

Terrorist and Disruptive Activities (Prevention) Rules, 1986

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Terrorist and Disruptive Activities (Prevention) Rules, 1986

In exercise of the powers conferred by Section 5 of the Terrorist and Disruptive Activities (Prevention) Act, 1985 (31 of 1985), the

Central Government hereby makes the following rules, namely :-

1. Short title and commencement :-

(1) These rules may be called the Terrorist and Disruptive Activities (Prevention) Rules, 1986.

(2) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires,-

(a) "Act" means the Terrorist and Disruptive Activities (Prevention) Act, 1985 (31 of 1985) ;

(b) "empowered authority" means any authority being the Central Government or a State Government or the Administrator of a Union territory under Article 239 of the Constitution or an officer of the Central Government not lower in rank than that of a Joint Secretary to that Government or an officer of a State Government or a Union territory Administration not lower in rank than that of a District Magistrate or an officer competent to exercise under any law the powers of a District Magistrate.

(c) "essential service" shall include those services which the Central Government have declared to be such under the provisions of the Essential Services Maintenance Act, 1981 (40 of 1981);

(d) "essential supplies" means articles which the Central Government being of opinion that the maintenance of supply thereof is essential to the life of the community, declares by an order in writing to be an essential article;

{e) "media" shall include, besides newspapers and other printed material normally circulated, hand-written posters, booklets, hand-bills or display of slogans at public places ;

(f) "notified" and "notification" means notified and notification in the Official Gazette ;

(g) "official document" includes any passport, pass, permit certificates, licence, notice or other document issued by or under the authority of Government or any officer of the Armed Forces of the Union or any police officer ;

(h) "prescribed" means prescribed by any order or direction made or given in pursuance of any of these Rules ;

(i) "prohibited place" means a prohibited place as defined in Clause 8 of S.2 of the Official Secrets Act, 1923;

(j) "protected area" means any area so declared under Rule 8 ;

(k) "protected place" means a place so declared by the Central Government or a State Government and includes any court room or building where trials, or other proceedings in connection with cases under the Act, are held;

(l) "public servant" includes any public servant as defined in the Indian Penal Code (45 of 1860) ;

(m) "speech" shall include pre-recorded speeches;

(n) "wireless telegraphy apparatus" has the same meaning as in the Indian Wireless Telegraphy Act, 1933 (17 of 1933).

3. Interpretation :-

(1) The General Clauses Act, 1897 (10 of 1897) shall apply to the interpretation of these rules as it applies to the interpretation of a Central Act.

(2) Any reference in these rules to a Central Act shall, in relation to any area wherein that Central Act is not in force, be construed as including a reference to the corresponding law in force in that area.

(3) If any question arises as to the interpretation of the rules, it shall be referred to the Central Government for decision.

4. Previous approval of the Central Government required in certain cases :-

Notwithstanding anything contained in these rules, no power conferred or duty imposed upon the State Government or the Administrator of a Union Territory by such of the provisions of these rules as may be specified by the Central Government by notified order shall, with effect from such date as may be specified in such order, be exercised or discharged by any State Government or the Administrator of a Union territory, as the case may be, as specified in the order or by any officer or authority authorised in that behalf by that State Government or Administrator, except with the previous approval of the Central Government.

5. Non-compliance with these Rules or orders made thereunder :-

If any person to whom any provision of these rules relates, or to

whom any order made in pursuance of these rules is addressed or relates, or who is in occupation, possession or control of any property, moveable or immovable, or other thing to which such provision relates, or in respect of which such order is made,

(a) fails without lawful authority or excuse-

(i) in relation to such provision as relates to himself, or

(ii) in respect of any property, moveable or immovable or other thing of which he is in occupation, possession or control, to comply or to secure compliance, with such provision or order; or

(b) evades, or attempts to evade, by any means such provision or order-he shall be deemed to have contravened such provision or order; and in these rules the expression "contravention" with its grammatical variations includes any failure, evasion or attempt to evade.

6. Prohibited places :-

(1) No person shall, without the permission of the Central Government or the State Government enter or be on or in or pass over or loiter in the vicinity of, any prohibited place.

(2) Where in pursuance of sub-rule (1) any person is granted permission to enter, or to be on or in, or to pass over, a prohibited place, that person shall, while acting under such permission, comply with such orders for regulating his conduct as may be given by the Central Government or the State Government.

