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</table>

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</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PART-VI</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PART-VII</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

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<tr>
<th>PART-VII</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bills introduced by the President</td>
<td>Nil</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PART-IX</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PART-X</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nil</td>
</tr>
</tbody>
</table>
PART-I

NOTIFICATION

Dated Kohima, the 21st September, 2017.

No.DSE/EStT/1-124/2017/1261 :: In the interest of the public service the Governor of Nagaland is pleased to order transfer and posting of the following Headmasters and Assistant Headmasters under the School Education Department with immediate effect:

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Name of Officer</th>
<th>Designation</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Chenirao Humtsoe</td>
<td>HM</td>
<td>GHS, Yangphi</td>
<td>GHS, Baghy</td>
</tr>
<tr>
<td>2</td>
<td>Lisumo Ezung</td>
<td>HM</td>
<td>GHS, Baghy</td>
<td>GHS, Yangphi</td>
</tr>
<tr>
<td>3</td>
<td>Nyamo Lotha</td>
<td>AHM</td>
<td>GHS, Sungro</td>
<td>GHS, Ralan</td>
</tr>
<tr>
<td>4</td>
<td>Kaitumchap Newmai</td>
<td>AHM</td>
<td>GHS, Ralan</td>
<td>GHS, Sungro</td>
</tr>
<tr>
<td>5</td>
<td>Lim hathung Ezung</td>
<td>HM</td>
<td>GHSS, Abo</td>
<td>GHS, Sanis</td>
</tr>
<tr>
<td>6</td>
<td>Lim hathung Odyuo</td>
<td>HM</td>
<td>GHS, Sanis</td>
<td>GHSS, Aboi</td>
</tr>
<tr>
<td>7</td>
<td>Betrand Yanthan</td>
<td>HM</td>
<td>HM attached to SDEO, Wokha</td>
<td>GHS, Aiteppyong</td>
</tr>
</tbody>
</table>

2. The Handing and taking over of charge must be completed on or before 5th October, 2017.

Sd/-
THEJANGUSANO SAVINO
Under Secretary to the Government of Nagaland.

NOTIFICATION


No.1&C/RTI-2/14/253 :: In pursuance of Section 5 (1) of the Right to Information Act, 2005, the Governor of Nagaland is pleased to appoint the following Officers of Industries and Commerce Department as Appellate Authority, Public Information Officer and Assistant Public Information Officer.

1. Appellate Authority (AA) :: Smti. N. Hushili Sema, IAS, Commissioner and Secretary, Industries and Commerce.

2. Public Information Officer :: Shri. Sentiwapang Aier, Deputy Secretary (B), Industries and Commerce.

3. Assistant Public Information Officer :: Shri. Heluibe Zeliang, Deputy Secretary (A), Industries and Commerce.

Sd/-
HELUIBE ZELIANG
Deputy Secretary to the Govt. of Nagaland.
NOTIFICATION


NO. PHE-1/EST/22/2001::: In Pursuance to the Provision of the Nagaland Engineering Service (Group A & B) Rules 2012, Schedule -VIII, S- 7(iii) and in Pursuance to P& AR Department O.M No. AR-5/ASSO/98 dated 4.08.2008, the suitability test conducted on 23/06/17, and in the interest of public service, the Governor of Nagaland is pleased to order officiating promotion of Shri. Ngosayi Keyho draftsman Grade-II to the post of Junior Engineer(Non-technical) against the vacancy post caused by the promotion of Shri Sentiyongdang to SDO in the pay band of Rs. 9300-34800 with the grade pay of Rs. 4400/- pm plus all other allowances as are admissible under rules from time to time in the State of Nagaland.

The above officiating promotion is subject to regularization by Departmental Promotion Committee (DPC) in due course of time.

In the interest of public service, Shri. Ngosayi Keyho J.E is posted under the establishment of Executive Engineer, Phek Division PHED Nagaland, till further order.

Sd/-
NIKESONO KEVICHUSA
Under Secretary to the Government of Nagaland

NOTIFICATION

Dated Kohima, the 18th September 2017.

NO.EDS/SCERT-8/97/511 :: The Governor of Nagaland is pleased to extend the Study Leave for another period of 1 (one) year with effect from 01-09-2017 to Smti. Abigail Swu, Lecturer, DIET Wokha to facilitate the completion of Ph.D Program at Nagaland University subject to the following conditions:

i) No substitute appointment is to be effected against the study leave vacancy under any circumstances as per the undertaking.

ii) After completion of the course, certificate of completion is to be sent to the P&AR Department accordingly, in the absence of which the course shall be treated as incomplete.

iii) Incentive/increments shall not be admissible to the official on acquiring higher qualification as per Para-3 clause (ii) of the Office Memorandum vide No.AR-3/Gen-204/2009 dated 17th June 2014.

2. The earlier terms and conditions remain the same.

3. This issues with the clearance of the P&AR Department vide their U.O No. 478 dated 14/09/2017.

Sd/-
KOTENO SAKHRIE
Additional Secretary to the Government of Nagaland.
NOTIFICATION

Dated Kohima, the 13th September, 2017.

NO.SPLY-10/2/2010 : In the interest of public service the Governor of Nagaland is pleased to order transfer & posting of the following Sr. Inspectors under the Department of Food & Civil Supplies with immediate effect as under:

1. Shri S. Kavito Aomi, Inspector on promotion is transferred and posted as Sr. Inspector, ADS Office, Dimapur
2. Shri John K.R Zeliang Inspector on promotion is transferred and posted as Sr. inspector, ADS Office Peren.
3. Shri N Wanmei Konyak, Inspector, on promotion is transferred and posted as Sr. Inspector, ADS Office Kiphire.
5. Shri Sentitemsu Longkumer, Inspector is retained as Sr. Inspector, ADS Office Tuensang.
6. Shri Metsisietu Zhasa, Inspector on promotion is transferred and posted as Sr. Inspector, ADS Office, Wokha.
7. Smti Grace Metha, Inspector on promotion is transferred and posted as Sr. Inspector ADS Office, Kohima
8. Shri Neilhoulie, Inspector, on promotion is transferred and posted as Sr. Inspector ADS Office Longleang.
9. Smti Vihinu John, Inspector on promotion is transferred and posted as Sr. Inspector, ADS Office Zunheboto.
10. Shri N. Ntsemo Lotha, Inspector on promotion is retained in the Directorate.
11. Shri Moanungsang, Inspector on promotion is transferred and posted as Sr. Inspector ADS Office, Phek.
12. Shri Allen Imchen, Inspector on promotion is transferred and posted as Sr. Inspector, ADS Office, Mokokchung.

Handing and taking over charge should be completed within 15 days.

Sd/-
Y. AKUMLA WALLING
Joint Secretary to the Govt. of Nagaland.

NOTIFICATION

Dated Kohima, the 11th Sept, 2017

NO.HE/HOD/2-17/2007 /// In the interest of public service, the Governor of Nagaland is pleased to appoint the under mentioned Officials under Wangkhao Govt. College, Mon as Head of Department(HOD) in their respective department as indicated against each below, with immediate effect.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name</th>
<th>Designation</th>
<th>Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri. Lakpati Singh</td>
<td>Assistant Professor</td>
<td>English</td>
</tr>
<tr>
<td>3.</td>
<td>Smti. Herali Achumi</td>
<td>-do-</td>
<td>Sociology</td>
</tr>
<tr>
<td>4.</td>
<td>Smti. Tesosenuo Angami</td>
<td>-do-</td>
<td>History</td>
</tr>
<tr>
<td>5.</td>
<td>Dr. K. Nishena Nekha</td>
<td>Associate Professor</td>
<td>Education</td>
</tr>
</tbody>
</table>

Sd/-
C. RONGSENRENLA
Deputy Secretary to the Govt. of Nagaland.
NOTIFICATION

Dated Kohima, the 18th Sept. 2017.

NO.LAW/FC-1/2007: In exercise of the powers conferred by section 3 (I) of the Special Marriage Act 1954, the Governor of Nagaland is pleased to appoint the ADC (Administration) of Kohima and Dimapur as Marriage Officers with immediate effect.

2. The powers and function of the Marriage Officers shall be solemnization and registration of marriages with defined jurisdiction as below:

   a) Marriage Officer Kohima: The ADC and Marriage Officer Kohima shall also cover the following other districts;
      (1) Wokha (2) Zunheboto (3) Mokokchung (4) Phek and (5) Kiphire

   b) Marriage Officer Dimapur: The ADC and Marriage Officer Dimapur shall also cover the following other districts;
      (1) Peren (2) Mon (3) Tuensang and (4) Longleng

Sd/-
IMTITEMSU
Under Secretary to the Govt. of Nagaland.

NOTIFICATION

Dated Kohima, the 12th September, 2017

NO.UDD/2-ESTT/05/2017 :: In the interest of public service, the Governor of Nagaland is pleased to order transfer and posting of the following officers under Urban Development Department with immediate effect.

1) Shri. Tarachu Fithu, Deputy Director, Directorate of Urban Development on promotion is retained in Urban Development.

2) Smti. Temjenrenla Kechu, Urban Development Officer, Zunheboto on promotion is transferred and posted as Deputy Director, Directorate of Municipal Affairs.

3) Smti. Kiniholi Kinimi, Assistant Director, Directorate of Urban Development on promotion is transferred and posted as Asstt. Urban Development Officer, Wokha vice Shri. A. Chenithung Lotha, Deputy Director, Directorate of Urban Development is relieved of additional charge of UDO, Wokha.

4) Shri. Vizokholie Kesiyie, Assistant Director, Directorate of Urban Development on promotion is transferred and posted as Asstt. Urban Development Officer, Zunheboto vice Smti. Temjenrenla Kechu transferred.

The handing /Taking over charge should be completed on or before 25th September, 2017.

Sd/-
NEISATO HESUH
Under Secretary to the Govt. of Nagaland

NOTIFICATION

Dated Kohima, the 13th September, 2017

No. CAB-1/2013 (Pt) :: The Governor of Nagaland is pleased to appoint Shri S. Singyu Khiamniungan, Ex-MLA and Vice-President, NPF (Central) as Advisor (Political) to the Chief Minister in the status of Cabinet Minister with immediate effect.

He will be entitled to pay and allowances and all other facilities admissible to a Cabinet Minister.

Sd/-
PANKAJ KUMAR
Cabinet Secretary
NOTIFICATION

Dated Kohima, the 1st September, 2017

NO. AGR/ESTT-85/2012/1873:: In the interest of public service the Governor of Nagaland is pleased to order officiating promote the following NAS officers against the vacancies under Agriculture Department in the revised following Pay Bands, plus all other allowances as are admissible under Rules from time to time with immediate effect.

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Name of the Officer</th>
<th>Present Designation</th>
<th>Promoted to the post of</th>
<th>Against the vacancy of</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td></td>
<td>C</td>
<td>D</td>
<td>E</td>
</tr>
<tr>
<td>PB-3: 15600-39000 GP of 7600/- p.m.</td>
<td></td>
<td>Joint Director</td>
<td>Shri. Temjensoba, Joint Director retired w.e.f. 31.8.17.</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Shri. Nungsangkaba</td>
<td>Deputy Director</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PB-3 15600-39100 Grade pay of 6600/- p.m</td>
<td></td>
<td>Deputy Director</td>
<td>Shri. Nungsangkaba, promoted to Joint Director.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Shri. Z. Hukato Sema</td>
<td>SDAO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PB-3: 15600-39100/- G P of Rs. 5400/- p.m</td>
<td></td>
<td>SDAO</td>
<td>Shri. Z. Hukato Sema, promoted.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>K. Shoang Phom</td>
<td>Agri. Officer</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. The officiating promotion is made purely on temporary basis and subject to regularization by the Departmental Promotion Committee.

3. The promoted officers will continue to serve in their present posting place till further orders.

4. This issues with the approval of the P&AR relaxation of qualifying length of service vide their U.O No.450 dated 01.Sept. 2017.

Sd/-
T. IMKONGLEMBAO AO, IAS
Principal Secretary to the Govt. of Nagaland

NOTIFICATION

Dated Kohima, the 12th Sept., 2017

NO. VETY/EST-1/1/2012 :: In the interest of public service, the Governor of Nagaland is pleased to order transfer and posting of the following officers as indicated below with immediate effect:

<table>
<thead>
<tr>
<th>SL No</th>
<th>Name of Officer:</th>
<th>Present Place of Posting:</th>
<th>To be transferred and posted as:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Dr. Manjan Konyak</td>
<td>VAS, Vety. Dispensary, Tamlu, Longleng</td>
<td>Farm Manager, CBF, Tizit</td>
</tr>
<tr>
<td>2.</td>
<td>Dr. Hokato K. Yeptho</td>
<td>VAS, Wokha attached as VAS Kuhuboto</td>
<td>VAS Wokha and attached as Farm Manager, CPF, Lerie</td>
</tr>
</tbody>
</table>

Handing/Taking over charge should be completed within 15 days of issue of this notification.

Sd/-
MEDOLHI
Deputy Secretary to the Govt. of Nagaland
NOTIFICATION
Dated Kohima, the 13th September 2017

NO. PWR/ESTT-25/2010 :: In the interest of public service, the Governor of Nagaland is pleased to order officiating promotion of Smti. Hutoli, Divisional Head Assistant, O/o E.E. (Gen), Kohima to the post of Head Assistant Senior in the Pay Band – 2 (₹ 9300–34800/-) with Grade Pay of ₹ 4400/- p.m. plus all other allowances as are admissible under rules in force from time to time with effect from the date of assuming charge.

2. The officiating promotion is purely on temporary basis and is subject to regularization by the Departmental Promotion Committee.

3. Further, in the interest of public service, Smti. Hutoli is posted under Office of Executive Engineer (E), Kohima.

Sd/-
SUNGTLA JAMIR
Deputy Secretary to the Govt. of Nagaland

NOTIFICATION
Dated Kohima, the 14th Sept. 2017

NO.DSE/PROM/1-78/2015 (Pt)/1224:: In the interest of public service, the Governor of Nagaland is pleased to order transfer and posting of the under-mentioned officers under the Department of School Education with immediate effect.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the Officer</th>
<th>Present designation/place of posting</th>
<th>Transferred and posted as</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Smti. Deborah Yepothomi</td>
<td>HM, GHS Ahthibung</td>
<td>HM, GHS Singrijan</td>
</tr>
<tr>
<td>2.</td>
<td>Smti. V. Bendasgila</td>
<td>HM, GHS Singrijan</td>
<td>HM, GHS Ahthibung</td>
</tr>
</tbody>
</table>

2. Handing over and taking over of charge should be completed within 15(fifteen) days from the day of issue of this notification. Failure to complete this process within the stipulated time shall invite disciplinary action under relevant rules.

3. Application for cancellation/revocation of the above transfer and posting shall not be entertained.

Sd/-
THEJANGUSANO SAVINO
Under Secretary to the Govt. of Nagaland

NOTIFICATION
Dated Kohima, the 21st July 2017.

NO.WH/EST/05/2016/1121 :: In the interest of public service, the Governor of Nagaland is pleased to order transfer of Smti. Limainla, Registrar in the office of Chief Engineer PWD (H) and posted as Registrar in the office of Engineer-in-Chief, NPWD against existing vacancy with immediate effect.

Sd/-
M.BENJONGNUNGSANG
Under Secretary to the Government of Nagaland.
NOTIFICATION
Dated Kohima, the 7th September, 2017

NO. UDD/Estt-52/07 :: In the interest of public service, the Governor of Nagaland is pleased to allow officiating promotion of the following Planning Assistants (Class-III Non-Gazetted) to the post of Assistant Director (Class-I Gazetted) under the Urban Development Department in the Scale of Pay with Pay Band ₹15600 – 39100/- Grade Pay ₹5400/- p.m. plus all other allowances as are admissible from time to time in Nagaland with effect from the date of taking over of charge.

i) Smti. Kiniholi Kinimi, Planning Assistant is promoted to the post of Assistant Director against the promotion of Shri. Tarachu Fithu vide Notification NO.UDD/ESTT-52/07 dated 21/12/2015.

ii) Shri. Vizokholie Kesiyie, Planning Assistant is promoted to the post of Assistant Director against the promotion of Smti. Temjenrena Kechu vide Notification NO.UDD/16-CC/33/2016 dated 20/04/20.

2. The officiating promotion is issued with P&AR Department’s clearance for relaxation of qualifying length of service in the grade of Planning Assistant accorded vide U.O. NO.444 dated 31.08.2017.

3. The promotion is purely on officiating basis and does not confer the right to claim seniority. Besides, the promotion is subject to regularization by Departmental Promotion Committee (DPC).

4. Further, the Officers will continue to be in the same place of posting till further order.

Sd/-
NEISATO HUSUH
Under Secretary to the Govt. of Nagaland

NOTIFICATION
Dated Kohima the, 14th Sept.2017.

NO.COP-1/24/92/VOL-I/535 :: In the interest of public service, the Governor of Nagaland is pleased to allow officiating promotion to Shri. Lemba Chang, Joint Registrar of Cooperative Societies, Nagaland Kohima to the post of Addl. Registrar of Cooperative Societies (against the retirement of Shri. L. Nthungo Lotha, Addl. Registrar of Cooperative Societies on 31.08.2017) in the Revised Pay Band: PB-3(15600-39100) with Grade Pay of Rs. 8700/- PM including all other allowances as are admissible under the Rule in force in Nagaland from time to time, with effect from the date of taking over charge.

The above promotion is purely on officiating basis subject to regularization by the Departmental Promotion Committee in due course of time.

This has the approval of the Hon’ble Minister, Cooperation, Relief & Rehabilitation and MARCOFED.

Sd/-
LITHRONGLA G.CHISHI, IAS
Secretary to the Govt. of Nagaland
NOTIFICATION
Dated Kohima, the 14th September, 2017

NO.HFW-10/A/31/10/132:: The Governor of Nagaland is pleased to order officiating promotion to Shri Lipoktemsu Noksang, Deputy Director (IEC) to that of Joint Director (IEC) against the retirement vacancy of Shri. Neingusa Yokha in the pay band of Rs. 15600-39100/-P.M. with grade Pay of Rs. 7600/- plus all other allowances as are admissible under the rules from time to time with immediate effect.

2. The officiating promotion is purely temporary and subject to regularization by the Departmental Promotion Committee (DPC) in due course of time.

Sd/-
CHINNU HANGSING
Deputy Secretary to the Govt. of Nagaland

NOTIFICATION
Dated Kohima, the 14th September, 2017

NO.HFW-10/A/31/10/133:: The Governor of Nagaland is pleased to order officiating promotion to Smti. Supongbenla, HETO (IEC) to that of Deputy Director (IEC) against Shri. Lipoktemsu Noksang, Deputy Director (IEC) in the pay band of Rs. 15600-39100/-P.M. with grade Pay of Rs. 6600/- plus all other allowances as are admissible under the rules from time to time with immediate effect.

2. The officiating promotion is purely temporary and subject to regularization by the Departmental Promotion Committee (DPC) in due course of time.

Sd/-
CHINNU HANGSING
Deputy Secretary to the Govt. of Nagaland

NOTIFICATION
Dated Kohima, the 25th August, 2017.

NO.WH/EST/56/2016/1174:: In supercession to this office NO. WH/EST/56/2016/1154 dated 19th August, 2017 and in the interest of public service, the Governor of Nagaland is pleased to order transfer and posting of the following Executive Engineers under NPWD with immediate effect:-

1. Er. S. Lanu Jamir, E.E, PWD (NH)-1, Kohima is transferred and posted as E.E (D) under C.E (R&B), Kohima.
2. Er. Neilabeizo Angami, E.E (D) under C.E (R&D) Kohima is transferred and posted as E.E (NH)-I Kohima.
3. Er. Kiheto E.E (NH)-I Kohima (designate) is retained as E.E PWD (NH) Phek.

Handing and taking over of charge should be completed within 15 (fifteen) days with effect from the date of issue of this notification.

Sd/-
M. BENJONGNUNGSANG
Under Secretary to the Govt. of Nagaland
NOTIFICATION

Dated Kohima, the 11th Sept, 2017

NO.HE/HOD/2-17/2007 /// In the interest of public service, the Governor of Nagaland is pleased to appoint Dr. Changneu Ndang, Asst. Prof. (Pol. Sc) as Head of Department in Political Science at Peren Govt. College vice Shri. Visiezoie Yashu, Asst. Prof. on deputation to RMSA, under School Education with immediate effect.

Sd/-
C. RONGSENRENLA
Deputy Secretary to the Govt. of Nagaland.

NOTIFICATION

Dated Kohima, the 15th Sept, 2017

NO.HTE/MISC/1-70/2017 : : In the interest of public service, the Governor of Nagaland is pleased to order officiating promotion of Dr. Anungla Aier, Principal, Kohima Science College(Autonomous), Jotsoma as Additional Director, Directorate of Higher Education in the same Pay Band & AGP plus special allowance of Rs. 2000/- Per Month vice Smti. Kuholi Chishi as Director, Higher Education with immediate effect subject to regularization by the Departmental Promotion Committee in due course of time.

Sd/-
FREBE LUNGALANG
Under Secretary to the Govt. of Nagaland

NOTIFICATION

Dated Kohima, the 13th September 2017

No. IDB/NIDC-12/82/607 : Consequent upon the transfer of Shri Abhijit Sinha, (IAS) Finance Commissioner, the Governor of Nagaland is pleased to appoint Shri Temjen Toy, (IAS) Addl. Chief Secretary & Finance Commissioner as Director in the Board of Directors, Nagaland Industrial Development Corporation Ltd (NIDC) with immediate effect.

Sd/-
SENTIWAPANG AIER
Deputy Secretary to the Govt. of Nagaland.

NOTIFICATION

Dated Kohima, the 14th Sept. 2017

NO.PHE-1/EST/18/2014(Pt-I)/ : In the interest of public service, the Governor of Nagaland is pleased to order transfer and posting of the following officers under PHE Department with effect from the date of issue of this order:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Officer &amp; Designation</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Er. Tinu Longchar, SDO</td>
<td>Peren Division, SDO Tening</td>
<td>Cf. Office</td>
</tr>
<tr>
<td>2.</td>
<td>Er. Volie Renta, JE</td>
<td>JE Tening (designate)</td>
<td>Current charge of SDO Tening</td>
</tr>
</tbody>
</table>

Handing/ taking over charge should be completed on or before 22nd Sept. 2017.

