

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 11th August 2014 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 20 of 2014

A Bill further to amend the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug-offenders, Forest-offenders, Goondas, Immoral Traffic offenders, Sand-offenders, Slum-grabbers and Video Pirates Act, 1982.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug-offenders, Forest-offenders, Goondas, Immoral Traffic offenders, Sand-offenders, Slum-grabbers and Video Pirates (Second Amendment) Act, 2014.

Short title and commencement.

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

Tamil Nadu Act
14 of 1982.

2. In the long title to the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug-offenders, Forest-offenders, Goondas, Immoral Traffic offenders, Sand-offenders, Slum-grabbers and Video Pirates Act, 1982 (herein after referred to as the Principal Act), for the expression “sand-offenders, slum-grabbers”, the expression “sand-offenders, sexual-offenders, slum-grabbers” shall be substituted.

Amendment of long title.

3. In the preamble to the principal Act,-

Amendment of preamble

(1) in the first paragraph, for the expression “sand-offenders, slum-grabbers”, the expression “sand-offenders, sexual-offenders, slum-grabbers” shall be substituted;

(2) in the second paragraph, for the expression “sand-offenders, slum-grabbers”, the expression “sand-offenders, sexual-offenders, slum-grabbers” shall be substituted.

4. In section 1 of the principal Act, in sub-section (1), for the expression “Sand-offenders, Slum-grabbers”, the expression “Sand-offenders, Sexual-offenders, Slum-grabbers” shall be substituted.

Amendment of section 1

5. In section 2 of the principal Act,-

Amendment of section 2

(1) in clause (a), after sub-clause (IV-A), the following sub-clause shall be inserted, namely:-

“(IV-B) in the case of a sexual -offender, when he is engaged, or is making preparations for engaging, in any of his activities as a sexual-offender, which affect adversely, or are likely to affect adversely, the maintenance of public order;”;

(2) in clause (f), for the expression “under Chapter XVI”, the expression “under Chapter XVI other than sections 354, 376, 376-A, 376-B, 376-C, 376-D and 377” shall be substituted;

(3) after clause (gg), the following clause shall be inserted, namely:-

“(ggg) “sexual-offender” means a person, who commits or attempts to commit or abets the commission of any offence punishable under sections 354, 376, 376-A, 376-B, 376-C, 376-D or 377 of the Indian Penal Code or the Tamil Nadu Prohibition of Harassment of Women Act, 1998 or the Protection of Children from Sexual Offences Act, 2012;”.

Central Act
XLV of 1860.

Tamil Nadu
Act 44 of
1998.

Central Act
32 of 2012.

Amendment of
section 3

6. In section 3 of the principal Act, in sub-section(1), after the expression “sand-offender”, the expression “or sexual-offender” shall be inserted.

Amendment of
section 17

7. In section 17 of the principal Act,-

(1) in the marginal heading, for the expression “sand-offender, slum-grabber”, the expression “sand-offender, sexual-offender, slum-grabber” shall be substituted;

(2) for the expression “sand-offender, slum-grabber” the expression “sand-offender, sexual-offender, slum-grabber” shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

As the sexual offences against women are prejudicial to the maintenance of public order, the Government have announced a 13 – point action plan, which included a proposal to bring sexual offenders within the purview of preventive detention under the Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug- offenders, Forest - offenders, Goondas, Immoral Traffic offenders, Sand-offenders, Slum-grabbers and Video Pirates Act, 1982 (Tamil Nadu Act 14 of 1982). Accordingly, it has been decided to amend the said Tamil Nadu Act 14 of 1982 so as to bring sexual offenders within the ambit of the said Act.

2. The Bill seeks to give effect to the above decision.

NATHAM R. VISWANATHAN

*Minister for Electricity,
Prohibition and Excise.*

A.M.P. JAMALUDEEN,
Secretary.