

The Prevention of Seditious Meetings Act, 1911

UNION OF INDIA

India

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Act 10 of 1911

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The Prevention of Seditious Meetings Act, 1911(10 of 1911)

158.

Statement of Objects and Reasons.-The Prevention of Seditious Meetings Act, 1907, which was continued by the Continuing Act, 1910, until the thirty-first day of March, 1911, will expire on the last named date unless further continued. It is now deemed advisable, instead of merely continuing or making permanent the existing Act, to introduce a Bill to consolidate and amend the law relating to the prevention of public meetings likely to promote sedition or to cause disturbance of public tranquillity. An Act to consolidate and amend the law relating to the prevention of public meetings likely to promote sedition or to cause a disturbance of public tranquillity. Whereas it is expedient to consolidate and amend the law relating to the prevention of public meetings likely to promote sedition or to cause a disturbance of public tranquillity; It is hereby enacted as follows:-

1. Short title and extent

(1) This Act may be called The Prevention of Seditious Meetings Act, 1911. (2) It extends to the whole of India except [territories which, immediately before the 1st November, 1956, were comprised in Part B States] [Substituted by the Adaptation of Laws (No.2) Order, 1956, for "Part B States".], but shall have operation only in such States or parts of States as the State Government may from time to time notify in the Official Gazette.

2. Power of State Government to notify proclaimed areas

(1) The Government may, [- - -] [The words "with the previous sanction of the G.G.in C." repealed by A.O.1937.] by notification in the Official Gazette, declare the whole or any part of a State, in which this Act is for the time being in operation, to be a proclaimed area. (2) A notification made under

sub-section (1) shall not remain in force for more than six months, but nothing in this sub-section shall be deemed to prevent the State Government [- -] [The words "with the previous sanction of the G.G. in C." repealed by A.O.1937.] from making any further notifications in respect of the same area from time to time as it may think fit.

3. Definition

(1)In this Act, the expression public meeting means a meeting which is open to the public or any class or portion of the public.(2)A meeting may be a public meeting notwithstanding that it is held in a private place and notwithstanding that admission thereto may have been restricted by ticket or otherwise.

4. Notice to be given of public meetings

(1)No public meeting for the furtherance or discussion of any subject likely to cause disturbance or public excitement, or for the exhibition or distribution of any writing or printed matter relating to any such subject, shall be held in any proclaimed area(a)unless written notice of the intention to hold such meeting and of the time and place of such meeting has been given to the District Magistrate or the Commissioner of Police, as the case may be, at least three days previously; or(b)unless permission to hold such meeting has been obtained in writing from the District Magistrate or the Commissioner of Police, as the case may be.(2)Power of Magistrate to cause report to be taken.The District Magistrate or any Magistrate of the first class authorised by the District Magistrate in this behalf may, by order in writing, depute one or more police officers, not being below the rank of head constable, or other persons, to attend any such meeting for the purpose of causing a report to be taken of the proceedings.(3)Exception.Nothing in this section shall apply to any public meeting held under any statutory or other express legal authority, or to public meetings convened by a Sheriff, or to any public meetings or class of public meetings exempted for that purpose by the State Government by general or special order.

[Punjab, Haryana and Chandigarh].In its application to the States of Punjab and Haryana and Union territory of Chandigarh, in sub-S. (2) of Section 4, for the words Magistrate of the first class, substitute Executive Magistrates of the first class.[see Punjab Act 25 of 1964 and Central Act 31 of 1966.]

5. Power to prohibit public meetings

.The District Magistrate or the Commissioner of Police, as the case may be, may at any time, by order in writing, of which public notice shall forthwith be given, prohibit any public meeting in a proclaimed area if, in his opinion, such meeting is likely to promote sedition or disaffection or to cause a disturbance of the public tranquillity.

6. Penalties

(1)Any person concerned in the promotion or conduct of a public meeting held in a proclaimed area contrary to the provisions of section 4 shall be punished with imprisonment for a term which may extend to six months, or with fine, or with both.(2)Any public meeting which has been prohibited under section 5 shall be deemed to be an unlawful assembly within the meaning of Chapter VIII of the Indian Penal Code (45 of 1860) and of Chapter IX of the [Code of Criminal Procedure, 1898 (5 of 1898)] [Now see the Code of Criminal Procedure, 1973 (2 of 1974)].

7. Penalty for delivery of speeches in public places

.Whoever, in a proclaimed area, in a public place or a place of public resort, otherwise than at a public meeting held in accordance with, or exempted from the provisions of section 4 without the permission in writing of the Magistrate of the district or of the Commissioner of Police, as the case may be, previously obtained, delivers any lecture, address or speech on any subject likely to cause disturbance or public excitement to persons then present, may be arrested without warrant and shall be punished with imprisonment for a term which may extend to six months, or with fine, or with both.

8. Cognizance of offences

.No Court inferior to that of a Presidency Magistrate or of a Magistrate of the first class or Sub-Divisional Magistrate shall try any offence against this Act.

[Gujarat].Same as that of Maharashtra.Gujarat A.L.O., 1960.[Maharashtra].In its application to the State of Bombay (which expression shall stand modified), the words or Sub-Divisional Magistrate shall be deleted.Bombay Act 23 of 1951, Section 2 and Sch.

9. Repeals

.[Repealed by the Repealing Act, 1927 (12 of 1927), section 2 and Schedule.]