



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 1
PART II—Section 1

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 32]

No. 32]

नई दिल्ली, शुक्रवार, मई 18, 1984/बैशाख 28, 1906
NEW DELHI, FRIDAY, MAY 18, 1984/VAISAKHA 28, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 18th May, 1984/Vaisakha 28, 1906 (Saka)

The following Act of Parliament received the assent of the President on the 18th May, 1984, and is hereby published for general information:—

THE NATIONAL SECURITY (AMENDMENT) ACT, 1984

No. 24 of 1984

[18th May, 1984.]

An Act to amend the National Security Act, 1980, in its application to the State of Punjab and the Union territory of Chandigarh.

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

1. (1) This Act may be called the National Security (Amendment) Act, 1984.

(2) It shall be deemed to have come into force on the 5th day of April, 1984.

2. The National Security Act, 1980 (hereinafter referred to as the principal Act) shall, in its application to the State of Punjab and the Union territory of Chandigarh, have effect subject to the amendments specified in sections 3 to 5.

Short title and commencement.

Amendment of Act 65 of 1980 in its application to Punjab and Chandigarh.

Amendment of section 3.

3. In sub-section (4) of section 3 of the principal Act, in the proviso,—
(a) for the words “ten days”, the words “fifteen days” shall be substituted;

(b) for the words “fifteen days”, the words “twenty days” shall be substituted.

Amendment of section 8.

4. In section 8 of the principal Act, in sub-section (1), for the words “ten days”, the words “fifteen days” shall be substituted.

Insertion of new section 14A.

5. In the principal Act, after section 14, the following section shall be inserted, namely:—

Circumstances in which persons may be detained for periods longer than three months without obtaining the opinion of Advisory Boards.

“14A. (1) Notwithstanding anything contained in the foregoing provisions of this Act, any person in respect of whom an order of detention has been made under this Act at any time before the 3rd day of April, 1985 may be detained without obtaining the opinion of the Advisory Board for a period longer than three months, but not exceeding six months, from the date of his detention where such person had been detained with a view to preventing him from acting, in any disturbed area, in any manner prejudicial to—

- (a) the defence of India; or
- (b) the security of India; or
- (c) the security of the State; or
- (d) the maintenance of public order; or
- (e) the maintenance of supplies and services essential to the community.

Explanation 1.—The provisions of the *Explanation* to sub-section (2) of section 3 shall apply for the purposes of this sub-section as they apply for the purposes of that sub-section.

Explanation 2.—In this sub-section, “disturbed area” means any area which is for the time being declared by notification under section 3 of the Punjab Disturbed Areas Act, 1983, or under section 3 of the Chandigarh Disturbed Areas Act, 1983, to be a disturbed area.

32 of 1983.
33 of 1983.

(2) In the case of any person to whom sub-section (1) applies, sections 10 to 13 shall have effect subject to the following modifications, namely:—

(a) in section 10, for the words “shall, within three weeks”, the words “shall, within four months and two weeks” shall be substituted;

(b) in section 11,—

(i) in sub-section (1), for the words “seven weeks”, the words “five months and three weeks” shall be substituted;

(ii) in sub-section (2), for the words "detention of the person concerned", the words "continued detention of the person concerned" shall be substituted;

(c) in section 12, for the words "for the detention", at both the places where they occur, the words "for the continued detention" shall be substituted;

(d) in section 13, for the words "twelve months", the words "two years" shall be substituted.

5 of 1984.

6. (1) The National Security (Amendment) Ordinance, 1984, is hereby repealed.

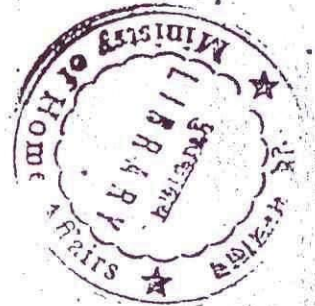
Repeal
and
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.



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असाधारण
EXTRAORDINARY

भाग II—खण्ड 1
PART II—Section 1

प्राधिकार से प्रकाशित
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सं० 74] नई दिल्ली, शनिवार, सितम्बर 1, 1984/भाद्र 10, 1906
No. 74] NEW DELHI, SATURDAY, SEPTEMBER 1, 1984/BHADRA 10, 1906

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MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 1st September, 1984/Bhadra 10, 1906 (Saka)

The following Act of Parliament received the assent of the President on the 31st August, 1984, and is hereby published for general information:—

THE NATIONAL SECURITY (SECOND AMENDMENT) ACT, 1984

No. 60 OF 1984

[31st August, 1984.]

An Act further to amend the National Security Act, 1980.

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

- (1) This Act may be called the National Security (Second Amendment) Act, 1984
- (2) It shall be deemed to have come into force on the 21st day of June, 1984.