Sd/-
ANGAU I. THOU, IAS
Secretary to the Government of Nagaland
PART-IIA

NOTIFICATION

Dated Kohima, the 19th September 2017

NO. PWR/EST-76/07 :: In pursuance of P & A.R. Department, O.M. NO. AR-3/Gen-58/2001 Dated 26/08/09, the Governor of Nagaland is pleased to upgrade 1 (one) post of Stenographer Grade – II (Junior) presently held by Smti. P. Ghosheli Swu under O/o E.E. (Hydro), Kohima to that of Stenographer Grade – II (Senior) in the Pay Band of ₹. 9300 – 34800/- with a Grade Pay of ₹. 4400/- p.m. plus all other allowances as are admissible under rules in Nagaland from time to time with immediate effect.

2. Further, in the interest of public service, the Governor of Nagaland is pleased to order promotion of Smti. P. Ghosheli Swu, Stenographer Grade – II (Junior) against the upgraded post of Stenographer, Grade – II with effect from the date of assuming charge.

3. The upgradation is purely temporary and the post shall be personal to the incumbent and it will be automatically reverted back to its original post as and when the incumbent relinquishes the post.

Sd/-

SUNGTILA JAMIR
Deputy Secretary to the Govt. of Nagaland

NOTIFICATION

Dated Kohima, the 10th August 2017

NO. PWR/ESTT-02/26/09(Pt) :: In terms of section 3 (2) of the Nagaland Retirement from Public Employment (Second Amendment) Act, 2009, which comes into effect from 31st October 2009 and in terms of Government of Nagaland, P&AR Department’s Notification NO. AR-3/GEN-174/2007 (Pt) Dated 7th August 2009, the Governor of Nagaland is pleased to release Shri. Karmen Jamir, H.A. Sr. O/o Executive Engineer (E), Chumukedima whose particulars are given below with effect from 30/11/17 (A.N.) on completion of 35 years of service:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Govt. employee</th>
<th>Designation</th>
<th>Office and place of posting</th>
<th>Date of Birth</th>
<th>Date of joining Govt. service</th>
<th>Date of completion of 35 years of service</th>
<th>Date of release on attaining 35 years of service</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Shri. Karmen Jamir</td>
<td>H.A. Sr.</td>
<td>E.E. (E), Chumukedima</td>
<td>30.03.62</td>
<td>03.11.82</td>
<td>02.11.17</td>
<td>30.11.17</td>
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Sd/

SUNGTILA JAMIR
Deputy Secretary to the Govt. of Nagaland
ORDER No.04/2017-GST

Dated Dimapur, the 15\textsuperscript{th} September, 2017

NO.CT/LEG/NGST-ORD/8/17/1398  :In exercise of the powers conferred by clause (91) of section 2 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (herein after referred to as the said Act) and sub-section (1) and (3) of section 5 of the said Act, the Commissioner of State Tax, Nagaland hereby assigns the officers mentioned in Column (2) of the Table below, the functions as the proper officers or as specified in relation to the various sections of the said Act or the Rules made there under as mentioned in the corresponding entry in Column (3) of the said Table:-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Designation of the Officer</th>
<th>Sub-Sl. No.</th>
<th>Functions under Section of the Nagaland Goods and Services Tax Act, 2017 or the Nagaland Goods and Services Tax Rule, 2017</th>
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<td>Additional Commissioner of State Tax</td>
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<td>Proviso to sub-section (5) of Section 140</td>
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<td>33</td>
<td>Proviso to sub-section (1), (2) and (3) of Section 141</td>
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<td>34</td>
<td>Sub-section (1) of Section 142</td>
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<td>35</td>
<td>Proviso to sub-section (12) of Section 142</td>
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<td>36</td>
<td>Section 150</td>
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<td>37</td>
<td>Sub-section (2) of Section 151</td>
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<td>38</td>
<td>Section 153</td>
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<td>39</td>
<td>Section 154</td>
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<td>40</td>
<td>Sub-rules (6) and (17) of Rule 56</td>
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<td>Sub-rule (5) of Rule 58</td>
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<td>Clause (b) and (c) to the proviso of sub-rule (3) of Rule 87</td>
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<td>Sub-rules (2) and (3) of Rule 90</td>
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<td>Sub-rules (2) and (3) of Rule 91</td>
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<td>Sub-rules (1), (2), (3), (4) and (5) of Rule 92</td>
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<td>49</td>
<td>Explanation to Rule 93</td>
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<td>50</td>
<td>Rule 94 with an intimation to an Officer not below the rank of Deputy Commissioner of State Tax.</td>
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<td>51</td>
<td>Sub-rule (6) of Rule 96</td>
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<td>52</td>
<td>Rule 96A only for the purpose of acceptance of the Bond/Letter of Undertaking</td>
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<td>Sub-rule (2) of Rule 97</td>
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<td>54</td>
<td>Sub-rules (2), (3), (5) and (7) of Rule 98</td>
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<td>Proviso to sub-rule (4) of Rule 98</td>
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<td>56</td>
<td>Sub-rules (1), (2) and (3) of Rule 99</td>
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<td>Sub-rule (2) of Rule 100</td>
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<td>Sub-rule (1) of Rule 132</td>
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<td>Sub-rules (1), (2), (3), (4) and (5) of Rule 139 only as Authorised Officer.</td>
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<td>Rule 143</td>
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<td>Proviso to sub-rule (3) of Rule 144</td>
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<td>Sub-rules (1) and (2) of Rule 145</td>
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<td>67</td>
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<td>68</td>
<td>Rule 150</td>
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<td>Sub-rules (1),(2) and (3) of Rule 151</td>
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<td>Rule 152</td>
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<td>71</td>
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<td>72</td>
<td>Rule 155</td>
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<td>73</td>
<td>Rule 156</td>
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<td>74</td>
<td>Sub-section (6) of Section 35</td>
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<td>Section 46</td>
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<td>76</td>
<td>Sub-sections (5),(6),(7) and (10) of Section 54</td>
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<td>Sub-sections (1),(2) and (3) of Section 60</td>
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<td>Sub-sections (1) and (3) of Section 61</td>
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<td>79</td>
<td>Sub-sections (1) and (5) of Section 62</td>
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<td>80</td>
<td>Section 63</td>
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<td>Sub-section (1) of Section 64</td>
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<td>82</td>
<td>Sub-sections (1),(6) and (7) of Section 65</td>
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<td>Sub-section (6) of Section 66</td>
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<td>Sub-sections (3),(4),(5),(6),(7),(8),(9) and (12) of Section 67</td>
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<td>86</td>
<td>Sub-section (11) of Section 67 subject to prior approval from an Officer not below the rank of Deputy Commissioner of State Tax</td>
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<td>87</td>
<td>Sub-section (3) of Section 68</td>
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<td>Sub-section (2) of Section 71 subject to authorisation under sub-section (1) of Section 71</td>
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<td>Sub-sections (2),(5),(6) and (8) of Section 75</td>
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<td>93</td>
<td>Sub-sections (2),(3),(6) and (8) of Section 76</td>
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<td>Proviso to Section 78</td>
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<td>95</td>
<td>Sub-section (1) of Section 79</td>
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<td>96</td>
<td>Section 80</td>
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<td>97</td>
<td>Sub-section (1) of Section 83</td>
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<td>98</td>
<td>Section 84</td>
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<td>Section 88</td>
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<td>Proviso (1) and (2) of Section 90</td>
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<td>101</td>
<td>Section 123</td>
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<td>Sub-section (4) and (5) of Section 126</td>
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<td>Section 127</td>
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<td>Sub-sections (1),(3) and (6) of Section 129</td>
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<td>Proviso to sub-section (6) of Section 129</td>
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<td>Proviso to sub-section (5) of Section 140</td>
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<td>Proviso to sub-section (1),(2) and (3) of Section 141</td>
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<td>120</td>
<td>Proviso to sub-section (12) of Section 142</td>
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<td>Section 150</td>
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<td>123</td>
<td>Section 154</td>
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<td>124</td>
<td>Sub-rules (6) and (17) of Rule 56</td>
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<td>125</td>
<td>Sub-rule (5) of Rule 58</td>
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<td>126</td>
<td>Sub-rule (2) of Rule 82</td>
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<td>Sub-rule (4) of Rule 86</td>
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<td>128</td>
<td>Clause (b) and (c) to the proviso of sub-rule (3) of Rule 87</td>
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<td>129</td>
<td>Sub-rule (11) of Rule 87</td>
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<td>130</td>
<td>Sub-rules (2) and (3) of Rule 90</td>
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<td>131</td>
<td>Sub-rules (2) and (3) of Rule 91</td>
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<tr>
<td>132</td>
<td>Sub-rules (1),(2),(3),(4) and (5) of Rule 92</td>
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<tr>
<td>133</td>
<td>Explanation to Rule 93</td>
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<tr>
<td>134</td>
<td>Rule 94 with an intimation to an Officer not below the rank of Deputy Commissioner of State Tax,</td>
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<tr>
<td>135</td>
<td>Sub-rule (6) of Rule 96</td>
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<td>136</td>
<td>Rule 96A only for the purpose of acceptance of the Bond/Letter of Undertaking</td>
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<tr>
<td>137</td>
<td>Sub-rule (2) of Rule 97</td>
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<tr>
<td>138</td>
<td>Sub-rules (2),(3),(5) and (7) of Rule 98</td>
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<td>139</td>
<td>Proviso to sub-rule (4) of Rule 98</td>
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<td>140</td>
<td>Sub-rules (1),(2) and (3) of Rule 99</td>
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<td>141</td>
<td>Sub-rule (2) of Rule 100</td>
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<td>142</td>
<td>Sub-rules (2),(3),(4) and (5) of Rule 101</td>
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<tr>
<td>143</td>
<td>Sub-rules (1),(2),(3),(4) and (5) of Rule 139 only as Authorised Officer.</td>
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<td>Sub-rules (1),(2),(3) and (7) of Rule 142</td>
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<td>146</td>
<td>Rule 143</td>
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<td>147</td>
<td>Sub-rules (1),(3),(5),(6) and (7) of Rule 144</td>
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<td>Proviso to sub-rule (3) of Rule 144</td>
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<td>149</td>
<td>Sub-rules (1) and (2) of Rule 145</td>
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<td>150</td>
<td>Rule 146</td>
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<td>151</td>
<td>Sub-rules (1),(2),(3),(5),(6),(7),(8),(10),(11),(12),(14) and (15) of Rule 147</td>
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<td>152</td>
<td>Rule 150</td>
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<tr>
<td>153</td>
<td>Sub-rules (1),(2) and (3) of Rule 151</td>
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<td>154</td>
<td>Rule 152</td>
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<td>155</td>
<td>Sub-rule (1) of Rule 153</td>
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<td>156</td>
<td>Rule 155</td>
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<td>157</td>
<td>Rule 156</td>
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<table>
<thead>
<tr>
<th>V</th>
<th>Inspector of State Tax</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Sub-sections (4),(5),(9) and (12) of Section 67</td>
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<td></td>
<td>Sub-section (11) of Section 67 subject to prior</td>
</tr>
</tbody>
</table>

The Nagaland Gazette, Part-IIA 13, October, 2017
approval from an Officer not below the rank of Deputy Commissioner of State Tax.

2 Sub-section (3) of Section 68

3 Sub-section (2) of Section 71 subject to authorisation under sub-section (1) of Section 71 only for the purpose of other than Audit and Scrutiny.

4 Sub-sections (1) of Section 129 up to the stage of detention and seizure and not for any other purpose.

5 Sub-section (6) of Section 130

6 Section 154

7 Sub-rule (17) of Rule 56

8 Sub-rule (50) of Rule 58

9 Sub-rules (1),(2),(3),(4) and (5) of Rule 139 only as Authorised Officer

10 Rule 150

Sd/-

Y. MHATHUNG MURRY
Commissioner of State Taxes
Nagaland: Dimapur

NOTIFICATION

Dated Kohima the 14<sup>th</sup> Sept’ 2017.

NO. LRD/MISC-37/2005/673: In the interest of public service the Governor of Nagaland is pleased to order that the publication of Land Resources Department Service Rules, 2008 in the Nagaland Gazette dated 15<sup>th</sup> July, 2008 and its subsequent notification vide NO. LRD/GEN-1/2000 dated 26<sup>th</sup> June, 2008 has been nullified and withdrawn as it was published before the approval of the State Cabinet.

Consequent upon the above, the Service Rules, 2008 published in the Nagaland Gazette dated 29<sup>th</sup> August, 2008 which was approved by the State Cabinet vide NO. CAB-2/2008 dated 17<sup>th</sup> June, 2008 and subsequently notified vide notification NO. LRD/MISC-37/2005 dated 26<sup>th</sup> June, 2008 shall be treated as in force till further amendment.

Sd/-

Y. KIKHETO SEMA, IAS
Secretary to the Govt. of Nagaland.
ORDER-No.02/2017-GST

Dated Dimapur, the 15th September, 2017

NO.CT/LEG/NGST-ORD/8/17/1395: In exercise of the powers conferred by Clause (91) of Section 2 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereinafter referred to as the said Act) and subject to sub-section (2) of section 5 of the said Act, the Commissioner of State Tax, Nagaland, hereby assigns the Officers mentioned in Column (2) of the Table below, the functions as the proper officers in relation to the various sections of the said Act or the rules made thereunder mentioned in the corresponding entry in Column (3) of the said Table:-

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Designation of the Officer</th>
<th>Functions under Section of the NGST Act, 2017 or the NGST Rules, 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Superintendent of State Tax</td>
<td>i. Sub-section (5) of Section 10</td>
</tr>
<tr>
<td></td>
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<td>ii. Sub-section (8) of Section 25</td>
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<td>iii. Proviso to Sub-section (1) of Section 27</td>
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<td>iv. Section 28</td>
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<td>v. Section 29</td>
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<td>vi. Section 30</td>
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<td>vii. Rule 6</td>
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<td>viii. Rule 9</td>
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<td>ix. Rule 10</td>
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<td>x. Rule 12</td>
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<td>xi. Rule 16</td>
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<td>xv. Rule 23</td>
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<td>xvi. Rule 24</td>
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<td>xvii. Rule 25</td>
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<tr>
<td>2</td>
<td>Inspector of State Tax</td>
<td>i. Rule 25</td>
</tr>
</tbody>
</table>

This Order is deemed to have come into force w.e.f. 1st July, 2017.

Sd/-

Y.MHATHUNG MURRY
Commissioner of State Taxes
Nagaland: Dimapur
ORDER-No.03/2017-GST

Dated Dimapur, the 15th September, 2017

NO.CT/LEG/NGST-ORD/8/17 /1396 :In exercise of the powers conferred by sub-section (2) of Section 4 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017), the Commissioner of State Tax, Nagaland, hereby orders that the following classes of Officers shall exercise the powers conferred upon them in their territorial jurisdiction specified in column (4) of the Table given below:-

<table>
<thead>
<tr>
<th>SL.NO</th>
<th>Officers</th>
<th>Headquarters</th>
<th>Areas in which power are to be exercised</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Joint Commissioners of State Tax, Nagaland</td>
<td>Dimapur</td>
<td>State of Nagaland</td>
</tr>
<tr>
<td>2.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Dimapur Zone Ward ‘A’</td>
<td>Dimapur</td>
<td>The areas under Dimapur Ward ‘A’</td>
</tr>
<tr>
<td>3.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Dimapur Zone Ward ‘B’</td>
<td>Dimapur</td>
<td>The areas under Dimapur Ward ‘B’</td>
</tr>
<tr>
<td>4.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Dimapur Zone Ward ‘C’</td>
<td>Dimapur</td>
<td>The areas under Dimapur Ward ‘C’</td>
</tr>
<tr>
<td>5.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Dimapur Zone Ward ‘D’</td>
<td>Dimapur</td>
<td>The areas under Dimapur Ward ‘D’</td>
</tr>
<tr>
<td>6.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Dimapur Zone Ward ‘E’</td>
<td>Dimapur</td>
<td>The areas under Dimapur Ward ‘E’</td>
</tr>
<tr>
<td>7.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Dimapur Zone Ward ‘F’</td>
<td>Dimapur</td>
<td>The areas under Dimapur Ward ‘F’</td>
</tr>
<tr>
<td>No.</td>
<td>Designation</td>
<td>Location</td>
<td>Area</td>
</tr>
<tr>
<td>-----</td>
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</tr>
<tr>
<td>8.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax, Kohima Zone Ward ‘A’</td>
<td>Kohima</td>
<td>The areas under Kohima Ward ‘A’</td>
</tr>
<tr>
<td>9.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Kohima Zone Ward ‘B’</td>
<td>Kohima</td>
<td>The areas under Kohima Ward ‘B’</td>
</tr>
<tr>
<td>10.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Kohima Zone Ward ‘C’</td>
<td>Kohima</td>
<td>The areas under Kohima Ward ‘C’</td>
</tr>
<tr>
<td>11.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Mokokchung Zone Ward ‘A’</td>
<td>Mokokchung</td>
<td>The areas under the Mokokchung Ward ‘A’</td>
</tr>
<tr>
<td>12.</td>
<td>Deputy Commissioner of State Tax, Superintendents of State Tax and Inspectors of State Tax, Mokokchung Zone Ward ‘B’</td>
<td>Mokokchung</td>
<td>The areas under Mokokchung Ward ‘B’</td>
</tr>
<tr>
<td>7.</td>
<td>Superintendent of State Tax and Inspectors of State Tax, Mon</td>
<td>Mon</td>
<td>The areas under Mon District.</td>
</tr>
<tr>
<td>8.</td>
<td>Superintendents of State Tax, Peren</td>
<td>Dimapur Ward ‘C’</td>
<td>The areas under Peren District.</td>
</tr>
<tr>
<td>9.</td>
<td>Superintendents of State Tax, Longleng</td>
<td>Tuensang</td>
<td>The areas under Longleng District.</td>
</tr>
<tr>
<td>10.</td>
<td>Superintendents of State Tax, Kiphire</td>
<td>Tuensang</td>
<td>The areas under Kiphire District.</td>
</tr>
<tr>
<td>11.</td>
<td>Superintendents of State Tax and Inspectors of State Tax, Tuensang</td>
<td>Tuensang</td>
<td>The areas under Tuensang District.</td>
</tr>
<tr>
<td>12.</td>
<td>Superintendents of State Tax and Inspectors of State Tax, Wokha</td>
<td>Wokha</td>
<td>The areas under Wokha District.</td>
</tr>
<tr>
<td>13.</td>
<td>Superintendents of State Tax and Inspectors of State Tax, Phek</td>
<td>Phek</td>
<td>The areas under Phek District.</td>
</tr>
<tr>
<td>14.</td>
<td>Superintendents of State Tax and Inspectors of State Tax, Zunheboto</td>
<td>Zunheboto</td>
<td>The areas under Zunheboto District.</td>
</tr>
</tbody>
</table>

This Notification shall come into force on the date of its publication in the Official Gazette.

Sd/-
Y. MHATHUNG MURRY
Commissioner of State Taxes
Nagaland: Dimapur
GOVERNMENT OF NAGALAND
DEPARTMENT OF JUSTICE AND LAW
NAGALAND : KOHIMA

NOTIFICATION

Dated Kohima, the 18th Sept. 2017.

No. LAW/ACT/6-10/2017:


Sd/-
IMTITEMSU
Under Secretary to the Govt. of Nagaland.

In exercise of powers conferred by sub-section (1) of section 13 of The Prize Chits and Money Circulation Schemes (Banning) Act, 1978, the State Government hereby makes the following Rules for the purpose of carrying out the provisions of the Act.

1. Short title and Commencement:
   1. These rules may be called “The Nagaland Prize Chits and Money Circulation Schemes (Banning) Rules, 2017”.
   2. The Rules shall come into force on the date of their publication in the Official Gazette.

2. Definition – In these rules, unless the context otherwise requires –
   (b) “Compensation Plan” means plans whether explicitly stated or not, but in practice by the business entities for distribution of benefits to the subscribers.
   (c) “Competent Authority” means an authority notified by the State Government for winding up business entities as defined in section 12 and perform such other tasks as assigned by the State Government in order to implement the Act.
   (d) “Form” means a form appended to this Rules.
   (e) “Nodal Police Authority” means police authority notified by the State Government for the purpose of collecting, collating and sharing information with other States, Central Government, Reserve Bank of India and others in respect of the Act.
   (f) “Promoter” means a person or persons conducting a prize chit or money circulation scheme.
   (g) “Scheme” means a money circulation scheme or as the case may be, a prize chit as defined in clauses (c) and (e) respectively of section 2.
   (h) “Section” means a section of the Act.
   (i) “Subscriber” means a subscriber to a prize chit or money circulation scheme.
   (j) Words and expressions used in these Rules but not defined shall have the meaning respectively assigned to them in the Act.

3. No individual or company or firm or business association, in any form, shall promote, run or participate in any scheme as defined in Rule 2(g).
4. No compensation Plan:
   No individual or company or firm or business association, in any form, shall run a scheme with a compensation plan which envisages receipt of deposits or entry fees or periodical subscriptions and give incentives to subscribers out of these funds in any manner.

5. Responsibility of the Nodal Police authority:
   The Nodal Police Authority shall be responsible for coordinating with other State Governments, the Central Government and concerned agencies under them and the Reserve Bank of India and shall also be responsible for furnishing the information to the Reserve Bank of India in the format and periodicity as decided by the State Government in consultation with the Reserve Bank of India.

   Explanation: This will not debar the investigation agencies from interacting with other State Governments and other agencies for the purpose of investigation.

6. Actions to be taken by the authorized Officer:
   On a report received from the investigating officer and on being satisfied that prima facie evidence exists that a prize chit or money circulation scheme is being operated, an officer not below the rank of Superintendent of Police or other officers as notified by the State Government, may order sealing of the business premises and offices connected with such scheme, suspend operation of the bank accounts connected with such scheme and take such other action as is required under the Act.

7. Responsibility of the Investigation Officer and Competent Authority on conclusion of the investigation:
   On conclusion of the investigation, if adequate evidence exists that a prize chit or money circulation scheme is being run by a company or firm or business association in any form, the investigation officer, apart from prosecuting the case under the Act, shall forward a report giving details of the evidence collected during the investigation through the Superintendent of Police concerned within one month to the Competent Authority as defined in Rule 2 (c). The Competent Authority shall take action for winding up such business entities to the extent powers are vested in the State Government. In case of business entities where winding up power is vested in the Central Government, the Competent Authority shall forward a report with its recommendations to the concerned Ministry in the Central Government.
8. Application for being notified under section 11:

(1) A charitable or an educational institution desiring to be notified under clause (d) of section 11 shall make an application in duplicate to the Competent Authority in the Form specified in the First Schedule. Two copies of such application shall simultaneously be forwarded by such institution to the office of the Reserve Bank.

