

Coast Guard Act, 1978

Section 25 - Desertion and Aiding Desertion

(1) Any person subject to this Act, who absents himself from his ship or from the place where his duty requires him to be, with an intention of not returning to such ship or place, or who, at any time and under any circumstances when absent from his ship or place of duty does any act which shows that he has an intention of not returning to such ship or place is said to desert.

1[(2) Every person who deserts or attempts to desert the Coast Guard shall, on conviction by a Coast Guard Court, be liable to suffer imprisonment for a term which may extend to seven years or such less punishment as is in this Act mentioned and in every such case he shall forfeit,--

(a) all pay, salvage, prize money and allowances that have been earned by him;

(b) pension and gratuity, medals and decorations that have been granted to him; and

(c) all clothes and effects which he may have left on board the ship or the place from which he deserted, unless the Tribunal by which he is tried or the Central Government or the Director-General otherwise directs.

Explanation.-- For the purposes of this sub-section, all pay, salvage, prize money and allowances shall be deemed to have been earned by a person when such pay, salvage, prize money and allowances have become due but have not been paid to him.]

(3) Any person subject to this Act, who knowingly harbours any such deserter, shall, on conviction by a Coast Guard Court, be liable to suffer imprisonment for a term which may extend to three years or such less punishment as is in this Act mentioned.

1. Substituted by The Coast Guard (Amdt) Act, 2002. w.e.f. 12.08.2002. Prior to substitution it read as under :

"(2) Every person who deserts or attempts to desert the Coast Guard shall, on conviction by a Coast Guard Court, be liable to suffer imprisonment for a term which may extend to seven years or such less punishment as is in this Act mentioned."
