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# Pornography in the Indian Legal Scenario

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## ABSTRACT

*Obscenity laws in India regulate pornography. Obscenity is defined in the Indian Penal Code, 1860, whereas pornography requires sex as an essential ingredient and pornography is not defined anywhere in the Indian Statutes. During the recent Coronavirus pandemic, pornography got a pandemic boost; India reports a 95% rise in viewing such explicit content. As per the IPC, 1860, under Section 293, it is prohibited to sell pornographic books in India. According to a media report, about 86% of the 25% of the Indian youth population is watching pornographic videos in many different ways, be it SMS, MMS, Internet, Magazines, Movies. Even though several Indian telecom operators have jammed several adult sites, the content is still accessed on new domains. A layman's definition of pornography is based on the subordination of women over men.*

*Furthermore, the publication of sexually explicit materials, which tend to deprave and corrupt the mind of people, exploitation of workers engaged in pornography and sexual explicitness of the product; are some of identifying factors of pornography. It includes portraying people involved in or descriptions of ultimate sexual acts, including vaginal or anal intercourse, fellatio, cunnilingus and masturbation. Male counterparts view the majority of this; thus, it can be easily interpreted why there is so much increase in the crime rate in India for women.*

## I. INTRODUCTION

Pornography is defined by Mackinnon-Dworkin while drafting an Ordinance for Minneapolis, "Their definition of pornography is based on subordination of women over men. However, pornography is based on subordination of women, children, and adult sex workers." It includes the portrayal of people engaged in or descriptions of ultimate sexual acts, including vaginal or anal intercourse, fellatio, cunnilingus and masturbation. Deception of women enjoying forceful penetration, ejaculation and manipulation of genitals is visible, and publication of sexually explicit materials tend to deprave and corrupt the mind of people, exploitation of workers engaged in pornography, sexual explicitness of the product are some of identifying factors of pornography. In India, Pornography is regulated by obscenity laws.

**(A) Obscenity:** includes the materials that are lewd, indecent and provocative to one's

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unpretentiousness and uprightness. For example, a portrait where a man is following any woman to attempt to rape her or insult the very modesty of the woman would be depicted as obscene here. Whereas pornography requires sex as an essential ingredient of the matter in question, obscenity is defined in the IPC, 1860 and pornography is not defined anywhere in the Indian Statutes. There is a lot of jurisprudence available on obscenity. Obscenity is a broader term and includes acts like bar dancing to offend society's morality and decency.

**(B) Erotica:** is understood to mean portrayal of pleasure of sexuality within a positive emotional relationship. Erotica is all about admiring sexual activities. In India, erotica can be depicted in paintings of Ajanta and Allora and Khajuraho temples. However, pornography degrades sex. In a nutshell, erotica refers to literature or art.

## **II. PRESENT STATUS OF PORNOGRAPHY IN INDIA**

India is a diverse country with over 1.30 billion people; around 25% of its population is between 18-35 years of age out of these billion people. According to the media reports, about 86% of this 25% of the Indian youth population is watching pornographic videos in any manner, be it SMS, MMS, Internet, Magazines, Movies. In short, what these people are viewing on the internet or what kind of physical health and mental health them is the primary responsibility of the government. It is a saying that what they see is what they became.

During the recent Coronavirus pandemic – 2019, pornography got a pandemic boost; India reports a 95% rise in the watching of such explicit content. The data show India became the speediest growing Smartphone market, it showed a 20% jump in consumption of the pornographic content even before the official constraints considering the coronavirus started in March 2020. Even though more than a few Indian telecom operators have jammed several pornographic sites, the content is still available online on different new domains.

Male counterparts view most of this, and fittingly, it can be easily interpreted why there is so much crime rate in India for women. Why there is always a saying that women in India are not safe, they cannot travel in public transports during the night, and the state is not recognizing this issue with due diligence. If the Union Government takes appropriate measures to restrict porn videos, it may significantly decline the crime rate against women. Women would be safer, and the world will be a better place. In India, women are equal to the goddess Laxmi- the prosperity of wealth; despite this, the females are not safe in this country, we need to be aware of the laws that are related to the viewing of Porn in India as per Section 67 of the IT Act, 2000. As per the IPC, 1860, under Section 293, it is prohibited to sell pornographic books in India.

### III. LEGALITY

#### (A) The Young Persons (Harmful Publications) Act, 1956

The principal aim of this act is to counteract the dissemination of specific publications dangerous to young persons. The parliament sanctioned this act in its 7<sup>th</sup> year of the Republic of India. This act aims to prevent the circulation of any books, magazines, or posters considered immoral, improper, and indecent. So that women as a particular stratum deserved the respect they wanted from their male partners. This act was further enacted to strengthen the position of women in India. Earlier, the IPC, 1860, made provisions regarding the security of women as a gender. This act was also further enacted to curb the evil practice of pornography that was also evident and practiced during British Rule. Then the Jawaharlal Nehru government formulated this action plan. It was considered to be a very welcoming and very advanced act of its age. This act is a concise act enacted in the seventh year of independence with only seven sections. This act also provides the power to seize and destroy harmful publications as per section 6.

- **Section 1:** This act may be called the Young Persons (Harmful publication) act, 1956.
- **Section 2(a):** Harmful Publication represents any book, magazine, brochure, leaflet, news print which consist of stories that are of violent, cruel, horrible nature that would corrupt the mind of a young person.
- **Section 2(c):** Young Person means a person below the age of 20 years.
- **Section 3:** Fine for the sale of harmful publication<sup>2</sup>:
  - Any damaging publication which is sold, rented, distributed, publicly displayed, or otherwise circulated.
  - Promotes or spreads the word about using any means that any unsafe distribution can be acquired from or through any individual.
- **Section 4:** Power of Govt to proclaim harmful publications:
  - The State Govt can, in case of an assessment, after an consultation with the prominent law administrator of the state, regardless of whether called Advocate General or by any other term.
- **Section 5:** Petition to High Court in contrast to the forfeiture order – Anyone within 60 days of the date of such mandate applies to High Court.
- **Section 6:** Power to seize and destroy harmful publications<sup>3</sup>:

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(IPC Section 293 And 292, n.d.)

( Power to seize and destroy harmful publications., n.d.)

- Any policeman or other officer authorized on this behalf by the State Govt may grab hold of any destructive publications.
- **Section 7:** Wrongdoings underneath this act to be cognizable.

