# IPC Section 293: Sale, etc., of obscene objects to young person.

## IPC Section 293: Sale, etc., of Obscene Objects to Young Person - A Detailed Analysis  
  
Section 293 of the Indian Penal Code (IPC) specifically addresses the sale, distribution, and exhibition of obscene materials to young people. Recognizing the heightened vulnerability of minors to the potential harms of obscenity, this section imposes stricter penalties compared to the general offense of disseminating obscene materials under Section 292. The section reads:  
  
"Whoever sells, lets to hire, distributes, exhibits or circulates to any person under the age of twenty years any such obscene object as is referred to in the last preceding section, or offers or attempts so to do, shall be punished on first conviction with imprisonment of either description for a term which may extend to three years, or with fine, or with both, and, in the event of a second or subsequent conviction, with imprisonment of either description for a term which may extend to seven years, and also with fine."  
  
Let's unpack the key elements of this section:  
  
\*\*1. Target Group: Persons Under Twenty Years of Age:\*\*  
  
This section specifically targets the distribution of obscene materials to individuals under twenty years of age. This reflects the understanding that young people are particularly susceptible to the negative influence of obscene content and require greater protection. The age limit of twenty years underscores the legal definition of a "minor" in this context.  
  
\*\*2. Obscene Objects:\*\*  
  
The section refers to "such obscene object as is referred to in the last preceding section," meaning Section 292. Therefore, the definition of obscenity under Section 292 applies here as well. An object is considered obscene if it is lascivious, appeals to the prurient interest, or tends to deprave and corrupt persons likely to encounter it. This includes books, pamphlets, papers, writings, drawings, paintings, representations, figures, or any other object meeting this definition.  
  
\*\*3. Prohibited Acts:\*\*  
  
Section 293 criminalizes the following acts related to obscene materials when directed towards individuals under twenty years of age:  
  
\* \*\*Selling:\*\* Exchanging obscene material for monetary consideration.  
\* \*\*Letting to hire:\*\* Renting or leasing obscene material.  
\* \*\*Distributing:\*\* Giving out or disseminating obscene material.  
\* \*\*Exhibiting:\*\* Displaying obscene material publicly or privately.  
\* \*\*Circulating:\*\* Passing around or distributing obscene material to a group of young people.  
\* \*\*Offering or attempting to do any of the above:\*\* Even if the actual sale, distribution, or exhibition doesn't take place, the mere offer or attempt to engage in such activities is punishable under this section. This reflects the proactive intent of the law to prevent the exposure of young people to obscene content.  
  
\*\*4. Knowledge of Age:\*\*  
  
While the section doesn't explicitly require proof that the accused knew the age of the recipient, the prosecution must establish that the material was indeed disseminated to a person under twenty. If the accused can demonstrate reasonable grounds for believing that the recipient was over twenty, it might serve as a defense. However, the burden of proving such reasonable belief lies on the accused.  
  
\*\*5. Punishment:\*\*  
  
The penalties under Section 293 are significantly higher than those under Section 292. First-time offenders can face imprisonment up to three years, a fine, or both. Repeat offenders can face imprisonment up to seven years and a fine. This enhanced punishment reflects the gravity of the offense and the legislature's intent to deter the dissemination of obscene materials to young people.  
  
\*\*6. Contemporary Challenges:\*\*  
  
Similar to Section 292, the enforcement of Section 293 faces challenges in the digital age:  
  
\* \*\*Online anonymity:\*\* The anonymity afforded by the internet makes it difficult to identify and prosecute those distributing obscene materials to minors online.  
\* \*\*Access to online platforms:\*\* Young people have easy access to various online platforms where obscene content might be readily available.  
\* \*\*Determining the age of online users:\*\* Verifying the age of individuals accessing online content can be challenging.  
  
  
\*\*7. Relationship with other laws:\*\*  
  
Section 293 complements other laws aimed at protecting children, such as the Protection of Children from Sexual Offences Act (POCSO Act), which addresses a broader range of sexual offenses against children.  
  
\*\*8. Importance of Section 293:\*\*  
  
Section 293 plays a vital role in safeguarding the well-being of young people by specifically targeting the distribution of obscene materials to them. It recognizes the heightened vulnerability of minors to the potential harms of such content and imposes stricter penalties to deter this offense. However, its implementation requires a careful balance between protecting children and upholding the right to freedom of expression.  
  
  
In conclusion, Section 293 of the IPC provides a crucial legal mechanism for protecting young people from exposure to obscene materials. It recognizes the unique developmental needs of minors and the potential for obscene content to negatively impact their development. By criminalizing the distribution of such material to individuals under twenty and imposing harsher penalties, Section 293 aims to create a safer environment for young people and safeguard their well-being.