted expression and conduct that undermine equal citizenship and public order while preserving legitimate religious, political, academic, artistic, journalistic, literary, scientific, and historical expression made in good faith. [DOC-20260620-WA0008.doc+1](#)

Be it enacted by the Telangana State Legislature in the Seventy-seventh Year of the Republic of India as follows: [THE-HATE-SPEECH-BILL.docx](#)

1. Short title and commencement

(1) This Act may be called the Telangana Hate Speech and Hate Crimes (Prevention) Act, 2026. [THE-HATE-SPEECH-BILL.docx](#)

(2) It shall come into force on such date as the State Government may, by notification in the Telangana Gazette, appoint; and different dates may be appointed for different provisions of this Act. [DOC-20260620-WA0008.doc+1](#)

2. Definitions

In this Act, unless the context otherwise requires: [THE-HATE-SPEECH-BILL.docx](#)

(a) “hate speech” means any public communication, whether oral, written, printed, symbolic, audio-visual, digital, or otherwise, which, taken as a whole and in its context, intentionally and directly incites violence, discrimination, or imminent public disorder against a person or an identifiable group on one or more prohibited grounds; [DOC-20260620-WA0008.doc+1](#)

(b) “prohibited grounds” means religion, race, caste, community, sex, gender, sexual orientation, gender identity, place of birth, residence, language, disability, descent, ethnicity, or tribe; [DOC-20260620-WA0008.doc+1](#)

(c) “hate crime” means an offence under any law for the time being in force, where the act is intentionally committed against a person or property wholly or partly on account of a prohibited ground, or is preceded, accompanied, or aggravated by hate speech as defined in this Act; [THE-HATE-SPEECH-BILL.docx+1](#)

(d) “direct incitement” means expression that expressly or by necessary implication calls for the commission of violence, discrimination, or hostile acts against a person or

identifiable group;DOC-20260620-WA0008.doc+1

(e) “imminent public disorder” means a real and proximate risk of violence, disturbance, or targeted hostile action, and not a speculative, remote, or hypothetical possibility;THE-HATE-SPEECH-BILL.docx+1

(f) “communication” includes any expression conveyed by verbal, printed, electronic, digital, visual, symbolic, or other means in public view or capable of public dissemination;THE-HATE-SPEECH-BILL.docx

(g) “good faith expression” means expression made without intent to incite prohibited harm and for bona fide religious, academic, artistic, literary, journalistic, scientific, historical, legal, or public-interest purposes; andDOC-20260620-WA0008.doc+1

(h) “repeat offender” means a person previously convicted of an offence under this Act.THE-HATE-SPEECH-BILL.docx

3. Interpretation and exclusions

(1) This Act shall be interpreted consistently with Articles 14, 19, 21, 25 and 26 of the Constitution.DOC-20260620-WA0008.doc

(2) The provisions of Part III and Part IV of the Constitution shall inform and guide the interpretation of this Act.DOC-20260620-WA0008.doc

(3) Where two constructions are reasonably possible, the construction that preserves constitutionality and least restricts protected speech shall be preferred.DOC-20260620-WA0008.doc

(4) Nothing in this Act shall apply to any book, pamphlet, paper, writing, performance, artistic work, academic material, journalistic report, legal argument, religious exposition, historical analysis, satire, or other expression proved to have been made in good faith for public good, scholarship, art, literature, criticism, reporting, heritage, or bona fide religious purposes, unless such expression independently satisfies all ingredients of an offence under this Act.THE-HATE-SPEECH-BILL.docx+1

(5) Mere insult, ridicule, annoyance, hurt sentiment, unpopular opinion, sharp criticism, theological disagreement, political dissent, or advocacy of lawful reform shall not by itself constitute an offence under this Act.THE-HATE-SPEECH-BILL.docx+1

4. Offences and punishment

(1) Whoever intentionally commits hate speech shall be punished with imprisonment which may extend to three years, or with fine, or with both.DOC-20260620-WA0008.doc+1

(2) Where such hate speech results in violence, targeted property damage, or imminent public disorder, the punishment may extend to five years and fine.THE-HATE-SPEECH-BILL.docx+1

(3) Whoever commits a hate crime shall be punished, in addition to the punishment prescribed for the underlying offence, with imprisonment which may extend to seven years and fine.DOC-20260620-WA0008.doc+1

(4) A repeat offender may be punished with imprisonment which may extend to ten years and fine.THE-HATE-SPEECH-BILL.docx+1

(5) No person shall be convicted under this Act unless the prosecution proves intention,

knowledge, or wilful disregard of the likely prohibited consequences of the impugned act or expression.DOC-20260620-WA0008.doc+1

5. Cognizance, arrest, bail, and sanction

(1) No court shall take cognizance of an offence under this Act except upon a complaint or police report approved in writing by an officer not below the rank of Superintendent of Police.THE-HATE-SPEECH-BILL.docx+1

