

To be or not to be an Indian flag!

Debate rages on social media about legality of putting the national flag as individual or group profile picture

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DUBAI — Does putting up the Indian national flag as one's profile picture on Facebook, WhatsApp or BBM constitute disrespecting the flag and violating the Indian laws? This is the question in the minds of many Indian expatriates in the UAE ahead of their country's 68th Independence Day on August 15.

Tens of thousands of Indian expats in the UAE, like their fellow countrymen in India and other parts of the world, have started receiving and forwarding messages that ask Indians to replace their profile pictures on social media sites with the photo of the tri-colour to show their pride and patriotism on the occasion.

While many Indians did it within minutes, they were either intrigued or shocked when another message started making the rounds.

This time, the message, which was purportedly sent out by people who 'know the laws', said that putting up the national flag as profile pictures is "illegal and disrespectful".

These contradicting messages have led to debates on the social media, with some expats reminding their friends about controversies involving famous personalities such as Mandira Bedi, Sania



The picture message doing the rounds on social media.

Mirza and Mallika Sherawat, who reportedly disrespected the flag.

However, some others believe it is okay to keep the tri-colour as one's profile picture to proclaim his/her patriotism, since they are not draping themselves with the flag, but just keeping it as a "proud identity".

ID dilemma

Dubai resident Vimmi Sanil said she got a message on WhatsApp, which said using the Indian flag in any form of title representation is illegal under the Prevention of Insults to National Honour Act 1971. "I was not sure if this is true. But I felt we shouldn't unknowingly disrespect the flag. So, I forwarded the message to all in my contacts whom I saw had changed the flag as their DP (display picture)."

Abhilash Malliya, an IT professional in Dubai, said he defended the act of changing his DP when he received a similar message.

"I read the link to the act and found that it doesn't say anything

about profile pictures. It is true that it says the flag should not be stitched or pasted anywhere etc.

"When Indian cricket team members can put the flag on their helmets; when Indian sports contingent can display it on their shirts; when Usha Uthup can wear a tri-colour bindi, why can't we put up a profile picture?"

Lawyer speak

To know the legality of the matter, *Khaleej Times* posed the question to advocate Ashish Mehta, managing partner of Ashish Mehta and Associates.

He said the Supreme Court of India had ruled in favour of a petition filed by industrialist and politician Naveen Jindal, making the hoisting of the national flag on all days of the year a new fundamental right of Indian citizens.

"The apex court allows Indian citizens to hoist the flag without any disrepute or offence to the flag. So, as long as the flag or the country's image is not brought into disrepute, there shouldn't be anything wrong in using the flag to show your sense of pride and patriotism in a profile picture," he said.

However, he added that the tri-colour should be the official colour as decided by the government of India. "People should not change the horizontal rectangular shape and the original colours of the flag."

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