(2) The State Government may, in consultation with the Reserve Bank, notify such institution or refuse to notify such institution, having regard to the facts and circumstances of each case.

9. Particulars of the schemes and winding up plans to be furnished by the promoter:

(1) A statement of particulars of the schemes being conducted as on the date of commencement of these rules together with a detailed plan for the winding up of such schemes shall be furnished in duplicate as required under sub-section (1) of section 12, by the promoter to the Competent Authority, within 60 days from the date of commencement of these rules in Form-1 of the Second Schedule. Two copies of such statement together with such plan shall, simultaneously be forwarded by the promoter to the office of the Reserve Bank.

(2) On receipt of the statement of particulars and the winding up plan referred to in sub-rule (1), a written acknowledgment in token of receipt thereof shall be issued by the Competent Authority to the promoter.

(3) The Competent Authority shall maintain a register of promoters furnishing the Statements of particulars and the winding up plans furnished under sub-rule (1).

(4) Where a promoter commits default in furnishing winding up plan as required in Rule 9(1), he shall refund, within a period of six months from the date of such default the monies and subscriptions collected till the date of default.
10. Extension of time for the winding up of the existing schemes:

If for any reason, the promoter is unable to wind up the existing business of the schemes on or before the date specified in the winding up plan submitted under rule 9 or such other date as may be approved by the State Government, and is desirous of continuing it for its beneficial winding up beyond the specified date or the approved date as the case may be, the promoter shall, not later than 4 months before such specified date or such approved date, submit to the Competent Authority, an application in duplicate in Form-II of the Second Schedule giving full details of such business which needs extension of time, the period for which the extension is sought and the reasons why such business cannot be finally wound up within the said specified date or such approved date. Two copies of the applications shall, simultaneously be forwarded by the promoter to the office of the Reserve Bank.

11. Procedure for the disposal of the plan or application:

(1) On receipt of the application containing the statement of particulars and the winding up plan submitted by the promoter under sub-rule (1) of rule 9 or as the case may be, of the application for extension of time submitted under rule 10, the State Government shall cause it to be examined by the Competent Authority or such other officer as it may deem fit.

(2) On receipt of the comments of the Competent Authority or such other officer, and after consulting the Reserve Bank on the application for the winding up of the business of the existing schemes or as the case may be, on the application for extension of time for winding up of such business, the State Government may approve or disapprove the application for the proposed winding up of such business or approve it with such modification as it deem fit and may grant extension of time for such period as may be considered desirable in the public interest and subject to such terms and conditions as may be deemed necessary or expedient (including the furnishing of security by the promoter for the repayment of the amounts due to the subscribers to the schemes) or refuse to grant extension of time.

Provided that no order modifying or rejecting the application containing the winding up plan or modifying or rejecting the application for extension of time for the winding up of the existing schemes shall be passed without giving to the promoter an opportunity of being heard.

(3) The Competent Authority shall maintain a register specifying the particulars such as the names of the promoters, the statements of particulars and winding up plans submitted, the period for which extension of time have been granted, or the reasons for rejections.
12. **Promoter to be informed:**

The State Government shall intimate to the promoter the particulars of the terms and conditions subject to which the winding up plan has been approved or extension of time granted or its refusal to grant further extension of time. A gist of the modifications, if any, in the winding up plan or the extension of time, if any, granted or rejected, shall be notified in the Official Gazette and particulars thereof shall, simultaneously, be intimated by the Government to the office of the Reserve Bank.

13. **Consequences of the approval of the plan or grant of extension of time to close the business of the scheme:**

During the period for which a winding up plan has been approved or the extension of time granted to wind up the business of the schemes pursuant to any order passed by the State Government under sub-rule 2 of Rule 11, is in force –

(a) The subscribers may remit money to the promoter in accordance with the winding up plan,

(b) The promoter may receive monies from the subscribers and may also distribute prizes by way of cash or otherwise to the subscribers in accordance with the winding up plan: and

(c) The subscribers may receive monies from the promoter in accordance with the winding up plan due to them under the schemes.

14. **Contact Office under these Rules:**

For the purpose of these rules, the office of the Reserve Bank shall mean the Office of the General Manager, Department of Non-Banking Supervision, Reserve Bank of India, Station Road, PB No. 120, Pan Bazar, Guwahati – 781001.
FIRST SCHEDULE
(See Rule 8)

(Form of application to be used by a charitable/educational institution for being notified under clause (d) of section 11 of the Act.)

Place........................................
Date........................................

From:
........................................
........................................

To:
........................................
........................................

Dear Sir,

We, the undersigned, Sarvashri. ........................................ President and Secretary respectively of the ........................................ do hereby apply in terms of Rule 8 of the Nagaland Prize Chits and Money circulation Schemes (Banning) Rules, 2015 for the said institution being notified under clause (d) of section 11 of the Prize Chits and Money circulation Schemes (Banning) Act, 1978 to enable it to promote/conduct the Scheme(s). Full particulars regarding the institution, scheme(s) etc. are given in the Statement of Particulars herewith.

Yours faithfully,

(........................................)
President

(........................................)
Secretary

for and on behalf of

........................................

*Here enter the name of the applicant institution.

Notes

(i) Necessary changes regarding the designation etc. of the office bearers may be made wherever necessary. Strike out whatever words are not applicable.

(ii) This application as well as its enclosures should be forwarded to the Competent Authority in duplicate. Two copies each thereof should be forwarded simultaneously to the General Manager, Department of Non-Banking Supervision, Reserve Bank of India, Station Road, P.B No.120, Pan Bazar, Guwahati - 781001.
STATEMENT OF PARTICULARS

1. Name and address of the charitable/educational institution.

2. Constitution i.e. whether incorporated as company/co-operative society or registered or unregistered association of individuals (Also state the provision of the Act under which incorporated/registered along with the date of incorporation).

3. Names and addresses of the branches/offices, if any.

4. Main objects of the institution (Enclose a copy of the Memorandum and Articles of Association or as the case may be, of the Bye-laws/Rules regulating the activities of the institution)

5. Names, occupations and residential addresses of the office bearers of the institution.

6. Names of the bankers and their addresses.

7. Names of the auditors and their addresses.

8. Broad nature of the schemes being conducted or proposed to be conducted (Enclose printed or type-written copies of the schemes and of the rules governing such schemes).

9. Places where the schemes referred to at item 8 are being/proposed to be conducted.

10. How are the funds collected by the promotion/conduct of the schemes proposed to be utilized?

11. Full particulars of each scheme as in the Annexure to this statement.

12. Is the income of the institution exempt under any of the sub-sections of section 10 of the Income – tax Act, 1961? If so, specify the provisions under which the income of the institution is so exempt.

13. Are the donations made to the institution recognized for the purpose of section 80G of the Income-tax Act, 1961? (If so, a copy of the notification may be enclosed).

14. Name and addresses of the associate institutions, if any.
15. Broad nature of the activities of such associate institutions and of the schemes, if any, conducted by such institutions.

16. Names, occupations and residential addresses of the office bearers of such associate institutions.

I/We solemnly declare that the facts stated herein as also in the Annexure are true to the best of my/our knowledge, information and belief.

I/We certify that the particulars/information given herein, in so far as they pertain to the books and records of the .......................................................... have been verified from such books and records and found to be correct and complete in all respects.

Dated this......................day of .......................at ......................

Signature(s) of the President/Manager/
Secretary/Authorised official of the
institution.

Name(s) ...................................................
Designation(s) ...........................................

*Here enter the name of the applicant institution.

NOTES:  

(i) If the space given against any of the items is inadequate for furnishing full particulars, the required information should be given in separate sheets indicating the cross references against the relative items of this statement.

(ii) A copy of each of the latest available audited Balance Sheet and Profit & Loss Account as also a financial statement in the Rules, duly certified by the auditors, should be attached.
## ANNEXURE

| Sl. No. | Name of the Scheme | Date of commencement of the scheme | Date of maturity of the scheme | No. of members intended to be enrolled as per the scheme | No. of members enrolled and actually subscribing | Amount of liability by way of prizes, if any, in cash or kind offered during the currency of the scheme | Amount actually disbursed by way of prizes | Outstanding liability on account of disbursement of prizes | Are subscribers who win prizes bound to pay subscriptions till maturity of the scheme? | Does the scheme contemplate refund of the amounts paid by the subscribers to them on maturity of the scheme | If the reply to query in item 11 is in the affirmative, the amount of total liability under each scheme on its maturity | Remarks |
|--------|-------------------|----------------------------------|-------------------------------|--------------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------|--------------------------|
| 1      |                   |                                  |                               |                                                        |                                                  |                                                               |                                                  |                                                               |                                                               |                                                               |                                                               |                                                               |                          |

**Notes:**

(i) Particulars to be given in this statement should relate to the position as on the .......... day of .......... i.e. date of the coming into operation of the Rules in the case of the existing schemes, if any.

(ii) If any item is not applicable, the letters N.A should be entered there under.

(iii) This statement should be authenticated by the authorized officials of the institution and countersigned by its auditors.
SECOND SCHEDULE FORMS  
Form – I  
(See Rule 9 (I) )

(Received for furnishing particulars of the scheme(s) and winding up plan)
Place .............................. 
Date ..............................

From:  
.............................. 
..............................

To  
.............................. 
..............................

Dear Sir,

We, the undersigned, Sarvashri................................................................. and .................................................President and Secretary respectively of the .................forward herewith a statement of particulars in the prescribed form, together with a winding up plan as required by the first proviso to section 12 (I) of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 read with rule 9 (I) of the Nagaland Prize Chits and Money Circulation Schemes (Banning) Rules, 2015.

Please acknowledge receipt. 

Yours faithfully,

..............................

President

..............................

Secretary

For and on behalf of

..............................

• Here enter the name of the application institution.

Notes  
(i) Necessary changes regarding the designation etc. of the office bearers may be made wherever necessary.

(ii) This form as well as its enclosures should be forwarded to the Competent Authority in duplicate. Two copies each thereof should be forwarded simultaneously to the General Manager, Department of Non-Banking Supervision, Reserve Bank of India, Station Road, PB No.120, Pan Bazar, Guwahati – 781001.
STATEMENT OF PARTICULARS

1. Name and address of the company/association of individuals/co-operative society/partnership/sole proprietorship (Addresses of the Registered as well as the Head Office/Administrative Office, if any, should be given):

2. Constitution i.e. whether incorporated as company/co-operative society or registered/unregistered association of individuals/partnership/sole proprietorship (Also specify the provision of the Act under which incorporated/registered along with the date of incorporation):

3. Names and addresses of the branches/offices, if any.

4. Main objects of the institution (Enclose a copy of the Memorandum and Articles of Association or as the case may be, of the Bye-laws or Rules regulating the activities of the institution):

5. Names, occupations and residential addresses of the directors or as the case may be, of the promoters/members of the committee of management/partners etc.

6. Names and residential addresses of the Chief Executive Officer and two other officers immediately next to him, in the managerial set-up.

7. Names of the bankers and their addresses.

8. Names of the auditors and their addresses.

9. Broad nature of the schemes being conducted [Enclose printed or type-written copies of the schemes and of the rules governing such schemes].

10. Places where the schemes referred to in item 9 are being conducted.

11. Full particulars of each scheme as in the Annexure to this statement.

12. Names and addresses of the associate/companies/co-operative societies/associations of individuals/partnerships/sole proprietorships.

13. Names, occupations and residential addresses of the directors or as the case may be, of the promoters/members of the committee of management etc. of the institution referred to in item 12.
14. Broad nature of the types of business done by them and/or of the schemes conducted by them.

15. Detailed plan for the winding up of the existing business of the schemes.

I/We solemnly declare that the facts stated herein as also in the Annexure are true to be the best of my/our knowledge, information and belief.

I/We certify that the particulars/information given herein, in so far as they pertain to the books and records of the .............................................................. have been verified from such books and records and found to be correct and complete in all respects.

Dated this .................... day of ................ at ................

Signature(s) of the Chairman/
Managing Director/Manager/
Partner(s) Authorised Official(s).

Name(s)........................................
Designation(s)............................

*Enter the name of the applicant institution.

NOTES: (i) If the space given against any of the items is inadequate for furnishing full particulars, the required information should be given in separate sheets indicating the cross references against the relative items of this statement.

(ii) A copy each of the latest available audited Balance Sheet and Profit & Loss Account as also a financial statement in the same proforma as on date of the coming into operation of the Rules, duly certified by the auditors, should be attached.

(iii) As regards item 15 above, a cash flow statement for every six monthly period commencing from the date of this statement indicating the total amounts expected to be recovered and disbursed to the prize winners and to the subscribers of the schemes by way of advances and or refunds (to the subscribers in the terminated schemes) should be furnished. It should be ensured that the cash flow statements are drawn up on a realistic basis having regard to the past experience and indicating the factors which have been taken into account in arriving at the estimated amounts of recoveries and disbursements. The broad criteria/rules, if any, followed in determining the quantum of the loans advanced/to be advanced to the subscribers, the periods generally stipulated for their repayment and the nature of securities obtained at the time of disbursal of the loans should be indicated.
FORM II
(See Rule 10)

[Form or application to be used for seeking extension of time for the winding up of the business of the existing schemes].

Place .........................................
Date .............................................

From
........................................................................................................
........................................................................................................

To
........................................................................................................
........................................................................................................

Dear Sir,

Please refer to our letter dated the ...................... day of ...................... forwarding a Statement of Particulars in the prescribed form together with a winding up plan as required by the first proviso to section 12(1) of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978. Due to the various reasons listed in Annexure I and circumstances beyond our control, we shall not be in a position to wind up the remaining schemes within the time specified in the winding up plan submitted by us earlier. Full details of the business in respect of which extension of time is necessary are given in Annexure II. We shall, therefore, be glad if an extension of time for a period of ...................... months is granted for winding up of the business of the existing schemes, as a special case. We undertake to wind up the business within the extended period.

2. In order to ensure that the dues of the subscribers are repaid in full within the extended time, we offer the following securities –

(a) ........................................................................................................
(b) ........................................................................................................
(c) ........................................................................................................
(d) ........................................................................................................
3. We shall be glad to have your approval in the matter at an early date.

Yours faithfully,

(   )

Designation

(   )

Designation

For and on behalf of

NOTES: (a) The statement containing the details of the business in respect of which extension of time is sought should be given in the same tabulated statement as the Annexure to Form I and should relate to the position obtaining as on the date not earlier than one month from the date of this application. The statement should be duly certified by the auditors as reflecting the position as available from the books and records of the applicant institution and found to be correct and complete in all respects.

(b) Under items (a) or (b) or (c), etc. of paragraph 2, the nature of the securities offered such as immovable properties or other marketable securities, their estimated value, etc. duly certified by the auditors/expert valuers should be given. The fact that the proposed lodgers of the securities have a clear title and that the securities are not encumbered in any manner should be duly certified by the legal advisers of the applicant institution.

(c) This application as well as its enclosures should be forwarded to the Competent Authority in duplicate. Two copies each thereof should be forwarded simultaneously to the General Manager, Department of Non-Banking Supervision, Reserve Bank of India, Station Road, PB NO.120, Pan Bazar, Guwahati – 781001.
NOTIFICATION

Dated Kohima the 18th Sept., 2017.

NO.GAB/NHD/9/2008:

The Post of Stenographer Grade-I in the Pay Band of 15600-39100 with grade Pay of Rs.5700/-p.m at Nagaland House, New Delhi is hereby temporarily downgraded to that of Stenographer Grade-II (Sr.) in the Pay Band of 9300-34800 with Grade Pay of Rs.4400/-p.m. with immediate effect.

The Post shall stand reverted to its original status as and when the Post is vacated by the present incumbent Smti. Lakhmi Banerjee.

This have the clearance of the P&AR Department (O & M Branch) vide their U.O. No.339 dated 3/7/17 and the approval of the Finance Department vide their concurrence RFC/ESTT No 11/52, dated 28/8/17.

Sd/-

T. KHONSUNGO NGULLIE
Under Secretary to the Government of Nagaland.

NOTIFICATION

Dated Kohima, the 14th September, 2017.

NO.I&C/SM-8/1/2017/626:

In terms of Part XIII of Memorandum and Article of Association of Nagaland Sugar Mill Company, the Board of Directors of the Nagaland Sugar Mill Company is hereby reconstituted with the following members with immediate effect –

1) Shri Bendangtoshi Longkumer, OSD, Industries & Commerce Department – Chairman
2) Shri I. Bendangliba, Director, Industries & Commerce – Director
3) Shri Moawati, Joint Director, Industries & Commerce – Managing Director

Sd/-

SENTIWAPANG AIER
Deputy Secretary to the Govt. of Nagaland

NOTIFICATION

Dated Kohima the 21st September 2017.

No.LAW-13/73(Pt-III) ::

In exercise of the power conferred by section 5 of the Notaries Act, 1952 (53 of 1952), the Governor of Nagaland is pleased to renew “Certificate of Practice” issued to Shri. N. Chonpenthung Murry, Advocate & Notary, residing at Tsumang ‘B’ Colony, Wokha Town, Nagaland, as Notary in the State of Nagaland for a period of 5 (five) years w.e.f. 22.08.2017 to 21.08.2022.

Sd/-

IMTIAKUM
Deputy Secretary to the Govt. of Nagaland.
NOTIFICATION
Dated Kohima the 18th September, 2017.

NO.ST/1-16/07(Vol-I)/121:: In supersession to this Department Notification of even number dated 2nd August 2017, and in pursuance of Section 5(1) of the Right to Information Act, 2005, the following Officers are hereby designated as Appellate Authority/Public Information Officer/Assistant Public Information Officer for performing functions under RTI Act 2005 in respect of Science & Technology Department, Secretariat with immediate effect.

<table>
<thead>
<tr>
<th>DESIGNATION</th>
<th>SECRETARIAT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appellate Authority(AA)</td>
<td>Smti. Dellirose M. Sakhrie(IAS)</td>
</tr>
<tr>
<td></td>
<td>Secretary</td>
</tr>
<tr>
<td></td>
<td>M.No.9436005180</td>
</tr>
<tr>
<td>Public Information Officer(PIO)</td>
<td>Smti. Bendanglila (NCS)</td>
</tr>
<tr>
<td></td>
<td>Deputy Secretary</td>
</tr>
<tr>
<td></td>
<td>M.No.9436603921</td>
</tr>
<tr>
<td>Assistant Public Information Officer(APIO)</td>
<td>Shri. Vibozoto Yiene (NSS)</td>
</tr>
<tr>
<td></td>
<td>Under Secretary</td>
</tr>
<tr>
<td></td>
<td>M.No.9436642764</td>
</tr>
</tbody>
</table>

Sd/-
BENDANGLILA, NCS
Deputy Secretary to the Government of Nagaland.
NOTIFICATION

Dated Kohima, the 13th September, 2017.

No. G.06/2/CRN/14/1:

The Governor of Nagaland is pleased to accord sanction for the up-gradation of the existing post of Deputy Secretary to Governor created vide order No. E.18/90 dated 28th April, 1990 to that of Joint Secretary to Governor in the pay band -3, Rs. 29500-55100, Grade Pay Rs. 8700/- PM personal to present incumbent Shri Saroj Kumar Sahoo with immediate effect. Accordingly, Shri Saroj Kumar Sahoo, Deputy Secretary is hereby promoted and appointed as Joint Secretary to Governor against the up-graded post in the pay band -3, Rs. 29500-55100, Grade Pay Rs. 8700/- PM plus Special Pay of Rs. 275, Conveyance Allowances of Rs. 300/- PM and all other allowances as are admissible under the rules from time to time in Nagaland with immediate effect.

2. The post shall stand restored to its original grade(Deputy Secretary) as and when the same is vacated by Shri Saroj Kumar Sahoo, Joint Secretary to Governor.

4. The expenditure is debitable to the Major Head of account “2012-President/Vice-President/Governor etc. 090 Secretariat of the Governor (Demand No.2-Head of State)

5. This up-gradation order is issued with the clearance of P&AR Department (O&M Cell) vide U.O. No.78 dated 1/05/2017, concurrence of Finance Department vide RFC/ESTT No. 2/1 dated 3/05/2017, the recommendation of the Manpower Rationalisation Committee vide No.AR-3/Gen-331/2016 dated 22/06/2017 and with the approval of State Cabinet vide OM No CAB-2/2013 dated 12/09/2017.

Sd/-
ANIMI LOTHAPrincipal Secretary to the Govt. of Nagaland

NOTIFICATION

Dated Kohima, the 15th Sept, 2017.

No.HTE/TE/5-61/04(pt)/// The Governor of Nagaland is pleased to engage Shri. Shede Swuro as Lecturer (on fixed), Civil Engineering, Khelhoshe Polytechnic, Atoizu, against the resignation of Smti. Seden Kath, Lecturer (on fixed), Civil Engineering, Khelhoshe Polytechnic, Atoizu.

2. The appointment is purely on contractual basis in the fixed pay of Rs.20,000/- (Rupees Twenty Thousand) only p.m for a period of 1(one) year or till the post is filled up on regular basis through the NPSC whichever is earlier.

3. Shri. Shede Swuro is further requested to join the post immediately after the issue of this Notification, failing which the appointment will be treated as cancelled/not accepted.

Sd/-
ANIMI LOTHAPrincipal Secretary to the Govt. of Nagaland
NOTIFICATION
Dated Kohima, the 13th September, 2017.

No. G.06/2/CRN/14/2 ::

The Governor of Nagaland is pleased to accord sanction for the up-gradation of the existing post of Comptroller of Raj Bhavan, Kohima created vide order No. GSK-102/73 dated 6th December 1993 to that of Joint Secretary to Governor in the pay band -3, Rs. 29500-55100, Grade Pay Rs. 8700/- PM personal to present incumbent Shri George Abraham, Deputy Secretary with immediate effect. Accordingly, Shri George Abraham, Deputy Secretary is hereby promoted and appointed as Joint Secretary to Governor against the up-graded post in the pay band -3, Rs. 29500-55100, Grade Pay Rs. 8700/- PM plus Special Pay of Rs. 275, Conveyance Allowances of Rs. 300/- PM and all other allowances as are admissible under the rules from time to time in Nagaland with immediate effect.

