

**Thirteenth Kerala Legislative Assembly**

**Bill No. 22**

THE CRIMINAL LAWS AMENDMENT (KERALA AMENDMENT  
AND EXTENSION) BILL, 2011.

A

*BILL*

*to extend the Criminal Law Amendment Act, 1908 and the Criminal Law Amendment Act, 1932 to the erstwhile Travancore and Cochin areas of the State of Kerala, where the said Acts are not in force.*

*Preamble.*—WHEREAS, it is expedient to extend the Criminal Law Amendment Act, 1908 and the Criminal Law Amendment Act, 1932 to the erstwhile Travancore and Cochin areas of the State of Kerala, where the said Acts are not in force ;

BE it enacted in the Sixty-second year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Criminal Laws Amendment (Kerala Amendment and Extension) Act, 2011.

(2) It shall come into force at once.

2. *Amendment of Act 14 of 1908.*—In section 1 of the Criminal Law Amendment Act, 1908 (Central Act 14 of 1908),—

(i) in sub-section (2), the words, “other than the erstwhile Travancore and Cochin areas of the State of Kerala”, shall be inserted at the end ;

(ii) to sub-section (3), the following proviso shall be added, namely:—

“Provided that on the date of commencement of the Criminal Laws Amendment (Kerala Amendment and Extension) Act, 2011, the whole Act shall come into force on that part of the State of Kerala in which it was not in force, immediately before such commencement”.

3. *Amendment of Act 23 of 1932.*— In section 1 of the Criminal Law Amendment Act, 1932 (Central Act 23 of 1932),—

(i) in sub-section (2), the words, “ other than the erstwhile Travancore and Cochin areas of the State of Kerala”, shall be inserted at the end ;

(ii) to sub-section (4), the following proviso shall be added, namely:—

“Provided that on the date of commencement of the Criminal Laws Amendment (Kerala Amendment and Extension) Act, 2011, the whole Act shall come into force on that part of the State of Kerala in which it was not in force immediately before such commencement”.

#### STATEMENT OF OBJECTS AND REASONS

In view of the increasing threat from fundamentalists and subversive elements trying to strike at the very root of the security of the State, it is inevitable to equip the law and order machinery with effective legal measures to counter and contain such threats. It is considered necessary that in order to have an effective law to deal with such elements, the provisions of Indian Criminal Law Amendment Act, 1908 (Central Act 14 of 1908) and the Criminal Law Amendment Act, 1932 (Central Act 23 of 1932) have to be made applicable to the whole State.

2. As the above Acts are at present applicable to the erstwhile Malabar area only, Government have decided to make them applicable to the entire State of Kerala by amending the Criminal Law Amendment Act, 1908 and Criminal Law Amendment Act, 1932, in its application to the State of Kerala.

3. This Bill is intended to achieve the above objects.

#### FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure out of the Consolidated Fund of the State.

OOMMEN CHANDY

EXTRACT FROM THE CRIMINAL LAW AMENDMENT ACT, 1908  
(ACT 14 OF 1908)

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1. *Short title and extent.*—(1) This Act may be called the Indian Criminal Law Amendment Act, 1908.

(2) It extends to the whole of India except the territories which, immediately before the 1st November, 1956, were comprised in Part B States.

(3) It applies to Assam and to the territories which, immediately before the 1st November, 1956, were comprised in the State of West Bengal; but the State Government of any State may at any time, by notification in the Official Gazette, bring the whole or any part thereof into force in the territories under its administration to which this Act extends.

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EXTRACT FROM THE CRIMINAL LAW AMENDMENT ACT, 1932  
(ACT 23 OF 1932)

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1. *Short title, extent, duration and commencement.*—(1) This Act may be called the Criminal Law Amendment Act, 1932.

(2) It extends to the whole of India except the territories which, immediately before the 1st November, 1956, were comprised in Part B States.

(3) \*\* \*\* \*\*

(4) The whole of the Act except Section 7 shall come into force at once, and the State Government may by notification in the Official Gazette direct that Section 7 shall come into force in any area on such date as may be specified in the notification.

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