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NOTIFICATION

ORDERS BY THE ADMINISTRATOR

No. MG./4/15/72, - the 20th September, 1974. Whereas the Administrator of Mizoram, after careful consideration of all facts and circumstances, is of the opinion that the whole area of the Union Territory of Mizoram is in such disturbed and dangerous condition that use of Armed Forces in aid of Civil Power is necessary.

Now, therefore, in exercise of the powers conferred by section 3 of the Armed Forces (Special Powers) Act, 1958, the Administrator of Mizoram is pleased to declare the whole of Mizoram as disturbed area within the meaning and for the purpose of the said act for a period of six months.

R.M. Agrawal,
Chief Secretary
to the Govt. of Mizoram.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 17th September, 1974/Bhadra 26, 1896 (Saka)

THE MAINTENANCE OF INTERNAL SECURITY (AMENDMENT)
ORDINANCE, 1974

No. II of 1974.

Promulgated by the President in the Twenty-fifth Year of
the Republic of India.

An Ordinance further to amend the Maintenance of Internal
Security Act, 1971.

Whereas Parliament is not in session and the President is satisfied that
circumstances exist which render it necessary for him to take immediate action ;

Now, therefore, in exercise of the powers conferred by clause (1) of article
3 of the Constitution, the President is pleased to promulgate the following
Ordinance :—

1. (1) This Ordinance may be called the Maintenance
of Internal Security (Amendment) Ordinance, 1974. Short title and
commencement.

(2) It shall come into force at once.

2. During the period of operation of this Ordinance, the Maintenance of Internal Security Act, 1971 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3, 4 and 5. Act 26 of
1971 to be
temporarily
amended.

Amendment
section 3. In section 2 of the principal Act, after clause (c),
the following clause shall be inserted, namely :—
'(CC) "smuggling" has the same meaning as in clause
(39) of section 2 of the Customs Act, 1962 and all its grammatical variations and cognate expressions shall be construed accordingly'. 52 of 1962.

Amendment
section 4. In section 3 of the principal Act, in sub-section (1)--
(a) in clause (b), the word "or" shall be inserted
at the end ;

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

“(c) if satisfied with respect to any person (including a foreigner) that with a view to preventing him from acting in any manner pre-judicial to the conservation of foreign exchange or with a view to preventing him from—

- (i) smuggling goods, or
- (ii) abetting other persons to smuggle goods, or
- (iii) dealing in smuggled goods.”.

Insertion of new section 16A. Cases in which and circumstances under which persons may be detained for longer than three months without obtaining opinion of Advisory Board.

5. After section 16 of the principal Act, the following section shall be inserted, namely :—

‘16A. (1) Notwithstanding anything contained in this Act, any person (including a foreigner) in respect of whom an order of detention has been made under this Act may be detained without obtaining the opinion of the Advisory Board for a period longer than three months but not exceeding one year from the date of his detention, where the order of detention has been made against such person with a view to preventing him from smuggling goods or abetting other persons to smuggle goods, and the Central Government has reason to believe that such person—

- (i) smuggles or is likely to smuggle goods, or
- (ii) abets or is likely to abet other persons to smuggle goods, into, out of or through any specified area as defined in clause (c) of section 11H of the Customs Act, 1962.

52 of 1962.

(2) In the case of any person (including a foreigner) 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 thirty days”, the words “may, at any time prior to but in no case later than three months before the expiration of one year” shall be substituted;

(b) in section 11,—

(i) in sub-section (1), for the words "from the date of detension", the words "from the date on which reference is made to it" shall be substituted;

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

(c) in section 12, for the words "for the detention" in 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'.

Fakhruddin Ali Ahmed.
President.

K.K. Sundaram,
Secretary
to the Govt. of India.

ELECTION COMMISSION OF INDIA

ORDER

No. MIZ—LA/9/72, the 19 September, 1974 Whereas the Election Commission is satisfied that Shri Sangchunga. Zobawk, B.P.O. Zobawk, Mizoram, a contesting candidate for the general election held in April 1972 to the Mizoram Legislative Assembly from 9-Hnahthial Constituency, has failed to lodge an account of his election expenses within the time and in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Sangchunga to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly of Legislative Council of a state for a period of three years from the date of this order.

By order,

V. Nagasubramanian.
Secretary,
to the Election Commission
of India.