

**Madhya Pradesh Rajya Suraksha Adhiniyam, 1990**

**4 of 1991**

**[22 January 1991]**

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## **Madhya Pradesh Rajya Suraksha Adhiniyam, 1990**

**4 of 1991**

**[22 January 1991]**

An Act to provide for the security of the State, maintenance of public order and certain other matters connected therewith. Be it enacted by the Madhya Pradesh Legislature in the Forty-first Year of the Republic of India as follows :-- 1. Received the assent of the President on the 22nd January, 1991; assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)", dated the 8th February, 1991.

### CHAPTER 1

#### PRELIMINARY

### **1. Short Title And Extent :-**

(1) This Act may be called the Madhya Pradesh Rajya Suraksha Adhiniyam, 1990.

(2) It extends to the whole of Madhya Pradesh.

### CHAPTER 2

## **2. Definition :-**

In this Chapter "restriction order" means an order made under Section 3.

## **3. Power To Make Restriction Order :-**

(1) If a District Magistrate is satisfied with respect to any persons that he is acting or is likely to act in a manner prejudicial to the security of the State or the maintenance of public order and that, in order to prevent him from so acting it is necessary in the interest of the general public to make an order under this Section, the District Magistrate, may make an order,--

(a) requiring him to notify movements or to report himself or both to notify his movements and report himself in such manner at such times and to such authority or persons as may be specified in the order;

(b) imposing upon him such restrictions as may be specified in the order, in respect of his association or communications with such persons as may be mentioned in the order;

(c) prohibiting or restricting the possession or use by him of any such article or articles as may be specified in the order.

(2) A restriction order made under sub-section (1) shall remain in operation for such period as may be specified therein and shall in no case exceed a period of one year from the date of the order.

## **CHAPTER 3**

### **DISPERSAL OF ANTI-SOCIAL ELEMENTS AND PREVIOUS CONVICTS**

## **4. Dispersal Of Gangs And Bodies Of Persons :-**

Whenever it appears to the District Magistrate that the movement or encampment of any gang or body of persons in the district is causing or is calculated to cause danger or alarm or reasonable suspicion that unlawful designs are entertained by such gang or body, or by members thereof the District Magistrate, may by an order addressed to the persons appearing to be the leaders or chiefmen of such gang or body and published by beat of rumor otherwise, as the District Magistrate thinks fit, direct the members of such gang or body,--

(a) to conduct themselves in such manner as may be necessary in order to prevent violence and alarm; or

(b) to disperse and each of them to remove himself outside the district or any part thereof or such area, and any district or districts, or any part thereof contiguous thereto with such time as the District Magistrate may specify, and not to enter the said district or part thereof or such area and such contiguous districts, or part thereof, as the case may be or not to return to the place from which each of them was directed to remove himself.

## **5. Removal Of Persons About To Commit Offence :-**

Whenever it appears to the District Magistrate--

(a) that the movements or acts of any person are causing or calculated to cause alarm, danger or harm to person or property; or

(b) that there are reasonable grounds for believing that such person is engaged or is about to be engaged in the commission of an offence involving force or violence or an offence punishable under Chapter XII, XVI or XVII or under Section 506 or 509 of the Indian Penal Code, 1860 (45 of 1860) or in the abatement of any such offence, and when in the opinion of the District Magistrate witnesses are not willing to come forward to give evidence in public against such person by reason of apprehension on their part as regards the safety of their person or property; or

(c) that an outbreak of epidemic disease is likely to result from the continued residence of an immigrant;

the District Magistrate may, by an order in writing duly served on him or by beat of drum or otherwise as the District Magistrate thinks fit, direct such person or immigrant--

(a) so as to conduct himself as shall seem necessary in order to prevent violence and alarm or the outbreak or spread of such disease; or

(b) to remove himself outside the district or any part thereof or such area and any district or districts or any part thereof, contiguous thereto by such route within such time as the District Magistrate may specify and not to enter or return to the said district or part thereof or such area and such contiguous districts, or part thereof, as the case may be, from which he was directed to remove himself.

