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Parliament Passes National Honour Amendment Bill 2026 Extending Statutory Protection to Vande Mataram Alongside National Anthem

Published On: 03-08-2026

Recent Developments:

- **Parliament** has passed the **Prevention of Insults to National Honour (Amendment) Bill, 2026**, extending statutory protection to **Vande Mataram** by bringing it within the ambit of the **Prevention of Insults to National Honour Act, 1971**.
- The amendment provides **Vande Mataram** with legal protection similar to that available to the **National Anthem (Jana Gana Mana)** against intentional obstruction, disturbance, or acts of disrespect during its rendition.
- The legislation seeks to address the long-standing statutory gap despite the **Constituent Assembly** according equal honour to **Vande Mataram** and **Jana Gana Mana** on **24 January 1950**.

Prevention of Insults to National Honour (Amendment) Bill, 2026:

Background:

- The Bill amends the **Prevention of Insults to National Honour Act, 1971** to extend statutory protection to **Vande Mataram**.
- The amendment places the **National Song** under the same penal framework that already protects the **National Anthem**.

Need for the Amendment:

- **Vande Mataram** enjoyed historical recognition and equal honour but lacked explicit statutory protection under the **1971 Act**.
- The amendment fulfils the spirit of **Dr. Rajendra Prasad's** declaration in the **Constituent Assembly** that **Vande Mataram** should enjoy equal honour with **Jana Gana Mana**.

Key Provisions:

- The Bill extends **Section 3** of the **1971 Act** to cover the **National Song**.
- Intentional prevention of singing **Vande Mataram** or causing disturbance during its rendition becomes a punishable offence.
- The punishment includes **imprisonment up to 3 years, fine, or both**.
- A **second or subsequent conviction** attracts a **minimum imprisonment of 1 year** under **Section 3A**.

Prevention of Insults to National Honour Act, 1971:

Objective:

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- The Act protects India's principal national symbols against intentional insult and disrespect.
- The Act reinforces constitutional values associated with national unity, sovereignty and constitutional patriotism.

Major Provisions:

- **Section 2:** Prohibits insults to the **National Flag** and the **Constitution of India**, including burning, mutilation, defacement, desecration or intentional disrespect.
- **Section 2:** Constructive criticism seeking lawful constitutional amendment or policy change does not constitute an offence.
- **Section 3:** Prohibits intentionally preventing the singing of the **National Anthem** or disturbing an assembly during its rendition.
- **Section 3A:** Introduced through the **2003 Amendment**, prescribes a **minimum imprisonment of 1 year** for repeat offences under **Sections 2 and 3**.

Vande Mataram:

Composition and Literary Origin:

- **Vande Mataram**, meaning "**Mother, I Bow to Thee**", was composed by **Bankim Chandra Chattopadhyay** in **Sanskritised Bengali**.
- The song was first published in **Bangadarshan** on **7 November 1875** and was later incorporated into the novel **Anandamath (1882)**.
- **Rabindranath Tagore** later set the song to music, increasing its national appeal.

National Song Status:

- The **first two stanzas** were adopted as the **National Song** by the **Congress Working Committee** in **1937**.
- On **24 January 1950**, **Dr. Rajendra Prasad** affirmed that **Vande Mataram** would enjoy equal honour alongside **Jana Gana Mana**.
- The **Constitution of India** does **not explicitly recognise** any **National Song**.

Constitutional Position:

- **Article 51A(a)** makes it a **Fundamental Duty** to respect the **Constitution**, the **National Flag**, and the **National Anthem**.
- The **National Song** derives its official recognition through constitutional convention, executive practice and parliamentary acknowledgement rather than an explicit constitutional provision.

Role of Vande Mataram in India's Freedom Struggle:

Symbol of Nationalism:

- **Vande Mataram** became the principal slogan of the **Swadeshi Movement** and inspired resistance against British colonial rule.
- The song emerged as a symbol of national unity, sacrifice and devotion to the motherland.

British Suppression:

- British authorities repeatedly prohibited its public singing because of its strong nationalist influence.
- Several freedom fighters faced arrest for publicly chanting **Vande Mataram**.