### **(B) The Indecent Representation Of Women (Prohibition) Act**

The act was put into motion in the 37<sup>th</sup> year of the Republic of India; the main objective of this act was to prohibit and protect the indecent portrayal of women through commercials or in books, collected works, canvases, figures, or any other manner<sup>4</sup>. For instance, Late Artist M.F. Husain portrayed the goddess of Hindu religion very obscenely; it depicted a much-degraded role of her in his infamous artistic work. The Indian community took a stand, boycotted his paintings and various exhibitions, and ensured his creative work did not get any form of royalty. Many individuals indulge in portraying women in their books, novels, paintings and sculptures in a degrading and absurd manner to insult the very modesty of the women. Thus, it is essential to prohibit making this artistic work and to prohibit the sale of such obscene work. Nowadays, many ad films portray women very demeaningly, and people do like such advertisements. For instance, there was this advertisement for a cement company. A woman came out of the water wearing a swimming suit; no relevance was observed between that woman and the cement brand. The worst part is that advertisement was seen by youth and many children, which hurt the mind of these young adults, who consider the actress/woman as a sexual object and without thinking twice, they have this perception of a woman to be like that? It becomes the responsibility of this government and generation to stop and curb this malpractice of portraying our women in a derogatory manner. We should never forget that indecent representation of women is a penal crime in India.

- **Section 1:** This act may be called an indecent representation of women act
- **Section 2(c):** States that the inappropriate demonstration of women signifies representation in a way the figure of a lady, her structure or body, or any part thereof to be obscene<sup>5</sup>.
- **Section 3:** Banning of commercials containing indecent portrayal of women. No individual shall punish or cause to be punished or participate in the publication or exhibition of indecency.
- **Section 4:** Ban of publication or dispatching by post of books, handouts having indecent representation.

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<sup>4</sup> (THE INDECENT REPRESENTATION OF WOMEN (PROHIBITION) ACT, n.d.)

<sup>5</sup> (Amendment to Indecent Representation of Women Prohibition, n.d.)

- **Section 5:** Power to come in and fish around. At any decent instances, with such aid, as he believes vital, any place has a motive to have confidence in that wrongdoing under this act is executed.
- **Section 6:** Penalization
  - An individual who breaches Section 3 and Section 4 shall be liable to be punished for a term that may be punishable for 2 years and with a charge. The second infringement shall be made punishable for six months but may extend to 5 years.
- **Section 8:** Violations to be cognizable and bailable
- **Section 9:** Protection of action taken in moral faith – No suit shall stretch out against the govt, which the officer has done in good faith<sup>6</sup>.
- **Section 10:** Power to formulate rules – The Central Govt rules this act's provisions by notice in the Official Gazette.

### **(C) The Information Technology Act, 2000**

By the end of the 1990s, there was a technology boom in India and abroad in the late 1980s. Indian channels were viewing the legend of mighty God Vishnu in the tales of Ramayana and Mahabharata at Doordarshan; there was not much choice for members to consider as there was a fixed time and day for these channels to come in Television the scope of the internet was next to none during the 1990s. Later in the late 1990s, Shiv Nadar, founder of HCL India PVT LTD., started manufacturing computers. During the start of the 21<sup>st</sup> Century, India was considered a significant market of the telecom industry. Since then, the telecom industry in India has reached great heights. In 2021, every Indian will have access to the Internet and Mobile phones, tablets and laptops. Computers are a thing of the past.

Internet is an excellent source of an abundance of knowledge. It is up to us whether we use it as a source of knowledge or as a piece of dirty entertainment. Out of the total population of youth in this country, around 86% use their computers, laptops, mobile phones, tablets to search pornographic content and out of these, most of them are school or college going students who are not above 18 years of age. Though the telecom companies have blocked these sites to access them, it has been effortless for us to find various means to use them. The basic principle of economics is that where there is demand, there is supply. Higher the demand, less the supply and higher the prices. Because of these absurd internet users, women and even children have to indulge in this racket of pornography. During the ongoing Covid-19 pandemic, there was a

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<sup>6</sup> (Powers regarding the Indecent Representation of Women Act, n.d.)

single spike of 95% of users in India who have accessed pornographic sites. The Govt of India has passed the IT Act, 2000, to curb evil practices of child pornography and Adult pornography.

- **Section 66:** Computer related Contraventions. If an individual does any act denoted in Section 43<sup>7</sup>, he will be prosecutable with incarceration for a tenure extended to 3 years or a charge that may extend to 5,00,000 Rs. Or with both.
- **Section 66A:** An individual who sends any material that is grossly disgusting or has frightening character make use of a computer asset or any communication device. Any knowledge he recognizes to be false but to trigger danger, infuriation, insult and obstruction.
- **Section 66E:** Whoever calculatedly or on purpose captures, prints or communicates a picture of an intimate area of an individual without their permission, under the conditions abusing the privacy of that individual, will be rebuked with incarceration, which may stretch out to 3 years or a fine<sup>8</sup>.
- **Section 67:** Penalty for printing or communicating obscene matter in electronic method. Whoever violates the provision of this section would be imprisoned for a tenure of 3 years with a fine. And on a second sentence for five years with a fine.<sup>9</sup>
- **Section 67A:** Punishment for printing or communicating matter containing sexually implicit acts in electronic form. Any violation of this section's provisions would lead to imprisonment for 5 years with a charge, and on second guilty verdict would lead to imprisonment of 7 years.
- **Section 67B:** Punishment for printing or communicating matter containing illustrating youths in the sexually implicit act, in electronic mode intend to be penalized for a duration up to 5 years in jail and with a charge of 10,00,000 Rs. and on second and subsequent conviction for 7 years with a penalty that can expand to 10,00,000 Rs.
- **Section 72:** Penalty for infringement of discretion and privacy an individual who contravenes this provision shall be penalized for a tenure of 2 years or with a charge which can lengthen to 1,00,000 Rs.

#### **(D) The Cinematograph Act, 1952**

The first feature film of independent India was Raja Harishchandra; it was the epitome of the saying honesty is the best policy. The whole culture of the Hindi Cinema was changed from the early 1960s and 1970's when in 1964 a Movie by Prithviraj Kapoor that was Sangam which

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<sup>7</sup> (IT Act 2000 – Penalties, Offences With Case Studies, n.d.)

<sup>8</sup> (Decoding Section 66E - How to handle your violation of privacy, n.d.)

<sup>9</sup> (Cyber laws with case studies, n.d.)

was based on the friendship of 3 friends had a beautiful swimming scene, Where the lead actress of that time was wearing a swimsuit. Then in 1973, "Bobby" came into the Hindi Cinema, and the perception regarding costumes of the leading lead actress was entirely changed from Sarees to Skirts. The Indian society adopted this change. Now skirts are a thing of the past, and nowadays, the lead actresses are much concerned about their physical well-being. Nowadays, Kareena Kapoor aims to be size 0 for her upcoming movies. So that her picture-perfect body is seen by the youth who is watching her movie in the cinema. The demand to see their famous actresses and actor in this avatar is rising. Be it a bikini shoot in a movie or a six-pack abs scene of any Salman Khan movie. The censor board has a great responsibility to certify movies under U, U/A and A categories. "U" means that parent supervision is not necessary, and anybody can watch it. "U/A" means that the audience must be aged above 12 years so that anyone can peacefully watch it. "A" means any kind of adult film. That can be watched by 18 years and above.

