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Article 19 of the Constitution

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Article 19 does not give you one freedom. It gives you six, in one sentence. You can speak, gather, form groups, move, settle and work as you choose. Each freedom also comes with its own list of limits. This lesson walks through both halves and the cases that shaped them.



The Supreme Court of India, New Delhi. Romesh Thappar, Shreya Singhal and Anuradha Bhasin were all decided here. Photo: Subhashish Panigrahi, Wikimedia Commons, CC BY-SA 4.0.

> **Gist** Six freedoms for citizens, each with its own limits.
> **Covers** Citizens only, against the State.
> **Key cases** Romesh Thappar (1950), Shreya Singhal (2015), Anuradha Bhasin (2020).
> **Missing** There is no 19(1)(f). Property left in 1978.

Reasonable restriction: a limit that is fair, not excessive, and fits one of the named grounds.

Public order: the everyday peace of society. It is wider than the security of the State but narrower than law and order. Not every public-order disturbance threatens the security of the State.

Association: a group such as a club, union or cooperative society.

1 What does Article 19 protect?

1.1 What are the six freedoms?

Article 19(1) lists them as clauses (a) to (g), with (f) missing. Think of six small rights under one article number. They are not one broad right called “freedom”.

- 19(1)(a): **speech and expression**.
- 19(1)(b): peaceful assembly, without arms.
- 19(1)(c): forming associations, unions or cooperative societies.
- 19(1)(d): moving freely across India.
- 19(1)(e): living and settling in any part of India.
- 19(1)(g): any profession, occupation, trade or business.

1.2 Does speech include the press?

Yes. The Constitution has no separate clause on press freedom. The courts read it into **19(1)(a)**. The cooperative societies clause came later. The 97th Amendment added it in 2011.

Remember This: Article 19(1) has six freedoms today: (a), (b), (c), (d), (e) and (g). Press freedom sits under (a).

> **Quick check 1.** Article 19(1) today lists seven freedoms, from (a) to (g). *(True or False?)*
>
> See answer ↓

2 Why is no freedom absolute?

2.1 Which limit goes with which freedom?

Each freedom has its own restriction clause. Clause (2) limits speech. Clause (3) limits assembly. Clause (4) limits association. Clause (5) limits movement and residence. Clause (6) limits trade and profession.

Clause	Freedom it limits	Main grounds
19(2)	Speech and expression	Sovereignty and integrity, security of the State, friendly relations, public order, decency or morality, contempt of court, defamation, incitement to an offence
19(3)	Assembly	Sovereignty and integrity, public order
19(4)	Association	Sovereignty and integrity, public order, morality

Clause	Freedom it limits	Main grounds
19(5)	Movement and residence	General public interest, protection of Scheduled Tribes
19(6)	Profession, trade, business	General public interest, professional qualifications, State monopolies

2.2 Why call them fundamental if they have limits?

A right can be fundamental and still have limits. The State needs a named, listed reason to restrict it. Courts then check whether that reason truly applies. A law that does not fit the list can be struck down.

- Speech alone has the extra grounds of **contempt, defamation and incitement**.
- Those grounds target harms that words can cause, such as slander.
- Clause 19(6) lets the State run a trade itself, even to the full exclusion of citizens. The First Amendment (1951) made this clear.

> **Think it through:** Can the State stop you from selling something dangerous, like liquor or firearms, without breaking 19(1)(g)? Yes, under 19(6), if the rule is reasonable and in the public interest.

3 How did the word “reasonable” enter Article 19(2)?

3.1 What happened in Romesh Thappar?

In 1950, Madras banned a magazine called *Cross Roads*, citing public order. The Supreme Court struck the ban down in *Romesh Thappar v. State of Madras* (26 May 1950). It said **public order** was wider than the security of the State. The original Article 19(2) allowed limits only for the security of the State, libel, slander, defamation, contempt of court, decency and morality.

3.2 How did Parliament respond?

Quickly. The First Amendment (1951) rewrote 19(2). It added public order, friendly relations with foreign States and incitement to an offence. It also added the word **"reasonable"**, so that courts could test each limit. The 16th Amendment (1963) later added the sovereignty and integrity of India.

- 1950: Thappar. Public order is not a ground under the old text.
- 1951: First Amendment adds "reasonable" and widens the grounds.
- 1963: 16th Amendment adds sovereignty and integrity.

> **Quick check 2.** The original 1950 text of Article 19(2) already used the word 'reasonable'. *(True or False?)* See answer ↓

4 Who can use Article 19, and who can limit it?

4.1 Is it for everyone?

No. Article 19 protects **citizens only**. Articles 14 and 21 protect any person in India. A foreign visitor cannot claim the freedoms of Article 19, even if living here legally. Exams love this contrast.

