

Customs Act, 1962

Section 136 - Offences by Officers of Customs

(1) If any officer of customs enters into or acquiesces in any agreement to do, abstains from doing, permits, conceals or¹[connives at any act or thing, whereby any fraudulent export is effected or] any duty of customs leviable on any goods, or any prohibition for the time being in force under this Act or any other law for the time being in force with respect to any goods is or may be evaded, he shall be punishable with imprisonment for a term which may extend to²[three years] or with fine, or with both.

(2) If any officer of customs,-

(a) requires any person to be searched for goods liable to confiscation or any document relating thereto, without having reason to believe that he has such goods or document secreted about his person; or

(b) arrests any person without having reason to believe that he has been guilty of an offence punishable under section 135 ; or

(c) searches or authorizes any other officer of customs to search any place without having reasons to believe that any goods, documents or things of the nature referred to in section 105 are secreted in that place,

he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(3) If any officer of customs, except in the discharge in good faith of his duty as such officer or in compliance with any requisition made under any law for the time being in force, discloses any particulars learnt by him in his official capacity in respect of any goods, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

1. Inserted by Act 32 of 2003, section 125, for "connives at any act or thing whereby" (w.e.f. 14.05.2003).

2. Substituted by act 36 of 1973, section 7, for "two years" (w.e.f. 1-9-1973).