3. The post shall stand restored to its original grade(Comptroller) as and when the same is vacated by Shri George Abraham, Joint Secretary to Governor.

4. The expenditure is debitable to the Major Head of account “2012-President/Vice-President/Governor etc. 090 Secretariat of the Governor (Demand No.2-Head of State).

5. This up-gradation order is issued with the clearance of P&AR Department (O&M Cell) vide U.O. No.78 dated 1/05/2017, concurrence of Finance Department vide RFC/ESTT No. 2/1 dated 3/05/2017, the recommendation of the Manpower Rationalisation Committee vide No.AR-3/Gen-331/2016 dated 22/06/2017 and with the approval of State Cabinet vide OM No CAB-2/2013 dated 12/09/2017.

Sd/-
MOTUO M. SOTE
Additional Secretary to Governor of Nagaland

CORRIGENDUM
Dated Kohima, the 13th Sept, 2017.

NO.WH/ESTT/60/96/1225:: In reference to this Department’s Notification No.WH/ESTT/60/96(III) dated 11th May, 2017 Sl. No. 50 should read Er. V. Aloto Aye, J.E. under PWD (H) Division Kohima is transferred and posted as J.E. under E.E. PWD(R&B) Dimapur Division vice Er. Temjenwati, J.E transferred. This supersedes our earlier notification No.WH/ESTT/60/96(III) dated 11th May, 2017.

Sd/-
M. BENJONJUNGSANG
Under Secretary to the Government of Nagaland
NOTIFICATION

Dated, Kohima the 12th September, 2017

In exercise of the powers conferred under Clause 3(3) of the Lotteries (Regulation) Rules, 2010, the Governor of Nagaland is pleased to notify the Nagaland State paper lottery scheme as detail given below:-

1. Name of the Lottery Scheme : DEAR FLAMINGO EVENING (EVERY MONDAY)

2. Price of the lottery ticket : ₹. 6/- (per ticket)

3. Total No. of tickets printed : 2.40 Crore,
Numbering: 76 to 99/ ABCDEGHJKL 00 000 TO 99 999.


5. Name of the Printing Press : M/s Nu Tech Security Printers,
B-25/3, Okhla Industrial Area, Phase-II,
New Delhi-110020.

6. Organized and Promoted by : Director,
Directorate of Nagaland State Lotteries,
Kohima, P.R.Hill Junction,
Nagaland: Kohima-797001.
Telefax:0370-2229982.

7. Name of the Distributor with their address and contact information : Distributor-Regd. Office
M/s Future Gaming & Hotel Services Pvt. Ltd.
No.54, Mettupalayam Road, G.N. Mills Post

Sales Office,
Mithak Building, Ground Floor,
Upper Chandmari, Kohima-797001.
Nagaland. Telefax-0370 2242200

8. Name of the Area Distributors with their address and contact information : A) M/s. Future Trade Solution LLP, Kolkata, West Bengal
B) Divyajyoti Distributors, Siliguri, West Bengal.

9. Prize Structure:-

DEAR FLAMINGO EVENING MONDAY WEEKLY LOTTERY FROM 8TH DRAW ON 18-09-2017 ONWARDS

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>SUPER PRIZE AMOUNT</th>
<th>DRAW METHOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>25,00,000</td>
<td>1,00,000</td>
<td>ON 1 TIME ON 5 DIGITS WITH SERIAL No.</td>
</tr>
<tr>
<td>2</td>
<td>239</td>
<td>9,494</td>
<td>500</td>
<td>ALL REMAINING SERIAL OF 1ST PRIZE No.</td>
</tr>
<tr>
<td>3</td>
<td>2400</td>
<td>9,000</td>
<td>999</td>
<td>ON 10 TIMES ON 5 DIGITS.</td>
</tr>
<tr>
<td>4</td>
<td>24000</td>
<td>500</td>
<td>100</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>5</td>
<td>24000</td>
<td>250</td>
<td>50</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>6</td>
<td>240000</td>
<td>120</td>
<td>10</td>
<td>ON 100 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7,31,69,066</td>
<td>86,17,100</td>
<td>8,17,86,166</td>
<td>56.80%</td>
</tr>
</tbody>
</table>

10. The amount offered as prize money : ₹. 8,17,86,166

11. Periodicity / interval between the draws : Draw Every Monday at 8:00 P.M onwards

12. Place where the draw shall be conducted : Directorate of Nagaland State Lotteries,
P.R.Hill Junction, Kohima-797001.
13. Manner in which draw is conducted

The draw is conducted in a mechanical method based on random technology which is visibly transparent to the judges appointed by the Government of Nagaland. The winning numbers are drawn as per the prize Structure (Sl.No.9) and by pressing the numeric control button of the draw machine by the officials of the Directorate.

14. Procedure for prize payments:-

1. Prize Money for taxable prize(s) shall be paid from the Nagaland State Lotteries, Kohima.
2. Prize Money for non-taxable prizes(s) shall be directly paid by the Agent/Seller.

15. Description about Sl.No.3

The number of tickets printed shall be subject to increase or decrease depending on market conditions, as may be approved by the Director of Nagaland State Lotteries from time to time.

Sd/-

ZANBENI ODYUO
Under Secretary to the Government of Nagaland

NOTIFICATION

No.FIN/LOT-07/2006(Vol.II)/554

Dated Kohima, the 12th September, 2017

In exercise of the powers conferred under Clause 3(3) of the Lotteries (Regulation) Rules, 2010, the Governor of Nagaland is pleased to notify the Nagaland State paper lottery scheme as detail given below:-

1. Name of the Lottery Scheme: DEAR PARROT EVENING (EVERY TUESDAY)

2. Price of the lottery ticket: ₹. 6/- (per ticket)

3. Total No. of tickets printed: 2.40 Crore,
Numbering: 76 to 99/ ABCDEGHJKL 00 000 TO 99 999.


5. Name of the Printing Press: M/s Nu Tech Security Printers,
B-25/3, Okhla Industrial Area, Phase-II,
New Delhi-110020.

6. Organized and Promoted by: Director,
Directorate of Nagaland State Lotteries,
Kohima, P.R.Hill Junction,
Nagaland: Kohima-797001.
Telefax-0370-2229982.
7. Name of the Distributor with their address and contact information: 
   **Distributor-Regd. Office**
   M/s Future Gaming & Hotel Services Pvt. Ltd.
   No.54, Mettupalayam Road, G.N. Mills Post

   **Sales Office.**
   Mitkar Building, Ground Floor,
   Upper Chandmari, Kohima-797001.
   Nagaland. Telefax-0370 2242200

8. Name of the Area Distributors with their address and contact information:
   A) M/s. Future Trade Solution LLP, Kolkata, West Bengal
   B) Divyajyoti Distributors, Siliguri, West Bengal.

9. Prize Structure:-

   **DEAR PARROT EVENING TUESDAY WEEKLY LOTTERY FROM 8TH DRAW ON 19-09-2017 ONWARDS**

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>SUPER PRIZE AMOUNT</th>
<th>DRAW METHOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>25,00,000</td>
<td>1,00,000</td>
<td>ON 1 TIME ON 5 DIGITS WITH SERIAL No.</td>
</tr>
<tr>
<td>2</td>
<td>239</td>
<td>9,495</td>
<td>500</td>
<td>ALL REMAINING SERIAL OF 1ST PRIZE No.</td>
</tr>
<tr>
<td>3</td>
<td>24000</td>
<td>9,000</td>
<td>999</td>
<td>ON 10 TIMES ON 5 DIGITS.</td>
</tr>
<tr>
<td>4</td>
<td>24000</td>
<td>500</td>
<td>100</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>5</td>
<td>24000</td>
<td>250</td>
<td>50</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>6</td>
<td>240000</td>
<td>120</td>
<td>10</td>
<td>ON 100 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>7,31,69,305</td>
<td>86,17,100</td>
<td>8,17,86,405</td>
</tr>
</tbody>
</table>

10. The amount offered as prize money: 
    **₹. 8,17,86,405.**

11. Periodicity / interval between the draws: 
    Draw Every Tuesday at 8:00 P.M onwards

12. Place where the draw shall be conducted: 
    Directorate of Nagaland State Lotteries,
    P.R.Hill Junction, Kohima-797001.

13. Manner in which draw is conducted: 
    The draw is conducted in a mechanical method based on random technology which is visibly transparent to the judges appointed by the Government of Nagaland. The winning numbers are drawn as per the prize Structure (Sl.No.9) and by pressing the numeric control button of the draw machine by the officials of the Directorate.

14. Procedure for prize payments:-
    1. Prize Money for taxable prize(s) shall be paid from the Nagaland State Lotteries, Kohima.
    2. Prize Money for non-taxable prizes(s) shall be directly paid by the Agent/Seller.

15. Description about Sl.No.3: 
    The number of tickets printed shall be subject to increase or decrease depending on market conditions, as may be approved by the Director of Nagaland State Lotteries from time to time.

   **Sd/-**
   ZANBENI ODYUO
   Under Secretary to the Govt. of Nagaland.
NOTIFICATION

Dated, Kohima the 12th September, 2017.

No.FIN/LOT-07/2006(Vol.II)/554::

In exercise of the powers conferred under Clause 3(3) of the Lotteries (Regulation) Rules, 2010, the Governor of Nagaland is pleased to notify the Nagaland State paper lottery scheme as detail given below:-

1. Name of the Lottery Scheme : DEAR EAGLE EVENING (EVERY WEDNESDAY)

2. Price of the lottery ticket : ₹. 6/- (per ticket)

3. Total No. of tickets printed : 2.40 Crore,
Numbering: 76 to 99/ ABCDEGHJKL 00 000 TO 99 999.


5. Name of the Printing Press : M/s Nu Tech Security Printers,
B-25/3, Okhla Industrial Area, Phase-II,
New Delhi-110020.

6. Organized and Promoted by : Director,
Directorate of Nagaland State Lotteries,
Kohima, P.R.Hill Junction,
Nagaland: Kohima-797001.
Telefax-0370-2229982.

7. Name of the Distributor with their address and contact information. : Distributor-Regd. Office
M/s Future Gaming & Hotel Services Pvt. Ltd.
No.54, Mettupalayam Road, G.N. Mills Post

Sales Office,
Mitkar Building, Ground Floor,
Upper Chandmari, Kohima-797001.
Nagaland. Telefax-0370-2242200

8. Name of the Area Distributors with their address and contact information : A) M/s. Future Trade Solution LLP, Kolkata, West Bengal
B) Divyajyoti Distributors, Siliguri, West Bengal.

9. Prize Structure:-

DEAR EAGLE EVENING WEDNESDAY WEEKLY LOTTERY FROM 8TH DRAW ON 20-09-2017 ONWARDS

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>SUPER PRIZE AMOUNT</th>
<th>DRAW METHOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>25,00,000</td>
<td>1,00,000</td>
<td>ON 1 TIME ON 5 DIGITS WITH SERIAL No.</td>
</tr>
<tr>
<td>2</td>
<td>239</td>
<td>9,496</td>
<td>500</td>
<td>ALL REMAINING SERIAL OF 1ST PRIZE No.</td>
</tr>
<tr>
<td>3</td>
<td>2400</td>
<td>9,000</td>
<td>999</td>
<td>ON 10 TIMES ON 5 DIGITS.</td>
</tr>
<tr>
<td>4</td>
<td>24000</td>
<td>500</td>
<td>100</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>5</td>
<td>24000</td>
<td>250</td>
<td>50</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>6</td>
<td>240000</td>
<td>120</td>
<td>10</td>
<td>ON 100 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7,31,69,544</td>
<td>86,17,100</td>
<td>8,17,86,644</td>
<td>56.80%</td>
</tr>
</tbody>
</table>

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293
10. The amount offered as prize money : ₹ 8,17,86,644

11. Periodicity / interval between the draws : Draw Every Wednesday at 8.00 P.M onwards

12. Place where the draw shall be conducted : Directorate of Nagaland State Lotteries, P.R. Hill Junction, Kohima-797001.

13. Manner in which draw is conducted : The draw is conducted in a mechanical method based on random technology which is visibly transparent to the judges appointed by the Government of Nagaland. The winning numbers are drawn as per the prize Structure (Sl.No,9) and by pressing the numeric control button of the draw machine by the officials of Structure (Sl.No,9) and by pressing the numeric control button of the draw machine by the officials of the Directorate.

14. Procedure for prize payments:-
   - Prize Money for taxable prize(s) shall be paid from the Nagaland State Lotteries, Kohima.
   - Prize Money for non-taxable prizes(s) shall be directly paid by the Agent/Seller.

15. Description about Sl.No.3 : The number of tickets printed shall be subject to increase or decrease depending on market conditions, as may be approved by the Director of Nagaland State Lotteries from time to time.

Sd/-
ZANBENI ODYUO
Under Secretary to the Govt. of Nagaland.

NOTIFICATION
Dated Kohima, the 12th September, 2017

No.FIN/LOT-07/2006(Vol.II)/554:::

In exercise of the powers conferred under Clause 3(3) of the Lotteries (Regulation) Rules, 2010, the Governor of Nagaland is pleased to notify the Nagaland State paper lottery scheme as detail given below:-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Name of the Lottery Scheme</td>
<td>DEAR FALCON EVENING (EVERY THURSDAY)</td>
</tr>
<tr>
<td>2</td>
<td>Price of the lottery ticket</td>
<td>₹ 6/- (per ticket)</td>
</tr>
<tr>
<td>3</td>
<td>Total No. of tickets printed</td>
<td>2.40 Crore, Numbering: 76 to 99/ ABCDEGHJKL 00 000 TO 99 999.</td>
</tr>
<tr>
<td>4</td>
<td>Gross value of the tickets printed</td>
<td>₹ 14.40 Crore (turnover)</td>
</tr>
<tr>
<td>5</td>
<td>Name of the Printing Press</td>
<td>M/s Nu Tech Security Printers, B-25/3, Okhla Industrial Area, Phase-II, New Delhi-110020.</td>
</tr>
</tbody>
</table>
6. Organized and Promoted by : Director,
Directorate of Nagaland State Lotteries,
Kohima, P.R.Hill Junction,
Nagaland: Kohima-797001.
Telephone: 0370-2229982.

7. Name of the Distributor with their address and contact information :

**Distributor-Regd. Office**
M/s Future Gaming & Hotel Services Pvt. Ltd.
No.54, Mettupalayam Road, G.N. Mills Post

**Sales Office.**
Mitkar Building, Ground Floor,
Upper Chandmari, Kohima-797001.
Nagaland. Telephone: 0370 2242200

8. Name of the Area Distributors with their address and contact information :
A) M/s. Future Trade Solution LLP, Kolkata, West Bengal
B) Divyajyoti Distributors, Siliguri, West Bengal.

9. Prize Structure:-

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>SUPER PRIZE AMOUNT</th>
<th>DRAW METHOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>25,00,000</td>
<td>1,00,000</td>
<td>ON 1 TIME ON 5 DIGITS WITH SERIAL No.</td>
</tr>
<tr>
<td>2</td>
<td>239</td>
<td>9,497</td>
<td>500</td>
<td>ALL REMAINING SERIAL OF 1ST PRIZE No.</td>
</tr>
<tr>
<td>3</td>
<td>2400</td>
<td>9,000</td>
<td>999</td>
<td>ON 10 TIMES ON 5 DIGITS.</td>
</tr>
<tr>
<td>4</td>
<td>24000</td>
<td>500</td>
<td>100</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>5</td>
<td>24000</td>
<td>250</td>
<td>50</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>6</td>
<td>240000</td>
<td>120</td>
<td>10</td>
<td>ON 100 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>7,31,69,783</strong></td>
<td><strong>86,17,100</strong></td>
<td><strong>8,17,86,883</strong></td>
<td><strong>56.80%</strong></td>
</tr>
</tbody>
</table>

10. The amount offered as prize money : ₹ 8,17,86,883.

11. Periodicity / interval between the draws : Draw Every Thursday at 8:00 P.M onwards

12. Place where the draw shall be conducted : Directorate of Nagaland State Lotteries,
P.R.Hill Junction, Kohima-797001.

13. Manner in which draw is conducted : The draw is conducted in a mechanical method based on random technology which is visibly transparent to the judges appointed by the Government of Nagaland. The winning numbers are drawn as per the prize structure (Sl.No.9) and by pressing the numeric control button of the draw machine by the officials of the Directorate.

14. Procedure for prize payments:-

1. Prize Money for taxable prize(s) shall be paid from the Nagaland State Lotteries, Kohima.
2. Prize Money for non-taxable prize(s) shall be directly paid by the Agent/Seller.

15. Description about Sl.No.3 : The number of tickets printed shall be subject to increase or decrease depending on market conditions, as may be approved by the Director of Nagaland State Lotteries from time to time.

Sd/-

**ZANBENI ODYUO**
Under Secretary to the Govt. of Nagaland.
NOTIFICATION

No.FIN/LOT-07/2006(Vol.II)/554 :: Dated: Kohima, the 12th September, 2017

In exercise of the powers conferred under Clause 3(3) of the Lotteries (Regulation) Rules, 2010, the Governor of Nagaland is pleased to notify the Nagaland State paper lottery scheme as detail given below:-

1. Name of the Lottery Scheme : DEAR VULTURE EVENING (EVERY FRIDAY)

2. Price of the lottery ticket : ₹ 6/- (per ticket)

3. Total No. of tickets printed : 2.40 Crore,
   Numbering: 76 to 99/ ABCDEGHJKL 00 000 TO 99 999.

4. Gross value of the tickets printed : ₹ 14.40 Crore (turnover)

5. Name of the Printing Press : M/s Sai Security Printers Pvt. Ltd,
   1st Floor, Huda Market Sector-31,
   Faridabad-121003, Haryana.

6. Organized and Promoted by : Director,
   Directorate of Nagaland State Lotteries,
   Kohima, P.R.Hill Junction,
   Nagaland: Kohima-797001.
   Telefax-0370-2229982.

7. Name of the Distributor with their address and contact information : Distributor-Regd. Office

   M/s Future Gaming & Hotel Services Pvt. Ltd.
   No.54, Mettupalayam Road, G.N. Mills Post

   Sales Office,
   Mitkar Building, Ground Floor,
   Upper Chandmari, Kohima-797001.
   Nagaland. Telefax-0370 2242200

8. Name of the Area Distributors with their address and contact information : A) M/s. Future Trade Solution LLP, Kolkata, West Bengal
   B) Divyajyoti Distributors, Siliguri, West Bengal.

9. Prize Structure:-

   DEAR VULTURE EVENING FRIDAY WEEKLY LOTTERY FROM 8TH DRAW ON 22-09-2017 ONWARDS

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>SUPER PRIZE AMOUNT</th>
<th>DRAW METHOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>25,00,000</td>
<td>1,00,000</td>
<td>ON 1 TIME ON 5 DIGITS WITH SERIAL No.</td>
</tr>
<tr>
<td>2</td>
<td>239</td>
<td>9,498</td>
<td>500</td>
<td>ALL REMAINING SERIAL OF 1ST PRIZE No.</td>
</tr>
<tr>
<td>3</td>
<td>2400</td>
<td>9,000</td>
<td>999</td>
<td>ON 10 TIMES ON 5 DIGITS.</td>
</tr>
<tr>
<td>4</td>
<td>24000</td>
<td>500</td>
<td>100</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>5</td>
<td>24000</td>
<td>250</td>
<td>50</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>6</td>
<td>240000</td>
<td>120</td>
<td>10</td>
<td>ON 100 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7,31,70,022</td>
<td>86,17,100</td>
<td>8,17,87,122</td>
<td>56.80%</td>
</tr>
</tbody>
</table>

10. The amount offered as prize money : ₹ 8,17,87,122.

11. Periodicity / interval between the draws : Draw Every Friday at 8:00 P.M onwards

12. Place where the draw shall be conducted : Directorate of Nagaland State Lotteries,
13. Manner in which draw is conducted: The draw is conducted in a mechanical method based on random technology which is visibly transparent to the judges appointed by the Government of Nagaland. The winning numbers are drawn as per the prize Structure (Sl.No.9) and by pressing the numeric control button of the draw machine by the officials of the Directorate.

14. Procedure for prize payments:-

1. Prize Money for taxable prize(s) shall be paid from the Nagaland State Lotteries, Kohima.

2. Prize Money for non-taxable prizes(s) shall be directly paid by the Agent/Seller.

15. Description about Sl.No.3: The number of tickets printed shall be subject to increase or decrease depending on market conditions, as may be approved by the Director of Nagaland State Lotteries from time to time.

Sd/-

ZANBENI ODYUO
Under Secretary to the Govt. of Nagaland.

NOTIFICATION

No.FIN/LOT-07/2006(Vol.II)/554 :: Dated Kohima, the 12th September, 2017

In exercise of the powers conferred under Clause 3(3) of the Lotteries (Regulation) Rules, 2010, the Governor of Nagaland is pleased to notify the Nagaland State paper lottery scheme as detail given below:-

1. Name of the Lottery Scheme: DEAR OSTRICH EVENING (EVERY SATURDAY)

2. Price of the lottery ticket: ₹. 6/- (per ticket)

3. Total No. of tickets printed: 2.40 Crore,
   Numbering: 76 to 99/ ABCDEGHJKL 00 000 TO 99 999.


5. Name of the Printing Press: M/s Sai Security Printers Pvt. Ltd,
   1st Floor, Huda Market Sector-31,
   Faridabad-121003, Haryana.

6. Organized and Promoted by: Director,
   Directorate of Nagaland State Lotteries,
   Kohima, P.R.Hill Junction,
   Nagaland: Kohima-797001.
   Telefax-0370-2229982.
7. Name of the Distributor with their address and contact information: **Distributor-Regd. Office**
   M/s Future Gaming & Hotel Services Pvt. Ltd.
   No.54, Mettupalayam Road, G.N. Mills Post
   Coimbatore-641 029, Ph: 0422 2649001.

   **Sales Office.**
   Mitkar Building, Ground Floor,
   Upper Chandmari, Kohima-797001.
   Nagaland. Telefax-0370 2242200

8. Name of the Area Distributors with their address and contact information:
   A) M/s. Future Trade Solution LLP, Kolkata, West Bengal
   B) Divyajyoti Distributors, Siliguri, West Bengal.