It is a settled principle of Law that every order passed by an authority exercising powers under statute which affects citizens' right must be supported with reasons and indeed adequate ones. The necessity of assigning reason becomes more, when the order is adverse to a party. A person who is being penalised by the

authority under the Act was entitled to know the reasons as to why and on what basis he was being penalised. Absence of reasons lead to an inference of non-application of mind by an authority passing an order. Their Lordships of Supreme Court in *Shri Pragdas Umar Vaishya Vs. Union of India*, 1967 Vol. 12 MPLJ 868 has an occasion to comment on the importance of giving reasoning by an authority passing an order. The observation of Their Lordships in this case must always be kept in mind while passing an order :

"In our view, the procedure followed by the High Court was irregular, it is not for the High Court to give reasons which the Government might have, but has not chosen to give in support of its conclusion. Since no reasons were given in support of the order passed by the Central Government, the order was ex facie defective, and the defect could not be remedied by looking into the file maintained by the Government and constructing the reasons in support of that order. The reasons in support of the order had to be recorded and disclosed to the parties concerned by the Central Government; the reasons could not be gathered from the "notings" made in files of the Central Government. Recording of reasons and disclosure thereof is not a mere formality. The party affected by the order has a right to approach this Court in appeal, and an effective challenge against the order may be raised only if the party aggrieved is apprised of the reasons in support of the order."

The State (Appellate Authority) is directed to decide the appeal on its merit by giving an opportunity to the petitioner of hearing. Needless to emphasis, the appellate authority while passing the final order disposing of an appeal would assigned the reasons in accordance with law. The appeal be decided within one month from the date of production of this order before the Appellate Authority. [*Jokhu Vs. District Magistrate, Ujjain*, 2000 (1) M.P.H.T. 554 at 556 (MP) (Indore Bench)].

## **6. Removal Of Persons Convicted Of Certain Offences :-**

If a person has been convicted--

(a) of an offence,--

(i) under Chapter XII, XVI or XVII or under Section 506 or 509 of the Indian Penal Code, 1860 (45 of 1860); or

(ii) under the Protection of Civil Rights Act, 1955 (22 of 1955); or

(b) twice, of an offence under Suppression of Immoral Traffic in Women and Girls Act, 1956 (104 of 1956); or

(c) thrice, of an offence within a period of three years under

1[Section 3 or 4 or 4-A] of the Public Gambling Act, 1867 (3 of 1967), in its application to the State of Madhya Pradesh; the District Magistrate may, if he has reason to believe that such person is likely against to engage himself in the commission of an offence similar to that for which he was convicted direct such person by an order to remove himself outside the district or part thereof or such area and any district or districts or any part thereof, contiguous thereto by such route and within such time as the District Magistrate may order and not to enter or return to the District or part thereof or such area and such contiguous district or part thereof, as the case may be, from which he was directed to remove himself.

Explanation :-- For the purpose of this Section, the expression, "an offence similar to that for which he was convicted" means :--

(i) in the case of a person convicted of an offence mentioned in clause (a), an offence falling under any of the Chapters or Sections of the Indian Penal Code, 1860 (45 of 1860), mentioned in that clause or an offence falling under the provisions of the Act mentioned in sub-clause (ii) of that clause; and

(ii) in the case of a person convicted of an offence mentioned in clauses (b) and (c), an offence falling under the provisions of the Acts mentioned respectively in the said clauses.

1. Substituted for "Section 3 or 4" by M.P. Act No. 28 of 2006.

## **7. Period Of Operation Of Orders Under Section 4, 5 Or 6 :-**

A direction made under Section 4, 5 or 6 not to enter any district or part thereof or such area and any district or districts or any part thereof, contiguous thereto, as the case may be, shall be for such period as may be specified therein and shall in no case exceed a period of one year from the date of which it was made.

## **8. Hearing To Be Given Before Order Under Section 3, 4, 5 Or 6 Is Passed :-**

(1) Before an order under Section 3, 4, 5 or 6 is passed against any person, the District Magistrate shall inform the person in writing of the general nature of the material allegations against him and give him a reasonable opportunity of tendering an explanation regarding them.

(2) If such person makes an application for the examination of any witness produced by him, the District Magistrate shall grant such application and examine such witnesses unless for reason to be

recorded in writing, the District Magistrate is of opinion that such application is made for the purpose of vexation or delay.

(3) Any written statement put in by such person shall be filed with the record of the case and such person shall be entitled to appear before the District Magistrate by any legal practitioner for the purpose of tendering his explanation and examining the witnesses produced by him.

(4) The District Magistrate proceeding under sub-section (1) may, for the purpose of securing the attendance of any person against whom any order is proposed to be made under Section 3, 4, 5 or 6 require such person to appear before him and to execute a security bond with or without sureties for such attendance during the inquiry.

