
(2012) 07 AP CK 0095
In the Andhra Pradesh High Court
Case No : PIL No. 20 of 2012

M. Rajkumar

APPELLANT

Vs

Government of A.P. and Others

RESPONDENT

Date of Decision : 09-07-2012

Acts Referred:

Flag Code of India, 2002 — Section 2.2(ix)

Citation : (2013) 2 ALD 444 : (2013) 1 ALT 614

Hon'ble Judges : Pinaki Chandra Ghose, Acting C.J.;C. Praveen Kumar, J

Bench : Division Bench

Advocate : P. Venugopal, S.C. for APHC for Respondent No. 3, Mr. Ponnam Ashok Goud, Assistant Solicitor General for Respondents 4 and 5 and G.P., for the Respondent

Judgement

Pinaki Chandra Ghose, A.C.J.

1. We have heard the learned party-in-person in the matter in question drawing the attention of the Court with regard to Flag Code of India, 2002 (for short "Flag Code") who made submissions before this Court that u/s 2.2(ix) of the Flag Code it has been stated that the Flag should not be used as a festoon, rosette or bunting or in any other manner for decoration. At the same time, Section 2.2(x) states as follows:

the Flag made of paper may be waved by public on occasions of important national, cultural and sports events. However, such paper Flags should not be discarded or thrown on the ground after the event. As far as possible, it should be disposed of in private consistent with the dignity of the Flag.

It is submitted that the National Flag even if it is used for the purpose of celebrating the Independence Day and other occasions, the authorities must take care in the matter, so that the Flag should have the proper respect and cannot be used in such a fashion that the dignity of our National Flag can be suffered in any manner whatsoever.

2. In the Flag Code various things have been stated in Section 2.2(xi), 2.2(xii) and 2.2(xiii). It would be endeavour on the part of the authorities so that where the National Flag is displayed in open, it should, as far as practicably possible, be flown from sunrise to sunset and further the National Flag should not be displayed or fastened in any manner as may damage it. If the National Flag is in a damaged or soiled condition, it shall be destroyed as a whole in private, preferably by burning or by any other method consistent with the dignity of the National Flag.

3. In order to stop all these, as has been pointed out before us by the party-in-person, we would only direct the respondents-authorities that they must take necessary action in the matter by issuing proper advertisement in the print media as well as in the electronic media so that awareness can be reached to the people of the country that we must show respect to our National Flag and shall treat the same with dignity and respect. Such awareness programmes should be taken up and should be published in such media immediately, so that we can ensure that our National Flag is not dishonoured in any manner whatsoever. The respondents-authorities must take steps in the matter accordingly and would start doing so within a period of one week from today, until the Independence Day is over. This writ petition is disposed of on the above terms.