9. **Prize Structure:-**

   **DEAR OSTRICH EVENING SATURDAY WEEKLY LOTTERY FROM 8TH DRAW ON 23-09-2017 ONWARDS**

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>SUPER PRIZE AMOUNT</th>
<th>DRAW METHOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>25,00,000</td>
<td>1,00,000</td>
<td>ON 1 TIME ON 5 DIGITS WITH SERIAL No.</td>
</tr>
<tr>
<td>2</td>
<td>239</td>
<td>9,499</td>
<td>500</td>
<td>ALL REMAINING SERIAL OF 1ST PRIZE No.</td>
</tr>
<tr>
<td>3</td>
<td>2400</td>
<td>9,000</td>
<td>999</td>
<td>ON 10 TIMES ON 5 DIGITS.</td>
</tr>
<tr>
<td>4</td>
<td>24000</td>
<td>500</td>
<td>100</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>5</td>
<td>2400</td>
<td>250</td>
<td>50</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>6</td>
<td>240000</td>
<td>120</td>
<td>10</td>
<td>ON 100 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7,31,70,261</td>
<td>86,17,100</td>
<td>8,17,87,361</td>
<td>56.80%</td>
</tr>
</tbody>
</table>

10. The amount offered as prize money: ₹ 8,17,87,361.

11. Periodicity / interval between the draws: Draw Every Saturday at 8:00 P.M onwards

12. Place where the draw shall be conducted: Directorate of Nagaland State Lotteries,
    P.R. Hill Junction, Kohima-797001.

13. Manner in which draw is conducted:

    The draw is conducted in a mechanical method based on random technology which is visibly transparent to the judges appointed by the Government of Nagaland. The winning numbers are drawn as per the prize Structure (Sl.No.9) and by pressing the numeric control button of the draw machine by the officials of the Directorate.

    Structure (Sl.No.9) and by pressing the numeric control button of the draw machine by the officials of the Directorate.

14. Procedure for prize payments:-

    1. Prize Money for taxable prize(s) shall be paid from the Nagaland State Lotteries, Kohima.
    2. Prize Money for non-taxable prizes(s) shall be directly paid by the Agent/Seller.

15. Description about Sl.No.3

    The number of tickets printed shall be subject to increase or decrease depending on market conditions, as may be approved by the Director of Nagaland State Lotteries from time to time.

    **Sd/-**
    **ZANBENI ODYUO**
    Under Secretary to the Govt. of Nagaland.
NOTIFICATION

Dated Kohima, the 12th September, 2017

In exercise of the powers conferred under Clause 3(3) of the Lotteries (Regulation) Rules, 2010, the Governor of Nagaland is pleased to notify the Nagaland State paper lottery scheme as detail given below:-

1. Name of the Lottery Scheme
   : DEAR HAWK EVENING (EVERY SUNDAY)

2. Price of the lottery ticket
   : ₹. 6/- (per ticket)

3. Total No. of tickets printed
   : 2.40 Crore,
     Numbering: 76 to 99/ ABCDEGHJKL 00 000 TO 99 999.

4. Gross value of the tickets printed
   : ₹. 14.40 Crore (turnover)

5. Name of the Printing Press
   : M/s Sai Security Printers Pvt. Ltd,
     1st Floor, Huda Market Sector-31,
     Faridabad-121003, Haryana.

6. Organized and Promoted by
   : Director,
     Directorate of Nagaland State Lotteries,
     Kohima, P.R. Hill Junction,
     Nagaland: Kohima-797001.
     Telefax-0370-2229982.

7. Name of the Distributor with their address and contact information.
   : Distributor-Regd. Office
     M/s Future Gaming & Hotel Services Pvt. Ltd.
     No.54, Mettupalayam Road, G.N. Mills Post

   Sales Office,
   Mitkar Building, Ground Floor,
   Upper Chandmari, Kohima-797001.
   Nagaland. Telefax-0370 2242200

8. Name of the Area Distributors with their address and contact information
   : A) M/s. Future Trade Solution LLP, Kolkata, West Bengal
   : B) Divyajyoti Distributors, Siliguri, West Bengal.

9. Prize Structure:-

DEAR HAWK EVENING SUNDAY WEEKLY LOTTERY FROM 8TH DRAW ON 24-09-2017 ONWARDS

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>SUPER PRIZE AMOUNT</th>
<th>DRAW METHOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>25,00,000</td>
<td>1,00,000</td>
<td>ON 1 TIME ON 5 DIGITS WITH SERIAL No.</td>
</tr>
<tr>
<td>2</td>
<td>239</td>
<td>9,500</td>
<td>500</td>
<td>ALL REMAINING SERIAL OF 1ST PRIZE No.</td>
</tr>
<tr>
<td>3</td>
<td>2400</td>
<td>9,000</td>
<td>999</td>
<td>ON 10 TIMES ON 5 DIGITS.</td>
</tr>
<tr>
<td>4</td>
<td>24000</td>
<td>500</td>
<td>100</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>5</td>
<td>24000</td>
<td>250</td>
<td>50</td>
<td>ON 10 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>6</td>
<td>240000</td>
<td>120</td>
<td>10</td>
<td>ON 100 TIMES ON LAST 4 DIGITS.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7,31,70,500</td>
<td>86,17,100</td>
<td>8,17,87,600</td>
<td>56.80%</td>
</tr>
</tbody>
</table>

10. The amount offered as prize money
    : ₹. 8,17,87,600

11. Periodicity / interval between the draws
    : Draw Every Sunday at 8:00 P.M onwards
NOTIFICATION
Dated Kohima, the 22nd August, 2017.

NO.WH/EST/34/2008/1116:: The Governor of Nagaland is pleased to confirm the service of the under mentioned officers of the Nagaland Public Works Department (NPWD) indicated against their names with immediate effect.

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name</th>
<th>Post</th>
<th>Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Er. Imsuyanger</td>
<td>E.E</td>
<td>PB-3 15600-39100 GP-6600/-</td>
</tr>
<tr>
<td>2</td>
<td>Er. Khuito Murumi</td>
<td>SDO</td>
<td>PB-3 15600-39100 GP-6600/-</td>
</tr>
</tbody>
</table>

This confirmation will confer no right to the concerned officers to claim seniority over their seniors in the cadre.

Sd/-
M. BENJONGNUNGSANG
Under Secretary to the Govt. of Nagaland.

NOTIFICATION
Dated Kohima, the 4th Sept, 2017

NO.WH/EST/11/07(Pt-I)/1197:: In partial modification of this Department’s Notification No.WH/EST/63/2014 dated 8th June 2017, the Governor of Nagaland is pleased to order retention of Er. Asale Kiewhuo, Junior Engineer, under Construction Devision Chiephobozuo.

Sd/-
M. BENJONGNUNGSANG
Under Secretary to the Govt. of Nagaland
NOTIFICATION

No. LAW/ACT/6-21/2017

Dated, Kohima the 9th Oct. 2017

THE TAXATION LAWS (SECOND AMENDMENT) ACT, 2016.

Sd/-

IMTITEMSU
Under Secretary to the Govt. of Nagaland.
THE TAXATION LAWS (SECOND AMENDMENT) ACT, 2016

(AS PASSED BY HOUSES OF PARLIAMENT)

AN
ACT


Be it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

1. (1) This Act may be called the Taxation Laws (Second Amendment) Act, 2016.

(2) Save as otherwise provided in this Act, it shall come into force at once.

CHAPTER II
INCOME-TAX

2. In the Income-tax Act, 1961 (hereinafter referred to as the Income-tax Act), in section 115BBE, for sub-section (1), the following sub-section shall be substituted with effect from the 1st day of April, 2017, namely:—

"(1) Where the total income of an assessee,—

(a) includes any income referred to in section 68, section 69, section 69A, section 69B, section 69C or section 69D and reflected in the return of income furnished under section 139; or

(b) determined by the Assessing Officer includes any income referred to in section 68, section 69, section 69A, section 69B, section 69C or section 69D, if such income is not covered under clause (a),

the income-tax payable shall be the aggregate of—

(i) the amount of income-tax calculated on the income referred to in clause (a) and clause (b), at the rate of sixty per cent.; and

(ii) the amount of income-tax with which the assessee would have been chargeable had his total income been reduced by the amount of income referred to in clause (i)."

3. In the Income-tax Act, in section 271AAB,—

(i) in sub-section (1), after the words, figures and letters "the 1st day of July, 2012", the words, brackets and figures "but before the date on which the Taxation Laws (Second Amendment) Bill, 2016 receives the assent of the President" shall be inserted;

(ii) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) The Assessing Officer may, notwithstanding anything contained in any other provisions of this Act, direct that, in a case where search has been initiated under section 132 on or after the date on which the Taxation Laws (Second Amendment) Bill, 2016 receives the assent of the President, the assessee shall pay by way of penalty, in addition to tax, if any, payable by him,—

(a) a sum computed at the rate of thirty per cent. of the undisclosed income of the specified previous year, if the assessee—

Amendment of section 271AAB.
(i) in the course of the search, in a statement under sub-section (4) of section 132, admits the undisclosed income and specifies the manner in which such income has been derived;

(ii) substantiates the manner in which the undisclosed income was derived; and

(iii) on or before the specified date—

(A) pays the tax, together with interest, if any, in respect of the undisclosed income; and

(B) furnishes the return of income for the specified previous year declaring such undisclosed income therein;

(b) a sum computed at the rate of sixty per cent. of the undisclosed income of the specified previous year, if it is not covered under the provisions of clause (a);”;

(III) in sub-section (2), after the words, brackets and figure “in sub-section (i)”, the words, brackets, figure and letter “or sub-section (1A)” shall be inserted.

4. In the Income-tax Act, after section 271AAB, the following section shall be inserted with effect from the 1st day of April, 2017, namely:—

“271AAC. (1) The Assessing Officer may, notwithstanding anything contained in this Act other than the provisions of section 271AAB, direct that, in a case where the income determined includes any income referred to in section 68, section 69, section 69A, section 69B, section 69C or section 69D for any previous year, the assessee shall pay by way of penalty, in addition to tax payable under section 115BBE, a sum computed at the rate of ten per cent. of the tax payable under clause (i) of sub-section (1) of section 115BBE:

Provided that no penalty shall be levied in respect of income referred to in section 68, section 69, section 69A, section 69B, section 69C or section 69D to the extent such income has been included by the assessee in the return of income furnished under section 139 and the tax in accordance with the provisions of clause (i) of sub-section (1) of section 115BBE has been paid on or before the end of the relevant previous year.

(2) No penalty under the provisions of section 270A shall be imposed upon the assessee in respect of the income referred to in sub-section (1).

(3) The provisions of sections 274 and 275 shall, as far as may be, apply in relation to the penalty referred to in this section.”.

CHAPTER III
FINANCE ACT

5. In the Finance Act, 2016,—

(a) in Chapter II, in section 2, in sub-section (9),—

(i) in the third proviso, the figures and letters “115BBE,” shall be omitted

(ii) after the sixth proviso, the following proviso shall be inserted, namely:—

‘Provided also that in respect of any income chargeable to tax under clause (i) of sub-section (1) of section 115BBE of the Income-tax Act, the “advance tax” computed under the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of twenty-five per cent. of such advance tax;”;

(b) after Chapter IX, the following Chapter shall be inserted, namely:—

Amendment of section 2.
CHAPTER IXA

TAXATION AND INVESTMENT REGIME FOR PRADHAN MANTRI GARIB KALYAN YOJANA, 2016

199A. (1) This Scheme may be called the Taxation and Investment Regime for Pradhan Mantri Garib Kalyan Yojana, 2016.

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

199B. In this Scheme, unless the context otherwise requires—

(a) "declarant" means a person making the declaration under sub-section (1) of section 199C;

(b) "Income-tax Act" means the Income-tax Act, 1961;

(c) "Pradhan Mantri Garib Kalyan Deposit Scheme, 2016" (hereinafter in this Chapter referred to as "the Deposit Scheme") means a scheme notified by the Central Government in consultation with the Reserve Bank of India in the Official Gazette, and

(d) all other words and expressions used in this Scheme but not defined and defined in the Income-tax Act shall have the meanings respectively assigned to them in that Act.

199C. (1) Subject to the provisions of this Scheme, any person may make, on or after the date of commencement of this Scheme but on or before a date to be notified by the Central Government in the Official Gazette, a declaration in respect of any income in the form of cash or deposit in an account maintained by the person with a specified entity, chargeable to tax under the Income-tax Act for any assessment year commencing on or before the 1st day of April, 2017.

(2) No deduction in respect of any expenditure or allowance or set-off of any loss shall be allowed against the income in respect of which a declaration under sub-section (1) is made.

Explanations.—For the purposes of this section, "specified entity" shall mean—

(i) the Reserve Bank of India;

(ii) any banking company or co-operative bank, to which the Banking Regulation Act, 1949 applies (including any bank or banking institution referred to in section 51 of that Act);

(iii) any Head Post Office or Sub-Post Office; and

(iv) any other entity as may be notified by the Central Government in the Official Gazette in this behalf.

199D. (1) Notwithstanding anything contained in the Income-tax Act or in any Finance Act, the undisclosed income declared under sub-section (1) of section 199C within the time specified therein shall be chargeable to tax at the rate of thirty per cent. of the undisclosed income.

(2) The amount of tax chargeable under sub-section (1) shall be increased by a surcharge, for the purposes of the Union, to be called the Pradhan Mantri Garib Kalyan Cess calculated at the rate of thirty-three per cent. of such tax so as to fulfill the commitment of the Government for the welfare of the economically weaker sections of the society.

199E. Notwithstanding anything contained in the Income-tax Act or in any Finance Act, the person making a declaration under sub-section (1) of section 199C shall, in addition to tax and surcharge charged under section 199D, be liable to pay penalty at the rate of ten per cent. of the undisclosed income.
199F. (1) Notwithstanding anything contained in the Income-tax Act or in any other law for the time being in force, the person making a declaration under sub-section (1) of section 199C, shall deposit an amount which shall not be less than twenty-five per cent. of the undisclosed income in the Pradhan Mantri Garib Kalyan Deposit Scheme, 2016.

(2) The deposit shall bear no interest and the amount deposited shall be allowed to be withdrawn after four years from the date of deposit and shall also fulfil such other conditions as may be specified in the Pradhan Mantri Garib Kalyan Deposit Scheme, 2016.

199G. A declaration under sub-section (1) of section 199C shall be made by a person competent to verify the return of income under section 140 of the Income-tax Act, to the Principal Commissioner or the Commissioner notified in the Official Gazette in whose jurisdiction he is assessable for the assessment year shall be in such form and verified in such manner, as may be prescribed.

199H. (1) The tax and surcharge payable under section 199D and penalty payable under section 199E in respect of the undisclosed income, shall be paid before filing of a declaration under sub-section (1) of section 199C.

(2) The amount referred to in sub-section (1) of section 199F shall be deposited before the filing of declaration under sub-section (1) of section 199C.

(3) The declaration under sub-section (1) of section 199C shall be accompanied by the proof of deposit referred to in sub-section (1) of section 199F, payment of tax, surcharge and penalty under section 199D and section 199E, respectively.

199-I. The amount of undisclosed income declared in accordance with sub-section (1) of section 199C shall not be included in the total income of the declarant for any assessment year under the Income-tax Act.

199J. A declarant under this Scheme shall not be entitled, in respect of undisclosed income referred to in section 199C or any amount of tax and surcharge paid thereon, to re-open any assessment or reassessment made under the Income-tax Act or the Wealh-tax Act, 1957, or to claim any set-off or relief in any appeal, reference or other proceeding in relation to any such assessment or reassessment.

199K. Any amount of tax and surcharge paid under section 199D or penalty paid under section 199E shall not be refundable.

199L. Notwithstanding anything contained in any other law for the time being in force, nothing contained in any declaration made under sub-section (1) of section 199C shall be admissible in evidence against the declarant for the purpose of any proceeding under any Act other than the Acts mentioned in section 199-O.

199M. Notwithstanding anything contained in this Scheme, where a declaration has been made by misrepresentation or suppression of facts or without payment of tax and surcharge under section 199D or penalty under section 199E or without depositing the amount in the Deposit Scheme as per the provisions of section 199F, such declaration shall be void and shall be deemed never to have been made under this Scheme.

199N. The provisions of Chapter XV of the Income-tax Act relating to liability in special cases and of section 119, section 138 and section 189 of that Act shall, so far as may be, apply in relation to proceedings under this Scheme as they apply in relation to proceedings under the Income-tax Act.

199-O. The provisions of this Scheme shall not apply—

(a) in relation to any person in respect of whom an order of detention has been made under the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974:
Provided that—

(i) such order of detention, being an order to which the provisions of section 9 or section 12A of the said Act do not apply, has not been revoked on the report of the Advisory Board under section 8 of the said Act or before the receipt of the report of the Advisory Board; or

(ii) such order of detention being an order to which the provisions of section 9 of the said Act apply, has not been revoked before the expiry of the time for, or on the basis of, the review under sub-section (3) of section 9, or on the report of the Advisory Board under section 8, read with sub-section (2) of section 9, of the said Act; or

(iii) such order of detention, being an order to which the provisions of section 12A of the said Act apply, has not been revoked before the expiry of the time for, or on the basis of, the first review under sub-section (3) of that section, or on the basis of the report of the Advisory Board under section 8, read with sub-section (6) of section 12A, of the said Act; or

(iv) such order of detention has not been set aside by a court of competent jurisdiction;

(b) in relation to prosecution for any offence punishable under Chapter IX or Chapter XVII of the Indian Penal Code, the Narcotic Drugs and Psychotropic Substances Act, 1985, the Unlawful Activities (Prevention) Act, 1967, the Prevention of Corruption Act, 1988, the Prevention of Money-Laundering Act, 2002;

(c) to any person notified under section 3 of the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992;

(d) in relation to any undisclosed foreign income and asset which is chargeable to tax under the Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015.

199P. For the removal of doubts, it is hereby declared that save as otherwise expressly provided in sub-section (1) of section 199C, nothing contained in this Scheme shall be construed as conferring any benefit, concession or immunity on any person other than the person making the declaration under this Scheme.

199Q. (1) If any difficulty arises in giving effect to the provisions of this Scheme, the Central Government may, by order, not inconsistent with the provisions of this Scheme, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date on which the provisions of this Scheme come into force.

(2) Every order made under this section shall be laid before each House of Parliament.

199R. (1) The Board may, subject to the control of the Central Government, by notification in the Official Gazette, make rules for carrying out the provisions of this Scheme.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely—

(i) the form and manner of declaration and verification to be made under section 199G; and
(4) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made, by rules.

(3) Every rule made under this Scheme shall be laid, as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions as aforesaid, both Houses agree in making any modification in the rule or both Houses agree 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.
PART-V

GOVERNMENT OF NAGALAND
DEPARTMENT OF JUSTICE AND LAW
NAGALAND, KOHIMA

NOTIFICATION

No. LAW/ACT/6-21/2017 Dated, Kohima the 9th Oct. 2017

THE APPROPRIATION(No.4) ACT, 2016.

Sd/-
IMTITEMSU
Under Secretary to the Govt. of Nagaland.
THE APPROPRIATION (No. 4) ACT, 2016

AN
ACT

To provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 2014, in excess of the amounts granted for those services and for that year.

Be it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Appropriation (No. 4) Act, 2016.

2. From and out of the Consolidated Fund of India, the sums specified in column 3 of the Schedule, amounting in the aggregate to the sum of seven hundred seventy-three crore thirty-one lakh four thousand four hundred eighty-two rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 2014, in excess of the amounts granted for those services and for that year.

3. The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 2014.

THE SCHEDULE
(See sections 2 and 3)

<table>
<thead>
<tr>
<th>No. of Vote</th>
<th>Services and purposes</th>
<th>Excess</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Voted portion</td>
<td>Charged portion</td>
</tr>
<tr>
<td>20</td>
<td>Ministry of Defence</td>
<td>Revenue</td>
<td>Rs. 35,88,89,749</td>
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<tr>
<td>21</td>
<td>Defence Pensions</td>
<td>Revenue</td>
<td>74,86,943</td>
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<tr>
<td>23</td>
<td>Defence Services — Navy</td>
<td>Revenue</td>
<td>120,40,30,532</td>
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<tr>
<td>24</td>
<td>Defence Services — Air Force</td>
<td>Revenue</td>
<td>186,72,28,987</td>
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<tr>
<td>25</td>
<td>Defence Ordnance Factories</td>
<td>Revenue</td>
<td>425,73,40,471</td>
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<td>32</td>
<td>Ministry of External Affairs</td>
<td>Capital</td>
<td>2,95,32,970</td>
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<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td>771,70,22,709</td>
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</tbody>
</table>
NOTIFICATION

No. LAW/ACT/6-21/2017

Dated, Kohima the 9th Oct. 2017

THE APPROPRIATION(No.5) ACT, 2016.

Sd/-
IMTITEMSU
Under Secretary to the Govt. of Nagaland.
THE APPROPRIATION (No. 5) ACT, 2016

AN ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2016-17.