Nevertheless, the act was sanctioned by the Parliament of India in the 3<sup>rd</sup> year of its democracy. Thus, specific provisions of this act must be amended. Any Hindi film needs the masala ingredient to hold its audience. The director cut-short the bedroom scene or a sensuous item girl number like "Munni Badnam Hui Darling Tere Liye" or "Sheela Ki Jawani, I am Sexy for You Main Tere Haath Nahi Aani". Nevertheless, the censor board is doing its job well as we can say that around 106 cuts were made in the infamous Uda Punjab movie, which had vulgar content.

- **Section 5A:** Certifications of films- on the off chance that in the wake of analyzing a movie or having it inspected in an endorsed way, the board thinks that the motion picture is reasonable for unlimited, communal display, with an commendation of nature.
  - The motion picture is not appropriate for unobstructed, communal exhibitions. However, it is apt for public shows confined to grown-ups or, is suitable for communal demonstration restrained to members of a certain profession.
- **Section 5B:** A motion picture shall not be endorsed for proficient to grant the certificate; the flick or any part of it is against the benefits of authority and honor of India, the safekeeping of the country or pleasant relations with foreign countries, communal order, decorum or morality, or contains defamation or disrespect of court.<sup>10</sup>
- **Section 5C:** Appeals- An individual submit an application for a certificate in respect of a motion picture which is aggrieved by any command of board-

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<sup>10</sup> (Cinematograph Act, 1952, n.d.)

- Rejecting to grant the certificate
- Consent to only 'A' certificate
- Approve of only 'S' certificate
- Under 30 days from the date of such command, prefer an petition to the court of law.
- **Section 16:** Authority to make guidelines
  - The Central Govt can, by notice in the Official Gazette, make guidelines-
  - If any, prescribe the term, conditions, and restrictions, subject to which an appeal under section 12 may be preferred.

### **(E) The Press Council Act, 1978**

The Press Council Act, 1978 empowers the Press Council of India, which is at the apex, to perform such functions necessary to perform its duties as per the act. It is empowered to stop the publications of any media house which may think that is publishing such publications and articles which are not ethical. Moreover, that media house cannot claim that their basic fundamental right of Article 19(1) is infringed on violations of these rules.

- **Section 13:** The aims of the Council will be to preserve the autonomy of the press and protect and enhance the levels of newspapers and news offices in India.
  - To aid news agencies to preserve their autonomy
  - To raise a rules for printing paper, news companies and correspondents, the preservation of a high standard of public nuisance.
  - To promote a sense of duty and public assistance and all those involved in a line of work.
  - To keep under examination of cases of aid collected by any printing paper or news group.
  - To involve itself with enlargements such as focus or other aspects of newspapers and news groups.<sup>11</sup>
- **Section 14:** Under the establishments of this legislation, the press board has the full power to censure any publication, article or to stop the production of such articles entirely.

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<sup>11</sup> (Press Council Act 1978, n.d.)

**(F) Indian Penal Code, 1860**

- **Section 292:** Sale of lewd book, A hardback, brochure, paper, writing, illustration, canvas, demonstration, figure or any other object, shall be considered obscene if it is libidinous or influences to the interest or if its consequence. The result of any one of its matters is, if selected as a complete, such as to tend to debauch and corrupt individual, who are expected, having deem to all applicable situations, to view, judge or read the matter confined or integrated in it.
  - Whoever trades, lets to appoint, circulate, publicly displays or in any means puts into readership, imports-exports or communicates any lewd article for any of the purposes aforesaid, advertises or makes known by any means, can be punished on 1<sup>st</sup> verdict with incarceration for a tenure which can extend to 2 years with a charge and on 2<sup>nd</sup> verdict with the incarceration for tenure of five years with charge of 5,000Rs.
- **Section 293:** Whoever trades, lets to hire, circulates, displays or distributes to any individual under the age of 20 years, such lewd item is referred to in the earlier antecedent section can be penalized for 3 years with a charge of 2,000Rs. And the on event of 2<sup>nd</sup> or succeeding verdict with incarceration of 7 years. <sup>12</sup>
- **Section 294:** Explicit acts and songs
  - Whoever, to the infuriation of others
    - a) Prepares any offensive act in public
    - b) Sing narrates or utters any lewd song, narrative or verses in or around any public location.
  - Penalty– Incarceration for 3 calendar month, charge or both – Cognizable-Bailable – non-compoundable, triable by magistrate.

**IV. SOCIO-CULTURAL ATTITUDES**

Many sex-related topics like Prostitution, Indecent Exposure, Molestation, Rape and Pornography are considered taboo in the Indian subcontinent. In a nation like ours, where females are worshipped as goddess Laxmi, Saraswati and Durga, it is not a hidden fact that these women in India suffer from discrimination in sexual crimes such as rape, prostitution, etc. pornography. However, the whole community remains silent and does not acknowledge it. In a report, out of total cases reported in India against wrongs against women, only a handful of them get registered, and only a few victims got justice. Nevertheless, the question remains:

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<sup>12</sup> (Pornographic and Laws in India: Basics Explained, n.d.)

what gets these men into disrespecting mothers, daughters, sisters, and wives. According to research, it was determined that the primary sexual education of these youth born into the world during the 1990s onwards in India comes from porn. They watch it in the form of magazines, MMS videos, posters and D grade movies. Conversations between peers of the same age in school or college regarding film stars of the adult industry remain a hot topic in today's youth minds. Fan Followings of these women who post intimate pictures a lot on their social media handles such as Instagram, Facebook and Snapchat, receive many responses from this youth. The boys admire their well-chiselled psyches, and the girls aim to look like them. In short, the whole youth is following them. For example, the fan following of Kylie Jenner is a whopping 185 million people, and that of Disha Patani is 40 million. Little do these followers know that they get approximately whooping 10 million from their sponsors per Instagram post. Today's youth these days idolizes them; consider them as their role models. Whatever these fake Instagram sensations post they follow it, it is a matter of great concern that what they can do with these young minds.

