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# West Bengal: Mamata Banerjee cartoon arrest sparks worry

Legal experts fear the arrest of professor Ambikesh Mahapatra could be just the first instance of the government's readiness to use IT laws to its own end.

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The **arrest of professor Ambikesh Mahapatra** for having forwarded a cartoon about West Bengal's Chief Minister Mamata Banerjee has legal experts concerned about the use of IT laws by the government to suppress free speech.

"It is the beginning of a new trend that is likely to see the IT Act's provisions invoked to achieve different objectives," cyber law expert Pavan Duggal said.

Mahapatra was charged under a section of the IT Act pertaining to "causing offence using a computer", among others.

"Technically speaking, we are guaranteed the freedom of speech and expression. But the IT Act curtails it by stating one has no right to disparage anyone in general," Sumit Aggarwal, a partner with legal firm Suri & Company, said.

Experts say the rules - particularly those spelt out in 2011's Information Technology (Intermediaries Guidelines) Rules - are ambiguous enough to allow the government to use them at will.

Duggal said the Act should clearly define what qualifies as 'defamation', 'ill-will', 'hatred' and the other offences it seeks to rein in.

These concerns have prompted a group of citizens to draft a petition - aimed at garnering MPs' support for a motion to annul IT laws that they believe amount to censorship - to be moved in Parliament by P. Rajeev, a Rajya Sabha MP from Kerala.

Nearly 615 people have already signed the petition by the Software Freedom Law Center. Rajeev's motion calls for the annulment of the 2011 Information Technology (Intermediaries Guidelines) and is set to be discussed by Parliament in the upcoming session.

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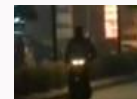
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