

LEGAL LOOPS

Advocate and author **Vandana Shah** gives us an insight into where the law stands with respect to moral policing.

Section 294 in the Indian Penal Code states: Whoever, to the annoyance of others, does any obscene act in any public place, or sings, recites or utters any obscene song, ballad or words, in or near any public place, shall be punished with imprisonment of either description for a term, which may extend to three months, or with fine, or with both.

Therefore, according to the law, indulging in intimate acts that are considered obscene, is punishable under this section. However, one must note that the law does not define obscenity. Which means that, whether the act in question is obscene or not, is a matter of interpretation.

But socio-legally speaking, we are in a no-win situation. So, what one has to look at is the socio-legal aspect and repercussions of this:



Are the cops trained and sensitized enough to comprehend the difference between the romantic, platonic kiss or hug? What is the guarantee that they won't use this to settle personal scores/ preferences like in the case of homophobic cops? Therefore, it would be important to sensitize them to use discretion whilst dealing with situations

like romance in public.

We have so many other bigger issues to deal with. This moral policing and vigilantism from the land of *kamasutra* really reeks of disgusting levels of hypocrisy.

According to me, moral policing will take us at a lightning speed into the dark ages. It is unacceptable. In this day of the internet where porn is freely available and we are unable to police our children, how can we do it with others? Best, we exercise our own restraint and not become a nanny state where big brother is watching.