(3) Any police officer or any other person authorised in this behalf by the Central Government or the State Government may search any person entering, or seeking to enter, or being on or in, or leaving or passing over or seeking to pass over, a prohibited place and any vehicle, vessel, aircraft or article brought in by such person, and may, for the purpose of the search, detain such person, vehicle, vessel, aircraft or article : Provided that no female shall be searched in pursuance of this sub-rule except by a female.

(4) If any person is in a prohibited place in contravention of this rule, 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 Central Government or the State Government.

(5) If any person is in a prohibited place in contravention of any of the provisions of this rule, he shall be punishable with imprisonment for a term which shall not be less than six months but may extend to three years and shall also be liable to fine.

7. Protected places :-

(1) If, as respects any place or class or places, the Central Government, or the State Government considers it necessary or expedient for the prevention of and for coping with terrorist and disruptive activities that special precautions should be taken to prevent the entry of unauthorised persons or to exclude any person or class of persons, from having access to or being present in or in the vicinity of such a place or places, that Government may by order declare that place, or as the case may be, every place of that class to be a protected place, for such period as may be specified in the order. On and after such day, as may be specified in, a subject to any exemptions as may be made in, such order, no person not being a public servant, or a Judge, or an officer of the court, or an accused, as the case may be, shall be therein except in accordance with the terms of a permit in writing granted to him by an authority or person specified in the said order.

(2) A copy of the order issued under sub-rule (1) shall be affixed in English and in vernacular of the locality at some conspicuous part of the protected place.

(3) Any police officer, or any other person authorised in this behalf by the empowered authority may search any person entering or seeking to enter, or being in or in, or leaving a protected place, and any vehicle or article brought in by such person, and may, for the purpose of the search detain such person, vehicle or article: Provided that no female shall be searched in pursuance of this sub-rule except by a female.

(4) If any person is in or passes over, a protected place in contravention of this rule, or refuses to submit himself or the vehicle or article for the time being in his possession for search, then, without prejudice to any other proceedings which may be initiated against him, he may be removed there- from by or under the direction of any police officer or other person on security duty in such a place. Thereupon the vehicle or article found to be in possession of the person so removed may also be seized or directed to be seized.

(5) Any contravention of the provisions of this rule shall be punishable with imprisonment for a term which shall not be less than six months, but which may extend up to three years and shall also be liable to fine.

8. Protected areas :-

(1) If the Central Government or the State Government consider it necessary or expedient, for the prevention of and for coping with terrorist and disruptive activities, to regulate the entry of persons into any area, that Government may, without prejudice to the provisions of any other rule, by order, declare the area to be protected area, and thereupon, or so long as the order is in force, such area shall be a protected area for the purposes of these rules.

(2) A copy of the order issued under sub-rule (1) shall be affixed in English and in vernacular of the locality at some conspicuous part of the protected area.

(3) On and after such date as may be specified in, and subject to any exemption for which provision may be made by an order made under sub- rule (1), no person who was not at the beginning of the said day residing in the area declared to be a protected area by the said order shall be therein except in accordance with the terms of a permit granted to him by an authority or person specified in the said order.

(4) Any police officer, or any other person authorised in this behalf by the Central Government, or the State Government may search any person entering or seeking to enter or being on or in or leaving a protected area, and any vehicle, vessel, aircraft or article brought in by such person, and may, for the purposes of search, detain such person, vehicle, vessel, aircraft or article: Provided that no female shall be searched in pursuance of this sub-rule except by a female.

(5) If any person is in, or passes over, a protected area, in contravention of the provision of this rule, then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by or under the direction of any police officer or any member of the Armed Forces of the Union on duty in the protected area.

(6) If any person is in a protected area in contravention of any of the provisions of this rule, he shall be punishable with imprisonment for a term which shall not be less than six months

but which may extend up to three years and shall also be liable to fine.

9. Forcing or evading a guard :-

Any person, whether alone or pass part of a group of persons, who effects or attempts to effect entry into, or passes over, or attempts to pass over a prohibited place or a protected place-

(a) by using or threatening to use criminal force to any person posted for the purpose of protecting or controlling access to such place, 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 and shall also be liable to fine.

