रजिस्ट्री सं. डी-(डीएन)-127 REGISTERED No. D-(DN)-127

भारत का राजपत्र
The Gazette of India

असाधारण
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

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 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

[31*st 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:—

Short title and commencement.

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.

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

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.

Insertion of new section 14A.

3. 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, 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. 32 of 1983. 33 of 1983.

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. Ord. 2 of 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;

(*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.'.

Repeals.

24 of 1984. 60 of 1984. 23 of 1985.

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 and saving.

Ord. 3 of 1987.

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 (*1*) The National Security (Amendment) Ordinance, 1987, is hereby repealed.

(*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.

PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI, 1987

IndiaCode