Be it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:

1. This Act may be called the Appropriation (No. 5) Act, 2016.

2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of fifty-nine thousand nine hundred seventy-eight crore and twenty-nine lakh rupees towards defraying the several charges which will come in course of payment during the financial year 2016-17 in respect of the services specified in column 2 of the Schedule.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

<table>
<thead>
<tr>
<th>No. of Vote</th>
<th>Services and purposes</th>
<th>Voted by Parliament</th>
<th>Charged on the Consolidated Fund</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Department of Agriculture, Cooperation and Farmers Welfare ............................................. Revenue</td>
<td>6192.57,00,000</td>
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<tr>
<td>3</td>
<td>Department of Animal Husbandry, Dairying and Fisheries ............................................ Revenue</td>
<td>3,00,000</td>
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<td>5</td>
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<td>9</td>
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<td>11</td>
<td>Department of Commerce ................................................. Revenue</td>
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<tr>
<td>12</td>
<td>Department of Industrial Policy and Promotion .... Revenue</td>
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<td>1,00,000</td>
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<td>14</td>
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<td>15</td>
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<td>16</td>
<td>Department of Consumer Affairs ................................ Revenue</td>
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<td>18</td>
<td>Ministry of Corporate Affairs .......................... Revenue</td>
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<td>19</td>
<td>Ministry of Culture ................................................. Revenue</td>
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<tr>
<td>20</td>
<td>Ministry of Defence (Miscellaneous) ................. Revenue</td>
<td>3512,00,00,000</td>
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Capital
### Defence Services (Revenue)
- Revenue: 1000.00

### Ministry of Development and North Eastern Region
- Revenue: 1,000.00
- 6.50
- 6.51

### Ministry of Drinking Water and Sanitation
- Revenue: 4000.00

### Ministry of Earth Sciences
- Revenue: 1,000.00

### Ministry of Environment, Forests and Climate Change
- Revenue: 3,000.00

### Ministry of External Affairs
- Revenue: 2,000.00

### Department of Economic Affairs
- Revenue: 20,04,00,000
- Capital: 2,00,00

### Department of Financial Services
- Revenue: 3,00,00

### Transfers to States
- Revenue: 651,00,00
- Capital: 2,50,00

### Charged—Repayment of Debt
- Capital: 1,00,00

### Department of Expenditure
- Revenue: 13,35,00

### Pensions
- Revenue: 1,10,00
- 10,00
- 11,00

### Indian Audit and Accounts Department
- Revenue: 112,49,00
- Capital: 6,05
- 1,18,54

### Department of Revenue
- Revenue: 1,00,00

### Direct Taxes
- Revenue: 2,00,00

### Indirect Taxes
- Revenue: 2,10,00
- Capital: 2,00

### Ministry of Food Processing Industries
- Revenue: 9,64,81,00

### Department of Health and Family Welfare](Revenue)
- Revenue: 1,00,00

### Services and purposes

<table>
<thead>
<tr>
<th>No. of Vote</th>
<th>Services and purposes</th>
<th>Revenue</th>
<th>Voted by Parliament</th>
<th>Charged on the Consolidated Fund</th>
<th>Total</th>
</tr>
</thead>
</table>
| 43         | Department of Health Research | 2,00,00
| 44         | Department of Heavy Industry | 4,618,93
|             | Capital: 967,77,00 | 967,77,00,00 | 967,77,00,00 |
| 46         | Ministry of Home Affairs | 2,00,00
| 47         | Cabinet | 2,26,30,00
| 48         | Police | 2,26,3,42,00
|             | Capital: 8,42,99,00 | 8,42,99,00,00 | 8,54,99,00,00 |
| 49         | Transfers to Union Territories with Legislature | 95,15,00
| 50         | Ministry of Housing and Urban Poverty Alleviation | 2,00
| 51         | Department of School Education and Literacy | 3,42,04,00
| 52         | Department of Higher Education | 7,63,20,00
| 53         | Ministry of Information and Broadcasting | 2,00,00
|             | Capital: 1,00,00 | 1,00,00,00 |
| 54         | Ministry of Labour and Employment | 1,00,00
| 55         | Election Commission | 1,48,00
|             | Capital: 23,00,00 | 23,00,00,00 |
| 56         | Supreme Court of India | 52,12,00
| 58         | Ministry of Micro, Small and Medium Enterprises | 2,00
|             | Capital: 6,00,00 | 6,00,00,00 |
| 59         | Ministry of Mines | 1,00,00
| 60         | Ministry of Minority Affairs | 1,00,00

**Total**

### Rs.

- Voted by Parliament: 2,00,00
- Charged on the Consolidated Fund: 95,15,00
- Total: 95,15,00
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<th>No. of Vote</th>
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<th>3</th>
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<td></td>
<td>Voted by Parliament</td>
<td>Charged on the Consolidated Fund</td>
<td>Total</td>
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<tr>
<td></td>
<td></td>
<td>Rs.</td>
<td>Rs.</td>
<td>Rs.</td>
</tr>
<tr>
<td>86</td>
<td>Ministry of Steel</td>
<td>Revenue</td>
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<td></td>
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<td>1471,31,000</td>
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<td>Capital</td>
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<td>70,00,000</td>
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<td>88</td>
<td>Ministry of Tourism</td>
<td>Revenue</td>
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<td>89</td>
<td>Ministry of Tribal Affairs</td>
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<tr>
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<td>Andaman and Nicobar Islands</td>
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<td>Chandigarh</td>
<td>Revenue</td>
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<td></td>
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<td>Capital</td>
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<tr>
<td>92</td>
<td>Damna and Diu</td>
<td>Revenue</td>
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<tr>
<td></td>
<td></td>
<td>Capital</td>
<td>1,00,00,000</td>
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<tr>
<td>94</td>
<td>Lakshadweep</td>
<td>Revenue</td>
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<tr>
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<td>Capital</td>
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<td>10,00,000</td>
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<tr>
<td>95</td>
<td>Ministry of Urban Development</td>
<td>Revenue</td>
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<td>2307,00,000</td>
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<td></td>
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<td>Capital</td>
<td>3700,01,00,000</td>
<td>3700,01,000</td>
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<tr>
<td>96</td>
<td>Ministry of Women and Child Development</td>
<td>Revenue</td>
<td>2,00,00,000</td>
<td>2,00,000</td>
</tr>
</tbody>
</table>

Total: 57050,08,00,000 2928,21,00,000 59978,29,000
PART-V

GOVERNMENT OF NAGALAND
DEPARTMENT OF JUSTICE AND LAW
NAGALAND, KOHIMA

NOTIFICATION

No. LAW/ACT/6-21/2017                     Dated, Kohima the 9th Oct. 2017

THE TAXATION LAWS (AMENDMENT) ACT, 2016.

Sd/-
IMTITEMSU
Under Secretary to the Govt. of Nagaland.
THE TAXATION LAWS (AMENDMENT) ACT, 2017

AN

ACT

further to amend the Customs Act, 1962, the Customs Tariff Act, 1975, the Central Excise Act, 1944, the Central Sales Tax Act, 1956, the Finance Act, 2001 and the Finance Act, 2005 and to repeal certain enactments.

Be it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Taxation Laws (Amendment) Act, 2017.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.

CHAPTER I

CUSTOMS

2. In the Customs Act, 1962 (hereinafter referred to as the Customs Act), in section 2, in clause (7), after the words "the area of a Customs station", the words "or a warehouse" shall be inserted.

3. In the Customs Act, after section 108, the following sections shall be inserted, namely:

"108A. (1) Any person, being—

(a) a local authority or other public body or association; or

(b) any authority of the State Government responsible for the collection of value added tax or sales tax or any other tax relating to the goods or services; or

(c) an income-tax authority appointed under the provisions of the Income-tax Act, 1961;

(d) a Banking company within the meaning of clause (a) of section 45A of the Reserve Bank of India Act, 1934; or

(e) a co-operative bank within the meaning of clause (dd) of section 2 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961; or

(f) a financial institution within the meaning of clause (c), or a non-banking financial company within the meaning of clause (f), of section 45-1 of the Reserve Bank of India Act, 1934; or

(g) a State Electricity Board; or an electricity distribution or transmission licensee under the Electricity Act, 2003, or any other entity entrusted, as the case may be, with such functions by the Central Government or the State Government; or

(h) the Registrar or Sub-Registrar appointed under section 6 of the Registration Act, 1908; or

(i) a Registrar within the meaning of the Companies Act, 2013; or

(j) a Registrar within the meaning of the Companies Act, 2013; or
(j) the registering authority empowered to register motor vehicles under Chapter IV of the Motor Vehicles Act, 1988; or

(k) the Collector referred to in clause (c) of section 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013; or

(l) the recognised stock exchange referred to in clause (f) of section 2 of the Securities Contracts (Regulation) Act, 1956; or

(m) a depository referred to in clause (e) of sub-section (1) of section 2 of the Depositories Act, 1996; or

(n) the Post Master General within the meaning of clause (j) of section 2 of the Indian Post Office Act, 1898; or

(o) the Director General of Foreign Trade within the meaning of clause (d) of section 2 of the Foreign Trade (Development and Regulation) Act, 1992; or

(p) the General Manager of a Zonal Railway within the meaning of clause (18) of section 2 of the Railways Act, 1899; or

(q) an officer of the Reserve Bank of India constituted under section 3 of the Reserve Bank of India Act, 1934,

who is responsible for maintaining record of registration or statement of accounts or holding any other information under any of the Acts specified above or under any other law for the time being in force, which is considered relevant for the purposes of this Act, shall furnish such information to the proper officer in such manner as may be prescribed by rules made under this Act.

(2) Where the proper officer considers that the information furnished under sub-section (1) is defective, he may intimate the defect to the person who has furnished such information and give him an opportunity of rectifying the defect within a period of seven days from the date of such intimation or within such further period which, on an application made in this behalf, the proper officer may allow and if the defect is not rectified within the said period of seven days or further period, as the case may be, so allowed, then, notwithstanding anything contained in any other provision of this Act, such information shall be deemed as not furnished and the provisions of this Act shall apply.

(3) Where a person who is required to furnish information has not furnished the same within the time specified in sub-section (1) or sub-section (2), the proper officer may serve upon him a notice requiring him to furnish such information within a period not exceeding thirty days from the date of service of the notice and such person shall furnish such information.

108B. Where the person who is required to furnish information under section 108A fails to do so within the period specified in the notice issued under sub-section (3) thereof, the proper officer may direct such person to pay, by way of penalty, a sum of one hundred rupees for each day of the period during which the failure to furnish such information continues.".
CHAPTER II
CUSTOMS TARIFF

4. In the Customs Tariff Act, 1975, in section 3,—

(a) in sub-section (2),—

(i) in clause (ii), for item (a), the following item shall be substituted,

"(a) the duty referred to in sub-sections (1), (3), (5), (7) and (9);";

(ii) in the proviso, in sub-clause (b), item (ii) shall be omitted;

(b) in sub-section (6), in clause (ii), for item (a), the following item shall be substituted,

"(a) the duty referred to in sub-sections (5), (7) and (9);";

(c) for sub-sections (7) and (8), the following sub-sections shall be substituted,

"(7) Any article which is imported into India shall, in addition, be liable to
integrated tax at such rate, not exceeding forty per cent. as is leviable under
section 5 of the Integrated Goods and Services Tax Act, 2017 on a like article on
its supply in India, on the value of the imported article as determined under
sub-section (8).

(8) For the purposes of calculating the integrated tax under
sub-section (7) on any imported article where such tax is leviable at any percentage
of its value, the value of the imported article shall, notwithstanding anything
contained in section 14 of the Customs Act, 1962, be the aggregate of—

(a) the value of the imported article determined under
sub-section (1) of section 14 of the Customs Act, 1962 or the tariff value
of such article fixed under sub-section (2) of that section, as the case may
be; and

(b) any duty of customs chargeable on that article under section 12
of the Customs Act, 1962, and any sum chargeable on that article under
any law for the time being in force as an addition to, and in the same
manner as, a duty of customs, but does not include the tax referred to in
sub-section (7) or the cess referred to in sub-section (9)

(9) Any article which is imported into India shall, in addition, be liable to
the goods and services tax compensation cess at such rate, as is leviable under
section 8 of the Goods and Services Tax (Compensation to States) Cess Act,
2017 on a like article on its supply in India, on the value of the imported article as
determined under sub-section (10).

(10) For the purposes of calculating the goods and services tax
compensation cess under sub-section (9) on any imported article where such cess
is leviable at any percentage of its value, the value of the imported article shall,
notwithstanding anything contained in section 14 of the Customs Act, 1962, be
the aggregate of—

(a) the value of the imported article determined under
sub-section (1) of section 14 of the Customs Act, 1962 or the tariff value
of such article fixed under sub-section (2) of that section, as the case may
be; and
(h) any duty of customs chargeable on that article under section 12 of the Customs Act, 1962, and any sum chargeable on that article under any law for the time being in force as an addition to, and in the same manner as, a duty of customs, but does not include the tax referred to in sub-section (7) or the cess referred to in sub-section (9).

(11) The duty or tax or cess, as the case may be, chargeable under this section shall be in addition to any other duty or tax or cess, as the case may be, imposed under this Act or under any other law for the time being in force.

(12) The provisions of the Customs Act, 1962 and the rules and regulations made thereunder, including those relating to drawbacks, refunds and exemption from duties shall, so far as may be, apply to the duty or tax or cess, as the case may be, chargeable under this section as they apply in relation to the duties leviable under that Act."

CHAPTER III
CENTRAL EXCISE

5. In the Central Excise Act, 1944 (hereinafter referred to as the Central Excise Act), in section 2,—

(a) in clause (d), for the words and figures "the First Schedule and the Second Schedule to the Central Excise Tariff Act, 1985", the words "the Fourth Schedule" shall be substituted;

(b) in clause (e) the words "other than salt" shall be omitted;

(c) in clause (f), in sub-clause (ii), for the words and figures "the First Schedule to the Central Excise Tariff Act, 1985", the words "the Fourth Schedule" shall be substituted.

6. In the Central Excise Act, for section 3, the following section shall be substituted, namely:—

"3. (1) There shall be levied and collected in such manner as may be prescribed a duty of excise to be called the Central Value Added Tax (CENVAT) on all excisable goods (excluding goods produced or manufactured in special economic zones) which are produced or manufactured in India as, and at the rates, set forth in the Fourth Schedule:

Provided that the duty of excise which shall be levied and collected on any excisable goods which are produced or manufactured by a hundred per cent. export-oriented undertaking and brought to any other place in India, shall be an amount equal to the aggregate of the duties of customs which would be leviable under the Customs Act, 1962 or any other law for the time being in force, on like goods produced or manufactured outside India if imported into India, and where the said duties of customs are chargeable by reference to their value, the value of such excisable goods shall, notwithstanding anything contained in any other provision of this Act, be determined in accordance with the provisions of the Customs Act, 1962 and the Customs Tariff Act, 1975.

Explanation 1.—Where in respect of any such like goods, any duty of customs leviable for the time being in force is leviable at different rates, then, such duty shall, for the purposes of this proviso, be deemed to be leviable at the highest of those rates.
Explanation 2.—For the purposes of this sub-section,—

(i) "hundred per cent. export-oriented undertaking" means an undertaking which has been approved as a hundred per cent. export-oriented undertaking by the Board appointed in this behalf by the Central Government in exercise of the powers conferred by section 14 of the Industries (Development and Regulation) Act, 1951, and the rules made under that Act;

(ii) "Special Economic Zone" shall have the meaning assigned to it in clause (zzvi) of section 2 of the Special Economic Zones Act, 2005.

(2) The provisions of sub-section (1) shall apply in respect of all excisable goods which are produced or manufactured in India by or on behalf of the Government, as they apply in respect of goods which are not produced or manufactured by the Government.

(3) The Central Government may, by notification in the Official Gazette, fix, for the purposes of levying the said duty, tariff values of any articles enumerated, either specifically or under general headings, in the Fourth Schedule as chargeable with duty ad valorem and may alter any tariff values for the time being in force.

(4) The Central Government may fix different tariff values—

(a) for different classes or descriptions of the same excisable goods; or

(b) for excisable goods of the same class or description—

(i) produced or manufactured by different classes of producers or manufacturers; or

(ii) sold to different classes of buyers:

Provided that in fixing different tariff values in respect of excisable goods falling under sub-clause (i) or sub-clause (ii), regard shall be had to the sale prices charged by the different classes of producers or manufacturers or, as the case may be, the normal practice of the wholesale trade in such goods.

7. In the Central Excise Act, in section 3A, in Explanation 1, for the words and figures, "First Schedule and the Second Schedule to the Central Excise Tariff Act, 1985", the words "Fourth Schedule" shall be substituted.

8. In the Central Excise Act, after section 3A, the following sections shall be inserted, namely:—

Amendment of section 3A.

7B. (1) Where, in respect of any goods, the Central Government is satisfied that the duty leviable thereon under section 3 should be increased and that circumstances exist which render it necessary to take immediate action, the Central Government may, by notification in the Official Gazette, amend the Fourth Schedule to substitute the rate of duty specified therein in respect of such goods in the following manner, namely:—

(a) in a case where the rate of duty as specified in the Fourth Schedule as in force immediately before the issue of such notification is nil, a rate of duty not exceeding fifty per cent. ad valorem expressed in any form or method;

(b) in any other case, a rate of duty which shall not be more than twice the rate of duty specified in respect of such goods in the Fourth Schedule as in force immediately before the issue of the said notification:

Provided that the Central Government shall not issue any notification under this sub-section for substituting the rate of duty in respect of any goods as specified by an earlier notification issued under this sub-section by that Government before such earlier notification has been approved with or without modifications under sub-section (2).
Explanations.—For the purposes of this sub-section, the term “form or method”, in relation to a rate of duty of excise, means the basis, including valuation, weight, number, length, area, volume or any other measure, on which the duty may be levied.

(2) Every notification under sub-section (1) shall be laid before each House of Parliament, if it is in session, as soon as may be after the issue of the notification, and, if it is not in session, within seven days of its re-assembly, and the Central Government shall seek the approval of Parliament to the notification by a resolution moved within a period of fifteen days beginning with the day on which the notification is so laid before the House of the People and if Parliament makes any modification in the notification or directs that the notification should cease to have effect, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, but without prejudice to the validity of anything previously done thereunder.

(3) Any notification issued under sub-section (1), including a notification approved or modified under sub-section (2), may be rescinded by the Central Government at any time by issuing notification in the Official Gazette.

3C. (1) Where the Central Government is satisfied that it is necessary so to do in the public interest, it may, by notification in the Official Gazette, amend the Fourth Schedule:

Provided that such amendment shall not alter or affect in any manner the rates specified in the Fourth Schedule at which the duties of excise shall be leviable on the goods specified therein.”.

9. In the Central Excise Act, in section 38, after the word, figure and letter “section 3A”, the word, figure and letter “section 3C” shall be inserted.

10. In the Central Excise Act, after section 38A, the following section shall be inserted, namely:—

"38B. Notwithstanding the repeal of the Central Excise Tariff Act, 1985 by sub-section (1) of section 174 of the Central Goods and Services Tax Act, 2017, any reference to the Chapter, heading, sub-heading or tariff item, as the case may be, in the First Schedule to the said Act or in any rules or regulations made thereunder, or in any notification, circular, order or instruction issued thereunder, shall mean a reference to the Chapter, heading, sub-heading or tariff item, as the case may be, in the Fourth Schedule.”.

11. In the Central Excise Act, for the Third Schedule, the Schedule specified in the First Schedule shall be substituted.

12. In the Central Excise Act, after the Third Schedule, the Schedule specified in the Second Schedule shall be inserted.

CHAPTER IV
CENTRAL SALES TAX

13. In the Central Sales Tax Act, 1956 (hereinafter referred to as the Central Sales Tax Act), in section 2,—

(a) clause (c) shall be omitted;

(b) for clause (d), the following clause shall be substituted, namely;—
“(d) “goods” means—

(i) petroleum crude;
(ii) high speed diesel;
(iii) motor spirit (commonly known as petrol);
(iv) natural gas;
(v) aviation turbine fuel; and
(vi) alcoholic liquor for human consumption.”

14. In the Central Sales Tax Act, section 14 shall be omitted.

15. In the Central Sales Tax Act, section 15 shall be omitted.

CHAPTER V

MISCELLANEOUS

16. In the Finance Act, 2001, in the Seventh Schedule,—

(a) except tariff items 2402 20 10, 2402 20 20, 2402 20 30, 2402 20 40, 2402 20 50, 2402 20 90, 2402 90 10, 2403 11 10, 2403 19 10, 2403 19 21, 2403 19 29, 2403 19 90, 2403 91 00, 2403 99 10, 2403 99 20, 2403 99 30, 2403 99 40, 2403 99 50, 2403 99 60, 2403 99 90 and 2709 00 00 and the entries relating thereto, all other heading, sub-heading, tariff items and entries relating thereto shall be omitted;

(b) for tariff item 2709 00 00 and the entries relating thereto, the following tariff item and entries shall be substituted, namely:

<table>
<thead>
<tr>
<th>(1)</th>
<th>(2)</th>
<th>(3)</th>
<th>(4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>“2709 20 00”</td>
<td>Petroleum Crude</td>
<td>Kg.</td>
<td>Rs. 50 per tonne</td>
</tr>
</tbody>
</table>

17. In the Finance Act, 2005, in the Seventh Schedule, tariff item 2106 90 20 and the entries relating thereto shall be omitted.

18. (1) The enactments specified in the third column of the Third Schedule are hereby repealed to the extent specified in the fourth column thereof.

(2) Notwithstanding the repeal under sub-section (1), such repeal shall not—

(a) affect any other law in which the repealed enactment has been applied, incorporated or referred to;

(b) affect the validity, invalidity, effect or consequences of anything already done or suffered or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing under the repealed enactment;

(c) affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, or from any enactment hereby repealed;

(d) revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.
(2) The mention of particular matters in sub-section (1) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897, with regard to the effect of repeals.

19. Notwithstanding the repeal of the enactments specified in the Third Schedule, the proceeds of duties levied under the said enactments immediately preceding the date appointed under sub-section (2) of section 1,—

(i) if collected by the collecting agencies but not paid into the Reserve Bank of India; or

(ii) if not collected by the collecting agencies,

shall be paid or as the case may be, collected and paid into the Reserve Bank of India for being credited to the Consolidated Fund of India.

---

**THE FIRST SCHEDULE**

*(See section 11)*

"**THE THIRD SCHEDULE**

[See section 2 (f) (iii)]

**NOTES**

1. In this Schedule, "heading", "sub-heading" and "tariff item" mean respectively, a heading, sub-heading and tariff item in the Fourth Schedule.

2. The rules for the interpretation, the Section, Chapter Notes and the General Explanatory Notes of the Fourth Schedule shall apply to the interpretation of this Schedule.

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Heading, Sub-heading or Tariff Item</th>
<th>Description of goods</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>2402 20 10 to 2402 20 90</td>
<td>All Goods</td>
</tr>
<tr>
<td>2.</td>
<td>2403 99 10, 2403 99 20, 2403 99 30</td>
<td>Chewing tobacco and preparations containing chewing tabacco</td>
</tr>
<tr>
<td>3.</td>
<td>2403 99 90</td>
<td>Pan masala containing tobacco&quot;.</td>
</tr>
</tbody>
</table>

**THE SECOND SCHEDULE**

*(See section 12)*

"**THE FOURTH SCHEDULE**

[See section 2 (d) and 2 (f) (ii)]

**General Rules for the interpretation of this Schedule**

Classification of goods in this Schedule shall be governed by the following principles:

1. The titles of Sections, Chapters and Sub-Chapters are provided for ease of reference only; for legal purposes, classification shall be determined according to the terms of the headings and any relative Sections or Chapter Notes and, provided such headings or Notes do not otherwise require, according to the following provisions.