4.2 Can the list of limits be stretched?

The Court says no. In *Kaushal Kishor v. State of Uttar Pradesh* (3 January 2023), a Constitution Bench held that the grounds in 19(2) and 19(6) are exhaustive. Extra limits cannot be added by pointing to other rights. The State and its courts must stay within the named grounds.

4.3 What happens in an Emergency?

Under **Article 358**, Article 19 is relaxed automatically when an Emergency is declared on the ground of war or external aggression. No further order is needed. This is different from Article 359, where the President must suspend the right to move court.

Remember This: Article 19 is for citizens only. Its limits are an exhaustive list. Article 358 relaxes it in a war Emergency.

> **Quick check 3.** Any person in India, citizen or foreigner, can claim the freedoms under Article 19. *(True or False?)* See answer ↓

5 What happened to the missing seventh freedom?

5.1 What was clause (f)?

Article 19(1)(f) once gave citizens the right to acquire, hold and dispose of property. The 44th Amendment removed it. The Act passed in 1978 and the Janata government drove the change. Property did not vanish. It moved to **Article 300A** as an ordinary legal right.

5.2 What difference does it make?

You can still go to court over property. But you can no longer use Article 32, the quick route to the Supreme Court kept for Fundamental Rights. A question that lists “seven current freedoms” under 19(1) is wrong. It counts the old property clause.

- Property is now a legal right under Article 300A, open to any person.
- Right to property is no longer a Fundamental Right.
- Articles 31A and 31C are exceptions to Articles 14 and 19.

6 Does Article 19 reach the internet?

6.1 What happened to Section 66A?

Section 66A of the Information Technology Act made it a crime to send “offensive” or “menacing” messages online. The punishment ran up to three years in jail. In *Shreya Singhal v. Union of India* (24 March 2015), the Supreme Court struck it down. The words were too vague. Nobody could tell what was legal. The law broke **Article 19(1)(a)** and was not saved by 19(2).

6.2 Can the government shut down the internet?

In *Anuradha Bhasin v. Union of India* (10 January 2020), the case arose from a long shutdown in Jammu and Kashmir. The Court held that speech and trade through the internet are protected by Article 19(1)(a) and 19(1)(g). An indefinite shutdown is not allowed. Any shutdown must be **temporary, reviewed and made public**.

- 2015, Shreya Singhal: online speech is covered; 66A struck down.
- 2020, Anuradha Bhasin: internet access for speech and trade is protected.
- Any current-affairs question on internet bans or online speech connects back to Article 19.

> **Quick check 4.** In Anuradha Bhasin, the Supreme Court held that internet shutdowns can be indefinite if the government says so. *(True or False?)* See answer ↓

Explain It Back: In your own words, say why the Court struck down Section 66A. Then say what test Anuradha Bhasin set for internet shutdowns.

7 How has this topic been asked in exams?

7.1 What did the exams ask?

Asked before

PYQ 1 · UPSC CDS (I) 2021, Q78

Which among the following fundamental rights is/are available to non-citizens? 1. Freedom of speech. 2. Protection against self-incrimination. 3. Freedom of conscience. 4. Non-discrimination in matters of employment. Select the correct answer using the code given below.

(a) 1, 2 and 3 only
(b) 1, 3 and 4 only
(c) 2 and 3 only
(d) 2 only

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7.2 What is the exam angle?

- **Trap:** Article 19 has seven freedoms. It has six.
- **Trap:** Article 19 protects all persons. It protects citizens only.
- **Fact:** 1st Amendment (1951) added “reasonable”. 44th (1978) removed 19(1)(f).
- **Fact:** Thappar 1950, Shreya Singhal 2015, Anuradha Bhasin 2020, Kaushal Kishor 2023.
- **Fact:** Article 358 relaxes Article 19 in a war Emergency.
- **Method:** match each freedom to its own restriction clause.

8 What is in the news on protest rights?

Current Affairs

Press Council issues rules for reporters at protests, 14 October 2026

[Policy] On 14 October 2026, the Press Council of India adopted guidelines for journalists covering protests. They ask reporters to carry visible press ID and accreditation, and to keep safe escape routes. The guidelines are advice and cannot be enforced. They follow the 10 October detention of journalists at a Delhi protest. (Source: exchange4media.) So what: Article 19(1)(a) covers press freedom, yet the guidelines tie safety to accreditation. See Press Council of India.

