

ASSAM ACT XXII OF 1948

THE ASSAM MAINTENANCE OF PUBLIC ORDER
(AMENDMENT) ACT, 1948

(Passed by the Assembly)

[Received the assent of the Governor on the 4th
November 1948]

[Published in the *Assam Gazette* of the 10th November 1948]

An
Act to amend the Assam Maintenance of Public Order Act,
1947.

Preamble. WHEREAS it is expedient to amend the Assam Maintenance of Public Order Act, 1947, hereinafter called the principal Act, in the manner hereinafter appearing ;

Short title, extent and commencement. It is hereby enacted as follows :—

1. (1) This Act may be called the Assam Maintenance of Public Order (Amendment) Act, 1948.

(2) It extends to the whole of the Province of Assam.

(3) It shall come into force at once.

Substitution of a new section for section 3 of Assam Act V of 1947. 2. For section 3 of the principal Act the following shall be substituted and shall be deemed to have been substituted as from the 2nd April, 1947, namely :—

Duration of orders made under section 2 of this Act. " 3. An order made under section 2 shall be in force for a period not exceeding six months as may be specified in the order unless earlier revoked by the authority making the order ; where period is not specified in an order issued before the 15th August, 1948, the period of the order shall be presumed to be six months.

Provided that the Provincial Government may, if and so often as it deems expedient, before the date on which under this section any such order would otherwise have ceased to be in force, after a further consideration of all the circumstances of the case direct that the order shall continue in force for such period not exceeding in the case of detention orders one year from the date of commencement of actual detention under the initial order, as may be specified in the order ;

Provided also that any earlier revocation shall not prevent the making under section 2 of a fresh order to the same effect as the order revoked ;

Provided further that notwithstanding any provision hereinbefore contained the Provincial Government shall be at liberty to revoke or modify any order under section 2 at any time."

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3. After section 4 of the principal Act, the following section shall be inserted, namely:—

Insertion of
new section
4A in Assam
Act V of
1947.

“4A. Any order made, direction issued, act or thing done or omitted under the provisions of the Act before the commencement of the Assam Maintenance of Public Order (Amendment) Act, 1948, which would have been validly and properly made, issued, done or omitted under the Act if section 3 of the Act had been as provided by the Assam Maintenance of Public Order (Amendment) Act, 1948, shall be deemed to be and to have been validly and properly made, issued, done or omitted thereunder.”

Repeal and
Savings.

4. (1) The Assam Maintenance of Public Order (Amendment) Ordinance, 1948, is hereby repealed.

(2) Any order made and anything done under the said Ordinance and in force immediately before the date of the commencement of this Act shall continue in force and be deemed to be made or done under the provisions of this Act.