(2) Before granting such approval, the officer shall conduct a preliminary legal assessment of the impugned material, including context, intent, reach, likelihood of imminent harm, and the applicability of statutory exclusions and exceptions.DOC-20260620-WA0008.doc+1

(3) The approving authority shall record brief reasons in writing.DOC-20260620-WA0008.doc

(4) Offences under this Act shall be cognizable; provided that no arrest shall be made except in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023, and after recording reasons in writing as to necessity.THE-HATE-SPEECH-BILL.docx+1

(5) Bail shall be considered having regard to the nature of harm, the risk of repetition, and the risk of witness intimidation or evidence tampering.THE-HATE-SPEECH-BILL.docx+1

6. Victim relief

The Court may, after hearing the parties, award interim or final compensation, restitution, counselling support, relocation assistance, or other appropriate victim relief having regard to the gravity of harm, the vulnerability of the victim, and the means of the offender.DOC-20260620-WA0008.doc+1

7. Preventive action

Where an Executive Magistrate or Special Executive Magistrate receives credible information that a person previously convicted under this Act is likely to commit a cognizable offence involving imminent violence or targeted disorder, the Magistrate may, for reasons recorded in writing and after hearing the person where practicable, require execution of a bond for keeping the peace in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023.THE-HATE-SPEECH-BILL.docx+1

8. Offences by organisations

Where an offence under this Act is committed by an organisation, association, institution, company, or other body of persons, every person who, at the time of the offence, was directly in charge of and responsible for the conduct of its affairs shall be liable only if the offence was committed with that person's consent, connivance, authorisation, or culpable neglect.DOC-20260620-WA0008.doc+1

9. Power to remove or disable access to unlawful content

(1) The Designated Officer may, by a reasoned written order, direct any intermediary, service provider, publisher, broadcaster, or platform to remove, disable, or restrict access to specific content only where such content prima facie constitutes an offence under this Act and immediate action is necessary to prevent imminent harm. THE-HATE-SPEECH-BILL.docx+1

(2) Save in cases of demonstrable urgency, no such order shall be passed without notice and opportunity to respond. DOC-20260620-WA0008.doc+1

(3) Every emergency order shall be reviewed within forty-eight hours by the Hate Speech Review Committee constituted under section 10. THE-HATE-SPEECH-BILL.docx+1

(4) Every order under this section shall be narrowly tailored, time-bound, and subject to challenge before the jurisdictional court. DOC-20260620-WA0008.doc+1

10. Hate Speech Review Committee

(1) The State Government shall constitute a Hate Speech Review Committee consisting of a retired District Judge or a person qualified to be one, a senior police officer not below the rank of Deputy Inspector General, and a person with expertise in constitutional law, media law, digital rights, or civil liberties. DOC-20260620-WA0008.doc

(2) The Committee shall review emergency blocking orders, maintain oversight over implementation, and issue periodic guidance regarding constitutional compliance and best practices under this Act. DOC-20260620-WA0008.doc

11. Equality of application and annual reporting

(1) This Act shall be applied without discrimination on the basis of religion, political belief, ideology, caste, community, language, or viewpoint, and no prosecution shall be initiated or withheld for collateral political reasons. THE-HATE-SPEECH-BILL.docx+1

(2) The State Government shall publish annually anonymised data on complaints, screenings, FIRs, arrests, prosecutions, convictions, acquittals, withdrawals, blocking orders, and compensation orders under this Act. DOC-20260620-WA0008.doc

12. Application of other laws

The provisions of this Act shall be in addition to, and not in derogation of, other laws for the time being in force; provided that no person shall be punished twice for the same offence, and the narrower construction preserving constitutional freedoms shall prevail where overlap arises. THE-HATE-SPEECH-BILL.docx+1

13. Protection of action taken in good faith

No suit, prosecution, or other legal proceeding shall lie against the Government or any public servant for anything done in good faith under this Act; provided that this protection shall not apply to acts done mala fide, without jurisdiction, or in wilful disregard of statutory safeguards. THE-HATE-SPEECH-BILL.docx+1

14. Power to remove difficulties

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with this Act as appear necessary for removing the difficulty; provided that no such order shall be made after the expiry of one year from the commencement of this Act; and provided further that no order under this section shall alter the scope of any offence, penalty, defence, safeguard, or review mechanism contained in this Act. THE-HATE-SPEECH-BILL.docx+1

15. Power to make rules

(1) The State Government may, by notification and after previous publication, make rules to carry out the purposes of this Act. THE-HATE-SPEECH-BILL.docx

(2) In particular, and without prejudice to the generality of the foregoing power, such rules shall provide for screening standards, approval forms, preservation of electronic evidence, victim relief, emergency blocking review, annual reporting, and training of police and magistracy in constitutional free-speech standards. DOC-20260620-WA0008.doc+1

(3) Every rule made under this Act shall be laid before each House of the State Legislature while it is in session for a total period of thirty days, and shall be subject to such modification or annulment as the Legislature may decide, without prejudice to the validity of anything previously done thereunder.