We all know that pornography is a plague to this nation, but we do not discuss how it acts as a destructive element to society. The more these youth indulge in violent acts such as watching pornography films, the more their mind will be filled with these kinds of thoughts, the more they will see women as a tool for their sexual desire and out of this mental element, a potential rapist is born. Out of this fear, our women cannot walk freely in our country. Still, these heinous crimes against women are on the rise in our country, but not every person who watches porn becomes a threat to society by being a potential rapist. However, yes, every person who watches porn loses respect for women they should have in their eyes. They became more interested in the breast size of women and not the principles of gravity. Many of these youth experience aggression, a feeling of violence, frustration, sexual anxiety and, in most cases, sexual disturbances in their later married life in the form of erectile dysfunction. Kama Sutra originated in India, and the representations at Ajanta and Allora caves are only for educational purposes and not for commercial gains of what this industry has become. Every year in Las Vegas, there is an event organized where all the top models from the adult industry will come and showcase their talent and beauty. Today's youth in India learn this culture of sexual attitudes from pornography, which is highly dangerous. India is rich in heritage and has high cultural values and religious beliefs. The trend of the next generation is shifting from mythology to pornography, from worshipping goddess as a woman to watching them indulging in intimate scenes and private affairs. If not taken due care of, it is a significant problem that would lead to the character assassination of today's modern youth. Many telecom industries

have taken steps to ban these malicious porn sites, but today's youth can still find them anywhere and use them for entertainment purposes. The government has taken many steps to solve this problem, but the youth remain attracted to it.

## **V. HOMOSEXUAL PORNOGRAPHY**

Homosexual means drew towards people of the same sex. These people are often referred to as gays and lesbians in our society. Gay pornography is in heavy demand after child pornography. People use it for entertainment purposes. Similar in nature to pornography, homosexual pornography involves indulgence with same-sex partners. It is nothing but commercial exploitation in today's time. The porn industry generates a total of 97\$ Billion dollars in The United States of America. We should remember that pornography is the root cause of prostitution and all kinds of sexual crimes women and children face. Surprisingly this market is not so flourished in India, but India had the highest number of people watching pornography during the recent coronavirus pandemic. Earlier pornography was only related to sexual intercourse between a male and his female counterparts. However, since same-sex marriage got legalized in the USA and the UK and some parts of Europe, the trend shifted to homosexual pornography or gay pornography as more and more individuals wanted to view this erotic content. The demand rapidly rose in the 21<sup>st</sup> Century, and two decades later, homosexual pornography has left the business of pornography. In popular culture, the famous Hollywood film, *The Girl Next Door* is based on this content, and in Hindi cinema, films had been made such as *Dostana*, *Aligarh* and *Ek Ladki Ko Dekha Toh Aisa Laga*. The best part of homosexual pornography is that it is not available in print due to socio-culture taboo surrounding pornography and sexuality. However, Indian users access both lesbian and gay porn using the internet, with a 213% increase in searches for gay porn from 2013-2014—additionally, the most popular search for pornography amongst females in India centres on homosexual pornography.<sup>13</sup>

### **(A) Legality Of Homosexuality In India**

Section 377 of the IPC, 1860 states about abnormal wrongdoings; whoever deliberately partakes licentious association against the order of the natural world with any female, man or creature, will be rebuffed with the detainment of life, or with the detainment of one or the other depiction for a tenure that might extend to 10 years, and there will also be at probability to fine<sup>14</sup>.

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<sup>13</sup> (Pornography in India, n.d.)

<sup>14</sup> (How Oral and Anal Sex Makes You A Criminal., n.d.)

**(B) Navtej Singh Johar V. Uoi, 2018**

This old colonial law was acknowledged unlawful by the Honorable Supreme Court of India in the landmark law suit of Navtej Singh v. UOI on September 6<sup>th</sup>, 2018. All citizens of India welcomed this verdict with open hands, and a new perspective came to be known into existence. Arundhati Katju and Menaka Guruswamy became a Household names when they represented and won the landmark case of *Navtej Singh Johar v. Union of India*. In this suit, the rights and privileges of the LGBTQ group were liberalized in western countries like the United States of America or the United Kingdom, where same-sex marriage is not considered a crime. It was a landmark judgment given by some awe-inspiring judges of the Supreme Court who decriminalized having a same-sex relationship with your partners, as it is violative of Article 14 of the Indian Constitution. Which states about the Right to Equality; it is similarly violative of Article 15, which states the prohibition of bias on the bases of sex. The 5 Petitioners in the suit are Navtej Singh Johar, Ritu Dalal, Vikram Seth, and Suresh Kumar faced much discrimination in their respective personal and professional lives, only because they liked someone of their own gender and were further attacked by the opposite gender or sex. On September 6<sup>th</sup>, 2018, the Supreme Court passed this landmark judgment and ended this colonial law that India was following before independence in 1860.

**VI. CHILD PORNOGRAPHY**

Child pornography is pornography that takes advantage of kids for sexual incitement. It could be created with the immediate contribution or rape of a youngster. It is illegal and censored in most parts of the world, yet it is most viewed after homosexual pornography. The use of children for pornographic purposes is unlawful in India. Nevertheless, there is a considerable demand for using or exhibiting children as a means of sexual object. The main reasons to sexually assault children are that they cannot give their willful consent to others. The second is that they are not physically strong enough to resist the culprit's forces. The demand for legislation specifically to prevent child pornography in India arose in 2012 as the Congress government sanctioned The prevention of Children from sexual offences act, 2012. However, India had provisions relating to child pornography in the IT Act, 2000 u/s 67. The Constitution of India under Article 21 promises the privilege to education, and Article 21A affirms that compulsory and free education free of cost must be provided to children aged between 6 to 14 years. The state must promote the interests of children. Article 24 of the Indian Constitution states the prohibition of children to work in any hazardous industry. Thus it is apparent that the engagement of children as means to exhibit sexual objects is against the Constitution of India

very much. Kids are the prospect of this country, and if the youth aged between 10-12 years of age indulge in participation in Child pornography, then what would be the future of any country? Children aged between 13-18 years of age interact with their peers regarding this topic at ease. It is a time when they are still discovering themselves physically. Children are equally important as much as today's youth. It is the duty of every individual that their innocence never gets over by child pornography; in my opinion, parents must always protect their children from exploitation.