Short title and commencement.

65 of 1980.

- In the National Security Act, 1980 (hereinafter referred to as the principal Act), after section 5, the following section shall be inserted, namely:—

Insertion of new section 5A.

“5A. Where a person has been detained in pursuance of an order of detention [whether made before or after the commencement of the National Security (Second Amendment) Act, 1984]

Grounds of detention severable.

under section 3 which has been made on two or more grounds, such order of detention shall be deemed to have been made separately on each of such grounds and accordingly—

(a) such order shall not be deemed to be invalid or inoperative merely because one or some of the grounds is or are—

- (i) vague,
- (ii) non-existent,
- (iii) not relevant,
- (iv) not connected or not proximately connected with such person, or
- (v) invalid for any other reason whatsoever,

and it is not, therefore, possible to hold that the Government or officer making such order would have been satisfied as provided in section 3 with reference to the remaining ground or grounds and made the order of detention;

(b) the Government or officer making the order of detention shall be deemed to have made the order of detention under the said section after being satisfied as provided in that section with reference to the remaining ground or grounds.”

Amend-
ment of
section 14.

3. In section 14 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The expiry or revocation of a detention order (hereafter in this sub-section referred to as the earlier detention order) shall not [whether such earlier detention order has been made before or after the commencement of the National Security (Second Amendment) Act, 1984] bar the making of another detention order (hereafter in this sub-section referred to as the subsequent detention order) under section 3 against the same person:

Provided that in a case where no fresh facts have arisen after the expiry or revocation of the earlier detention order made against such person, the maximum period for which such person may be detained in pursuance of the subsequent detention order shall, in no case, extend beyond the expiry of a period of twelve months from the date of detention under the earlier detention order.”

Amend-
ment of
section
14A.

4. In the principal Act as applicable to the State of Punjab and the Union territory of Chandigarh, in section 14A, in sub-section (2),—

(i) in the opening portion, for the words and figures “sections 10 to 13”, the words and figures “sections 10 to 14” shall be substituted;

(ii) after clause (d), the following clause shall be inserted, namely:—

(e) in section 14, in the proviso to sub-section (2), for the words “twelve months”, the words “two years” shall be substituted.

6 of 1984.

5. (1) The National Security (Second Amendment) Ordinance, 1984, is hereby repealed.

Repeal
and Saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.



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EXTRAORDINARY

भाग II—खण्ड 1
PART II—Section 1

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 26] नई दिल्ली, शुक्रवार, मार्च 29, 1985/चैत्र 8, 1907
No. 26] NEW DELHI, FRIDAY, MARCH 29, 1985 CHAITRA 8, 1907

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MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 29th March, 1985/Chaitra 8, 1907 (Saka)

The following Act of Parliament received the assent of the President on the 29th March, 1985, and is hereby published for general information:—

THE NATIONAL SECURITY (AMENDMENT) ACT, 1985

No. 23 OF 1985

[29th March, 1985]

An Act further to amend the National Security Act, 1980, in its application to the State of Punjab and the Union territory of Chandigarh.

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

1. This Act may be called the National Security (Amendment) Act, 1985.

Short
Title.

2. In the National Security Act, 1980, as applicable to the State of Punjab and the Union territory of Chandigarh, in sub-section (1) of section 14A, for the figures, letters and words "3rd day of April, 1985", the figures, letters and words "3rd day of April, 1986" shall be substituted.

Amend-
ment of
section
14A.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.



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EXTRAORDINARY

भाग II—खण्ड 1
PART II—Section 1

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 36] नई दिल्ली, सोमवार, अगस्त 31, 1987/भाद्र 9, 1909
No. 36] NEW DELHI, MONDAY, AUGUST 31, 1987/BHADRA 9, 1909

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के रूप में रखा जा सके।

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as a separate compilation

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 31st August, 1987/Bhadra 9, 1909 (Saka)

The following Act of Parliament received the assent of the President on the 31st August, 1987, and is hereby published for general information:—

THE NATIONAL SECURITY (AMENDMENT) ACT, 1987
No. 27 OF 1987

[31st August, 1987.]

An Act further to amend the National Security Act, 1980, in its application to the State of Punjab and the Union territory of Chandigarh.

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

1. (1) This Act may be called the National Security (Amendment) Act, 1987.

(2) It shall be deemed to have come into force on the 9th day of June, 1987.

2. The National Security Act, 1980 (hereinafter referred to as the principal Act) shall, in its application to the State of Punjab and the Union territory of Chandigarh, have effect subject to the amendments specified in section 3.

Short
title and
commence-
ment.

Amend-
ment of
Act
65 of
1980 in
its
applica-
tion to
Punjab
and
Chandi-
garh.