2. Any reference in a heading—

   (a) to an article shall be taken to include a reference to that article incomplete or unfinished, provided that, as presented, the incomplete or unfinished article has the essential character of the complete or finished article. It shall also be taken to include a reference to that article complete or finished (or falling to be classified as complete or finished by virtue of this rule), presented unassembled or disassembled;
(b) to a material or substance shall be taken to include a reference to mixtures or combinations of that material or substance with other materials or substances. Any reference to goods of a given material or substance shall be taken to include a reference to goods consisting wholly or partly of such material or substance. The classification of goods consisting of more than one material or substance shall be according to the principles of rule 3.

3. When by application of clause (b) of rule 2 or for any other reason, goods are, prima facie, classifiable under two or more headings, classification shall be effected as follows:—

(a) the heading which provides the most specific description shall be preferred to headings providing a more general description. However, when two or more headings each refer to part only of the materials or substances contained in mixed or composite goods or to part only of the items in a set put up for retail sale, those headings are to be regarded as equally specific in relation to those goods, even if one of them gives a more complete or precise description of the goods;

(b) mixtures, composite goods consisting of different materials or made up of different components, and goods put up in sets for retail sale, which cannot be classified by reference to clause (a), shall be classified as if they consisted of the material or component which gives them their essential character, insofar as this criterion is applicable;

(c) when goods cannot be classified by reference to clause (a) or clause (b), they shall be classified under the heading which occurs last in numerical order among those which equally merit consideration.

4. Goods which cannot be classified in accordance with the above rules shall be classified under the heading appropriate to the goods to which they are most akin.

5. For legal purposes, the classification of goods in the sub-headings of a heading shall be determined according to the terms of those sub-headings and any related sub-heading Notes and, mutatis mutandis, to the above rules, on the understanding that only sub-headings at the same level are comparable. For the purposes of this rule, the relative Chapter Notes also apply, unless the context otherwise requires.

General Explanatory Notes

1. Where in column (2) of this Schedule, the description of an article or group of articles under a heading is preceded by "-", the said article or group of articles shall be taken to be a sub-classification of the article or group of articles covered by the said heading. Where, however, the description of an article or group of articles is preceded by "--", the said article or group of articles shall be taken to be a sub-classification of the immediately preceding description of the article or group of articles which has "-". Where the description of an article or group of articles is preceded by "---" or "----", the said article or group of articles shall be taken to be a sub-classification of the immediately preceding description of the article or group of articles which has "-" or "--".

2. The abbreviation "%" in column (4) of this Schedule, in relation to the rate of duty, indicates that the duty on the goods to which the entry relates shall be charged on the basis of the value of the goods fixed, defined or deemed to be, as the case may be, under or in sub-section (2), read with sub-section (3) of section 3 or section 4 or section 4A of the Central Excise Act, 1944, the duty being equal to such percentage of the value as is indicated in that column.
Additional Notes

In this Schedule,—

(i) The expression,—

(a) "heading", in respect of goods, means a description in list of tariff provisions accompanied by a four-digit number and includes all sub-headings of tariff items the first four-digits of which correspond to that number;

(b) "sub-heading", in respect of goods, means a description in the list of tariff provisions accompanied by a six-digit number and includes all tariff items the first six-digits of which correspond to that number;

(c) "tariff item" means a description of goods in the list of tariff provisions accompanying either eight-digit number and the rate of the duty of excise, or eight-digit number with blank in the column of the rate of duty;

(ii) The list of tariff provisions is divided into Sections, Chapters and Sub-Chapters:

(iii) In column (3), the standard unit of quantity is specified for each tariff item to facilitate the collection, comparison and analysis of trade statistics;

(iv) "..." against any goods denotes that Central Excise duty under this Schedule is not leviable on such goods.

List of Abbreviations used

Abbreviations For
1. kg. Kilogram
2. Tu Thousand in number

SECTION IV

TOBACCO AND MANUFACTURED TOBACCO SUBSTITUTES

NOTE

In this Section, the expression "unit container" means a container, whether large or small (for example, tin, can, box, jar, bottle, bag or carton, drum, barrel or canister) designed to hold a predetermined quantity or number.

Chapter 24

TOBACCO AND MANUFACTURED TOBACCO SUBSTITUTES

NOTES

1. In this Chapter, "brand name" means a brand name, whether registered or not, that is to say, a name or a mark, such as a symbol, monogram, label, signature invented words or any writing which is used in relation to a product, for the purpose of indicating, or so as to indicate, a connection in the course of trade between the product and some person using such name or mark with or without any indication of the identity of that person.

2. In relation to products of heading 2401 or 2402 or 2403, labelling or relabelling of containers or repacking from bulk packs to retail packs or the adoption of any other treatment to render the product marketable to the consumer, shall amount to "manufacture".
3. In this Chapter, "Pan masala containing tobacco", commonly known as "gutkha" or by any other name, included in tariff item 2403 99 90, means any preparation containing betelnuts and tobacco and any one or more of the following ingredients, namely: --

(i) lime; and

(ii) kattha (catechu),

whether or not containing any other ingredients, such as cardamom, copra and menthol.

SUPPLEMENTARY NOTES

For the purposes of this Chapter:

(1) "tobacco" means any form of tobacco, whether cured or uncured and whether manufactured or not, and includes the leaf, stalks and stems of the tobacco plant, but does not include any part of a tobacco plant while still attached to the earth.

(2) "cut-tobacco" means the prepared or processed cut-to-size tobacco which is generally blended or moisturised to a desired extent for use in the manufacture of machine-rolled cigarettes.

(3) "smoking mixtures for pipes and cigarettes" of sub-heading 2403 10 does not cover "Gudaku".

<table>
<thead>
<tr>
<th>Tariff item</th>
<th>Description of goods</th>
<th>Unit</th>
<th>Rate of Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2401</td>
<td>Unmanufactured Tobacco; Tobacco Refuse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2401 10</td>
<td>Tobacco, not stemmed or stripped :</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2401 10 10</td>
<td>Flue cured virginia tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>2401 10 20</td>
<td>Sun cured country (natu) tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>2401 10 30</td>
<td>Sun cured virginia tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>2401 10 40</td>
<td>Burley tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(1)</th>
<th>(2)</th>
<th>(3)</th>
<th>(4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2401 10 50</td>
<td>Tobacco for manufacture of biris, not stemmed</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>2401 10 60</td>
<td>Tobacco for manufacture of chewing tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>2401 10 70</td>
<td>Tobacco for manufacture of cigar and cheroot</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>2401 10 80</td>
<td>Tobacco for manufacture of hookah tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>2401 10 90</td>
<td>Other</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>2401 20</td>
<td>Tobacco, partly or wholly stemmed or stripped :</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2401 20 10</td>
<td>Flue cured virginia tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
<td>Unit</td>
<td>Rate</td>
</tr>
<tr>
<td>----------</td>
<td>-----------------------------------------------------------------------------</td>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>24012020</td>
<td>Sun cured country (natu) tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>24012030</td>
<td>Sun cured virginia tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>24012040</td>
<td>Burley tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>24012050</td>
<td>Tobacco for manufacture of biris</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>24012060</td>
<td>Tobacco for manufacture of chewing tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>24012070</td>
<td>Tobacco for manufacture of cigar and cheroot</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>24012080</td>
<td>Tobacco for manufacture of hookah tobacco</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>24012090</td>
<td>Other</td>
<td>kg.</td>
<td>64%</td>
</tr>
<tr>
<td>24013000</td>
<td>Tobacco refuse</td>
<td>kg.</td>
<td>50%</td>
</tr>
<tr>
<td>240210</td>
<td>Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24021010</td>
<td>Cigars, cheroots and cigarillos, containing tobacco:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24021020</td>
<td>Cigar and cheroots</td>
<td>Tu</td>
<td>12.5% or Rs. 4006 per thousand, whichever is higher</td>
</tr>
<tr>
<td>24021030</td>
<td>Cigarillos</td>
<td>Tu</td>
<td>12.5% or Rs. 4006 per thousand, whichever is higher</td>
</tr>
<tr>
<td>240220</td>
<td>Cigarettes, containing tobacco:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24022010</td>
<td>Other than filter cigarettes, of length not exceeding 65 millimetres</td>
<td>Tu</td>
<td>Rs. 1280 per thousand</td>
</tr>
<tr>
<td>24022020</td>
<td>Other than filter cigarettes, of length exceeding 65 millimetres but not exceeding 70 millimetres</td>
<td>Tu</td>
<td>Rs. 2335 per thousand</td>
</tr>
<tr>
<td>24022030</td>
<td>Filter cigarettes of length (including the length of the filter, the length of filter being 11 millimetres or its actual length, whichever is more) not exceeding 65 millimetres</td>
<td>Tu</td>
<td>Rs. 1280 per thousand</td>
</tr>
<tr>
<td>24022040</td>
<td>Filter cigarettes of length (including the length of the filter, the length of filter being 11 millimetres)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>---</td>
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<td>---</td>
</tr>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
</tr>
<tr>
<td>or its actual length, whichever is more) exceeding 65 millimetres but not exceeding 70 millimetres</td>
<td></td>
<td>Tu</td>
<td>Rs. 1740 per thousand</td>
</tr>
<tr>
<td>2402.20.50</td>
<td>--- Filter cigarettes of length (including the length of the filter, the length of filter being 11 millimetres or its actual length, whichever is more) exceeding 70 millimetres but not exceeding 75 millimetres</td>
<td></td>
<td>Tu</td>
</tr>
<tr>
<td>2402.20.90</td>
<td>--- Other</td>
<td></td>
<td>Tu</td>
</tr>
<tr>
<td>2402.90</td>
<td>- Other:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2402.90.10</td>
<td>--- Cigarettes of tobacco substitutes</td>
<td></td>
<td>Tu</td>
</tr>
<tr>
<td>2402.90.20</td>
<td>--- Cigarillos of tobacco substitutes</td>
<td></td>
<td>Tu</td>
</tr>
<tr>
<td>2402.90.90</td>
<td>--- Other</td>
<td></td>
<td>Tu</td>
</tr>
</tbody>
</table>

2403 Other manufactured tobacco and manufactured tobacco substitutes; "Homogenised" or "Reconstituted" tobacco; Tobacco extracts and essences

- Smoking tobacco, whether or not containing tobacco substitute in any proportion:

2403.11 --- Water pipe tobacco specified in Sub-heading Note to this Chapter:

2403.11.10 --- Hukkah or gudaku tobacco kg. 60%

2403.11.90 --- Other kg. 60%

2403.19 --- Other

2403.19.10 --- Smoking mixtures for pipes and cigarettes kg. 360%

--- Biris:

2403.19.21 --- Other than paper rolled biris, manufactured without the aid of machine Tu Rs. 12 per thousand

2403.19.29 --- Other Tu Rs. 80 per thousand

2403.19.90 --- Other kg. 40%

- Other:

2403.91.00 --- "Homogenised" or "reconstituted" tobacco kg. 60%

2403.99 --- Other:

2403.99.10 --- Chewing tobacco kg. 81%

2403.99.20 --- Preparations containing chewing tobacco kg. 60%
<table>
<thead>
<tr>
<th>(1)</th>
<th>(2)</th>
<th>(3)</th>
<th>(4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2403 9930</td>
<td>--- Jarda scented tobacco</td>
<td>kg.</td>
<td>81%</td>
</tr>
<tr>
<td>2403 9940</td>
<td>--- Snuff</td>
<td>kg.</td>
<td>60%</td>
</tr>
<tr>
<td>2403 9950</td>
<td>--- Preparations containing snuff</td>
<td>kg.</td>
<td>60%</td>
</tr>
<tr>
<td>2403 9960</td>
<td>--- Tobacco extracts and essence</td>
<td>kg.</td>
<td>60%</td>
</tr>
<tr>
<td>2403 9970</td>
<td>--- Cut-tobacco</td>
<td>kg.</td>
<td>Rs. 70 per kg.</td>
</tr>
<tr>
<td>2403 9990</td>
<td>--- Other</td>
<td>kg.</td>
<td>81%</td>
</tr>
</tbody>
</table>

SECTION V

MINERAL PRODUCTS

CHAPTER 27

MINERAL FUELS, MINERAL OILS AND PRODUCTS OF THEIR DISTILLATION; BITUMINOUS SUBSTANCES; MINERAL WAXES

NOTES

1. References in heading 2710 to "petroleum oils and oils obtained from bituminous minerals" include not only petroleum oils and oils obtained from bituminous minerals, but also similar oils, as well as those consisting mainly of mixed unsaturated hydrocarbons, obtained by any process, provided that the weight of the non-aromatic constituents exceeds that of the aromatic constituents.

However, the references do not include liquid synthetic polyolefins of which less than 60% by volume distils at 300°C, after conversion to 1,013 millibars when a reduced-pressure distillation method is used.

2. In relation to lubricating oils and lubricating preparations of heading 2710, labelling or relabelling of containers or repacking from bulk packs to retail packs or the adoption of any other treatment to render the product marketable to the consumer, shall amount to "manufacture".

3. In relation to natural gas falling under heading 2711, the process of compression of natural gas (even if it does not involve liquefaction), for the purpose of marketing it as Compressed Natural Gas (CNG), for use as a fuel or for any other purpose, shall amount to "manufacture".

SUB-HEADING NOTE

For the purposes of sub-heading 2710 12, "light oils and preparations" are those of which 90% or more by volume (including losses) distil at 210°C (ASTM D 86 method).

SUPPLEMENTARY NOTES

In this Chapter, the following expressions have the meanings hereby assigned to them:

(1) "motor spirit" means any hydrocarbon oil (excluding crude mineral oil) which has its flash point below 25°C and which either by itself or in admixture with any other substance, is suitable for use as fuel in spark ignition engines. "Special boiling point spirits (tariff items 2710 12 11, 2710 12 12 and 2710 12 13)" means light oils, as defined in sub-heading Note 4, not containing any anti-knock preparations, and with a difference of not more than 60°C between the temperatures at which 5% and 90% by volume (including losses) distil;

(2) "natural gasoline liquid (NGL)" is a low-boiling liquid petroleum product extracted from Natural Gas;

(4) "high speed diesel (HSD)" means any hydrocarbon oil conforming to the Indian Standards Specification of Bureau of Indian Standards IS: 1460:2000;

(5) for the purposes of these additional notes, the tests prescribed have the meaning hereby assigned to them:—

(a) "Flash Point" shall be determined in accordance with the test prescribed in this behalf in the rules made under the Petroleum Act, 1934;

(b) "Smoke Point" shall be determined in the apparatus known as the Smoke Point Lamp in the manner indicated in the Indian Standards Institution Specification IS: 1448 (p. 31)-1967 for the time being in force;

(c) "Final Boiling Point" shall be determined in the manner indicated in the Indian Standards Institution Specification IS: 1448 (p. 18)-1967 for the time being in force;

(d) "Carbon Residue" shall be determined in the apparatus known as Ramsbottom Carbon Residue Apparatus in the manner indicated in the Indian Standards Institution Specification IS: 1448 (p. 8)-1967 for the time being in force;

(e) "Colour Comparison Test" shall be done in the following manner, namely:—

(i) first prepare a five per cent. weight by volume solution of Potassium Iodine (analytical reagent quality) in distilled water;

(ii) to this, add Iodine (analytical reagent quality) in requisite amount to prepare an exactly 0.04 normal Iodine solution;

(iii) thereafter, compare the colour of the mineral oil under test with the Iodine solution so prepared.

<table>
<thead>
<tr>
<th>Tariff item</th>
<th>Description of goods</th>
<th>Unit</th>
<th>Rate of Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2709</td>
<td>Petroleum oils and oils obtained from bituminous minerals, crude.</td>
<td>Kg.</td>
<td>.....</td>
</tr>
<tr>
<td>2709 1000</td>
<td>Petroleum oils and oils obtained from bituminous minerals</td>
<td>Kg.</td>
<td>.....</td>
</tr>
<tr>
<td>2709 2000</td>
<td>Petroleum crude</td>
<td></td>
<td>Nil</td>
</tr>
<tr>
<td>2710</td>
<td>Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Petroleum oils and oils obtained from bituminous minerals (other than crude) and preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations, other than those containing biodiesel and other than waste oil</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
</tr>
<tr>
<td>-------</td>
<td>-----------------------------------------------</td>
<td>-----------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>271012</td>
<td><strong>Light oils and preparations:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Motor spirit (Commonly known as petrol):</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27101211</td>
<td>Special boiling point spirits (other than benzene, toluol) with nominal boiling point range 55-115 °C</td>
<td>Kg. 14%+Rs. 15.00 per litre</td>
<td></td>
</tr>
<tr>
<td>27101212</td>
<td>Special boiling point spirits (other than benzene, toluene and toluol) with nominal boiling point range 63-70 °C</td>
<td>Kg. 14%+Rs. 15.00 per litre</td>
<td></td>
</tr>
<tr>
<td>27101213</td>
<td>Other Special boiling points spirits (other than benzene, benzol, toluene and toluol)</td>
<td>Kg. 14%+Rs. 15.00 per litre</td>
<td></td>
</tr>
<tr>
<td>27101219</td>
<td>Other</td>
<td>Kg. 14%+Rs. 15.00 per litre</td>
<td></td>
</tr>
<tr>
<td>27101220</td>
<td>Natural gasoline Liquid</td>
<td>Kg. 14%+Rs. 15.00 per litre</td>
<td></td>
</tr>
<tr>
<td>27101290</td>
<td>Other</td>
<td>Kg. 14%+Rs. 15.00 per litre</td>
<td></td>
</tr>
<tr>
<td>271019</td>
<td><strong>Other:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27101910</td>
<td>Superior Kerosene oil (SKO)</td>
<td>Kg. ........</td>
<td></td>
</tr>
<tr>
<td>27101920</td>
<td>Aviation turbine Fuel (ATF)</td>
<td>Kg. 14%</td>
<td></td>
</tr>
<tr>
<td>27101930</td>
<td>High speed diesel (HSD)</td>
<td>Kg. 14%+Rs. 15.00 per litre</td>
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<td>27101940</td>
<td>Light Diesel oil (LDO)</td>
<td>Kg. ........</td>
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<tr>
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<td>Fuel oil</td>
<td>Kg. ........</td>
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<tr>
<td>27101960</td>
<td>Base oil</td>
<td>Kg. ........</td>
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<tr>
<td>27101970</td>
<td>Jute batching oil and textile oil</td>
<td>Kg. ........</td>
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<tr>
<td>27101980</td>
<td>Lubricating oil</td>
<td>Kg. ........</td>
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<tr>
<td>27101990</td>
<td>Other</td>
<td>Kg. ........</td>
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<td></td>
<td><strong>Waste oil:</strong></td>
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<tr>
<td>27102000</td>
<td>Petroleum oils and oils obtained from bituminous minerals (other than crude) and preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oil obtained from bituminous minerals, these oils being the basic constituents of the preparations, containing biodiesel, other than waste oils</td>
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<tr>
<td>27109900</td>
<td>Other</td>
<td>Kg. ........</td>
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<td>2711</td>
<td><strong>Petroleum gases and other gaseous hydrocarbons</strong></td>
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<tr>
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<td>No.</td>
<td>Short title of enactments</td>
<td>Extent of repeal</td>
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<td>The Rubber Act, 1947</td>
<td>Clause (b) of sub-section (1) of section 9 and section 12</td>
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<td>1951</td>
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<td>The Industries (Development and Regulation) Act, 1951</td>
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<td>The Finance (No. 2) Act, 2004</td>
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GOVERNMENT OF NAGALAND
DEPARTMENT OF JUSTICE AND LAW
NAGALAND, KOHIMA

NOTIFICATION

No. LAW/ACT/6-21/2017
Dated, Kohima the 9th Oct. 2017

THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

Sd/-
IMTITEMSU
Under Secretary to the Govt. of Nagaland.
THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

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THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

AN

ACT

to give effect to the United Nations Convention on the Rights of Persons with Disabilities and for matters connected therewith or incidental thereto.

WHEREAS the United Nations General Assembly adopted its Convention on the Rights of Persons with Disabilities on the 13th day of December, 2006;

AND WHEREAS the aforesaid Convention lays down the following principles for empowerment of persons with disabilities,—

(a) respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;

(b) non-discrimination;

(c) full and effective participation and inclusion in society;

(d) respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;

(e) equality of opportunity;

(f) accessibility;

(g) equality between men and women;

(h) respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities;

AND WHEREAS India is a signatory to the said Convention;

AND WHEREAS India ratified the said Convention on the 1st day of October, 2007;

AND WHEREAS it is considered necessary to implement the Convention aforesaid;

Be it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Rights of Persons with Disabilities Act, 2016.

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

2. In this Act, unless the context otherwise requires,—

(a) "appellate authority" means an authority notified under sub-section (3) of section 14 or sub-section (1) of section 53 or designated under sub-section (1) of section 59, as the case may be;

(b) "appropriate Government" means,—

(i) in relation to the Central Government or any establishment wholly or substantially financed by that Government, or a Cantonment Board constituted under the Cantonments Act, 2006, the Central Government,
(ii) in relation to a State Government or any establishment, wholly or substantially financed by the Government, or any local authority, other than a Cantonment Board, the State Government.