1. Constitutional Purpose Clause

Insert after the Preamble:

This Act shall be interpreted and applied in a manner that promotes the constitutional values of equality, dignity, fraternity, secularism and equal citizenship guaranteed under the Constitution of India and shall not be construed so as to suppress legitimate democratic discourse or any protected fundamental right except to the extent authorised by Article 19(2) of the Constitution.

Reason: This converts the Act from a speech-control statute into a constitutional equality statute. Courts generally prefer interpretations preserving constitutionality.

2. Interpretive Clause

Insert new Section 2A

Every authority exercising powers under this Act shall adopt the interpretation which least restricts freedom of speech while most effectively protecting the equal dignity, security and constitutional rights of all persons and communities.

Reason: This incorporates the proportionality doctrine recognised under Articles 14, 19 and 21.

3. Better Definition of Hate Speech

Replace present definition.

Present definition refers to expression causing injury or disharmony.

Replace with:

"Hate Speech" means any public communication which, viewed objectively and in its full context, intentionally and directly advocates, promotes, incites or is reasonably likely to result in violence, discrimination, hostility or exclusion against an identifiable person or group on prohibited grounds.

Reason:

- introduces objective test
- requires intention
- requires context
- avoids vagueness

- aligns with international standards and Articles 19(2) and 14.
-

4. Protected Expression Clause

Insert:

The following shall not constitute hate speech merely by reason of causing offence or disagreement—

(a) academic discussion;

(b) historical analysis;

(c) journalistic reporting;

(d) artistic or literary expression;

(e) satire;

(f) bona fide religious exposition;

(g) criticism of any religion, ideology, philosophy, political party or government policy;

unless such communication intentionally satisfies every ingredient of the offence created under this Act.

Reason: This directly answers overbreadth and chilling effect objections.

5. Add Definition of Protected Characteristics

Insert:

Protected characteristic includes religion, race, caste, tribe, language, ethnicity, disability, sex, gender, gender identity, sexual orientation, place of birth, residence, occupation, ancestry or any analogous immutable or constitutionally protected status.

Reason: Makes the Act equality-oriented rather than religion-specific.

6. Introduce Definition of Institutional Hate Campaign

Insert:

Institutional Hate Campaign means coordinated dissemination of communication by multiple persons or organisations intended to create hostility, discrimination, exclusion or violence against an identifiable protected group.

Reason: Organised campaigns produce greater social harm than isolated speech.

7. Add Context Test

Insert:

In determining whether an expression constitutes hate speech, the Court shall consider—

- (a) context;**
- (b) audience;**
- (c) intent;**
- (d) likelihood of harm;**
- (e) actual social circumstances;**
- (f) repetition;**
- (g) influence of the speaker;**
- (h) medium of communication.**

Reason: Mirrors constitutional proportionality analysis and prevents arbitrary prosecution.

8. Mens Rea Requirement

Replace offence clause with

No person shall be convicted unless the prosecution proves beyond reasonable doubt that the accused intentionally or knowingly communicated hate speech with awareness of its likely consequences.

Reason: Strict liability offences affecting speech are constitutionally vulnerable.

9. Prior Independent Scrutiny

Insert:

****No prosecution shall commence without written sanction of an Independent Hate Speech Review Committee consisting of—**

- (i) a retired High Court Judge,
- (ii) a constitutional law expert,
- (iii) a representative of the State Human Rights Commission.**

Reason: Prevents politically motivated prosecutions.

10. Equality Impact Clause

Borrowing from Equal Opportunity Commission philosophy:

Every authority exercising powers under this Act shall have due regard to the impact of its decision upon disadvantaged and historically vulnerable groups and shall promote substantive equality and equal citizenship.

Reason: Converts enforcement from majoritarian policing to constitutional equality.

11. Introduce Civil Remedies

Present Bill focuses only on criminal punishment.

Add:

****The victim may seek—**

- (a) injunction,
- (b) apology,
- (c) correction,
- (d) removal,
- (e) compensation,
- (f) rehabilitation,
- (g) community service orders,

independently of criminal proceedings.**

Reason: Less restrictive alternatives strengthen proportionality.

12. Equality Commissioner

Instead of leaving implementation entirely to executive officers:

The State Government shall establish an Independent Equality and Hate Crime Commissioner possessing powers of investigation, mediation, research, recommendations and public reporting.

Reason: Drawn from the Equal Opportunity Commission model and reduces allegations of partisan enforcement.

13. Annual Hate Crime Report

Insert:

The Commissioner shall publish an Annual Hate Crime and Equal Citizenship Report analysing patterns, victims, prosecution rates, convictions and institutional responses.

Reason: Evidence-based governance improves constitutional legitimacy.

14. Positive Duty

Borrowed from equality legislation.

Insert:

****Every public authority shall, in exercising its functions, have due regard to—**

- (a) eliminating discrimination,**
- (b) promoting equality,**
- (c) fostering fraternity,**
- (d) encouraging participation of all communities in public life.****

Reason: Makes the Act preventive rather than merely punitive.