3. In the principal Act, after section 14, the following section shall be inserted, namely:—

14A. (1) Notwithstanding anything contained in the foregoing provisions of this Act, or in any judgment, decree or order of any court or other authority, any person in respect of whom an order of detention has been made under this Act at any time before the 8th day of June, 1988 may be detained without obtaining the opinion of the Advisory Board for a period longer than three months, but not exceeding six months, from the date of his detention where such person had been detained with a view to preventing him, in any disturbed area,—

(i) from interfering with the efforts of Government in coping with the terrorist and disruptive activities; and

(ii) from acting in any manner prejudicial to—

(a) the defence of India; or

(b) the security of India; or

(c) the security of the State; or

(d) the maintenance of public order; or

(e) the maintenance of supplies and services essential to the community.

Explanation 1.—The provisions of the *Explanation* to sub-section (2) of section 3 shall apply for the purposes of this sub-section as they apply for the purposes of that sub-section.

Explanation 2.—In this sub-section, “disturbed area” means any area which is for the time being declared by notification under section 3 of the Punjab Disturbed Areas Act, 1983, or under section 3 of the Chandigarh Disturbed Areas Act, 1983, to be a disturbed area.

Explanation 3.—In this sub-section, “terrorist and disruptive activities” means “terrorist acts” and “disruptive activities” within the meaning of the Terrorist and Disruptive Activities (Prevention) Ordinance, 1987.

(2) In the case of any person to whom sub-section (1) applies, sections 3, 8 and 10 to 14 shall have effect subject to the following modifications, namely:—

(a) in section 3,—

(i) in sub-section (4), in the proviso,—

(A) for the words “ten days”, the words “fifteen days” shall be substituted;

(B) for the words “fifteen days”, the words “twenty days” shall be substituted;

(ii) in sub-section (5), for the words “seven days”, the words “fifteen days” shall be substituted;

Insertion of new section 14A.

Circumstances in which persons may be detained for periods longer than three months without obtaining the opinion of Advisory Boards.

32 of 1983.
33 of 1983.

Ord. 2 of 1987.

(b) in section 8, in sub-section (1), for the words "ten days", the words "fifteen days" shall be substituted;

(c) in section 10, for the words "shall, within three weeks", the words "shall, within four months and two weeks" shall be substituted;

(d) in section 11,—

(i) in sub-section (1), for the words "seven weeks", the words "five months and three weeks" shall be substituted;

(ii) in sub-section (2), for the words "detention of the person concerned", the words "continued detention of the person concerned" shall be substituted;

(e) in section 12, for the words "for the detention", at both the places where they occur, the words "for the continued detention" shall be substituted;

(f) in section 13, for the words "twelve months", the words "two years" shall be substituted;

(g) in section 14, in the proviso to sub-section (2), for the words "twelve months", the words "two years" shall be substituted.

4. The National Security (Amendment) Act, 1984, section 4 of the National Security (Second Amendment) Act, 1984 and the National Security (Amendment) Act, 1985 are hereby repealed.

Repeals.

5. (1) The National Security (Amendment) Ordinance, 1987, is hereby repealed.

Repeals
and
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

S. RAMAIAH,
Secy. to the Govt. of India.


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असाधारण
EXTRAORDINARY

भाग II—खण्ड 1
PART II—Section 1

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 55] नई दिल्ली, शुक्रवार, सितम्बर 2, 1988/भाद्र 11, 1910
No. 55] NEW DELHI, FRIDAY, SEPTEMBER 2, 1988/BHADRA 11, 1910

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MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 2nd September, 1988/Bhadra 11, 1910 (Saka)

The following Act of Parliament received the assent of the President on the 1st September, 1988, and is hereby published for general information:—

THE NATIONAL SECURITY (AMENDMENT) ACT, 1988
No. 43 OF 1988

[1st September, 1988.]

An Act further to amend the National Security Act, 1980, in its application to the State of Punjab and the Union territory of Chandigarh.

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

1. (1) This Act may be called the National Security (Amendment) Act, 1988.

(2) It shall be deemed to have come into force on the 26th day of May, 1988.

2. In the National Security Act, 1980 (hereinafter referred to as the principal Act), as applicable to the State of Punjab and the Union territory of Chandigarh, in sub-section (1) of section 14A, for the figures, letters and words "8th day of June, 1988", the figures, letters and words "8th day of June, 1989" shall be substituted.

Short title and commencement.

Amendment of section 14A.

peal
nd
aving.

3. (1) The National Security (Amendment) Ordinance, 1988 is here-
by repealed.

(2) Notwithstanding such repeal, anything done or any action taken
under the principal Act, as amendment by the said Ordinance, shall be
deemed to have been done or taken under the principal Act, as amended
by this Act.

Ord. 4
of 1988.

S. RAMAIAH,
Secy. to the Govt. of India