10. Orders for certain places and areas :-

(1) Without prejudice to the provisions of any other rule, the Central Government or State Govern- ment as respects any other place or area in relation to which it appears to it to be necessary or expedient to take special precautions for prevention of, and for coping with, terrorist activities, may, make orders 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-rule (1) in relation to any place or area may, make provision-

(a) for restricting the admission of persons or class of persons to such place or area and for removing therefrom any person who is therein in contravention of the orders or who has been convicted of-

(i) any contravention of the provisions of these rules ; or

{ii) any offence against public order;

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

{c) for prohibiting any person or class of persons in such place or area from being in possession or control of any prescribed article.

(3) Any order made under this rule in respect of a place, which is not a prohibited place or a protected place, may direct that all or any of the provisions of these rules which are expressed to apply to, or in relation to, a prohibited place or protected place, shall apply to or in relation to the place in respect of which the order is made either without modification or subject to such modifications as may be specified in the order.

(4) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which shall not be less than six months and may extend up to three years and shall also be liable to fine.

11. Trespassing on certain premises :-

(1) No person shall commit criminal trespass on, or in any premises in the vicinity of, any premises used or appropriated for any of the purposes of the Government or for coping with terrorist acts or disruptive activities, or for protection from terrorists and disruptionists.

(2) If any person is found trespassing on any premises in contravention of sub-rule (1) he may, without prejudice to any other proceedings which may be taken against him, be removed from such premises by any police officer or any other person acting on behalf of Government, or by the person occupying the premises, or by any person authorised by him.

(3) No person shall, for any purpose prejudicial to the public safety, or for endangering the safety of any public servant or of any person bound by oath under the Constitution to uphold the sovereignty and territorial integrity of India be in, or in the vicinity of any such premises as are referred to in sub-rule (1); and where, in any proceedings taken against a person by virtue of this sub-rule it is proved that at the material time he was present, in, or in the vicinity of the premises, the prosecution may thereupon adduce such evidence of the character of such person (including evidence of his having been previously convicted of any offence) as tends to show that he was so present for a purpose prejudicial to the public safety or to the safety of any public servant or any person bound by oath under the Constitution to uphold the sovereignty and territorial integrity of India.

(4) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which shall not be less than six months but may extend in the case of contravention of sub-rule (3), to seven years and in any other case to three years and shall also be liable to fine.

12. Loitering near certain premises :-

(1) No person loitering in the vicinity of any protected place or a prohibited place or any other place as is referred to in sub-rule (1) of Rule 10 shall continue to loiter in that vicinity after being ordered to leave it by any police officer or any other person acting on behalf of Government or by the person in occupation of the said premises, or any person authorised by him.

(2) If any person contravenes the provisions of sub-rule (1), he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

13. Power to close roads, etc :-

(1) The Central Government or the State Government may, for reasons to be recorded in writing, by order, prohibit or restrict for such period as may be specified in the order, -

(a) the use of any road, pathway, canal or water-way;

(b) the passage of any person, animal or vehicle over any land or the carriage of the number of persons by any such animal or vehicle.

(c) the travelling of any person or class of persons from travelling by any vehicle of class of vehicles or by any road, pathway, canal or water-way.

(2) If any person contravenes any order made under sub-rule (1), he shall be punishable with imprisonment for a term which may not be less than six months but may extend to seven years and shall also be liable to fine.

14. Control of Telephones and Telegraphs :-

(1) Where the empowered authority is satisfied or has reasonable grounds to suspect that a telephone connection of a subscriber or the telephone apparatus, is being used for purposes of, or for aiding or abetting or for making any preparation to aid or abet any

terrorist or disruptive activity, may by order,-

(a) direct that the telephone connection in question be cut off for such period as may be specified ; and that all telephone apparatus and fittings on the premises be taken possession of by such person as may be specified in that order;

(b) authorise any person, empowered by him in this behalf, by order in writing to listen in to all conversations or any specified conversation over any telephone system;

(c) make provision for suspending or regulating the use otherwise than for government purposes, of any telegraph or telephone service in any area, which for the time being may constitute, or form part of any area that had been declared to be a disturbed area under any enactment for the time being in force ;

(d) assume the control or direction, or direct any person to assume the control or direction, of any private telephone exchange or any connection with any such exchange.

(2) If any person contravenes any order made under the provisions of sub-rule (1) he shall be punishable with imprisonment for a term which may not be less than six months but which may extend to seven years and shall also be liable to fine.

15. Power to prohibit and to search, etc. travellers conveying non-postal correspondence :-

(1) In this rule "photograph" includes any photographic plate, photographic film or other sensitised article which has been exposed in a camera whether such plate, film or other article has been developed or not.