15. Compensation Framework

Replace discretionary compensation with:

****Compensation shall include—**

- (a) physical injury,
- (b) mental trauma,
- (c) reputational harm,
- (d) economic loss,
- (e) displacement,
- (f) cost of relocation,
- (g) counselling expenses,
- (h) legal expenses.**

Reason: Provides measurable standards and reduces arbitrariness.

16. Digital Platform Due Process

Replace unrestricted blocking power with:

****Before directing removal or blocking of content, the Designated Officer shall—**

- (a) record written reasons,
- (b) provide notice wherever practicable,
- (c) apply the least restrictive measure,
- (d) permit review before an independent appellate authority,

except where immediate action is necessary to prevent imminent violence.**

Reason: Makes Section 6 far more likely to survive Article 19 scrutiny.

17. Sunset Review

Insert:

This Act shall be reviewed every five years by a Committee of constitutional experts, civil society representatives and retired judges, whose report shall be laid before the Legislature.

Reason: Demonstrates legislative proportionality and continuing constitutional supervision.

18. Statement of Constitutional Principles

Insert a new section:

This Act recognises that the protection of free speech and the protection of equal citizenship are complementary constitutional values. It seeks to prohibit only that expression which destroys the conditions necessary for the equal enjoyment of constitutional rights by others and shall not be interpreted to suppress lawful dissent, criticism or religious, political or academic debate.

Reason:

This is the single most important addition. It transforms the legislation from a **speech-restricting statute** into an **equal citizenship statute grounded in Articles 14, 15, 19, 21, 25, 38 and 51A(e)**. Such framing is significantly more likely to withstand constitutional challenges because it expressly balances liberty with fraternity and substantive equality rather than privileging one constitutional value at the expense of another.

Telangana Hate Speech and Hate Crimes (Prevention) Bill, 2026

Word-style legislative drafting version

Prepared format: Word-style circulation draft with clause numbering, tracked amendment structure, and marginal notes for legislative briefing / cabinet note use.

Source basis: Existing Telangana Hate Speech and Hate Crimes (Prevention) Bill, 2026, read together with the drafting method, interpretive safeguards, hearing provisions, structural clauses, and oversight techniques reflected in the Equal Opportunity Commission Bill draft.

Drafting legend

- **[EXISTING]** = present text retained substantially.
- **[SUBSTITUTE]** = existing clause to be replaced in full.
- **[INSERT]** = new clause / sub-clause to be inserted.
- **[OMIT]** = words or clause to be removed.
- **Marginal Note** = short explanation for briefing purposes.

Part A — Clause-by-clause tracked structure draft

Long Title

[SUBSTITUTE]

A Bill to prohibit and prevent serious hate speech and hate crimes that intentionally and directly incite violence, discrimination, or imminent public disorder against persons or identifiable groups on prohibited grounds; to provide for proportionate punishment, victim relief, preventive and corrective measures, procedural safeguards, review mechanisms, and constitutionally compliant regulation of online dissemination; and for matters connected therewith or incidental thereto.

Marginal Note: Narrows the Bill to serious, harm-linked conduct and aligns the title with constitutional limits on speech restriction.

Preamble

[INSERT]

Whereas the Constitution secures equality, dignity, fraternity, and freedom of speech and expression;

And whereas restrictions upon speech must remain confined to constitutionally permissible limits;

And whereas it is necessary to prevent serious forms of targeted expression and conduct that undermine equal citizenship, public order, and constitutional morality while preserving legitimate religious, political, academic, artistic, journalistic, literary, scientific, and historical expression made in good faith;

Be it enacted by the Telangana State Legislature in the Seventy-seventh Year of the Republic of India as follows:-

Marginal Note: Adds constitutional purpose and balancing language useful in defending the Act in writ proceedings.

Clause 1 — Short title and commencement

[EXISTING CLAUSE 1(1)]

This Act may be called the Telangana Hate Speech and Hate Crimes (Prevention) Act, 2026.

[SUBSTITUTE CLAUSE 1(2)]

It shall come into force on such date as the State Government may, by notification in the Telangana Gazette, appoint; and different dates may be appointed for different provisions of this Act.

Marginal Note: Permits phased commencement for enforcement, screening, review committee, and rule-making infrastructure.

Clause 2 — Definitions

[SUBSTITUTE CLAUSE 2(1)(i)]

“hate speech” means any public communication, whether oral, written, printed, symbolic, audio-visual, digital or otherwise, which, taken as a whole and in its context, intentionally and directly incites violence, discrimination, or imminent public disorder against a person or an identifiable group on one or more prohibited grounds.

Marginal Note: Replaces vague language such as “injury”, “disharmony”, and “ill-will” with a tighter incitement-based test.

