

ANNEXURE-III

EXTRACT OF PROVISIONS OF THE OFFICIAL SECRETS ACT 1923

SECTION 2 (B) – “PROHIBITED PLACE”

It is defined as the place of any work of Defence Dockyard and other so belonging or occupied and used for the purpose of building, repairing, making or storing any ammunitions of war.

For the purpose of the above definition, sketch includes any photograph or other mode of representing any place or thing.

SECTION 3 – “PENALTIES FOR SPYING”

If any person unlawfully –

- (a) approaches, inspects, passes over or is in the vicinity of any closer place; or
- (b) makes any sketches intended to be directly or indirectly useful to an enemy; or
- (c) obtains, collects, records or communicates to any other person any secret official code,

shall be liable for imprisonment of 14 years in case of Defence installation.

SECTION 4 – “COMMUNICATION WITH FOREIGN AGENTS”

If any person has been in communication with or attempted to communicate with foreign agents regarding the vital information of any “PROHIBITED PLACE” would be guilty of violating the provisions of this Act.

SECTION 5 – “WRONGFUL COMMUNICATION OF INFORMATION

If any person having in his possession or control any official document -

- (a) Wilfully communicates to any person, other than a person, who is authorised to cumminicate it.
- (b) Used the information in his possession for the benefit of any foreign power.
- (c) Retains in his possession when he has no right to retain it.
- (d) Fails to take reasonable care of it.

Shall be guilty of any offence under this Act.

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SECTION 6 - "UNAUTHORISED USE OF UNIFORMS"

If any person for the purpose of gaining admission or of assisting any other person to gain admission to a "PROHIBITED PLACE" wears uniforms without lawful authority shall be guilty of offence under this Section

SECTION 7 - "INTERFERING WITH OFFICERS OF POLICE FORCE"

No person in the vicinity of any "PROHIBITED PLACE" shall obstruct any Police Officer engaged on guard, sentry, patrol or similar duty. If any person acts in contravention of the provisions of this section, he shall be punishable with imprisonment which may extent upto three years.

SECTION 8 - "DUTY OF GIVING INFORMATION"

It shall be the duty of every person to give on demand to a Supdt. Of Police, or any other Police Officer not below the rank of Inspection, any information in his power relating to an offence under this Act.

If any person fails to give any such information shall be punishable with imprisonment to three years or fine or with both.

SECTION 9 - "INCITEMENT"

Any person who attempt to commit or abets the Commission of an offence under this Act shall be punishable with the same punishment and be liable to be proceeded against in the same manner as if he had committed such offence.

SECTION 10 - "PENALTY FOR HARBOURING SPIES"

If any person whom he known or has reasonable grounds for supposing to be person who is about to commit or who has committed an offence under this Act shall be guilty of offence under this section.

SECTION 11 - "SEARCH WARRANTS"

If a Presidency Magistrate, Magistrate First Class or Sub-Divisional Magistrate is satisfied with the information that there is reasonable ground for suspecting that an offence under this Act has been or is about to be committed, he may grant search warrant to any Police Officer to enter at any time at any premises by force to search premises or the places.
