

National Security Act, 1980

Section 7 - POWERS IN RELATION TO ABSCONDING PERSONS

1) If the Central Government or the State Government or an officer mentioned in sub-section (3) of Section 3, as the case may be, has reason to believe that a person in respect of whom a detention order has been made has absconded or is concealing himself so that the order cannot be executed, that Government or officer may- (a) make a report in writing of the fact to a Metropolitan Magistrate or a Judicial Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides; (b) by order notified in the Official Gazette direct the said person to appear before such officer, at such place and within such period as may be specified in the order. (2) Upon the making of a report against any person under clause (a) of sub-section (1), the provisions of Sections 82-,83-,84-and85 of the Code of Criminal Procedure, 1973-, shall apply in respect of such person and his property as if the detention order made against him were a warrant issued by the Magistrate. (3) If any person fails to comply with an order issued under clause (b) of sub-section (1), he shall, unless he proves that it was not possible for him to comply therewith and that he had, within the period specified in the order informed the officer mentioned in the order of the reason which rendered compliance therewith impossible and of his whereabouts, be punishable with imprisonment for a term which may extend to one year, or with fine, or with both. (4) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence under sub-section (3) shall be cognizable.