(5) If the person fails to execute the security bond as required or fails to appear before the District Magistrate during the inquiry, it shall be lawful for the District Magistrate to proceed with the enquiry ex parte and thereupon such order, as was proposed to be passed against him, may be passed.

## **9. Appeal :-**

(1) Any person aggrieved by an order under Section 3, 4, 5 or 6 made by the District Magistrate or any other officer specially empowered under Section 13 may appeal to the State Government within thirty days from the date of such order. Such appeal shall be decided as far as possible within a period of four months of the date of filing of the appeal.

(2) An appeal under this section shall be preferred in the form of a memorandum setting forth concisely the grounds of objection to the order appealed against, and shall be accompanied by a certified copy thereof.

(3) On receipt of such appeal, the State Government may after giving a reasonable opportunity to the appellant to be heard either personally or by a legal practitioner and after such further inquiry, if any, as it may deem necessary confirm, vary or rescind the order appealed against :

Provided that the order appealed against shall remain in operation pending the disposal of the appeal, unless the State Government otherwise directs.

(4) In calculating the period of thirty days provided for an appeal under this Section, the time taken for granting a certified copy of the order appealed against shall be excluded.

## **10. Finality Of Orders Passed For In Certain Cases :-**

Any order passed under Section 3, 4, 5 or 6 shall not be called in question in any Court except on the grounds--

- (i) that the District Magistrate had not followed the procedure laid down in sub-section (1) of Section 8; or
- (ii) that there was no material before the District Magistrate upon which he could have based his order; or
- (iii) that the District Magistrate was not of opinion that witnesses were unwilling to come forward to give evidence in public against the person in respect of whom an order was made under Section 5.

## **11. Procedure On Failure Of Person To Leave The District, Etc. And His Entry Therein After Removal :-**

If a person to whom a direction has been issued under Section 4, 5 or 6 to remove himself from a district or part thereof or such area and any district or districts, or any part thereof contiguous thereto,-

- (i) fails to remove himself as directed; or
  - (ii) having so removed himself except with the permission in writing as provided in Section 12 enters the district or part thereof or any district or districts or any part thereof contiguous thereto, as the case may be, within the period specified in the order;
- the District Magistrate may cause him to be arrested and removed in police custody to such place outside such area as the District Magistrate may, in each case, specify.

## **12. Temporary Permission To Enter Or Return To The District Etc. From Which A Person Was Directed To Remove Himself :-**

(1) The State Government or the District Magistrate may in writing permit, any person in respect of whom an order under Section 4, 5 or 6 has been made to enter or return, for such temporary period and subject to such conditions as may be specified in such permission, to the district, or part thereof or such area and any contiguous district or districts or part thereof from which he was directed to remove himself.

(2) The aforesaid permission may at any time be revoked by the State Government or the District Magistrate, as the case may be.

(3) In permitting a person under sub-section (1) to enter or return to the district, or such part thereof or such area and any contiguous



district or districts or part thereof, as the case may be from which he was directed to remove himself, the authority giving the said permission may require him to execute a bond with or without surety for due observance of the conditions imposed on him.

(4) Any person who in pursuance of a permission granted under sub-section (1) enters or returns to the district or part thereof, or such areas and any contiguous district or districts or part thereof, as the case may be, for which he was directed to remove himself shall observe the conditions imposed in the said permission, and at the expiry of the temporary period for which he was permitted to enter or return, or on the earlier revocation of such permission, shall remove himself outside such district or part thereof or such area and any contiguous district or districts or part thereof, as the case may be, and shall not enter therein or return thereto within the unexpired residue of the period specified in the original order made under Section 4, 5 or 6 without a fresh permission.

(5) If such person fails to observe any of the contributions imposed, or to remove himself accordingly, or having so removed himself enters or returns to the district, or the part thereof or such area and any contiguous district or districts or part thereof, without fresh permission, then, without prejudice to any other action that may be taken against him under this Act, the District Magistrate may cause him to be arrested and removed in police custody to such place outside area as the District Magistrate may in each case specify.

### **13. Power Of Externment Of State Government :-**

(1) The State Government or the officer specially empowered by the State Government in that behalf, may, in like circumstances, and in like manner, exercise the powers exercisable in a district by the District Magistrate under Section 3, 4, 5 or 6 with this modification that it shall be lawful for the State Government or the officer specially empowered to direct the members of such gang or body, or persons or immigrants, or persons convicted, as the case may be, to remove themselves from and not to enter or return or any district or districts or parts thereof whether contiguous thereto or not.

