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Title: Need to amend the section 353 of the Indian Penal Code.

SHRI NISHIKANT DUBEY (GODDA): As per the revised legal provisions of Section 353 of Indian Penal Code "Assault or Criminal force to deter public servant from discharge of his duty is a punishable offence"

While there is merit in preventing such actions and to allow public servants to function without any hindrance, however the omnibus nature of the clause needs to be relooked to make a distinction to allow genuine political struggles and non-violent agitations in public.

The clause is misused, especially by political opponents, and ends up targeting genuine political activists as "unlawful" people. This clause is draconian as it results in every public representative being maligned and defamed at every possible opportunity. This results in police oppression â€" especially in rural areas where many high-handed activities of the administration go unchecked and unreported.

In a democracy of the size and complexity of India, and especially in the two-tier political system, there is need to ensure that a situation does not arise where even public representatives have to fear high-handed action and oppression from the entrenched bureaucracy and their political masters.

Given this, it is prayed that the said section be amended forthwith and a necessary and crucial distinction be made to ensure that the law does not end up being misused.