

The Unlawful Activities (Prevention) (Recommendation And Sanction of Prosecution) Rules, 2008

UNION OF INDIA

India

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Rule

THE-UNLAWFUL-ACTIVITIES-PREVENTION-RECOMMENDATION-AND of 2008

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The Unlawful Activities (Prevention) (Recommendation And Sanction of Prosecution) Rules, 2008 Published vide Notification S.O. 3014(E), dated 31.12.2008, published in the Gazette of India, Extraordinary, Part 2, Section 3(ii), dated 31.12.2008.

1064.

S.O.3014(E), dated 31st December, 2008 - In exercise of the powers conferred by sub-section (2) of section 45, read with clause (f) of sub-section (2) of section 52 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement .-(1) These rules may be called The Unlawful Activities (Prevention) (Recommendation and Sanction of Prosecution) Rules, 2008.

(2) They shall come into force on the date of its publication in the Official Gazette.

2. Definitions .-(1) In these rules, unless the context otherwise requires,-

(a)"Act" means the Unlawful Activities (Prevention) Act, 1967 (37 of 1967);(b)"Authority" means the Authority to be appointed by the Central Government [or, as the case may be, the State Government] under sub-section (2) of section 45;(c)"Code" means the Code of Criminal Procedure, 1973 (2 of 1974).(2)Words and expression used herein and not defined in these rules, but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Time limit for making a recommendation by the Authority .-The Authority shall, under sub-section (2) of section 45 of the Act, make its report containing the recommendations to the Central Government [or, as the case may be, the State Government] within seven working days of the receipt of the evidence gathered by the investigating officer under the Code.

4. Time limit for sanction of prosecution .-The Central Government [or, as the case may be, the State Government] shall, under sub-section (2) of section 45 of the Act, take a decision regarding sanction for prosecution within seven working days after receipt of the recommendations of the Authority.