[SUBSTITUTE CLAUSE 2(1)(ii)]

“prohibited grounds” means religion, race, caste, community, sex, gender, sexual orientation, gender identity, place of birth, residence, language, disability, descent, ethnicity, or tribe.

Marginal Note: Replaces “prejudicial interest” with a clearer and more judicially manageable formulation.

[SUBSTITUTE CLAUSE 2(1)(iii)]

“hate crime” means an offence under any law for the time being in force, where the act is intentionally committed against a person or property wholly or partly on account of a prohibited ground, or is preceded, accompanied, or aggravated by hate speech as defined in this Act.

Marginal Note: Distinguishes hate speech from a bias-motivated underlying offence.

[RETAIN WITH MINOR STYLE CORRECTION CLAUSE 2(1)(iv)]

“communication” includes any expression conveyed by verbal, printed, electronic, digital, visual, symbolic, or other means in public view or capable of public dissemination.

Marginal Note: Modernises the communication clause without changing the basic coverage.

[SUBSTITUTE CLAUSE 2(1)(v)]

“repeat offender” means a person previously convicted of an offence under this Act.

Marginal Note: A prior charge alone should not trigger enhanced punishment; conviction is the safer threshold.

[INSERT CLAUSE 2(1)(vi)]

“direct incitement” means expression that expressly or by necessary implication calls for the commission of violence, discrimination, or hostile acts against a person or identifiable group.

Marginal Note: Supplies a limiting standard for police, prosecutors, and courts.

[INSERT CLAUSE 2(1)(vii)]

“imminent public disorder” means a real and proximate risk of violence, disturbance, or targeted hostile action, and not a speculative, remote, or hypothetical possibility.

Marginal Note: Builds in proximity and avoids criminalisation based on conjectural harm.

[INSERT CLAUSE 2(1)(viii)]

a “good faith expression” means expression made without intent to incite prohibited harm and for bona fide religious, academic, artistic, literary, journalistic, scientific, historical, legal, or public-interest purposes.

Marginal Note: Expressly protects legitimate discourse and reduces chilling effect.

[SUBSTITUTE CLAUSE 2(2)]

Nothing in this Act shall apply to any book, pamphlet, paper, writing, performance, artistic work, academic material, journalistic report, legal argument, religious exposition, historical analysis, satire, or other expression proved to have been made in good faith for public good, scholarship, art, literature, criticism, reporting, heritage, or bona fide religious purposes, unless such expression independently satisfies all ingredients of an offence under this Act.

Marginal Note: Broadens the saving clause so that it genuinely protects lawful discourse.

[INSERT CLAUSE 2(4)]

Mere insult, ridicule, annoyance, hurt sentiment, unpopular opinion, sharp criticism, theological disagreement, political dissent, or advocacy of lawful reform shall not by itself constitute an offence under this Act.

Marginal Note: Makes clear that the Act is not a general sentiment-protection statute.

New Clause 3 — Interpretation

[INSERT NEW CLAUSE 3]

(1) This Act shall be interpreted consistently with Articles 14, 19, 21, 25 and 26 of the Constitution.

(2) The provisions of Part III and Part IV of the Constitution shall inform and guide the interpretation of this Act.

(3) Where two constructions are reasonably possible, the construction that preserves constitutionality and least restricts protected speech shall be preferred.

Marginal Note: This clause is designed for direct deployment in constitutional defence.

Clause 4 — Offences and punishment

[SUBSTITUTE EXISTING CLAUSE 3 AS CLAUSE 4 IN RECAST DRAFT]

- (1) Whoever intentionally commits hate speech shall be punished with imprisonment which may extend to three years, or with fine, or with both.
- (2) Where such hate speech results in violence, targeted property damage, or imminent public disorder, the punishment may extend to five years and fine.
- (3) Whoever commits a hate crime shall be punished, in addition to the punishment prescribed for the underlying offence, with imprisonment which may extend to seven years and fine.
- (4) A repeat offender may be punished with imprisonment which may extend to ten years and fine.
- (5) No person shall be convicted under this Act unless the prosecution proves intention, knowledge, or wilful disregard of the likely prohibited consequences of the impugned act or expression.
- (6) The Court may, after hearing the parties, award interim or final compensation, restitution, counselling support, relocation assistance, or other appropriate victim relief having regard to the gravity of harm, the vulnerability of the victim, and the means of the offender.
- (7) Offences under this Act shall be cognizable; provided that no arrest shall be made except in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023, and after recording reasons in writing as to necessity.
- (8) Bail shall be considered having regard to the nature of harm, the risk of repetition, and the risk of witness intimidation or evidence tampering.

Marginal Note: Recasts punishment into a graded, proportionate structure and softens the current non-bailable rigidity.

New Clause 5 — Previous sanction and screening

[INSERT NEW CLAUSE 5]

- (1) No court shall take cognizance of an offence under this Act except upon a complaint or police report approved in writing by an officer not below the rank of Superintendent of Police.
- (2) Before granting such approval, the officer shall conduct a preliminary legal assessment of the impugned material, including context, intent, reach, likelihood of imminent harm, and the applicability of statutory exclusions and exceptions.
- (3) The approving authority shall record brief reasons in writing.

