

Under enforceable,
but they are not
subject



**ASSIGN
BUSTER**

Under Section 271 of the code, disobedience to quarantine rule is punishable.

The motive behind such disobedience is immaterial. A person who knowingly disobeys any rule made by the government shall be punished whether any injurious consequence flow from it or not. 'Quarantine' is the term of a fixed number of days during which the persons coming from foreign ports infected with the plague, and such persons with infectious diseases are not permitted to land (Normally, it is a period of forty days). To 'quarantine' persons means to keep them when suspected of having contracted or been exposed to an infectious disease, out of the community, or to confine them to a given place therein, and to prevent intercourse between them and the people generally of such community. The rules of quarantine relate to (a) quarantine; or (b) regulating the intercourse between a place where an infectious disease prevails and a place where it doesn't prevail. The rules must be made by the Government.

Rules made under the authority of Government may be otherwise enforceable, but they are not subject to the coercion of Section 271. The word 'Government' in this connection means the Central and State Governments of India, rules made by any other State are not enforceable under Section 271. But the rules made and promulgated by the Government of this country would be binding on ships of whatever nationality, so long as they are within the territorial jurisdiction of that Government. Once they are outside that jurisdiction, the rule remains but the power to enforce them is gone. The offence under Section 271 is non-cognizable and summons should ordinarily issue in the first instance.

It is bailable but not compoundable and is triable by any Magistrate and may be tried summarily.