

**പതിനാലാം കേരള നിയമസഭ
പതിനാലാം സമ്മേളനം**

നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നമ്പർ - 150

28.01.2019 ൽ മറുപടിക്ക്

ഹർത്താലിനോടനുബന്ധിച്ചുള്ള ആക്രമണങ്ങൾ

ചോദ്യം

ഉത്തരം

ശ്രീ. എൻ. ഷംസുദ്ദീൻ

**പിണറായി വിജയൻ
(മുഖ്യമന്ത്രി)**

- (എ) ജനുവരി 3-ാം തീയതിയിലെ (എ) വിശദാംശം അനുബന്ധം I ൽ ചേർക്കുന്നു. ഹർത്താലിനോടനുബന്ധിച്ച് സംഘപരിവാർ നടത്തിയ ആക്രമണങ്ങളിൽ വിവിധ ജില്ലകളിലുണ്ടായ നാശനഷ്ടങ്ങൾ സംബന്ധിച്ച കണക്ക് ലഭ്യമായിട്ടുണ്ടോ; എങ്കിൽ വിശദവിവരം നൽകുമോ;
- (ബി) ആക്രമണം നടത്തിയ പ്രതികളിൽ (ബി) ആക്രമണം നടത്തിയവർക്കെതിരെ Indian Penal Code, Prevention of Damage to Public Property Act-1984, എന്നീ നിയമങ്ങളിലെ പ്രസക്ത വകുപ്പുകൾ പ്രകാരം 772 ക്രൈം കേസുകൾ രജിസ്റ്റർ ചെയ്യുകയും ഇതിൽ ഉൾപ്പെട്ട 4163 പ്രതികളെ അറസ്റ്റ് ചെയ്ത് നിയമനടപടി സ്വീകരിക്കുകയും ചെയ്തിട്ടുണ്ട്. വിശദാംശം അനുബന്ധം I ൽ ചേർക്കുന്നു.
- (സി) ഇത്തരത്തിലുള്ള ആക്രമണങ്ങൾ തടയുവാൻ (സി) നിലവിലുള്ള ഐ.പി.സി, പി.ഡി.പി.പി ആക്ട് എന്നിവയ്ക്ക് പുറമെ സ്വകാര്യവ്യക്തികളുടെ സ്വത്തുക്കൾക്ക് ഉണ്ടാകുന്ന നാശനഷ്ടങ്ങൾക്ക് നഷ്ടപരിഹാരം ഈടാക്കി നൽകുന്നതിന് Kerala Prevention of Damage to Private Property & Payment of Compensation Ordinance 2019, 08.01.2019 ൽ പുറപ്പെടുവിച്ചിട്ടുണ്ട്. ഓർഡിനൻസിന്റെ പകർപ്പ് അനുബന്ധം II ൽ ചേർക്കുന്നു.


സെക്ഷൻ ഓഫീസർ

Sl. No.	Dst.	എ		ബി		
		നശിപ്പിച്ച		അക്രമണങ്ങളിൽ രജിസ്റ്റർ ചെയ്ത കേസുകളുടെ എണ്ണം	അക്രമണങ്ങളിൽ ഉൾപ്പെട്ടവരുടെ എണ്ണം	അറസ്റ്റു ചെയ്തവരുടെ എണ്ണം
		പൊതു മുതൽ (രൂപയിൽ)	സ്വകാര്യ മുതൽ (രൂപയിൽ)			
1	TVPM C	10000	377500	13	482	66
2	TVPM R	73059	739100	28	811	163
3	KLM C	310900	418000	91	2800	286
4	KLM R	2000	144600	22	526	95
5	PTA	93000	3370500	42	774	190
6	ALP	0	116000	29	1008	348
7	KTM	25000	120000	21	252	46
8	IDK	0	3500	11	153	104
9	EKM C	0	46000	12	494	170
10	EKM R	199000	267400	27	1321	212
11	TSR C	288000	65000	58	2969	469
12	TSR R	32000	132500	30	1412	330
13	PKD	943300	305300	116	6030	688
14	MPM	159000	686000	71	2853	309
15	KKD C	192400	351500	49	480	190
16	KKD R	256665	300000	24	795	68
17	WYD	20000	407000	13	64	36
18	KNR	182748	1154100	45	379	107
19	KSD	56000	1324526	70	832	286
20	RLYS	0	0	0	0	0
TOTAL		2843072	10328526	772	24435	4163

