

West Bengal Act V of 1953

THE WEST BENGAL SECURITY (AMENDMENT) ACT, 1953.

[Passed by the West Bengal Legislature.]

[Assent of the President was first published in the *Calcutta Gazette*,
Extraordinary, of the 14th March, 1953.]

An Act to amend the West Bengal Security Act, 1950.

West Ben.
Act XIX
of 1950.

WHEREAS it is expedient to amend the West Bengal Security Act, 1950, for the purposes and in the manner hereinafter appearing;

It is hereby enacted as follows:—

1. (1) This Act may be called the West Bengal Security (Amendment) Act, 1953.

Short title
and
commence-
ment.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

West Ben.
Ord. II of
1953.

2. In this Act, the expression "the principal Act" means the West Bengal Security Act, 1950, as in force immediately before the promulgation of the West Bengal Security (Amendment) Ordinance, 1953.

Interpre-
tation.

3. In sub-section (4) of section 1 of the principal Act, for the words "three years" the words "six years" shall be substituted.

Amend-
ment of
section 1
of West
Bengal Act
XIX of
1950.

4. In section 21A of the principal Act,—

(a) for sub-sections (1), (2) and (3), the following sub-sections shall be substituted, namely:—

Amend-
ment of
section
21A.

"(1) The State Government shall specify in every order made under sub-section (1) of section 21, the grounds for the order; and the person in respect of whom the order has been made shall be entitled to send a representation to the State Government against the order so as to reach the State Government within twenty-one days of the date of the service of the order.

(2) The State Government shall, within seven days from the date of the receipt of the representation referred to in sub-section (1), or where no such representation is received within the period referred to in that sub-section, within twenty-eight days from the date of the service of the order, place before an Advisory Board constituted under sub-section (6), the grounds for the order and the representation, if any, received within the period referred to in sub-section (1).

2 *The West Bengal Security (Amendment) Act, 1953.*

[West Ben. Act V of 1953.]

(Section 5.)

(3) The Advisory Board shall, after considering the grounds and the representation, if any, placed before it under sub-section (2), and after calling for and considering such further information, if any, as it may deem necessary in the interests of justice, from the State Government or from the person in respect of whom the order has been made, report to the State Government within one month and a half from the date of the service of the order, whether or not in its opinion there is sufficient cause for the order.”,

(b) in sub-section (5), for the words “from the date of the order, unless cancelled earlier” the words “from the date of the service of the order, but the State Government may at any time before the expiry of such period of six months, cancel the order” shall be substituted.

Repeal of
West
Bengal
Ordinance
II of 1953.

5. The West Bengal Security (Amendment) Ordinance, 1953, is hereby repealed and shall be deemed never to have been in force; but any order made, any action taken or any opinion given under the principal Act, as amended by that Ordinance, shall be deemed to have been made, taken, or given under the principal Act as amended by this Act as if this Act had come into force on the 8th day of January, 1953.

West Ben.
Ord. II of
1953.