

# **The Prevention Of Insults To National Honour (Amendment) Act, 2003**

UNION OF INDIA

India

## **The Prevention Of Insults To National Honour (Amendment) Act, 2003**

### **Act 31 of 2003**

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An Act to amend the Prevention of Insults to National Honour Act, 1971. BE it enacted by Parliament in the Fifty- fourth Year of the Republic of India as follows:-

### **1. Short title.-**

This Act may be called the Prevention of Insults to National Honour (Amendment) Act, 2003 .

### **2. Amendment of section 2.-**

In section 2 of the Prevention of Insults to National Honour Act, 1971 (69 of 1971 ) (hereinafter referred to as the principal Act),-(a)for the words otherwise brings", the words" otherwise shows disrespect to or brings" shall be substituted;(b)after Explanation 3, the following Explanation shall be inserted, namely:-' 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(b)dipping the Indian National Flag in salute to any person or thing; or(c)flying the Indian National Flag at half- mast except on occasions on which the Indian National Flag is flown at half- mast on public buildings in accordance with the instructions issued by the Government; or(d)using the Indian National Flag as a drapery in any form whatsoever except in State Funerals or armed forces or other para- military forces funerals; or(e)using the Indian National Flag as a portion of costume or uniform of any description or embroidering or printing it on cushions, handkerchiefs, napkins or any dress material; or(f)putting any kind of inscription upon the Indian National Flag; or(g)using the Indian National Flag as a receptacle for receiving, delivering or carrying anything except flower petals before the Indian National Flag is unfurled as a part of celebrations on special occasions including the Republic Day or the Independence Day; or(h)using the Indian National Flag as covering for a statue or a monument or a speaker' s desk or a speaker' s platform; or(i)allowing the Indian

National Flag to touch the ground or the floor or trail in water intentionally; or(j)draping the Indian National Flag over the hood, top and sides or back or on a vehicle, train, boat or an aircraft or any other similar object; or(k)using the Indian National Flag as a covering for a building; or(i) intentionally displaying the Indian National Flag with the" saffron" down.'

### **3. Insertion of new section 3A.-**

After section 3 of the principal Act, the following section shall be inserted, namely:-" 3A. Enhanced penalty on second and subsequent convictions.- Whoever, having already been convicted of an offence under section 2 or section 3, is again convicted of any such offence shall be punishable for the second and for every subsequent offence, wit imprisonment for a term which shall not be less than one year.". SUBJASH C. JAIN, Secy. to the Govt. of India.