(2) The Central Government may, by order, make provision for securing that, subject to any exemptions for which provision may be made by the order, and except in accordance with such conditions as may be contained therein, no article whatsoever recording information and no document, pictorial representation photograph or gramophone record or cassette which advocates, abets, advises or incites or knowingly facilitates the commission of a terrorist activity or disruptive activity, shall be sent or conveyed, otherwise than by post, into or from India.

(3) No person shall have any article in his possession for the purpose of sending or conveying it in contravention of an order

made under sub-rule (2).

(4) Any prohibition or restriction imposed by an order under sub-rule (2) on the sending into, or conveying from India of articles, shall be deemed to have been imposed under S.11 of the Customs Act, 1962 and all the provisions of that Act for the purpose of detection, search and seizure shall have effect accordingly : Provided that notwithstanding anything contained in the Customs Act, 1962 (52 of 1962) or any orders made thereunder, a complaint regarding contravention of this rule shall be triable by a Designated Court within whose jurisdiction such a contravention took place or such other Designated Court to which the case may be transferred by the Central Government in terms of sub-section (2) or sub-section (3) of Section 9 of the Act, and the accused person shall, upon conviction, be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years and shall also be liable to fine.

(5) Any officer of Customs may, for the purpose of carrying into effect the provisions of this rule, take such steps (including the subjection of the article to any process) as may be necessary for ascertaining whether an article does or does not record any information of the nature specified.

(6) The Central Government or the State Government may, by order, authorise any person for the purposes of this rule to exercise the powers, and perform the duties conferred or imposed on a Collector of Customs or any subordinate officer of customs by or under the Customs Act, 1962 (52 of 1962).

16. Entering India :-

(1) The Central Government may, by notified order, make provision for securing that, subject to such exemptions as may be provided for in the order, any person or class of persons shall not, on coming from a place outside India, enter India elsewhere than at such place as may be specified in the order.

(2) If any person enters India in contravention of any order made under sub-rule (1) or of the provisions of, or any rule or order made under the Passport (Entry into India) Act, 1920 (34 of 1920), he shall, without prejudice to any other proceedings which may be taken against him, be punishable with imprisonment for a term which shall not be less than six months, but may extend to five years and shall be liable to fine.

17. Information to be supplied by persons entering India :-

(1) The Central Government may, by notified order, require any person or class of persons who has entered India and about whom there is prima facie ground to believe that such person or class of persons is likely to indulge in any activity, while in India that may disrupt harmony amongst different sections of the people in India or otherwise incite, advocate, abet or advise or knowingly facilitate any terrorist or disruptive activity in India, since such date as may be specified, to furnish to the empowered authority in such manner as may be specified such particulars regarding himself his dependent, his past and prospective movements and any travel document in his possession, as may be specified in that order.

(2) If any person contravenes any order made under sub-rule (1) he shall be punishable with imprisonment which may not be less than six months, or with fine which may extend to one thousand rupees.

18. Communication with persons assisting terrorists and disruptionists :-

(1) No person shall communicate or associate with any person or class of persons if he has reasonable cause to believe that such other person or class of persons is engaged in assisting the terrorists and disruptionists.

(2) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

19. Articles likely to afford information or other assistance to the terrorists and disruptionists :-

(1) In this rule "information likely to assist the terrorists and disruptionists" means any information) whether true or false, or any document or other record whatsoever containing or purporting to contain, or calculated, directly or indirectly) to convey an information whether true or false, that may, or is intended directly or indirectly to, or is likely to cause disaffection, or alarm, or to prejudice maintenance of peaceful conditions in any area or part of India or to promote feelings of ill will, enmity or hatred between different sections of the people of India or otherwise facilitate the commission of any terrorist act or disruptive activity, that is to say-

(a) any operations or projected operations of any of the Armed Forces of the Union or the Police Force, by whatever name called, of a State;

(b) the conditions of the citizen of India or of any class thereof or the sympathies of such citizens or class, as regards the sovereignty and territorial integrity of India;

(c) any arrangements relating to the protection of transport, communications, prohibited places, protected places, supplies and services essential to the community, security of any public servant or persons bound by oath under the Constitution to uphold the sovereignty and integrity of India and would include any information which is intended or is likely :-

(i) to bring into hatred or contempt, or to excite disaffection towards the Government established by law in India;

(ii) to bring into hatred or contempt, or excite disaffection towards the Armed Forces of the Union or the Police Force, by whatever name called, of a State or any public servant or class of public servants;

(iii) to promote feelings of enmity or hatred or otherwise affect the harmony between different classes of persons in India ;

{iv) to cause fear or alarm to the public or to any section of the public; or

(v) to instigate directly or indirectly the use of criminal force against public servants generally or any class of public servants or any individual public servant.