## **VII. LEGALITY OF CHILD PORNOGRAPHY IN INDIA**

1. Section 13 of POSCO Act, 2012 states about the use of a child for pornographic purposes it clearly defines as follows whosoever, utilizes a youngster in any type of media; containing project or ad transmission by TV stations or web or some other electronic arrangement or printed arrangement, irrespective of whether such production or promotion is planned for individual use or distribution. For sexual indulgence, which includes.<sup>15</sup>
  - a. Illustration of sexual body part of a child.
  - b. Control of a child involved in actual or pretended sexual acts (with or without penetration)
  - c. Offensive or lewd depiction of a child will be culpable of the wrongdoing of using a child for pornographic intentions.
2. Section 14 of POSCO Act, 2012. Penalty for exploitation a child for adult purposes<sup>16</sup>. Whosoever uses a child or children for pornographic intentions shall be penalized with incarceration of either tenure, which can extend to 5 years, and also be legally responsible to charge and in the occasion of the 2<sup>nd</sup> verdict with incarceration of a tenure which can extend to 7 years and also be accountable to charges. If an individual partakes in child pornography, he may be penalized for a tenure that can not be less than 10 years and can lengthen to incarceration for life.
3. Section 15 of Protection of Children from Sexual offences act, 2012.
4. Any individual who hoards, for business intents, any obscene matter in any structure, including a kid, will be rebuffed with the detainment of one or the other depiction, which might extend out to three years or with a sum of money or both.

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<sup>15</sup> (Section 13 Pocso Act | 13 Use of child for pornographic., n.d.)

<sup>16</sup> (Section 14 of Protection of Children from Sexual Offences, n.d.)

### VIII. LEGAL CASES REGARDING PORNOGRAPHY IN INDIA

- ***Kamlesh Vaswani vs. UOI and Ors. 2013***\_a PIL appeal was recorded in the Supreme Court of India looking for a prohibition on Pornography in India. The court gave a notification to the Focal Administration of India and looked for its reaction. The public authority informed the court that the Digital Guideline Warning Board comprised under Segment 88 of the IT Act, 2000 was doled out with a brief about the accessibility of porn on the cyberspace and was looking into the matter. On January 26<sup>th</sup>, 2016, the Supreme Court, in engraved command, ordered govt to advise new techniques so that these lewd actions are restricted. The guiltless youths cannot be forced prey to this type of troublesome situation; also, a country, in no way, shape or form one can stand to convey any analysis with its youngsters for the sake of freedom and opportunity of articulation. At the point when we say country, we mean every individual from the system.<sup>17</sup>

- **On January 26th 2016**, in written order, the Supreme Court commanded the government "to suggest the new ways and methods so that these activities are restricted. The innocent young kids cannot be made prey to this kind of painful situation, and a country, by no means, can afford to continue any kind of demonstrations with its young kids in the name of liberty and freedom of expression. When we say nation, we mean each member of the collective".

- ***In the New Delhi Gang Rape Case (2012)***, Seema Kushwaha is a promoter in the Honorable Supreme Court of India. She battled against the assault and murder instance of Nirbhaya, the 2012 Delhi assault casualty. She accomplished her MA LLB degree from Delhi University. She prepared in the Tis Hazari locale court upon graduation when this terrible Nirbhaya Gang-Rape and Murder case shook the country and depicted India in ladies. She got Nirbhaya's case in 2013 and battled it in an unabating manner for seven long a very long time until the execution of the convicts; she didn't charge any expenses for the case. Along these lines, keeping up with the honourability of the lawful calling, she was victorious in getting endorsed capital punishment for the four convicts from the Saket District Court in the year 2013, and later from The Delhi High court in the year 2014, and afterwards at last from the Supreme Court of India in the year 2020. She began her profession by taking Nirbhaya's case in 2013; she had not battled any case in any Indian locale court.

Seema Kushwaha is filling in as a Legal Advisor for "Nirbhaya Jyoti Trust", an association made by Nirbhaya's folks, to help ladies who have encountered savagery discover cover and

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<sup>17</sup> (Pornography in India, n.d.)

legitimate help. In contrast to the present youth, She sought to turn into an IAS official very much like Tina Dabi and surprisingly ready for the UPSC test before the 2012 Nirbhaya Gang at Mukherjee Nagar – Rape and Murder case. Before taking Nirbhaya's case in 2013, Seema came out to the roads in Delhi and persistently occupied with the fights endeavouring to discover equity for Nirbhaya, which was at its top in the wake of the colossal wrongdoing perpetrated by five men, remembering for adolescent. At the beginning of March 20, around 3 AM, the Supreme Court worked the entire day to direct the equity. Multiple times, the appointed authority denied the execution order of convicts in the Nirbhaya Gang-Rape Case numerous times. However, in the long run, they were hanged to death at the Delhi Tihar Jail on March 20, 2020.

- ***Khoday Distilleries Ltd. v. State of Karnataka (1995)***, The Supreme Court of India held that there is no fundamental right to display and distribute explicit or profane movies and writing.
- ***Vishaka & Ors vs State Of Rajasthan (1997)***, **Facts:** Certain social protestors and NGOs filed a writ petition in the Supreme Court for the implementation of the Fundamental Rights of employed women under Articles 21, 19 and 24 of the Constitution of India, because of the current climate in which the infringement of these rights is not uncommon. The immediate cause for the filing of the writ petition was an incident of the alleged brutal gang rape of a community worker in a village of Rajasthan.<sup>18</sup>

**Issues:** Whether gender equality and guarantee against sexual aggravation of working women at the workplace need guidelines and conventions to be treated as law under Article 141 of the Constitution of India, 1950.

**Judgment:** The right to continue any occupation, trade or profession relies upon the accessibility of a protected workspace. Right to life implies existence with pride. Aside from Article 32 of the Constitution of India, some different arrangements conceive legal intercession to kill this social insidiousness. A few arrangements in this Constitution, notwithstanding articles 14, 19(1)(g), 21, which have importance, are articles 15(1), 15(3), 42, 51A(a), 51(c). The significance and content of the critical freedoms guaranteed in the Constitution of India are of sufficient adequacy to incorporate every one of the aspects of sex fairness, including the avoidance of inappropriate behaviour or misuse. Plus, there are global shows and standards having importance in this field. Sex correspondence incorporates defending from inappropriate behaviour and the option to work with nobility, a generally perceived central ideal of freedom. The Legislature and the Executive are the essential obligations regarding guaranteeing such

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<sup>18</sup> (Vishaka & Ors Vs. State of Rajasthan & Ors [1997], n.d.)

wellbeing and nobility through relevant enactment and making an instrument for its requirement. The common least prerequisite of this right has gotten worldwide acknowledgment. Without endorsed law to accommodate the successful implementation of the crucial common liberty of sex fairness and affirmation against inappropriate behaviour and misuse, all the more especially against inappropriate behaviour at work environments, explicit rules and standards indicated from now into the foreseeable future are set down for due recognition at all work environments or different foundations, until enactment is made for this intention. This was done to practice power open under Article 32 of the Constitution to authorize the Fundamental Rights.