Association with the Indian National Congress:

- **Rabindranath Tagore** first sang **Vande Mataram** during the **1896 Calcutta Session** of the **Indian National Congress**.
- It subsequently became a regular feature of Congress sessions.

Partition of Bengal (1905):

- **Vande Mataram** became the principal slogan of the **Swadeshi** and **Anti-Partition Movement** after **7 August 1905**.
- Nearly **40,000** people reportedly sang **Vande Mataram** at **Calcutta Town Hall** in protest against the partition of Bengal.

Nationalist Organisations and Publications:

- The **Bande Mataram Sampradaya (1905)** promoted nationalist consciousness through patriotic mobilisation.
- The English newspaper **Bande Mataram (1906)**, associated with **Bipin Chandra Pal** and **Sri Aurobindo**, became an influential nationalist publication.

Hyderabad–Karnataka Movement (1938):

- Students participating in the **Vande Mataram Movement** defied colonial restrictions by publicly singing the song.
- The movement resulted in arrests and expulsions, strengthening nationalist mobilisation.

Global Influence:

- **Madam Bhikaji Cama** unfurled the Indian tricolour carrying the words "**Vande Mataram**" at **Stuttgart (1907)**.
- **Madan Lal Dhingra** is reported to have uttered "**Bande Mataram**" before his execution in **1909**.
- Nationalist publications carrying the title **Bande Mataram** were also published from **Geneva**.

Ministry of Home Affairs Protocol on Vande Mataram:

Order of Rendition:

- When both are performed together, **Vande Mataram** should precede **Jana Gana Mana**.

Respect During Rendition:

- Individuals should stand at attention during the official rendition of **Vande Mataram**.
- Standing is not mandatory when the song is played in films, documentaries or newsreels.

Official Functions:

- The **National Song** is prescribed for ceremonial occasions such as **Presidential, Governor's, National Flag**, and other official cultural functions.

Band Performance Protocol:

- A ceremonial **drum roll** should precede the rendition to alert the audience during official band performances.

Schools:

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- Educational institutions are encouraged to begin the day with community singing of **Vande Mataram**.
- Schools should promote equal respect for both the **National Song** and the **National Anthem**.

Constitutional and Legal Significance:

National Identity:

- The amendment strengthens statutory protection for an important symbol associated with India's freedom movement and national identity.
- The legislation reflects the constitutional principle of respect for national symbols while preserving lawful criticism of government policies.

Legal Significance:

- The amendment removes the earlier statutory distinction between the **National Anthem** and the **National Song** regarding protection against intentional disruption.
- The legislation expands the legal scope of the **1971 Act** without altering the constitutional status of national symbols.

Conclusion:

- The **Prevention of Insults to National Honour (Amendment) Bill, 2026** strengthens the legal protection accorded to **Vande Mataram** while preserving its historic association with India's freedom struggle.
- The legislation reinforces respect for national symbols through statutory safeguards while maintaining continuity with the constitutional values of unity, dignity and national honour.

Value Addition for UPSC:

Important Constitutional and Legal Provisions:

- **Article 51A(a):** Fundamental Duty to respect the **Constitution, National Flag, and National Anthem**.
- **Prevention of Insults to National Honour Act, 1971:** Provides statutory protection to the **National Flag, Constitution of India, National Anthem, and now the National Song**.
- **Section 2:** Protection of the **National Flag** and the **Constitution**.
- **Section 3:** Protection against intentional obstruction or disturbance during the rendition of the **National Anthem and National Song**.
- **Section 3A:** Minimum punishment of **1 year** for repeat offences.

UPSC Prelims Facts:

- **Composer:** Bankim Chandra Chattopadhyay.
- **Novel:** Anandamath (1882).
- **First Published:** Bangadarshan, 7 November 1875.
- **First Sung at INC Session:** Rabindranath Tagore, Calcutta Session (1896).
- **National Song Adoption:** Congress Working Committee (1937).
- **Equal Honour Declaration:** 24 January 1950, by Dr. Rajendra Prasad.
- **Constitution:** Does **not** explicitly recognise a **National Song**.

UPSC Mains Enrichment:

"National symbols derive their strength not merely from legal protection but from the collective constitutional consciousness and shared historical memory of the people."