(Handwritten signature)
 മെമ്പർ ഓഫീസർ

അനുസരിച്ചു 2

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കേരള സർക്കാർ
Government of Kerala
2019



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KLTV(N)/634/2018-20

കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണ
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 8 Vol. VIII	തിരുവനന്തപുരം, ചൊവ്വ Thiruvananthapuram, Tuesday	2019 ജനുവരി 8 8th January 2019	നമ്പർ No. 44
		1194 ധനു 24 24th Dhanu 1194	
		1940 പൗഷം 18 18th Pousha 1940	

GOVERNMENT OF KERALA
Law (Legislation-E) Department
NOTIFICATION

No. 392/Leg.E1/2019/Law. *8th January, 2019*
Dated, Thiruvananthapuram, 24th Dhanu, 1194
18th Pousha, 1940.

The following Ordinance promulgated by the Governor of Kerala on the 8th day of January, 2019 is hereby published for general information.

By order of the Governor,
B. G. HARINDRANATH,
Law Secretary.

ORDINANCE No. 5 OF 2019**THE KERALA PREVENTION OF DAMAGE TO PRIVATE
PROPERTY AND PAYMENT OF COMPENSATION
ORDINANCE, 2019**

Promulgated by the Governor of Kerala in the Sixty-ninth Year
of the Republic of India.

AN

ORDINANCE

*to prevent the frequent and rampant damage to private property by
damaging acts and for payment of compensation and for matters
connected therewith or incidental thereto.*

Preamble.—WHEREAS, it is expedient to prevent the frequent and
rampant damage to private property by damaging acts and for payment of
compensation and for matters connected therewith or incidental thereto;

AND WHEREAS, the Legislative Assembly of the State of Kerala is not
in session and the Governor of Kerala is satisfied that circumstances exist
which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of
Article 213 of the Constitution of India, the Governor of Kerala is pleased
to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be
called the Kerala Prevention of Damage to Private Property and Payment
of Compensation Ordinance, 2019.

(2) It shall come into force at once.

2. *Definitions.*— (1) In this Ordinance, unless the context otherwise
requires,—

(a) "damaging act" means an act, causing any damage or loss or destruction to any private property due to communal riots, hartal, bandh, demonstration, march, procession, blockade of road traffic or similar assembly by whatever name called, committed by an individual, group of individuals or organisation whether social, religious or political;

(b) "prescribed" means prescribed by rules made under this Ordinance;

(c) "private property" means any property whether movable or immovable including any machinery, other than public property as defined in the Prevention of Damage to Public Property Act, 1984 (Central Act 3 of 1984), which is owned by or in the possession of or under the control of any person or organisation or institution or entity.

3. *Prohibition of committing damaging act.*—No person participating in communal riots, hartal, bandh, demonstration, march, procession, blockade of road traffic or similar assembly by whatever name called, shall cause any damaging act.

4. *Punishment for committing damaging act.*—Whoever commits a damaging act shall be punished with imprisonment of either description for a term which may extend to five years and shall also be liable to fine.

5. *Punishment for committing damaging act by fire or explosive substance.*—Whoever commits a damaging act by fire or explosive substance shall be punished with imprisonment for life or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

6. *Bail.*—No person convicted or accused of an offence punishable under section 4 or section 5 shall, if in custody, be released on bail unless the prosecution has been given an opportunity to oppose the application for such release on execution of bond by two solvent sureties and sufficient security in the form of bank guarantee has been furnished or money is deposited in court which shall not be less than one half the value of the property destroyed or damaged, as may be determined by the court on the basis of a report by an officer appointed by the Government by notification in the official Gazette for such purpose.

7. *Trial of offences.*—(1) The offences under this Ordinance shall be investigated and tried under the provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

(2) When a court on conviction for an offence under this Ordinance imposes a sentence it shall order payment of compensation to any person for any damage or loss or destruction caused by the commission of offence, such compensation shall be determined by the court as provided in section 357 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and the same shall also be recoverable as if an arrear of public revenue due on land under the provisions of the Kerala Revenue Recovery Act, 1968 (15 of 1968).

8. *Saving.*— The provisions of this Ordinance shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force, and nothing contained in this Ordinance shall exempt any person from any proceeding (whether by way of investigation or otherwise) which might apart from this Ordinance, be instituted or taken against him.

9. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules either prospectively or retrospectively for the purpose of carrying into effect the provisions of this Ordinance.

(2) Every rule made under this Ordinance shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

P. SATHASIVAM,
GOVERNOR.



പി. സതീഷ്വമ് 30.12.1974