

BILL NO. 11 OF 1982

THE DISTURBED AREAS (SPECIAL COURTS) (MANIPUR
AMENDMENT) BILL, 1982

(As passed by the Legislative Assembly, Manipur on 2-9-82)

A
BILL

to amend the Disturbed Areas (Special Courts) Act, 1976 (No. 77 of 1976) in its application to the State of Manipur.

BE it enacted by the Legislature of Manipur in the Thirty-third Year of the Republic of India as follows:

1. (1) This Act may be called the Disturbed Areas (Special Courts) (Manipur Amendment) Act, 1982. Short title, extent and commencement.
(2) It extends to the whole of the State of Manipur.
(3) It shall come into force at once.

2. In section 3 of the Disturbed Areas (Special Courts) Act, 1976, (hereinafter referred to as the Principal Act):— Amendment of section 3.

(a) in sub-section (1), between the words, "communities", and "it may", the following words, brackets and figures shall be inserted, namely—

"or by reason of extensive and indiscriminate armed violence by members of an association declared as unlawful association under the Unlawful Activities (Prevention) Act, 1967";

(b) in sub-section (2)—

(i) In clause (a) of the proviso, the word "and" appearing at the end shall be deleted and the words, letters and brackets, "save in respect of the cases referred to in clause (aa)," shall be inserted in the beginning, and

(ii) below clause (a) of the proviso so amended, the following clause shall be added, namely,—

"(aa) in respect of extensive and indiscriminate armed violence by members of any association declared as unlawful association under the Unlawful Activities (Prevention) Act, 1967, no period commencing from a date earlier than the date of publication of the notification, if any, under section 3 of the Armed Forces (Special Powers) Act, 1958 in respect of that (28 of 1958) area or earlier than two years before the date of publication of the notification under sub-section (1), shall be specified therein; and".

Amendment of Sec. 9. 3. In section 9 of the Principal Act, after sub-section (2), the following explanation shall be added, namely,—

"Explanation: The evidence recorded in the trial of a scheduled offence by a Court of Sessions or Magistrate before it or he has ceased to exercise jurisdiction therein shall, for the purpose of section 326 of the Code, be construed as evidence so recorded by the predecessor of the Special Court".

Amendment of Schedule. 4. In the Schedule to the Principal Act, for the word, figures and letter, "Section 120 B", the words, figures and letter, "Sections 120 B, 121 to 130" shall be substituted.

5. (1) The Disturbed Areas (Special Courts) (Manipur Amendment) Ordinance, 1982 (Manipur Ordinance No. 2 of 1982) is hereby repealed, **Repeal and Saving.**

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