

THE CRIMINAL LAW AMENDMENT ACT, 1932

An Act to supplement the criminal law.

Whereas it is expedient to supplement the criminal law and to that end to amend the Indian Press (Emergency Powers) Act, 1931 (23 of 1931) and further to amend * * * the Indian Criminal Law Amendment Act, 1908 (14 of 1908) for the purposes hereinafter appearing. It is hereby enacted as follows.

STATE AMENDMENTS

?Goa, Daman and Diu

?? For preamble substituted the following:

?? ?Whereas it is expedient to supplement the Criminal Law for the purposes hereinafter appearing: it is hereby enacted as follows.?

?[G.S.R. 863, dated 2.6.1996]

?Pondicherry

?? Same as that of Goa, Daman and Diu.

?[G.S.R. 200 dated 18.2.1967]

?

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.

STATE AMENDMENTS

?Andhra Pradesh

?? In Section 1(2) add at the end ?other than those specified in sub-section (1) of Section 3 of S.R. Act 1956.

?[A.P. Act 25 of 1979]

?Gujarat

?? In sub-sections (2) and (4) of Section 1, the words 'State of Bombay' shall stand unmodified.

[Guj. A. I. (8th Amendment) Order, 1961]

Karnataka

?? In sub-section (2) of Section 1, at the end add the following:

?? 'Other than the territories specified in Clause (a) and Clause (c) of sub-section (1) of Section 7 of the State Reorganisation Act, 56 (C.A. 37 of 1956).'

[Karnataka Act 29 of 1975]

Madhya Pradesh

?? For sub-section (2) of Section 1, in its application to the State of Madhya Pradesh, substitute the following:

?? '(2) It extends to the whole of India except the territories which immediately before the 1st November, 1956 were comprised in Part B States other than the Madhya Bharat and Sironj Regions of the State of Madhya Pradesh.

[M.P. Act 10 of 1967]

Maharashtra:

??? (i) In sub-section (2), after the words and letter 'comprised in Part B States', insert the words 'other than the Hyderabad and Saurashtra areas of the State of Bombay';

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

?? 'Provided that in the Hyderabad and Saurashtra areas of the State of Bombay, this Act except Section 7 shall come into force on the date of the commencement of the Criminal Law (Amendment) (Bombay Amendment and Extension) Act, 1959.

[Bom. Act XXIV of 1959]

2. Dissuasion from enlistment. ? [Repealed by of the Criminal Law Amendment Act, 1935, Sec. 2.]

3. Tampering with public servants. ? [Repealed by of the Criminal Law Amendment Act, 1935, Sec. 2.]

4. Boycotting a public servant. ? [Repealed by of the Criminal Law Amendment Act, 1935, Sec. 2.]

5. Dissemination of contents of prescribed document. ? ?(1)

Whoever publishes, circulates or repeats in public any passage from a newspaper, book or other document, copies whereof have been declared to be forfeited to Government under any law for the time being in force, shall be punished with imprisonment for a term which may extend to six months, or with fine, or with both.

(2) No Court shall take cognizance of an offence punishable under this section unless the State Government has certified that the passage published, circulated or repeated contains, in the opinion of the State Government, seditious or other matter of the nature referred to in sub-section (1) of section 99-A of the Code of Criminal Procedure, 1898 (5 of 1898)^[1] or sub-section (1) of Section 4 of the Indian Press (Emergency Powers) Act, 1931 (23 of 1931).

STATE AMENDMENTS

?Andhra Pradesh

?? For the words ?Section 99-A of Cr.P.C. 1898,? substitute ?Section 95 of Code of Criminal Procedure, 1973?.

?[A.P. Act 25 of 1979]

?Goa, Daman and Diu

?? Same as that in Maharashtra.

?[G.S.R. 863, dated 2.6.1966]

?Gujarat

?? Same as that of Maharashtra.

?[Gujarat A.L.O. 1960]

?Maharashtra

In Section 5, in sub-section (2), delete the words, brackets, and figures ?or sub-section (1) of Section 4 of the Indian Press (Emergency Powers) Act, 1931.?

?[Bom. Act XXIV of 1959]

?Pondicherry

?? Same as in Maharashtra.

?[G.S.R. 200, dated 18.2.1967]

6. Dissemination of false rumours. ? ?[Repealed by of the Criminal Law Amendment Act, 1935, Sec. 2]

?? (1) For the words ?Code of Criminal Procedure, 1989? substitute the words ?Code of Criminal Procedure, 1973?.

?? (2) In clause (i) omit the words ?Presidency Magistrate or?

?[A.P. Act 25 of 1979]

?Punjab, Haryana and Chandigarh

?? In Clause (i) of Section 9, for the words ?Magistrate of the first class? substitute the words ?Judicial Magistrate of the first class.?