Marginal Note: Creates a filter against casual or politically motivated prosecutions.

Clause 6 — Preventive action

[SUBSTITUTE EXISTING CLAUSE 4]

Where an Executive Magistrate or Special Executive Magistrate receives credible information that a person previously convicted under this Act is likely to commit a cognizable offence involving imminent violence or targeted disorder, the Magistrate may, for reasons recorded in writing and after hearing the person where practicable, require execution of a bond for keeping the peace in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023.

Marginal Note: Limits preventive power to credible, imminent, and procedurally fair situations.

Clause 7 — Offences by organisations

[SUBSTITUTE EXISTING CLAUSE 5]

Where an offence under this Act is committed by an organisation, association, institution, company, or other body of persons, every person who, at the time of the offence, was directly in charge of and responsible for the conduct of its affairs shall be liable only if the offence was committed with that person's consent, connivance, authorisation, or culpable neglect.

Marginal Note: Avoids excessive vicarious liability without fault.

Clause 8 — Removal or disabling access to unlawful content

[SUBSTITUTE EXISTING CLAUSE 6]

(1) The Designated Officer may, by a reasoned written order, direct any intermediary, service provider, publisher, broadcaster, or platform to remove, disable, or restrict access to specific content only where such content prima facie constitutes an offence under this Act and immediate action is necessary to prevent imminent harm.

(2) Save in cases of demonstrable urgency, no such order shall be passed without notice and opportunity to respond.

(3) Every emergency order shall be reviewed within forty-eight hours by the Hate Speech Review Committee constituted under clause 9.

(4) Every order under this section shall be narrowly tailored, time-bound, and subject to challenge before the jurisdictional court.

Marginal Note: Adds the minimum due process safeguards needed for any defensible blocking power.

Clause 9 — Hate Speech Review Committee

[INSERT NEW CLAUSE 9]

(1) The State Government shall constitute a Hate Speech Review Committee consisting of:

- (a) a retired District Judge or a person qualified to be one — Chairperson;
- (b) a senior police officer not below the rank of Deputy Inspector General — Member; and
- (c) a person with expertise in constitutional law, media law, digital rights, or civil liberties — Member.

(2) The Committee shall review emergency blocking orders, maintain oversight over implementation, and issue periodic guidance regarding constitutional compliance and best practices under this Act.

Marginal Note: Introduces an independent oversight node and helps answer arbitrariness objections.

Clause 10 — Equality of application and annual reporting

[INSERT NEW CLAUSE 10]

(1) This Act shall be applied without discrimination on the basis of religion, political belief, ideology, caste, community, language, or viewpoint, and no prosecution shall be initiated or withheld for collateral political reasons.

(2) The State Government shall publish annually anonymised data on complaints, screenings, FIRs, arrests, prosecutions, convictions, acquittals, withdrawals, blocking orders, and compensation orders under this Act.

Marginal Note: Essential to rebut allegations of selective or communalised enforcement.

Clause 11 — Application of other laws

[SUBSTITUTE EXISTING CLAUSE 7]

The provisions of this Act shall be in addition to, and not in derogation of, other laws for the time being in force; provided that no person shall be punished twice for the same offence, and the narrower construction preserving constitutional freedoms shall prevail where overlap arises.

Marginal Note: Prevents duplication and interpretive overreach.

Clause 12 — Protection of action taken in good faith

[SUBSTITUTE EXISTING CLAUSE 8]

No suit, prosecution, or other legal proceeding shall lie against the Government or any public servant for anything done in good faith under this Act; provided that this protection shall not apply to acts done mala fide, without jurisdiction, or in wilful disregard of statutory safeguards.

Marginal Note: Converts absolute-looking immunity into a qualified and defensible immunity.

Clause 13 — Power to remove difficulties

[SUBSTITUTE EXISTING CLAUSE 9]

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with this Act as appear necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of one year from the commencement of this Act;

Provided further that no order under this section shall alter the scope of any offence, penalty, defence, safeguard, or review mechanism contained in this Act.

Marginal Note: Restrains delegated executive alteration of substantive rights and liabilities.

Clause 14 — Power to make rules

[SUBSTITUTE EXISTING CLAUSE 10]

(1) The State Government may, by notification and after previous publication, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules shall provide for screening standards, approval forms, preservation of electronic evidence, victim relief, emergency blocking review, annual reporting, and training of police and magistracy in constitutional free-speech standards.

(3) Every rule made under this Act shall be laid before each House of the State Legislature while it is in session for a total period of thirty days, and shall be subject to such modification or annulment as the Legislature may decide, without prejudice to the validity of anything previously done thereunder.

Marginal Note: Converts a general rule power into an operational governance clause.