During the 64th year of the Republic of India, The Parliament of India authorized the Prevention of Sexual Harassment Act, 2013, to ensure our ladies at the work environment. Additionally, this would be treated as the law announced by the Supreme Court under Article 141 of the Constitution. In light of this milestone case, it is fundamental and convenient for businesses in work environments and other obligated people or organizations to notice explicit guidelines to forestall inappropriate behaviour.<sup>19</sup>

- **Prajwala, a non-governmental organization**, wrote a letter on 18.2.2015, **VIDEOS OF SEXUAL AGGRESSION AND ENDORSEMENTS**, a Suo moto PIL was submitted to the Supreme Court (Diary No.- 6818 - 2015). Prajwala NGO pleaded to the court to stop the rampant circulation of rape videos through the mobile application WhatsApp. The Supreme Court ordered a CBI probe to find and arrest the culprits visible in the rape videos.

- **On February 4th of this year**, Mumbai police said they had caught five people for, as far as anyone knows, driving women into erotic entertainment films. They would ensure these longing performers, who came to Mumbai from better places, occupations in web series. Nevertheless, they would change the set-up and subvert the women to reveal themselves on the shoot. In case the women denied, they were drawn nearer to pay for the shooting courses of action. The charge made the movies available on adaptable applications, offering enrolments on standard OTT stages when the films were shot. They would then set up ads via web-based media. Since erotic entertainment is unlawful in India, this also was illegal. As per the police, it would, by and large, be daylong take shots at a leased lodge on the edges of Mumbai, as Madh Island. An insignificant staff of five to six individuals would bend over as chiefs, discourse scholars, area Scouters, and web application engineers. As per the police, these applications turned out to be exceptionally famous during the lockdown, with some having a supporter base of lakhs. Thus, what did the police say was the work of Raj Kundra? There are

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<sup>19</sup> (Prevention of Sexual Harassment Act, n.d.)

two parts to the police investigation. One caught the people who created these pornography shows, and the other zeroed in on the individuals who broadcast these clips. A portion of these creation houses broadcast from servers outside the country. One such UK creation house, observed to transfer such substance, went under the police scanner, and its chief Umesk Kamat was captured. An official said that Kundra's supposed association with Kamat and the organization transferred such explicit substance that landed him in a challenging situation. After going through two months in prison, he was allowed bail in September at a guarantee of Rs.50,000.

## **IX. EFFECTS OF PORNOGRAPHY**

Pornography adjusts the propensities for the psyche, the internal individual self. Its utilization can immediately become routine, which prompts desensitization, fatigue, contorted perspectives on the real world, and typification of ladies. There are numerous clinical results to sexual entertainment use, including expanded danger for fundamental physical and emotional well-being issues and a more prominent probability of playing out sex-based wrongdoing.<sup>20</sup>

### **(A) Effects on the Mind, Body, and Soul**

The "digital revolution" has provoked incredible strides in ineffectiveness, correspondence, and different advantages; however, pornographers likewise have prepared its force for their great. The expense has been a further cripple of the country's residents and families, a development that should be of grave worry to all. The sociologies show the fittingness of this issue.

Two examinations, one by the American Psychological Association on over-sexualized young ladies and the other one by the National Campaign to Stop Teen Pregnancy, on the explicit material of telephone messaging among youngsters, clarify that more youthful and more youthful kids are utilizing the advanced upheaval to destroy the boundaries that station sexuality into day to day life. Porn, as a visual deception of sexuality, bends a singular's idea of sexual associations by fetishizing them, thus changing both sexual perspectives and conduct. It is a considerable danger to marriage, to family, to youngsters, and sole satisfaction.

Researchers, Clinical therapists, and social researchers have begun to explain a portion of the social and mental effects of sexual entertainment. Nervous system specialists are starting to portray the organic components through which porn has an amazing impact on individuals.

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<sup>20</sup> (Effects of Pornography, n.d.)

Porn's ability to debilitate individual and social working is incredible and significant:

- **Effect on the Mind:** Pornography altogether turns perspectives and insights about the idea of sexual relations. Men who regularly see porn have a higher capacity to bear uncommon sexual practices, sexual brutality, indiscrimination, and even assault. Furthermore, men start to see ladies and even youngsters as "sexual articles," instruments for their pleasure, not as people with their innate nobleness.

- **Effect on the Body:** Pornography is very propensity shaping. The habit-forming piece of erotic entertainment has a natural substrate, with dopamine chemical is set free going about as one of the powerful instruments for shaping the transmission pathway to joy focuses of the mind. Likewise, the expanded sexual neutrality caused by erotic entertainment builds the danger of getting a physically communicated infection or accidentally turned into a parent without any father present pregnancy.

- **Effect on the Heart:** Pornography impacts individuals' passionate lives. Hitched men engaged with erotic entertainment feel frustrated with their marital sexual relations and are less sincerely connected to their accomplices. Ladies wedded to men with a pornography habit report sensations of outrage, question, and selling out. Explicit use might prompt untrustworthiness and even partition. Grown-ups who see erotic entertainment feel disgrace, lessened self-assurance, and sexual vulnerability.

### **(B) Desensitization, Habituation, and Boredom**

Broadened utilization of porn produces adjustment, weariness, and sexual disappointment among female and male watchers. It is related to more merciful perspectives on extramarital sexual relations and sporting mentalities toward sex. A 2000 investigation of first-year understudies tracked down that the steady utilization of porn prompted more noteworthy lenience of physically express material, accordingly requiring more novel and odd material to arrive at a similar degree of premium or excitement. For instance, adjustment can prompt watching "portrayals of sadomasochistic practices, bunch-sex, and sexual contact with creatures," looking into butt-centric intercourse, and minimizing "peaceful types of the sexual abuse of kids."

The pornography business adjusted to this longing for more strange pictures. An investigation of the material of Playboy, Penthouse, and Hustler from the years 1953 to 1984 uncovered 6,004 kid pictures and 14,854 extra pictures portraying offences or viciousness. Besides, almost 66% of the kid pictures were sexual and rough, with the vast majority of the photos showing young ladies somewhere in the range of three and eleven years old. These magazines exhibited

the scenes, including youngsters like they had been safe by the intimate moment or even benefitted from it.

Substantial openness to pornography drives men to judge their mates as physically less alluring, bringing about less joy with their fondness, actual appearance, and sexual conduct. The requirement for more serious sexual incitement welcomed by pornography can prompt fatigue in consistent connections and a more substantial probability of seeking sexual fulfillment outside wedlock. Rehashed openness to pornography drives the watcher to consider "sporting sexual commitment" as frequently fundamental and changes the watcher to acknowledge sexual noninterference.

