

AS INTRODUCED IN LOK SABHA

Bill No. 18 of 2020

THE PREVENTION OF INSULTS TO NATIONAL HONOUR
(AMENDMENT) BILL, 2020

By

SHRI GOPAL CHINAYYA SHETTY, M.P.

A

BILL

further to amend the Prevention of Insults to National Honour Act, 1971.

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Prevention of Insults to National Honour Act, 2020.

Short title and
commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

69 of 1971.

2. In section 2 of the Prevention of Insults to National Honour Act, 1971, in *Explanation 4*, after clause (1) the following clause shall be added at the end, namely:—

Amendment
of section 2.

“(m) display by any regional or national political party of its election symbol in the centre or any other part of the Indian National Flag.”

STATEMENT OF OBJECTS AND REASONS

Shri Pingali Venkaiyananda Ji envisaged Indian National Flag and it was adopted in its present form by the Constituent Assembly of India in its meeting held on 22nd July, 1947, *i.e.* a few days before the independence of India on 15th August, 1947 and thereafter it was adopted by the Indian Republic. In our country "Tricolour" refers to the Indian National Flag.

Indian National Flag represents the expectations and aspirations of the citizens of the country. It is not only the symbol of our national pride, but also a symbol of dignity and respect of the country. Personnel of the Armed Forces including many citizens have sacrificed their lives to keep the dignity of tricolour intact over the period of the last six decades. Our National Flag represents expectations and aspirations of the people of the whole country. Therefore, it is necessary that no regional or national political party of the country should display the National Flag in its election symbol.

The Bill, therefore, seeks to amend the Prevention of Insults to National Honour Act, 1971 to maintain honour to the Indian National Flag.

Hence this Bill.

NEW DELHI;
November 27, 2019.

GOPAL CHINAYYA SHETTY

ANNEXURE

EXTRACT FROM THE PREVENTION OF INSULTS TO NATIONAL HONOUR ACT, 1971

[69 OF 1971]

Whoever in any public place or in any other place within public view burns, mutilates, defaces, defiles, disfigures, destroys, tramples upon or otherwise shows disrespect to or brings into contempt (whether by words, either spoken or written, or by acts) the Indian National Flag or the Constitution of India or any part thereof, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

Insults to
Indian
National
Flag and
Constitution
of India.

Explanation 1. — Comments expressing disapprobation or criticism of the Constitution or of the Indian National Flag or of any measures of the Government with a view to obtain an amendment of the Constitution of India or an alteration of the Indian National Flag by lawful means do not constitute an offence under this section.

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Explanation 4. — The disrespect to the Indian National Flag means and includes—

(a) a gross affront or indignity offered to the Indian National Flag; or

* * * * *

(I) intentionally displaying the Indian National Flag with the "saffron" down.

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(Shri Gopal Chinayya Shetty, M.P.)