Part B — Cabinet / legislative briefing notes

1. Why the present Bill needs recasting

The existing Bill contains broad and indeterminate expressions such as “injury”, “disharmony”, “hatred”, and “ill-will”, while also creating strong criminal and blocking consequences. In its current form, it is open to challenge on grounds of vagueness, overbreadth, chilling effect, arbitrary enforcement, and disproportionate restriction on protected speech.

2. Core constitutional improvements made

The revised draft adds five major protections:

1. A narrow harm-linked definition of hate speech.
2. A clear mens rea requirement.
3. Explicit protection for good faith religious, political, academic, artistic, and journalistic expression.
4. Pre-cognizance screening and written approval by a senior officer.
5. Review, reporting, and anti-selective-enforcement mechanisms.

3. Why these changes matter in expected writ litigation

The most likely challenge will argue that the State is suppressing unpopular or majoritarian speech under the guise of regulating hate speech. The revised draft answers that by making the statute facially neutral, ideologically neutral, religion-neutral, and dependent on intent plus imminent harm rather than on viewpoint, hurt sentiment, or theological content.

4. Operational advantages

The recast Bill gives police, prosecutors, magistrates, and digital platforms a workable structure. It reduces misuse risk, improves consistency, and creates a record that can be placed before the High Court or Supreme Court to show fair administration.

Part C — Clean numbered circulation draft

Telangana Hate Speech and Hate Crimes (Prevention) Bill, 2026

A Bill to prohibit and prevent serious hate speech and hate crimes that intentionally and directly incite violence, discrimination, or imminent public disorder against persons or identifiable groups on prohibited grounds; to provide for proportionate punishment, victim relief, preventive and corrective measures, procedural safeguards, review mechanisms, and constitutionally compliant regulation of online dissemination; and for matters connected therewith or incidental thereto.

Whereas the Constitution secures equality, dignity, fraternity, and freedom of speech and expression;

And whereas restrictions upon speech must remain confined to constitutionally permissible limits;

And whereas it is necessary to prevent serious forms of targeted expression and conduct that undermine equal citizenship, public order, and constitutional morality while preserving legitimate religious, political, academic, artistic, journalistic, literary, scientific, and historical expression made in good faith;

Be it enacted by the Telangana State Legislature in the Seventy-seventh Year of the Republic of India as follows:-

1. Short title and commencement

(1) This Act may be called the Telangana Hate Speech and Hate Crimes (Prevention) Act, 2026.

(2) It shall come into force on such date as the State Government may, by notification in the Telangana Gazette, appoint; and different dates may be appointed for different provisions of this Act.

2. Definitions

In this Act, unless the context otherwise requires, -

(a) “hate speech” means any public communication, whether oral, written, printed, symbolic, audio-visual, digital or otherwise, which, taken as a whole and in its context, intentionally and directly incites violence, discrimination, or imminent public disorder against a person or an identifiable group on one or more prohibited grounds;

(b) “prohibited grounds” means religion, race, caste, community, sex, gender, sexual orientation, gender identity, place of birth, residence, language, disability, descent, ethnicity, or tribe;

(c) “hate crime” means an offence under any law for the time being in force, where the act is intentionally committed against a person or property wholly or partly on account of a prohibited ground, or is preceded, accompanied, or aggravated by hate speech as defined in this Act;

(d) “direct incitement” means expression that expressly or by necessary implication calls for the commission of violence, discrimination, or hostile acts against a person or identifiable group;

(e) “imminent public disorder” means a real and proximate risk of violence, disturbance, or targeted hostile action, and not a speculative, remote, or hypothetical possibility;

(f) “communication” includes any expression conveyed by verbal, printed, electronic, digital, visual, symbolic, or other means in public view or capable of public dissemination;

(g) “good faith expression” means expression made without intent to incite prohibited harm and for bona fide religious, academic, artistic, literary, journalistic, scientific, historical, legal, or public-interest purposes; and

(h) “repeat offender” means a person previously convicted of an offence under this Act.

3. Interpretation

(1) This Act shall be interpreted consistently with Articles 14, 19, 21, 25 and 26 of the Constitution.

(2) The provisions of Part III and Part IV of the Constitution shall inform and guide the interpretation of this Act.

(3) Where two constructions are reasonably possible, the construction that preserves constitutionality and least restricts protected speech shall be preferred.

(4) Nothing in this Act shall apply to any book, pamphlet, paper, writing, performance, artistic work, academic material, journalistic report, legal argument, religious exposition, historical analysis, satire, or other expression proved to have been made in good faith for public good, scholarship, art, literature, criticism, reporting, heritage, or bona fide religious purposes, unless such expression independently satisfies all ingredients of an offence under this Act.

(5) Mere insult, ridicule, annoyance, hurt sentiment, unpopular opinion, sharp criticism, theological disagreement, political dissent, or advocacy of lawful reform shall not by itself constitute an offence under this Act.