### **(C) Distorted Perception of Reality**

Porn presents sexual access as steady, "a game that adds to blameless fun" with minor consequences for feelings, insights, and wellbeing. It isn't the situation, notwithstanding. Erotic entertainment prompts contorted view of social reality: an overemphasized understanding of the degree of sexual activity in the normal populace, an expanded gauge "of the rate of extramarital and early sexual movement, just as the bigger appraisal of male and female wantonness," "a distortion of practically all sexual exercises executed by physically dynamic grown-ups," and a misjudgment of the overall breadth of depravities, for example, bunch-sex, sadomasochistic, and brutishness action. Subsequently, the convictions being framed in the watcher's brain of erotic entertainment are far taken out from the real world. A case could be made that periodic survey of porn incites a psychological disorder in issues sexual.

These contortions result in an acknowledgment of three convictions:

- (1) Sexual connections are sporting,
- (2) Men are, for the most part physically determined, and
- (3) Women are wares or sex objects. These are designated "consent giving convictions" since they result in theories that one's conduct is typical, satisfactory, and ordinary, in this manner not destructive to any other individual. These perspectives are supported and extended by masturbation while watching sexual entertainment, which is typical among those survey porn to manage pressure.

When female and male watchers don't accept that openness to porn influences their convictions or lives, they all the more promptly disguise uncommon sexual mentalities and improve the probability that they will participate in unreasonable sexual practices.

These contortions add up to a severe misconception about connections and sexuality and are a destructive bending of the idea of public activity. People who perceive obscene sexual scenes

as addressing reality will generally be more tolerant of sexual leniency than others. Stretched out openness to porn cultivate

#### **(D) STD's and Out of Wedlock Pregnancy**

Since porn energizes physically easygoing perspectives and conduct, clients of porn have a higher shot at getting a physically communicated infection or being a dad in a with only one parent present pregnancy. Porn's continuous depiction of intercourse without condoms (87% of the time) is a gathering for the cruel to get a physically sent illness, have a kid with only one parent present, and have numerous sex accomplices. Porn likewise advances sexual overwhelmingness, which pairs the probability of being contaminated with a physically sent illness.

#### **(E) Sexual Enslavement**

"Cybersex" and Pornography are profoundly propensity framing and can prompt physically habitual practices (that decline an individual's ability to perform other critical assignments throughout everyday life). More than 90% of advisors overviewed in one review accepted that an individual could become dependent on "cybersex." In an American study, 57% of continuous watchers utilized web-based sexual action to manage pressure. A 2006 Swedish examination of average Internet sexual entertainment watchers tracked that around six per cent were habitual clients and that these compulsives utilized considerably more non-Internet porn.

Propensity shaping pornography use prompts lower certainty and a crippled ability to finish a meaningful social and work life. A survey of pornography addicts found that they scorned the "insane" feeling and the time use that their sexual amusement uses prompted. The sexual compulsives reported they had felt vexed and experienced shortcoming is a fundamental part of their lives because of their dependence. Almost 50% of the sexual compulsives said their conduct had critical adverse outcomes in their public activities, and a quarter detailed unfavourable ramifications for their work. In another survey, sexual compulsives and sexual addicts were on numerous occasions practically sure than those without an issue to communicate that finding on the web sexual material was the most horrible thing that had happened anytime ever in their life. There was no considerable amazement then that super clinical debilitation was represented twice as constantly among Web sexual amusement customers than non-customers than non-watchers of erotic entertainment.

#### **(F) Aggression and Abuse**

Extreme utilization of porn is identified with sexual forcefulness, and among regular watchers of porn, there is a stamped expansion in sexual callosity, including the "assault myth

acknowledgment."

A significant piece of porn is forceful in content. Exploration of various obscene media discovered forcefulness in the right around a fourth of magazine scenes, over a portion of video scenes, and practically half (more than 42%) of online erotic entertainment. Second, the examination found that almost a large amount of the forceful Online recordings included nonconsensual sex.

The information recommends "an unassuming connection between openness to erotic entertainment and following social hostility." However, when men devour forceful porn (for example, portraying assault or torment), they undoubtedly carry on sexual hostility. Perilously, porn emphatically impacts maniacal men, who are bound to showcase their driving forces.

Utilization of peaceful Pornography additionally builds men's self-recognized ability to drive consistency with their specific sexual longings on hesitant accomplices. Moreover, however, there is conflicting data on the overall effects of rough versus soft porn; There is little vulnerability that the utilization of porn prompts a critical expansion in "assault legend acknowledgment," which includes a decline of empathy with assault casualties and minimization of assault as a criminal offence, a reduced worry about kid sexual maltreatment, shy of the assault of kids, and expanded readiness to fall back on assault.

One review at an assault emergency focus talked with 100 physically manhandled ladies to choose if erotic entertainment assumed a part in any previous events of sexual maltreatment. Of this, 28% (ladies who knew that their victimizer used erotic entertainment), 40% (or 11% of the absolute gathering) revealed that porn impacted the harmful occasion they encountered. While 58% couldn't say, 28% expressed that their victimizer had utilized erotic entertainment. Now and again, the victimizer had seen erotic entertainment before disregarding the lady. In one case, he utilized erotic entertainment while submitting the indecent demonstration, and in yet some different circumstances, he constrained his casualty to make an explicit film.

## **X. PORNOGRAPHY AND CRIME**

Some studies have conjectured that pornography influences sex work in India. As a saying, what you see is what you become, as it is pretty evident that today's youth is interested in watching, not just pornography. However, it watches homosexual pornography and child pornography. These vulgar videos teach us today's youth how to exploit and to how much extent one can exploit one's body. Thus making a potential rapist. Rape is a hated crime in India, but still, New Delhi is called the rape capital of India. In every 15 minutes, one woman gets raped in India, according to statistics. All just by watching these silly pornographic movies.

Also, there are fewer role models presented today in today's digital age, where today's youth watches more and more movies and youtube videos. The makers of these movies and videos need to add some extra element in nudity to receive extra likes and more and more views. It is widespread nowadays and not just the youth but kids these days watch and like to copy their favourite actor or hero. They would also romance like their hero, who is very unnatural from their age. Thus the very innocence of these children is in danger. **Pornography is the cause, and degradation of this society is the effect of it.** A recent study found that female sex workers have been asked to perform new sexual acts and different positions such as oral sex, anal sex, and masturbation. It is believed that it was due to increased exposure to Pornography in India. The pornographic videos we watch are primarily made in the western countries where it is legalized and has an extensive business of around 97 Billion dollars. The porn industry forms a significant part of the economy in all of the United States and Worldwide. Completely shutting it would be a foolish decision for the American Government.