?[Punjab Act 35 of 1964, Act 31 of 1966, Haryana A.L.O. 1968]

10. Power of State Government to make certain offences cognizable and non-bailable . ?

(1) The State Government may, by notification in the official Gazette declare that any offence punishable under Sections 186, 188, 189, 190, 228, 295-A, 298, 505, 506 or 507 or Indian Penal Code (45 of 1860), when committed in any area specified in the notification shall, notwithstanding anything contained in the Code of Criminal Procedure, 1898 (6 of 1898)^[4] be cognizable, and thereupon the Code of Criminal Procedure, 1898,^[5] shall, while such notification remains in force, be deemed to be amended accordingly.

(2) The State Government may, in like manner and subject to the like conditions, and with the like effect, declare that an offence punishable under Section 188 or Section 506 of the Indian Penal Code (45 of 1860), shall be non-bailable.

11. Amendment of Section 16, Act 14 of 1908 . ? [*Repealed by the Repealing Act, 1938 (1 of 1938), Sec. 2.*]

12. Amendment of Section 17, Act 14 of 1908 . ? [*Repealed by the Repealing Act, 1938 (1 of 1938), Sec. 2.*]

13. Insertion of new Sections 17-A to 17-F in Act 14 of 1908 . ? [*Repealed by the Repealing Act, 1938 (1 of 1938), Sec. 2.*]

14. Amendment of title and preamble of Act 23 of 1931 . ? [*Repealed by the Repealing Act, 1938 (1 of 1938), Sec. 2.*]

15. Amendment of Section 1, Act 23 of 1931 . ? [*Repealed by the Criminal Law Amendment Act, 1935), Sec. 2.*]

16. Amendment of Section 4, Act 23 of 1931 . ? [*Repealed by the Repealing Act, 1938 (1 of 1938), Sec. 2.*]

17. Cessation of effect of section 62, Ordinance 19 of 1932 . ? [*Repealed by the Criminal Law Amendment Act, 1935, Sec. 2.*]

18. Adoption and continuance of action taken under Ordinance 10 of 1932.

Anything done or any proceeding commenced in pursuance of the provisions of Chapter VI of the Special Powers Ordinance, 1932 (10 of 1932), shall, upon the commencement of this Act, be deemed to have been done or to have been commenced in pursuance of the corresponding provisions of the Indian Criminal Law Amendment Act, 1908 (45 of 1908), as amended by this Act, and shall have effect as if this Act was already in force when such thing was done or such proceedings were commenced.

STATE AMENDMENTS

Andhra Pradesh

(i) For the words "The State Government...official Gazette", substitute "if the State Government are satisfied, in the public interest it is necessary or expedient so to do, they may, by notification in the A.P. Gazette."

(ii) For the words "Cr.P.C. 1898", substitute, "Code of Criminal Procedure, 1973"; and

(iii) After sub-section (2), insert, "

(3) A notification issued under sub-section (2) shall be in force for six months only, but the State Government may, by a like notification, extended it for any period not exceeding six months if they are satisfied that in the public interest it is necessary or expedient so to do."

[A.P. Act 25 of 1979]

Goa, Daman and Diu

Omit Section 18.

[G.S.R. 863, dated 2.6.1966]

Gujarat

Delete Section 18.

[Guj. A.L.O. 1960]

Maharashtra

Delete Section 18.

[Bom. Act XXIV of 1959]

Pondicherry

Same as in Goa, Daman and Diu.

[G.S.R. 200, dated 18.2.1967]

19. Adoption and continuance of action taken under Act 23 of 1931 as amended by Ordinance 10 of 1932 . ? Anything done or any proceedings commenced in pursuance of the provisions of the Indian Press (Emergency Powers) Act, 1931 (23 of 1931), as amended by Section 77 of the Special Powers Ordinance, 1932 (10 of 1932), shall upon the commencement of this Act, be deemed to have been done or to have been commenced in pursuance of the corresponding provisions of the Indian Press Emergency Powers) Act, 1931 (23 of 1931), as amended by this Act, and shall have effect as if this Act was already in force when such thing was done or such proceedings were commenced.

STATE AMENDMENTS

?Goa, Daman and Diu

?? *Omit* Section 19.

[G.S.R. 863, dated 2.6.1966]

?Gujarat

?? *Delete* Section 19.

[Gujarat A.L.O. 1960]

?Maharashtra

?? *Delete* Section 19.

[Bom. Act XXIV of 1959]

?Pondicherry

?? Same as Goa, Daman and Diu.

[G.S.R. 200, dated 18.2.1967]

20. Trial of, and completion of trials of, offences against Ordinance 10 of 1932. ? ? [Repealed by the Criminal Law Amendment Act, 1935, Sec. 2.]

? _____

i[1] Now the Code of Criminal Procedure, 1973 (2 of 1974).

ii[2] Now the Criminal Procedure Code, 1973 (2 of 1974).

iii[3] Repealed by the Criminal Law Amendment Act, 1935.

iv[4] Now the Criminal Procedure Code, 1973 (2 of 1974).

v[5] Now the Criminal Procedure Code, 1973 (2 of 1974)