(2) No person shall without lawful authority or excuse-

(a) obtain, collect, record, elicit, make, print or publish, or distribute or communicate or spread by any means whatsoever) to any other person or class of persons any information likely to assist the terrorists and disruptionists; or

(b) make, print, publish or distribute any publication containing, or communicate to any person by any means whatsoever, any such information;

(c) help the author, editor, printer and publisher of, or any person who otherwise makes or produces any information likely to assist the terrorists and disruptionists, or any person including a reporter

or correspondent of any news agency or journalist distributes or sells any information or report of that nature, knowing it to be of such nature ;

(d) help the proprietor, manager or any other person in control of any place in which, or every person who takes part in any public performance of any play, pantomime, drama or recitation in the course of which any information likely to assist the terrorists and disruptionists is published, or any video or cassette containing such information' is exhibited.

(3) If any person contravenes any of the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

20. Prohibition of publishing matter derived from terrorists, or disruptionists etc :-

(1) No person shall, without lawful authority, make, print, publish or distribute any document containing or spread by any other means whatsoever, any matter derived from terrorists or disruptionists, their sympathisers or associates, or sources sponsored or utilised by or otherwise connected with terrorists, disruptionists, or their associates or sympathisers.

(2) In any proceedings arising out of a contravention of sub-rule (1) where it appears to the Designated Court that the substance of any matter-

(i) broadcast from any wireless broadcasting station operated or controlled by the terrorists and disruptionists, or

(ii) published in any leaflet distributed by the terrorists and disruptionists, by any means whatsoever, is at any subsequent time reproduced, whether in the same or a different form and whether with or without comments, in any document, or cassette the Designated Court may presume that the matter contained in the document or cassette, as the case may be, is derived from a terrorist or disruptionist source.

(3) If any person contravenes the provisions of this rule, he shall be punishable with imprisonment for a term which may extend to five years and shall also be liable to fine.

Explanation.-In this rule "document" includes gramophone records, cassettes, tapes, sound-tracks and any other articles on which

sound has been recorded with a view to their subsequent reproduction.

21. Measures in relation to certain premises :-

(1) The Central Government or the State Government may by order as respects such premises as may be specified in the order-

(a) require the owner or the occupier of the premises to take such measures as may be specified in the order, or

(b) authorise any person to take such measures as may be so specified, which are in the opinion of that Government necessary to prevent the use of the premises by terrorists or disruptionists or for committing or planning or preparing for any terrorist act or disruptive activity, or to minimize danger to persons and property in or in the vicinity of such premises during any operations against terrorists and disruptionists.

(2) If any person contravenes any order made under this rule, he shall be punishable with imprisonment for a term which shall not be less than six months and shall also be liable to fine.

22. Possession, use or Disposal of arms, explosives, etc :-

(1) The Central Government or the State Government may, by general or special order, prohibit, restrict or impose conditions on, the possession, carrying, use, sale or other disposal of-

(a) arms or articles capable of being used as arms;

(b) ammunition;

(c) dangerous substances.

(2) Without prejudice to any powers conferred by or under any other law for the time being in force-

(a) if any police officer not below the rank of head constable or any other public servant authorised by the empowered authority to act under this rule, suspects that any arms, articles capable of being used as arms, ammunition or dangerous substances are in or upon any land, vehicle, aircraft, vessel, building or other premises in contravention of an order made under sub-rule (1), he may enter, if necessary by force, and search the land, vehicle, aircraft, vessel, building or premises in or upon which he suspects that a contravention of an order made under sub-rule (I) has been committed at any time of the day or night and may seize any arms,

articles capable of being used as arms, ammunition, or dangerous substances found therein or thereon which he suspects to be therein or thereon in contravention of such order.