Important media people in India have argued that censoring pornography would decrease rapes in India. By watching porn videos, one gets to have this persona of presenting themselves and exhibiting their sexual desires and tendencies in a very absurd and obscene manner. Studies have suggested that there has not been a connection between pornography being a significant factor in India's violence and crime rate. Nevertheless, it can be very well stated and observed that people who enter this commercial business of pornography do not enter this profession with their hearts; they do enter when they desperately need or are searching for money. Thus pornography is the root cause of human trafficking; prostitution, selling, and buying minors for sexual use are significant effects. **It can be stopped only when we, as the end-users or consumers, stop watching it and start discussing it as a substantial problem.** Also, the Parliament of India shall make strict penal provisions regarding persons involved in these malpractices in India. Also, It must make provisions for its members who watch and support pornographic content inside State assemblies and the Parliament of India. The primary purpose of these members of parliament is to make law, enact the law, abolish the law and amend the law. If these members support pornographic content when the proceeding of the parliament is going on, it brings shame not only to the people who have elected them but also brings great shame to our country. One such incident happened inside the parliament when BJP leader, who presently is Deputy CM of Karnataka, was caught watching a pornographic video inside the parliament dated August 27th, 2012. He watched this porn clip with other members of the state assembly name CC Patil, who has been allotted Mines and Geology ministry in the present cabinet of the Karnataka Government. The two, however, never accepted these allegations and

said that they were watching the ill effects of a rave party. Nevertheless, using mobile phones inside state legislatures during proceedings is banned by govt.

## **XI. SECTIONS THAT DEAL WITH CRIMES RELATED TO PORNOGRAPHY (IPC)**

1. **Section 354:** Assault or criminal strength to women with intending to outrage her unpretentiousness shall be imprisoned for a term between one to 5 years and will also be legally responsible to charges.
2. **Section 354A:** Sexual harassment and penalization for it, a man perpetrating any of the subsequent acts such as bodily contact with another woman and sexual advances with another woman, a request or command for sexual harassment, **displaying pornography in contradiction of their will**, making sexually coloured comments. Any man who commits this offence shall be punished within 3 years and liable to a charges or both.<sup>21</sup>
3. **Section 354B:** Assault or use of strength with intent to strip. Any man who physically attacks or uses criminal strength on any woman or encourages such act to strip or induce her to be naked shall be penalized with incarceration of either tenure, which can not be less than 3 years which can extend to 7 years be legally responsible to charges.<sup>22</sup>
4. **Section 354C:** Any bloke who stalks or captures the image of a woman involving in a personal act in circumstances where she would customarily anticipate not to be witnessed either by the perp or by any other individual will be penalized with incarceration for a tenure between 1 year which can not extend to 3 years.<sup>2324</sup>
5. **Section 366A:** Procurement of juvenile girl – whoever, by means whatsoever, persuades any juvenile girl under the age of 18 years to go from one place or to do an act with the intent that a girl may be or comprehending that it is in the cards that she can be compelled or seduced to unlawful sexual relationships with an individual will be liable to be punished with incarceration which can extend to 10 years.<sup>25</sup>
6. **Section 366B:** Importation of a female from a overseascountry<sup>26</sup> – Whoever ingresses any girl above 21 years of age with the intention that she will be compelled or seduced to unlawful intercourse with an individual shall be incarcerated for 10 years.

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<sup>21</sup> (IPC Section 354A. Sexual harassment and punishment for Sexual Harassment, n.d.)

<sup>22</sup> (Report: Amendment in POCSO Act with emphasis to Death Penalty., n.d.)

<sup>23</sup> (Assault or use of criminal force to woman with intent to Disrobe, n.d.)

<sup>24</sup> (IPC 354C - Punishment for Voyeurism, n.d.)

<sup>25</sup> (IPC Section 366A - Procurement of minor girl, n.d.)

<sup>26</sup> (Section 366B. Importation of girl from foreign country, n.d.)

7. **Sections 372 and 373:** Selling and buying of minors, any person who is found guilty of this heinous act shall be imprisoned for a tenure of 10 years and will be legally responsible to a charges.

## **XII. CONCLUSION**

Pornography can be stated as recording sexual acts between a man and a woman and exploiting them to get commercial benefits in monetary form from the video source. The main objective is to corrupt its audience mind and that of society. Pornography only promotes obscenity and erotica in people's minds and teaches them to disrespect the weaker sex.

Forget youth. It is proven earlier that today's youngsters love to use their mobiles, tablets and laptops to search for obscene matters in the name of pornography. In this Coronavirus pandemic, about 95% of modern youth in India watched pornographic videos to entertain themselves. Surprisingly, our members of parliament are also watching pornographic videos inside the parliament of India. Most of the erotic matter that today's youth and children watches come from the Hindi Cinema and Web Series.

Though many laws had been made and passed by the parliament of India to remove the use of pornographic videos altogether, the users find ample ways to exploit it and use it. Laws as recent as the Protection of children from sexual offences Act, 2012. Under Sections 13 and 14 states about banning of child pornography with imprisonment up to a period of 10 years with exemplary or both and Section 354A of the IPC, 1860 states about sexual harassment as follows: showing of pornography to a woman without her consent is a crime with imprisonment up to one year. Under Section 67 of the IT Act, 2000, it is considered a crime to upload any obscene matter in electronic mode with the incarceration of up to three years. Section 4 of the Indecent representation Act, 1956 states exclusion or ban on materials that represent women in vulgar form.

India has an abundance of legislation to prohibit pornography and to prohibit indecent representation of women. Nevertheless still, India is a potential market for these porn websites, and New Delhi is called the Rape capital of India, wherein every 15 minutes, one girl is raped. Thus pornography is the root cause of prostitution and rape, and other sexual wrongdoings that women and juveniles go through is a significant effect. The excessive usage of pornography corrupts the mind of people, and people suffer from mental disorders such as frustration, violence, anxiety, sexual disorders, and a threat to society by being potential rapists and potential molesters. The irony is that pornography is still considered taboo in the 21<sup>st</sup> Century, but it is still watched by millions of people over the internet daily. What so many legislations

there to prohibit Pornography in India, the government should remain strict with the punishments, and there shall be zero tolerance observed for offenders. So that people get a perfect example if they think of supporting pornography in any form, they might get strict action from the government. There is a lack of awareness among the youth and people regarding pornographic laws in India. It must be observed that what we watch over the internet for our entertainment purposes gets commercial benefits to the people mostly belonging to the American nationality and countries which have legalized pornography. Thus, our likes, views, and subscription would strengthen their economies and Gross Domestic Products and not ours. Watching pornography has only ill effects; thus, the masses must boycott pornography directly in magazines or posters or watching or indirectly in the form of videos or short films, films, and better ways of Sex Education should be introduced for the youth. We must promote different sports among our youth to become healthy, wealthy, and wise, represent India in the Olympic Games, make India proud by winning Olympic Gold medals and inspire the younger generation to take up sports and build strong character.

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