4. Offences and punishment

- (1) Whoever intentionally commits hate speech shall be punished with imprisonment which may extend to three years, or with fine, or with both.
- (2) Where such hate speech results in violence, targeted property damage, or imminent public disorder, the punishment may extend to five years and fine.
- (3) Whoever commits a hate crime shall be punished, in addition to the punishment prescribed for the underlying offence, with imprisonment which may extend to seven years and fine.
- (4) A repeat offender may be punished with imprisonment which may extend to ten years and fine.
- (5) No person shall be convicted under this Act unless the prosecution proves intention, knowledge, or wilful disregard of the likely prohibited consequences of the impugned act or expression.
- (6) The Court may, after hearing the parties, award interim or final compensation, restitution, counselling support, relocation assistance, or other appropriate victim relief having regard to the gravity of harm, the vulnerability of the victim, and the means of the offender.
- (7) Offences under this Act shall be cognizable; provided that no arrest shall be made except in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023, and after recording reasons in writing as to necessity.
- (8) Bail shall be considered having regard to the nature of harm, the risk of repetition, and the risk of witness intimidation or evidence tampering.

5. Previous sanction and screening

- (1) No court shall take cognizance of an offence under this Act except upon a complaint or police report approved in writing by an officer not below the rank of Superintendent of Police.
- (2) Before granting such approval, the officer shall conduct a preliminary legal assessment of the impugned material, including context, intent, reach, likelihood of imminent harm, and the applicability of statutory exclusions and exceptions.
- (3) The approving authority shall record brief reasons in writing.

6. Preventive action

Where an Executive Magistrate or Special Executive Magistrate receives credible information that a person previously convicted under this Act is likely to commit a cognizable offence involving imminent violence or targeted disorder, the Magistrate may, for reasons recorded in writing and after hearing the person where practicable, require

execution of a bond for keeping the peace in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Offences by organisations

Where an offence under this Act is committed by an organisation, association, institution, company, or other body of persons, every person who, at the time of the offence, was directly in charge of and responsible for the conduct of its affairs shall be liable only if the offence was committed with that person's consent, connivance, authorisation, or culpable neglect.

8. Removal or disabling access to unlawful content

(1) The Designated Officer may, by a reasoned written order, direct any intermediary, service provider, publisher, broadcaster, or platform to remove, disable, or restrict access to specific content only where such content prima facie constitutes an offence under this Act and immediate action is necessary to prevent imminent harm.

(2) Save in cases of demonstrable urgency, no such order shall be passed without notice and opportunity to respond.

(3) Every emergency order shall be reviewed within forty-eight hours by the Hate Speech Review Committee constituted under clause 9.

(4) Every order under this section shall be narrowly tailored, time-bound, and subject to challenge before the jurisdictional court.

9. Hate Speech Review Committee

(1) The State Government shall constitute a Hate Speech Review Committee consisting of-

(a) a retired District Judge or a person qualified to be one — Chairperson;

(b) a senior police officer not below the rank of Deputy Inspector General — Member; and

(c) a person with expertise in constitutional law, media law, digital rights, or civil liberties — Member.

(2) The Committee shall review emergency blocking orders, maintain oversight over implementation, and issue periodic guidance regarding constitutional compliance and best practices under this Act.

10. Equality of application and annual reporting

(1) This Act shall be applied without discrimination on the basis of religion, political belief, ideology, caste, community, language, or viewpoint, and no prosecution shall be initiated or withheld for collateral political reasons.

(2) The State Government shall publish annually anonymised data on complaints, screenings, FIRs, arrests, prosecutions, convictions, acquittals, withdrawals, blocking orders, and compensation orders under this Act.

11. Application of other laws

The provisions of this Act shall be in addition to, and not in derogation of, other laws for the time being in force; provided that no person shall be punished twice for the same offence, and the narrower construction preserving constitutional freedoms shall prevail where overlap arises.

12. Protection of action taken in good faith

No suit, prosecution, or other legal proceeding shall lie against the Government or any public servant for anything done in good faith under this Act; provided that this protection shall not apply to acts done mala fide, without jurisdiction, or in wilful disregard of statutory safeguards.

13. Power to remove difficulties

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with this Act as appear necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of one year from the commencement of this Act;

Provided further that no order under this section shall alter the scope of any offence, penalty, defence, safeguard, or review mechanism contained in this Act.

14. Power to make rules

(1) The State Government may, by notification and after previous publication, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules shall provide for screening standards, approval forms, preservation of electronic evidence, victim relief, emergency blocking review, annual reporting, and training of police and magistracy in constitutional free-speech standards.

(3) Every rule made under this Act shall be laid before each House of the State Legislature while it is in session for a total period of thirty days, and shall be subject to such modification or annulment as the Legislature may decide, without prejudice to the validity of anything previously done thereunder.

Suggested covering note for circulation

This draft is intended as a cabinet / legislative briefing version. It contains a clause-by-clause tracked amendment format, marginal notes for policy justification, and a clean consolidated text for onward review by the Law Department, Home Department, and parliamentary / legislative drafting cell.