(b) if any police officer, or any other public servant authorised by the empowered authority to act under this rule, suspects that any person is carrying, or is in possession of arms, articles capable of being used as arms, ammunition, or dangerous substances in contravention of an order made under sub-rule (1), such officer or other public servant may stop and search or cause to be searched such person and seize any arms, articles capable of being used as arms, ammunition, or dangerous substances possessed or carried by him which such officer or other public servant suspects to be possessed or carried in contravention of such order: Provided that no female shall be searched in pursuance of the provisions of this rule except by a female.

(3) Any arms, ammunition, dangerous substances or other articles seized under the provisions of this rule may be destroyed or otherwise disposed of as may be ordered by the empowered authority.

(4) Any contravention of any order made under this rule shall be punishable as follows :-

(a) if the contravention had taken place in an area which forms the whole or any part in an area which has been declared to be 'disturbed area' under any enactment for the time being in force, with imprisonment which shall not be less than three years but which may extend to seven years and shall also be liable to fine.

(b) in cases where the contravention had taken place in an area the whole or part of which is covered by notifications issued under S.24-A of the Arms Act, 1954 shall be punishable with imprisonment for a term which shall be not less than three years but which may extend to seven years and shall also be liable to fine.

(c) where the contravention has taken place in an area not covered by clause (a) or (b), such contravention shall be punishable with imprisonment for a term which shall not be less than one year and shall also be liable to fine.

23. Assistance to terrorists or disraptionists :-

(1) No person shall directly or indirectly indulge in any of the following activities, which are or are likely to facilitate the commission of a terrorist act or disruptive activity or which are likely to prejudice the successful conduct of operations against any terrorist or disruptionist,-

(a) advance money to, or enter into any contract with any terrorist or disruptionist or any person engaged in conspiring or attempting to commit or who advocates, abets, advises or incites or knowingly facilitates the commission of a terrorist act or a disruptive activity, or any act preparatory to such a terrorist or disruptive activity; or

(b) pay any sum of money to or for the benefit of any such person; or

(c) give any security for the payment of any debt or any other sum of money for the benefit of such a person ; or

(d) act on behalf of such a person in drawing, accepting pay'ng, presenting for acceptance or payment, negotiating, or otherwise dealing with any negotiable instrument; or

(e) accept, pay or otherwise deal with any negotiable instrument which is held by or on behalf of a terrorist or a disruptionist or such other person as specified in clause (a) ; or

{f) enter into any other financial obligation or contract with or for the benefit or any terrorist or disruptionist or any such person as specified in clause (a).

(2) No citizen of India who is for the time being outside India or persons in the service of the Government, wherever they may be, or the master of any vessel or the pilot of any aircraft registered in India shall extend any assistance whatsoever to terrorists or disruptionists or such other persons as specified in sub-rule (1).

(3) The Central Government, may) either generally or for any particular area, empower one or more auihorities as it may deem fit for securing compliance with the provisions of sub-rule (1) and such authorities may issue such orders or directions to institutions including banks, in writing, as it may deem fit, with reference to transactions made by or on behalf of any terrorist or disruptionist or any other person connected with a terrorist or a disrup- tionist in any manner whatsoever.

(4) Any person who knowingly expends or supplies any money in

furtherance or support of any activity which is an offence under the Act shall be punishable with imprisonment for a term which may extend to seven years and shall also be liable to fine.

24. Obstructing lawful authorities :-

If any person voluntarily obstructs, or offers any resistance to, or impedes or otherwise interferes with-

(a) any member of the Armed Forces of the Union or the Police Force by whatever name called of a State acting in the course of his duty as such, or

{b) any authority, officer or person exercising any powers, or performing any duties) conferred or imposed upon it or him by or in pursuance of these rules, or otherwise discharging any lawful functions in connection with the operations to prevent and cope with the terrorist acts and disruptive activities, or

(c) any person who is carrying out the orders of any such authority, officer or person as 3 foresaid or who is otherwise acting in accordance with his duty in pursuance of these rules, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

25. Attempts, etc. to contravene the rules :-

Any person who attempts to contravene, or abets, or attempts to abet, or does any act preparatory to, a contravention of, any of the provisions of these rules or of any order made thereunder, shall be deemed to have contravened that provision or) as the case may be, that order.

26. Offences by companies :-

(1) Where an offence against the provisions of these rules, or of any order made thereunder, has been committed by a company) every person who at the time the offence was committed was in charge of) and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-rule shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-rule (1), where any such offence has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary, or other officer of the company) such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.-For the purposes of the rule,- (a) "company" means any body corporate and includes a firm or other association of individuals; and (b) "director",- (i) in relation to a firm, means a partner in the firm, (ii) in relation to a society or other association of individuals, means the person who is entrusted, under the rules of the society or other association, with the management of the affairs of the society or other association, as the case may be.

