

सत्यमेव जयते

The Intelligence Organisations (Restriction of Rights) Act, 1985

(ACT NO. 58 OF 1985)

[*As on the* 1*st July*, 2026]

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THE INTELLIGENCE ORGANISATIONS (RESTRICTION OF RIGHTS) ACT, 1985

ARRANGEMENT OF SECTIONS

SECTIONS

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THE INTELLIGENCE ORGANISATIONS (RESTRICTION OF RIGHTS) ACT, 1985

ACT NO. 58 OF 1985

[6*th September*, 1985.]

An Act to provide for the restriction of certain rights conferred by Part III of the Constitution in their application to the members of certain organisations established by the Central Government for purposes of intelligence or counter-intelligence so as to ensure the proper discharge of their duties and the maintenance of discipline among them.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. Short title, extent and commencement.—(*1*) This Act may be called the Intelligence Organisations (Restriction of Rights) Act, 1985.

(*2*) It extends to the whole of India.

(*3*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "Intelligence Organisation" means any organisation established by the Central Government for purposes of intelligence or counter-intelligence and specified in the Schedule;

(*b*) "member of an Intelligence Organisation" means any person appointed to, or employed in, any Intelligence Organisation;

(*c*) "prescribed" means prescribed by rules made under this Act.

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3. Restrictions respecting right to form association, freedom of speech, etc.—(*1*) No member of an Intelligence Organisation shall,—

(*a*) be a member of, or be associated in any way with, any trade union, labour union, political association or with any class of trade unions, labour unions or political associations; or

(*b*) be a member of, or be associated in any way with, or raise funds for, or hold office in, or function in any other manner for, any other society, institution, association or organisation that is not recognised by the Central Government as part of the Intelligence Organisation of which he is a member or is not of a purely social, recreational or religious nature; or

(*c*) communicate with the press or publish or cause to be published any book, letter, pamphlet, poster or other document except with the prior permission of the head of the Intelligence Organisation; or

(*d*) except for purposes of official duty, contact, or communicate with any person on any matter relating to functioning, structure, personnel or organisational affairs of the Intelligence Organisation of which he is a member;

(*e*) use the name of the Intelligence Organisation of which he is a member for purposes not authorised by the head of the Intelligence Organisation or in any other manner except for purposes relating to the official work and functioning of the Organisation itself.

Explanation.—If any question arises as to whether any society, institution, association or organisation is of a purely social, recreational or religious nature under clause (*b*) of this sub-section, the decision of the Central Government thereon shall be final.

(*2*) No member of an Intelligence Organisation, shall participate in, or address, any meeting or take

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1. 9th December, 1985, *vide* notification No. S.O. 885(E), dated 9th December, 1985, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*).

part in any demonstration organised by any body of persons for any political purposes or for such other purposes as may be prescribed.

4. Penalty.—Any person who contravenes any of the provisions of section 3 shall, without prejudice to any other action that may be taken against him, be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

5. Offences to be cognizable.—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),all offences punishable under section 4 shall be cognizable.

6. Power to amend Schedule.—(*1*) The Central Government may, be notification in the Official Gazette, amend the Schedule by including therein any other organisation established by the Central Government for purposes of intelligence or counter-intelligence or by omitting therefrom any organisation already specified therein and on the publication of the notification, such organisation shall be deemed to be specified in, or, as the case may be, omitted from, the Schedule.

(*2*) A copy of every notification issued under sub-section (*1*) shall, as soon as may be after it is issued, be laid before each House of Parliament.

7. Power to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(*2*) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

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THE SCHEDULE

[*See* section 2(*a*) and section 6(*1*)]

1. The Intelligence Bureau.

2. The Research and Analysis Wing.

[1][3. Directorate General of Security.]

[2] [4. The National Technical Research Organisation.]

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1. Ins. by notification No S.O. 208(E), dated 12th March, 1987.
2. Ins. by notification No. S.O. 1548(E), dated 12th May, 2017