

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2285

ANSWERED ON:21.07.2009

AMENDMENT OF SECTION OF IPC

Gaikwad Shri Eknath Mahadeo;Khairi Shri Chandrakant Bhaurao;Pandey Shri Ravindra Kumar;Yaskhi Shri Madhu Goud

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government proposes to review laws on homo sexuality and amend/repeal section 377 of the Indian Penal Code;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a) to (c): Delhi High Court in its recent judgment on the Writ Petition (Civil) No. 7455 of 2001 filed by an NGO, has, inter alia, ruled that Section 377 of IPC, insofar as, it criminalizes consensual sexual acts of adults in private, is violative of Articles 21, 14 and 15 of the Constitution. The order of the Delhi High Court has been challenged in the Supreme Court of India by Shri Suresh Kumar Koushal & another. As such, the matter is sub-judice.