27. Burden of proof in certain cases :-

Where any person is prosecuted for contravening any of these rules or order made thereunder which prohibits him from doing an act or being in possession of a thing without lawful authority or excuse or without a permit, licence, certificate or permission, the burden of proving that he had such authority or excuse or, as the case may be, the requisite permit, licence, certificate or permission, shall be on him.

28. Power to issue search warrants :-

(1) If a District Magistrate) Commissioner of Police in a Metropolitan area or any officer competent to exercise under any law the powers of a District Magistrate has reason to believe that a contravention of any of these rules or any offence prejudicial to the operations to prevent and cope with the terrorist acts and disruptive activities has been, is being, or is about to be, committed in any place, he may by warrant authorise any police officer above the rank of a constable-

(a) To enter and search the place in the manner specified in the warrant; and

(b) to seize anything found in or on such place which the police officer has reason to believe has been, is being, or is intended to be, used, for the purpose of or in connection with any such contravention or offence as aforesaid, and the provision of the Code of Criminal Procedure, 1973 (2 of 1974) shall, so far as they may be applicable, apply to any such search or seizure, as they apply, to

any search or seizure made under the authority of a warrant issued under Section 94 of the Code of Criminal Procedure, 1973 .

(2) Any Magistrate before whom anything seized under sub-rule (1) is conveyed shall forthwith report the fact of such seizure to the State Government and, pending the receipt of his orders may detain in custody anything so seized or make such other order for its safe custody as he may think proper.

(3) Anything seized under sub-rule (1) shall be disposed of in such manner as the State Government may direct.

(4) In this rule, and in Rule 57 "place" includes a house, building, tent, vehicle and aircraft.

29. Powers of search :-

(1) The Central Government or the State Government may by general or special order empower any person to-

(a) stop and search any vessel found in inland waterways or any vehicle or animal;

(b) search any place (including any vessel wherever found) and seize anything found on search under this sub-rule (including a vessel vehicle or animal) which he has reason to believe has been, is being, or is about to be, used for the commission of any offence punishable under the Act or these rules.

(2) Any person empowered under sub-rule (1) shall forthwith report to the State Government in detail any seizure made by him and, pending the receipt of his orders may detain in custody anything so seized or take such other steps for its safe custody as he may think proper.

(3) Anything seized by a person empowered under sub-rule (1) shall be disposed of in such manner as the Designated Court may direct.

(4) A person empowered by the Central Government or the State Government under sub-rule (1) may authorise any other person to exercise like powers as his own in the whole or any part of the area in respect of which the Government has empowered him.

30. Entry and inspection of land :-

Any member of the Armed Forces of the Union or of the State Police Force acting in the course of his duty as such, and any

person authorised by the Central Government or the State Government to act under this rule-

(a) may enter on any land for the purpose of exercising any of the powers conferred in relation to that land by any of the provisions of the Act and these rules;

(b) may enter and inspect any land for the purpose of determining whether, and, if so, in what manner, any of those powers are to be exercised in relation to that land ;

(c) may, for any purpose connected with the operations to prevent and cope with terrorist acts and disruptive activities, pass (with or without animals or vehicles) over any land.

31. Powers to give effect to Rules, orders, etc :-

(1) Any authority, officer or person who is empowered by or in pursuance of the Act or any of these rules to make any order, or to exercise any other power may, in addition to any other action prescribed by or under these rules, take, or cause to be taken, such steps and use, or cause to be used, such force, including the locking or sealing of any premises until a search or inspection thereof or seizure of any articles or things therein has been completed, as may in the opinion of such authority, officer or person, be reasonably necessary for securing compliance with, or for preventing or rectifying any contravention of, such order, or for the effective exercise of such power.

(2) Where in respect of any of the provisions of these rules there is no authority, officer or person empowered to take action under sub-rule (1), the Central Government or the State Government may take, or cause to be taken, such steps and use, or cause to be used, such force as may in the opinion of that Government be reasonably necessary for securing compliance with or preventing or rectifying any breach of such provision.

(3) For the avoidance of doubt, it is hereby declared that the power to take steps under sub-rule (1) or under sub-rule (2) includes the power to enter upon any land or other property whatsoever.