Supreme Court on peaceful gatherings in Delhi, 11 October 2026

[SC Ruling] On 11 October 2026, the Supreme Court directed authorities not to illegally detain people gathering peacefully. It said free movement must be allowed, subject to traffic regulations. It asked for a review of barricading in Delhi and told the Centre to keep metro services and internet

uninterrupted, subject to law and order needs. (Source: All India Radio.)

Practice MCQs

1. Article 19(1) of the Constitution of India, as it stands amended, includes which of the following?
1. Freedom of speech and expression
2. Assemble peaceably and without arms
3. To acquire and dispose property
4. To move freely throughout the territory of India.

Select the correct answer using the code given below :

A. 1 and 2 only

B. 1, 2, 3 and 4

C. 4 only

D. 1, 2 and 4 only

See answer ↓

2. Which Amendment inserted the term 'Cooperative Societies' into Article 19(1)(c), recognising the right to form cooperative societies as part of the freedom of association?

A. 42nd Amendment, 1976

B. 97th Amendment, 2011

C. 73rd Amendment, 1993

D. 36th Amendment, 1975

See answer ↓

3. Which Article of the Indian Constitution is read to include freedom of the press?

A. Article 21

B. Article 32

C. Article 19(1)(a)

D. Article 14

See answer ↓

4. Which Article automatically relaxes Article 19's limits on State power during an Emergency based on war or external aggression?

A. Article 356

B. Article 358

C. Article 359

D. Article 360

See answer ↓

5. For a restriction under Article 19(6) to be valid, what must it satisfy?

A. It must be both reasonable, and in the interest of the general public

B. It must be reviewed by the Supreme Court before taking effect

C. It must apply equally to every State in India

D. It must be approved by Parliament with a two-thirds majority

See answer ↓

6. What did the Constitution (First Amendment) Act, 1951, add to Article 19(6)?

A. A ban on all State-run trade or business

B. A requirement that Parliament approve every trade licence

C. Explicit protection for State monopolies, including complete or partial exclusion of citizens

D. A five-year limit on all business licences

See answer ↓

7. The Maneka Gandhi case established what came to be called the 'Golden Triangle,' linking which three Articles?

A. Articles 12, 13, and 14

B. Articles 14, 19, and 21

C. Articles 32, 226, and 136

D. Articles 15, 16, and 17

See answer ↓

8. Which of the following Articles in the Constitution of India are exceptions to the Fundamental Rights enumerated in Article 14 and Article 19?

A. Article 31A and Article 31C

B. Article 31B and Article 31D

C. Article 12 and Article 13

D. Article 16 and Article 17

See answer ↓

Answer Key

1. **D.** The answer is 1, 2 and 4 only. The right to acquire and dispose of property was removed from Article 19 by the 44th Amendment in 1978. It is now only a legal right, under Article 300A, not a fundamental right. ↑ Q1
2. **B.** The 97th Amendment Act, 2011, inserted 'Cooperative Societies' into Article 19(1)(c) and added related provisions on their functioning. ↑ Q2
3. **C.** The Constitution does not name a separate right to press freedom. It is read into Article 19(1)(a), the right to freedom of speech and expression, as held in Romesh Thappar v. State of Madras (1950). ↑ Q3
4. **B.** Article 358 operates without a separate Presidential order during an Emergency based on war or external aggression. It does not apply to an Emergency based only on armed rebellion. Its protection covers laws declaring their connection with the Emergency, and executive action under those laws. Article 359 separately permits Presidential orders suspending court enforcement of specified rights, except Articles 20 and 21. Emergency Provisions ↑ Q4
5. **A.** The correct answer is that **the restriction must be reasonable and in the interest of the general public**. Both parts must be met. Memory hook: reasonable plus public interest. ↑ Q5
6. **C.** The correct answer is **explicit protection for State monopolies, including nationalisation schemes**. The First Amendment added it in 1951. Memory hook: 1951 added State business. ↑ Q6
7. **B.** The correct answer is **Articles 14, 19 and 21**. In Maneka Gandhi the Court read these Articles together. A procedure touching life or liberty must be fair, just and reasonable. Memory hook: 14, 19, 21 together. ↑ Q7
8. **A.** The correct answer is **Article 31A and Article 31C**. Laws within them cannot be called void for clashing with Article 14 or 19. Memory hook: 31A and 31C shield laws. ↑ Q8

Quick-check answers

1. **False.** ↑ 1
2. **False.** ↑ 2
3. **False.** ↑ 3
4. **False.** ↑ 4

Previous year answers

1. **(c) 2 and 3 only** Protection against self-incrimination (Article 20) and freedom of conscience (Article 25) apply to all persons, citizens and non-citizens alike.

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