(2) The provisions of Sections 7, 8, 10, 11 and 12 and of Section 9 where the order is passed by the officer specially empowered by the State Government under sub-section (1) shall mutatis mutandis apply to the exercise of any powers under this section as they

apply to the exercise of any powers under Section 3, 4, 5 or 6.

(3) Where the order is passed by the State Government under sub-section (1), the State Government may, either on its own motion or on an application of the person aggrieved, review any order passed by itself and pass such order in reference thereto as it thinks fit :

Provided that no order shall be varied or reversed unless notice has been given to the person concerned to appear and be heard in support of such order.

**14. Penalty For Contravention Of Directions Under Section 3, 4, 5, 6 Or 13 :-**

If any person opposes or disobeys or fails to confirm to any direction issued under Section 3, 4, 5, 6 or 13 or abets opposition to or disobedience of any such direction he shall be punishable with imprisonment which may extend to three years but shall not, except for reasons to be recorded in writing, be less than four months, and shall also be liable to fine.

**15. Penalty For Entering Without Permission Area From Which A Person Is Directed To Remove Himself Or Over Staying When Permitted To Return Temporarily :-**

Without prejudice to the power to arrest and remove a person in the circumstances and in the manner provided in Section 11 any person who--

(a) in contravention of any direction issued to him under Section 4, 5, 6 or 13 enters or returns without permission to the district or part thereof, or such area and any other district or districts or part thereof from which he was directed to remove himself;

(b) enters or returns to any such area or district aforesaid or part thereof with permission granted under Section 12 but fails, contrary to the provisions thereof to remove himself outside such area at the expiry of the temporary period for which he was permitted, to enter or return or on the earlier revocation of such permission, or having removed himself at the expiry of such temporary period or on revocation of the permission enters or returns thereafter without fresh permission;

shall be punishable with imprisonment for a term which may extend to three years, but shall not except for reasons to be recorded in writing be less than six months, and shall also be liable to fine.

**16. Presumption In Prosecutions For Contravention Of**

## **Order Passed Under Section 3 Or Directions Issued Under Section 4, 5, 6 Or 13 :-**

Notwithstanding anything contained in any law for the time being in force, in a prosecution for an offence for the contravention of order passed under Section 3 or a direction issued under Section 4, 5, 6 or 13 on the production of an authentic copy of the order, it shall u.

### **17. Section 17 :-**

### **18. Section 18 :-**

### **19. Section 19 :-**

#### **CHAPTER 4**

#### **CONTROL OF ANTI-SOCIAL ACTIVITIES**

### **20. Punishment For Unlawful Possession Of Corrosive Substance, Etc. :-**

Any person who carries on his person or knowingly has in his possession or under his control any corrosive substance or liquid, under such circumstances as to give rise to a reasonable suspicion that he does not carry on his person or have it in this possession or under his control for a lawful object, shall, unless he can show that he was carrying it on his person or that he had it in his possession or under his control for a lawful object, be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

### **21. Imposition Of Collective Fine On Inhabitants Of Area :-**

(1) (a) If it appears to the State Government, that the inhabitants or any class or section of inhabitants of any area are concerned in or are abetting the commission of offences resulting or likely to result in death or grievous hurt or loss of, or damage to property or extortion or kidnapping for ransom or are harbouring persons concerned in the commission of such offences or are failing to render all the assistance in their power to discover or apprehend the offenders, or has suppressing material evidence of the commission of such offences, the State Government may, by notification, impose a collective fine on such inhabitants or class or section of inhabitants of that area.

(b) An order imposing a collective fine under clause (a) shall also

be published in at least one newspaper having circulation in the area concerned and in such other manner as the State Government may consider best calculated to bring the order to the notice of the inhabitants of the area concerned.

(2) The State Government or any officer empowered in this behalf by the State Government by general or special order may exempt any such inhabitant or class or section of such inhabitant from liability to pay such fine or any portion thereof.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) In making the apportionment, the District Magistrate may fix the portion to be paid by a joint or undivided family.

