

The Andhra Pradesh Suppression Of Disturbances Act, 1948

ANDHRA PRADESH

India

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Act 3 of 1948

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The Andhra Pradesh Suppression Of Disturbances Act, 1948[7th April 1948]Act No. III of 1948An Act to make better provision for the suppression of disorder in the State of Andhra Pradesh,Whereas it is expedient to make better provision for the suppression of disorder in the State of Andhra Pradesh It is hereby enacted as follows:

1. Short title, extent and commencement

(1)This Act may be called The Andhra Pradesh Suppression of Disturbances Act, 1948.(2)It extends to the whole of the State of Andhra Pradesh.(3)It shall come into force at once.

2. Definitions

In this Act, "disturbed area" means an area for the time being declared to be a disturbed area by a notification under Section 3.

3. Power to declare areas to be disturbed areas

The State Government may by notification in the Andhra Pradesh Gazettee -(a)declare that the whole of the State, or any part thereof specified in the notification, is a disturbed area and(b)add to, amend, vary or rescind any such declaration.

4. Certain offences to be punishable with death in disturbed areas

(1)Whoever in a disturbed area commits any offence punishable under any of the following Sections of the Indian Penal Code, namely, 307, 363, 364, 365, 366, 367, 368, 376, 392, 394, 395, 397, 398

and 436 may, in lieu of the punishment to which he is liable under the Code, be punished with death.(2)Whoever in a disturbed area attempts to commit, or abets the commission of, any offence punishable under any section of the Indian Penal Code referred to in sub-section (1) may, notwithstanding anything contained in that Code, be punished with death or with the punishment provided in that section for the offence.

5. Power to fire upon persons contravening certain orders in disturbed areas

Any Magistrate, and any Police Officer not below the rank of Sub-Inspector, may, if in his opinion it is necessary so to do for restoring or maintaining public order, after giving such warning, if any, as he may consider necessary, fire upon, order fire to be opened or otherwise use force, even to the causing of death, against any person who in a disturbed area in acting in contravention of any law or order for the time being in force in such area, prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons.

6. Protection of persons acting under Section 5

No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the State Government, against any person in respect of anything done or purporting to be done in exercise of the powers conferred by Section 5.