(5) The portion of such fine made payable by any inhabitant or joint or undivided family may be recovered--

(a) in the manner provided by the Code of Criminal Procedure, 1973 (No. 2 of 1974) for the recovery of fines imposed by a Court, as if such portion were a fine imposed by a Court :

Provided that the State Government may, in lieu of the rules referred to in sub-section (2) of Section 42 of the Code of Criminal Procedure, 1973 (No. 2 of 1974) make rules under this Act regulating the manner in which warrant under clause (a) of sub-section (1) of the said section of the said Code are to be executed, and for the summary determination of any claims made by any person other than the person liable to pay the fine in respect of any property attached in execution of the warrant, or

(b) as arrears of land revenue.

(6) An order imposing collective fine under sub-section (1) may at any time be revoked or modified by the State Government.

## CHAPTER 5

### PUBLIC SAFETY AND ORDER

## **22. Control Of Camps, Drills, Parades Etc. :-**

(1) If the State Government is satisfied that it is necessary in the interest of public security or maintenance of public order to do so, it may, by general or special order prohibit or restrict in any area the holding of camps or any exercise movements evolution or drill of a military nature specified in the order.

(2) With a view to securing that no unauthorised exercise,

movement evolution or drill of a military nature is performed at any place, the State Government may, by general or special order, prohibit, restrict or impose conditions on the holding of, or taking part in any camp, parade, meeting, assembly or prosecution by any class of persons or organisations, specified in the order.

(3) Any contravention of an order made under this Section shall be punishable with imprisonment which may extend to three years or with fine or with both.

### **23. Control Of Uniforms :-**

(1) If the State Government is satisfied that the wearing or display in public of any dress or article of apparel or any emblem resembling any uniform or part of a uniform of emblem required to be worn or displayed by a member of the Armed Force of the Union or by a member of any police force or of any force constituted under any law for the time being in force, would be likely to prejudice the public safety, the maintenance of order or the preservation of peace and tranquility, the State Government may, by general or special order, prohibit or restrict any such dress or article of apparel or emblem.

(2) For the purposes of this Section, a dress, an article of apparel or any emblem shall be deemed to be worn or displayed in public if it is worn or displayed so as to be visible to a person in any place to which the public have access.

(3) If any person contravenes any order made under this section he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

### **24. Power To Prohibit Or Restrict Use Of Pathway, Road, Etc. :-**

(1) The State Government may, for the maintenance of public order or in the interest of general public by order, prohibit or restrict for such period not exceeding three months as may be specified in the order--

(a) the use of any road, pathway or waterway;

(b) the passage of any person, animal or vehicle over any land.

(2) If any person contravenes any order made under sub-section (1), he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

## **CHAPTER 6**

### **ACCESS TO CERTAIN PLACES AND AREAS**

## **25. Protected Place :-**

(1) If as respects any place or class of places the State Government considers it necessary or expedient in the interest of general public that special precautions should be taken to prevent the entry of unauthorised persons the State Government may by order declare that place; or, as the case may be, every place of that class to be a protected place; and thereupon, for so long as the order is in force, such place or every place of such class, as the case may be, shall be a protected place for the purposes of this Act.

(2) No person shall without the permission of the State Government or of the District Magistrate or of such other officer as may be authorised by the State Government in this behalf enter or be on or in or pass over or loiter, in the vicinity of any protected place.

(3) Where in pursuance of sub-section (2) any person is granted permission to enter, or to be on or in, or to pass over a protected place, that person shall, while acting under such permission, comply with such directions for regulating his conduct as may be given by the authority which granted the permission.

(4) If any person enters or remains in a Protected place in contravention of any provision of this section, then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by any police officer or by any other person authorised in this behalf by the State Government.

(5) If any person contravenes any of the provisions of this section he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

## **26. Protected Area :-**

(1) If the State Government considers it necessary or expedient in the interest of general public to regulate the entry of persons into any area, the State Government may without prejudice to any other provisions of this Act, by order declare such area to be a protected area; and thereupon for so long as the order is in force, such area shall be protected area for the purposes of this Act.

(2) On and after such date as may be specified in and subject to any exemptions for which provisions may be made by an order made under sub-section (1), no person who was not immediately before the said date resident in the area declared to be a protected area by the said order shall effect entry into or remain in area

except in accordance with the terms of a permission in writing granted to him by an authority or person specified in the said order.

(3) If any person effects entry into or remains in a protected area in contravention of the provisions of this section then without prejudice to any other proceedings which may be taken against him he may be removed therefrom by or under the directions of any police officer on duty in the protected area or by any other person authorised in this behalf by the State Government.

(4) If any person effects entry into or remains in a protected area in contravention of any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

## **27. Forcing Or Evading Guard :-**

Any person who effects or attempts to effect entry into a protected place or protected area--

(a) by using or threatening to use criminal force to any person posted for the purpose of protecting or preventing or controlling access to, such place or, area; or

(b) after taking precautions to conceal his entry or attempted entry from any such person; shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

## **28. Orders For Certain Places And Areas :-**

Without prejudice to any other provisions of this Act, the State Government as respects--

(a) any place or area declared by it to be a protected place or protected area; or

(b) any other place or area in relation to which it appears to it to be necessary to take special precautions for preventing or suppressing subversive acts or for maintaining supplies and services essential to the life of the community;

may make order for controlling or regulating the admission of persons to and the conduct of persons in and in the vicinity of such place or area.

(2) Without prejudice to the generality of the foregoing provisions, orders made under sub-section (1) in relation to any place or area may make provisions--

(a) for restricting admission of persons to such place or area and for removing therefrom any person who is therein contravention of the

order or who has been convicted of any contravention of the provisions of this Act;

(b) for requiring the presence of any person or class of persons in such place or area to be notified to a prescribed authority and for requiring any person who has been convicted of any such offence as mentioned in clause (a) of this sub-section to report his movements while in such place or area and to observe any other condition imposed upon him by the Prescribed Authority;

(c) for requiring any person or class of persons in such place or area to carry such documentary evidence of identity as may be prescribed; and

(d) for prohibiting any person or class of persons from being in possession or control of any specified article.

(3) An order made under this section in respect of a protected place or protected area may exempt such place or area from all or any of the provisions of this Act which are express to apply to or in relation to a protected place or protected area, as the case may be, or may direct that all or any of the said provisions shall apply subject to such modifications as may be specified in the order.

(4) An order made under this section in respect of a place or area which is not a protected place or protected area may direct that all or any of the provisions of this Act which are expressed to apply to or in relation to a protected place or protected area, as the case may be, shall apply to or in relation to the place or area in respect of which the order is made either without modification or subject to such modification as may be specified in the order.

(5) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

#### CHAPTER 7 SUPPLEMENTAL

### **29. Delegation Of Powers And Duties Of State Government**

:-

The State Government may by order, direct that any power or duty which is conferred or imposed on the State Government by this Act except the power of imposing collective fines under Section 21 and of framing rules under Section 30, shall under such conditions, if any, as may be specified in that direction be exercised or discharged by any officer subordinate to it, not below the rank of a District Magistrate.



### **30. Rules :-**

- (1) The State Government may, after previous publication, make rules to carry out the purposes of this Act.
- (2) All rules made under this Act shall, as soon as possible after they are made, be laid on the Table of the Legislative Assembly.

### **31. Penalty For Attempt To Commit Offence :-**

Whoever abets the commission of an offence under this Act or attempts to commit any such offence and in such attempt does any act towards the commission of the offence, shall be punishable with the punishment provided for the offence.

### **32. Penalty For Harboursing Offenders :-**

Whoever knowingly aids or abets or harbours or conceals any person who has committed an offence under this Act shall be punishable with the punishment provided for such offence.

Explanation :-- For the purpose of this section, the word "harbour" includes the supplying a person with shelter, food, drink, money, clothes, arms, ammunition or means of conveyance, or assisting a person by any means, whether of the same kind as those enumerated in this section or not to evade apprehension.

### **33. Indemnity :-**

- (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any rules and orders made thereunder.
- (2) Save as otherwise expressly provided under this Act, no suit or other legal proceedings shall lie against the Government for any damage caused or likely to be caused by anything in good faith done or intended to be done in pursuance of this Act or any rules and orders made thereunder.

### **34. Application Of Other Laws Not Barred :-**

The provisions of this Act shall be in addition to and not in derogation of any other Act, Ordinance or Regulation for the time being in force.

### **35. Powers Of Search By Any Police Officer :-**

Any Police Officer or any person authorised by the State Government in this behalf may search any person entering or seeking to enter, or being on or in, or leaving a protected place or protected area, as the case may be, and any vehicle, vessel, animal or article brought in by such person, and may, for the purpose of the search, detain such person, vehicle, vessel, animal or article :  
Provided that no women shall be searched in pursuance of this section except by a women, and that such search shall be made with due regard to decency.