(c) "barrier" means any factor including communicational, cultural, economic, environmental, institutional, political, social, attitudinal or structural factors which hampers the full and effective participation of persons with disabilities in society;

(d) "care-giver" means any person including parents and other family Members who with or without payment provides care, support or assistance to a person with disability;

(e) "certifying authority" means an authority designated under sub-section (1) of section 57;

(f) "communication" includes means and formats of communication, languages, display of text, Braille, tactile communication, signs, large print, accessible multimedia, written, audio, video, visual displays, sign language, plain-language, human-reader augmentative and alternative modes and accessible information and communication technology;

(g) "competent authority" means an authority appointed under section 49;

(h) "discrimination" in relation to disability, means any distinction, exclusion, restriction on the basis of disability which is the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field and includes all forms of discrimination and denial of reasonable accommodation;

(i) "establishment" includes a Government establishment and private establishment;

(j) "Fund" means the National Fund constituted under section 86;

(k) "Government establishment" means a corporation established by or under a Central Act or State Act or an authority or a body owned or controlled or aided by the Government or a local authority or a Government company as defined in section 2 of the Companies Act, 2013 and includes a Department of the Government;

(l) "high support" means an intensive support, physical, psychological and otherwise, which may be required by a person with benchmark disability for daily activities, to take independent and informed decision to access facilities and participating in all areas of life including education, employment, family and community life and treatment and therapy;

(m) "inclusive education" means a system of education wherein students with and without disability learn together and the system of teaching and learning is suitably adapted to meet the learning needs of different types of students with disabilities;

(n) "information and communication technology" includes all services and innovations relating to information and communication, including telecom services, web based services, electronic and print services, digital and virtual services;

(o) "institution" means an institution for the reception, care, protection, education, training, rehabilitation and any other activities for persons with disabilities;

(p) "local authority" means a Municipality or a Panchayat, as defined in clause (e) and clause (f) of article 343P of the Constitution; a Cantonment Board constituted under the Cantonments Act, 2006; and any other authority established under an Act of Parliament or a State Legislature to administer the civic affairs;
(g) "notification" means a notification published in the Official Gazette and the expression "notify" or "notified" shall be construed accordingly;

(h) "person with benchmark disability" means a person with not less than forty per cent. of a specified disability where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority;

(i) "person with disability" means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others;

(j) "person with disability having high support needs" means a person with benchmark disability certified under clause (a) of sub-section (2) of section 58 who needs high support;

(k) "prescribed" means prescribed by rules made under this Act;

(l) "private establishment" means a company, firm, cooperative or other society, associations, trust, agency, institution, organisation, union, factory or such other establishment as the appropriate Government may, by notification, specify;

(m) "public building" means a Government or private building, used or accessed by the public at large, including a building used for educational or vocational purposes, workplace, commercial activities, public utilities, religious, cultural, leisure or recreational activities, medical or health services, law enforcement agencies, reformatories or judicial foras, railway stations or platforms, roadways bus stands or terminus, airports or waterways;

(n) "public facilities and services" includes all forms of delivery of services to the public at large, including housing, educational and vocational trainings, employment and career advancement, shopping or marketing, religious, cultural, leisure or recreational, medical, health and rehabilitation, banking, finance and insurance, communication, postal and information, access to justice, public utilities, transportation;

(o) "reasonable accommodation" means necessary and appropriate modification and adjustments, without imposing a disproportionate or undue burden in a particular case, to ensure to persons with disabilities the enjoyment or exercise of rights equally with others;

(p) "registered organisation" means an association of persons with disabilities or a disabled person organisation, association of parents of persons with disabilities, association of persons with disabilities and family members, or a voluntary or non-governmental or charitable organisation or trust, society, or non-profit company working for the welfare of the persons with disabilities, duly registered under an Act of Parliament or a State Legislature;

(q) "rehabilitation" refers to a process aimed at enabling persons with disabilities to attain and maintain optimal, physical, sensory, intellectual, psychological, environmental or social function levels;

(r) "Special Employment Exchange" means any office or place established and maintained by the Government for the collection and furnishing of information, either by keeping of registers or otherwise, regarding—

(i) persons who seek to engage employees from amongst the persons with disabilities;

(ii) persons with benchmark disability who seek employment;
(iii) vacancies to which persons with benchmark disabilities seeking employment may be appointed;

(zc) “specified disability” means the disabilities as specified in the Schedule;

(zd) “transportation systems” includes road transport, rail transport, air transport, water transport, para transit systems for the last mile connectivity, road and street infrastructure, etc.

(ze) “universal design” means the design of products, environments, programmes and services to be usable by all people to the greatest extent possible, without the need for adaptation or specialised design and shall apply to assistive devices including advanced technologies for particular group of persons with disabilities.

CHAPTER II

RIGHTS AND ENTITLEMENTS

3. (1) The appropriate Government shall ensure that the persons with disabilities enjoy the right to equality, life with dignity and respect for his or her integrity equally with others.

(2) The appropriate Government shall take steps to utilise the capacity of persons with disabilities by providing appropriate environment.

(3) No person with disability shall be discriminated on the ground of disability, unless it is shown that the impugned act or omission is a proportionate means of achieving a legitimate aim.

(4) No person shall be deprived of his or her personal liberty only on the ground of disability.

(5) The appropriate Government shall take necessary steps to ensure reasonable accommodation for persons with disabilities.

4. (1) The appropriate Government and the local authorities shall take measures to ensure that the women and children with disabilities enjoy their rights equally with others.

(2) The appropriate Government and local authorities shall ensure that all children with disabilities shall have right on an equal basis to freely express their views on all matters affecting them and provide them appropriate support keeping in view their age and disability.”.

5. (1) The persons with disabilities shall have the right to live in the community.

(2) The appropriate Government shall endeavour that the persons with disabilities are,

(a) not obliged to live in any particular living arrangement; and

(b) given access to a range of in-house, residential and other community support services, including personal assistance necessary to support living with due regard to age and gender.

6. (1) The appropriate Government shall take measures to protect persons with disabilities from being subjected to torture, cruel, inhuman or degrading treatment.

(2) No person with disability shall be a subject of any research without,—

(i) his or her free and informed consent obtained through accessible modes, means and formats of communication; and

(ii) prior permission of a Committee for Research on Disability constituted in the prescribed manner for the purpose by the appropriate Government in which not less than half of the Members shall themselves be either persons with disabilities or Members of the registered organisation as defined under clause (z) of section 2.
The Nagaland Gazette, Part-V

7. (1) The appropriate Government shall take measures to protect persons with disabilities from all forms of abuse, violence and exploitation and to prevent the same, shall—

(a) take cognizance of incidents of abuse, violence and exploitation and provide legal remedies available against such incidents;

(b) take steps for avoiding such incidents and prescribe the procedure for its reporting;

(c) take steps to rescue, protect and rehabilitate victims of such incidents; and

(d) create awareness and make available information among the public.

(2) Any person or registered organisation who or which has reason to believe that an act of abuse, violence or exploitation has been, or is being, or is likely to be committed against any person with disability, may give information about it to the Executive Magistrate within the local limits of whose jurisdiction such incidents occur.

(3) The Executive Magistrate on receipt of such information, shall take immediate steps to stop or prevent its occurrence, as the case may be, or pass such order as he deems fit for the protection of such person with disability including an order—

(a) to rescue the victim of such act, authorising the police or any organisation working for persons with disabilities to provide for the safe custody or rehabilitation of such person, or both, as the case may be;

(b) for providing protective custody to the person with disability, if such person so desires;

(c) to provide maintenance to such person with disability.

(4) Any police officer who receives a complaint or otherwise comes to know of abuse, violence or exploitation towards any person with disability shall inform the aggrieved person of—

(a) his or her right to apply for protection under sub-section (2) and the particulars of the Executive Magistrate having jurisdiction to provide assistance;

(b) the particulars of the nearest organisation or institution working for the rehabilitation of persons with disabilities;

(c) the right to free legal aid; and

(d) the right to file a complaint under the provisions of this Act or any other law dealing with such offence:

Provided that nothing in this section shall be construed in any manner as to relieve the police officer from his duty to proceed in accordance with law upon receipt of information as to the commission of a cognizable offence.

(5) If the Executive Magistrate finds that the alleged act or behaviour constitutes an offence under the Indian Penal Code, or under any other law for the time being in force, he may forward the complaint to that effect to the Judicial or Metropolitan Magistrate, as the case may be, having jurisdiction in the matter.

8. (1) The persons with disabilities shall have equal protection and safety in situations of risk, armed conflict, humanitarian emergencies and natural disasters.

(2) The National Disaster Management Authority and the State Disaster Management Authority shall take appropriate measures to ensure inclusion of persons with disabilities in its disaster management activities as defined under clause (e) of section 2 of the Disaster Management Act, 2005 for the safety and protection of persons with disabilities.
(3) The District Disaster Management Authority constituted under section 25 of the Disaster Management Act, 2005 shall maintain record of details of persons with disabilities in the district and take suitable measures to inform such persons of any situations of risk so as to enhance disaster preparedness.

(4) The authorities engaged in reconstruction activities subsequent to any situation of risk, armed conflict or natural disasters shall undertake such activities, in consultation with the concerned State Commissioner, in accordance with the accessibility requirements of persons with disabilities.

9. (1) No child with disability shall be separated from his or her parents on the ground of disability except on an order of competent court, if required, in the best interest of the child.

(2) Where the parents are unable to take care of a child with disability, the competent court shall place such child with his or her near relations, and failing that within the community in a family setting or in exceptional cases in shelter home run by the appropriate Government or non-governmental organisation, as may be required.

10. (1) The appropriate Government shall ensure that persons with disabilities have access to appropriate information regarding reproductive and family planning.

(2) No person with disability shall be subject to any medical procedure which leads to infertility without his or her free and informed consent.

11. The Election Commission of India and the State Election Commissions shall ensure that all polling stations are accessible to persons with disabilities and all materials related to the electoral process are easily understandable by and accessible to them.

12. (1) The appropriate Government shall ensure that persons with disabilities are able to exercise the right to access any court, tribunal, authority, commission or any other body having judicial or quasi-judicial or investigative powers without discrimination on the basis of disability.

(2) The appropriate Government shall take steps to put in place suitable support measures for persons with disabilities specially those living outside family and those disabled requiring high support for exercising legal rights.

(3) The National Legal Services Authority and the State Legal Services Authorities constituted under the Legal Services Authorities Act, 1987 shall make provisions including reasonable accommodation to ensure that persons with disabilities have access to any scheme, programme, facility or service offered by them equally with others.

(4) The appropriate Government shall take steps to—

(a) ensure that all their public documents are in accessible formats;

(b) ensure that the filing departments, registry or any other office of records are supplied with necessary equipment to enable filing, storing and referring to the documents and evidence in accessible formats; and

(c) make available all necessary facilities and equipment to facilitate recording of testimonies, arguments or opinion given by persons with disabilities in their preferred language and means of communication.

13. (1) The appropriate Government shall ensure that the persons with disabilities have right, equally with others, to own or inherit property, moveable or immovable, control their financial affairs and have access to bank loans, mortgages and other forms of financial credit.

(2) The appropriate Government shall ensure that the persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life and have the right to equal recognition everywhere as any other person before the law.
(3) When a conflict of interest arises between a person providing support and a person with disability in a particular financial, property or other economic transaction, then such supporting person shall abstain from providing support to the person with disability in that transaction.

Provided that there shall not be a presumption of conflict of interest just on the basis that the supporting person is related to the person with disability by blood, affinity or adoption.

(4) A person with disability may alter, modify or dismantle any support arrangement and seek the support of another:

Provided that such alteration, modification or dismantling shall be prospective in nature and shall not nullify any third party transaction entered into by the person with disability with the aforesaid support arrangement.

(5) Any person providing support to the person with disability shall not exercise undue influence and shall respect his or her autonomy, dignity and privacy.

14. (1) Notwithstanding anything contained in any other law for the time being in force, on and from the date of commencement of this Act, where a district court or any designated authority, as notified by the State Government, finds that a person with disability, who had been provided adequate and appropriate support but is unable to take legally binding decisions, may be provided further support of a limited guardian to take legally binding decisions on his behalf in consultation with such person, in such manner, as may be prescribed by the State Government:

Provided that the District Court or the designated authority, as the case may be, may grant total support to the person with disability requiring such support or where the limited guardianship is to be granted repeatedly, in which case, the decision regarding the support to be provided shall be reviewed by the Court or the designated authority, as the case may be, to determine the nature and manner of support to be provided.

Explanation. — For the purposes of this sub-section, “limited guardianship” means a system of joint decision which operates on mutual understanding and trust between the guardian and the person with disability, which shall be limited to a specific period and for specific decision and situation and shall operate in accordance to the will of the person with disability.

(2) On and from the date of commencement of this Act, every guardian appointed under any provision of any other law for the time being in force, for a person with disability shall be deemed to function as a limited guardian.

(3) Any person with disability aggrieved by the decision of the designated authority appointing a legal guardian may prefer an appeal to such appellate authority, as may be notified by the State Government for the purpose.

15. (1) The appropriate Government shall designate one or more authorities to mobilise the community and create social awareness to support persons with disabilities in exercise of their legal capacity.

(2) The authority designated under sub-section (1) shall take measures for setting up suitable support arrangements to exercise legal capacity by persons with disabilities living in institutions and those with high support needs and any other measures as may be required.

CHAPTER III

EDUCATION

16. The appropriate Government and the local authorities shall endeavour that all educational institutions funded or recognised by them provide inclusive education to the children with disabilities and towards that end shall—
(i) admit them without discrimination and provide education and opportunities for sports and recreation activities equally with others;

(ii) make building, campus and various facilities accessible;

(iii) provide reasonable accommodation according to the individual’s requirements;

(iv) provide necessary support individualised or otherwise in environments that maximise academic and social development consistent with the goal of full inclusion;

(v) ensure that the education to persons who are blind or deaf or both is imparted in the most appropriate languages and modes and means of communication;

(vi) detect specific learning disabilities in children at the earliest and take suitable pedagogical and other measures to overcome them;

(vii) monitor participation, progress in terms of attainment levels and completion of education in respect of every student with disability;

(viii) provide transportation facilities to the children with disabilities and also the attendant of the children with disabilities having high support needs.

17. The appropriate Government and the local authorities shall take the following measures for the purpose of section 15, namely:

(a) to conduct survey of school going children in every five years for identifying children with disabilities, ascertaining their special needs and the extent to which these are being met:

Provided that the first survey shall be conducted within a period of two years from the date of commencement of this Act;

(b) to establish adequate number of teacher training institutions;

(c) to train and employ teachers, including teachers with disability who are qualified in sign language and Braille and also teachers who are trained in teaching children with intellectual disability;

(d) to train professionals and staff to support inclusive education at all levels of school education;

(e) to establish adequate number of resource centres to support educational institutions at all levels of school education;

(f) to promote the use of appropriate augmentative and alternative modes including means and formats of communication, Braille and sign language to supplement the use of one’s own speech to fulfill the daily communication needs of persons with speech, communication or language disabilities and enables them to participate and contribute to their community and society;

(g) to provide books, other learning materials and appropriate assistive devices to students with benchmark disabilities free of cost up to the age of eighteen years;

(h) to provide scholarships in appropriate cases to students with benchmark disability;

(i) to make suitable modifications in the curriculum and examination system to meet the needs of students with disabilities such as extra time for completion of examination paper, facility of scribe or amanuensis, exemption from second and third language courses;

(j) to promote research to improve learning; and
(k) any other measures, as may be required.

18. The appropriate Government and the local authorities shall take measures to promote, protect and ensure participation of persons with disabilities in adult education and continuing education programmes equally with others.

CHAPTER IV

SKILL DEVELOPMENT AND EMPLOYMENT

19. (1) The appropriate Government shall formulate schemes and programmes including provision of loans at concessional rates to facilitate and support employment of persons with disabilities especially for their vocational training and self-employment.

(2) The schemes and programmes referred to in sub-section (1) shall provide for—

(a) inclusion of person with disability in all mainstream formal and non-formal vocational and skill training schemes and programmes;

(b) to ensure that a person with disability has adequate support and facilities to avail specific training;

(c) exclusive skill training programmes for persons with disabilities with active links with the market, for those with development, intellectual, multiple disabilities and autism;

(d) loans at concessional rates including that of microcredit;

(e) marketing the products made by persons with disabilities; and

(f) maintenance of disaggregated data on the progress made in the skill training and self-employment, including persons with disabilities.

20. (1) No Government establishment shall discriminate against any person with disability in any matter relating to employment:

Provided that the appropriate Government may, having regard to the type of work carried on in any establishment, by notification and subject to such conditions, if any, exempt any establishment from the provisions of this section.

(2) Every Government establishment shall provide reasonable accommodation and appropriate barrier free and conducive environment to employees with disability.

(3) No promotion shall be denied to a person merely on the ground of disability.

(4) No Government establishment shall dispense with or reduce in rank, an employee who acquires a disability during his or her service:

Provided that, if an employee after acquiring disability is not suitable for the post he was holding, shall be shifted to some other post with the same pay scale and service benefits:

Provided further that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.

(5) The appropriate Government may frame policies for posting and transfer of employees with disabilities.

21. (1) Every establishment shall notify equal opportunity policy detailing measures proposed to be taken by it in pursuance of the provisions of this Chapter in the manner as may be prescribed by the Central Government.

(2) Every establishment shall register a copy of the said policy with the Chief Commissioner or the State Commissioner, as the case may be.
22. (1) Every establishment shall maintain records of the persons with disabilities in relation to the matter of employment, facilities provided and other necessary information in compliance with the provisions of this Chapter in such form and manner as may be prescribed by the Central Government.

(2) Every employment exchange shall maintain records of persons with disabilities seeking employment.

(3) The records maintained under sub-section (1) shall be open to inspection at all reasonable hours by such persons as may be authorised in their behalf by the appropriate Government.

23. (1) Every Government establishment shall appoint a Grievance Redressal Officer for the purpose of section 19 and shall inform the Chief Commissioner or the State Commissioner, as the case may be, about the appointment of such officer.

(2) Any person aggrieved with the non-compliance of the provisions of section 20, may file a complaint with the Grievance Redressal Officer, who shall investigate it and shall take up the matter with the establishment for corrective action.

(3) The Grievance Redressal Officer shall maintain a register of complaints in the manner as may be prescribed by the Central Government, and every complaint shall be inquired within two weeks of its registration.

(4) If the aggrieved person is not satisfied with the action taken on his or her complaint, he or she may approach the District-Level Committee on disability.

CHAPTER V

SOCIAL SECURITY, HEALTH, REHABILITATION AND RECREATION

24. (1) The appropriate Government shall within the limit of its economic capacity and development formulate necessary schemes and programmes to safeguard and promote the right of persons with disabilities for adequate standard of living to enable them to live independently or in the community:

Provided that the quantum of assistance to the persons with disabilities under such schemes and programmes shall be at least twenty-five per cent. higher than the similar schemes applicable to others.

(2) The appropriate Government while devious these schemes and programmes shall give due consideration to the diversity of disability, gender, age, and socio-economic status.

(3) The schemes under sub-section (1) shall provide for,—

(a) community centres with good living conditions in terms of safety, sanitation, health care and counselling;

(b) facilities for persons including children with disabilities who have no family or have been abandoned, or are without shelter or livelihood;

(c) support during natural or man-made disasters and in areas of conflict;
(d) support to women with disability for livelihood and for upbringing of their children;

(e) access to safe drinking water and appropriate and accessible sanitation facilities especially in urban slums and rural areas;

(f) provisions of aids and appliances, medicine and diagnostic services and corrective surgery free of cost to persons with disabilities with such income ceiling as may be notified;

(g) disability pension to persons with disabilities subject to such income ceiling as may be notified;

(h) unemployment allowance to persons with disabilities registered with Special Employment Exchange for more than two years and who could not be placed in any gainful occupation;

(i) care-giver allowance to persons with disabilities with high support needs;

(j) comprehensive insurance scheme for persons with disability, not covered under the Employees State Insurance Schemes, or any other statutory or Government-sponsored insurance schemes;

(k) any other matter which the appropriate Government may think fit.

25. (1) The appropriate Government and the local authorities shall take necessary measures for the persons with disabilities to provide,—

(a) free healthcare in the vicinity specially in rural area subject to such family income as may be notified;

(b) barrier-free access in all parts of Government and private hospitals and other healthcare institutions and centres;

(c) priority in attendance and treatment.

(2) The appropriate Government and the local authorities shall take measures and make schemes or programmes to promote healthcare and prevent the occurrence of disabilities and for the said purpose shall—

(a) undertake or cause to be undertaken surveys, investigations and research concerning the cause of occurrence of disabilities;

(b) promote various methods for preventing disabilities;

(c) screen all the children at least once a year for the purpose of identifying “at-risk” cases;

(d) provide facilities for training to the staff at the primary health centres;

(e) sponsor or cause to be sponsored awareness campaigns and disseminate or cause to be disseminated information for general hygiene, health and sanitation;

(f) take measures for pre-natal, perinatal and post-natal care of mother and child;

(g) educate the public through the pre-schools, schools, primary health centres, village level workers and anganwadi workers;

(h) create awareness amongst the masses through television, radio and other mass media on the causes of disabilities and the preventive measures to be adopted;

(i) healthcare during the time of natural disasters and other situations of risk;

(j) essential medical facilities for life saving emergency treatment and procedures; and

(k) sexual and reproductive healthcare especially for women with disability.

26. The appropriate Government shall, by notification, make insurance schemes for their employees with disabilities.

27. (1) The appropriate Government and the local authorities shall within their economic capacity and development, undertake or cause to be undertaken services and programmes of
(2) For the purposes of sub-section (1), the appropriate Government and the local authorities may grant financial assistance to non-Governmental Organisations.

(3) The appropriate Government and the local authorities, while formulating rehabilitation policies shall consult the non-Governmental Organisations working for the cause of persons with disabilities.

28. The appropriate Government shall initiate or cause to be initiated research and development through individuals and institutions on issues which shall enhance habilitation and rehabilitation and on such other issues which are necessary for the empowerment of persons with disabilities.

29. The appropriate Government and the local authorities shall take measures to promote and protect the rights of all persons with disabilities to have a cultural life and to participate in recreational activities equally with others which include,—

(a) facilities, support and sponsorships to artists and writers with disability to pursue their interests and talents;

(b) establishment of a disability history museum which chronicles and interprets the historical experiences of persons with disabilities;

(c) making art accessible to persons with disabilities;

(d) promoting recreation centres, and other associational activities;

(e) facilitating participation in scouting, dancing, art classes, outdoor camps and adventure activities;

(f) redesigning courses in cultural and arts subjects to enable participation and access for persons with disabilities;

(g) developing technology, assistive devices and equipments to facilitate access and inclusion for persons with disabilities in recreational activities; and

(h) ensuring that persons with hearing impairment can have access to television programmes with sign language interpretation or sub-titles.

30. (1) The appropriate Government shall take measures to ensure effective participation in sporting activities of the persons with disabilities.

(2) The sports authorities shall accord due recognition to the right of persons with disabilities to participate in sports and shall make due provisions for the inclusion of persons with disabilities in their schemes and programmes for the promotion and development of sporting talents.

(3) Without prejudice to the provisions contained in sub-sections (1) and (2), the appropriate Government and the sports authorities shall take measures to,—

(a) restructure courses and programmes to ensure access, inclusion and participation of persons with disabilities in all sporting activities;

(b) redesign and support infrastructure facilities of all sporting activities for persons with disabilities;

(c) develop technology to enhance potential, talent, capacity and ability in sporting activities of all persons with disabilities;

(d) provide multi-sensory essentials and features in all sporting activities to ensure effective participation of all persons with disabilities;

(e) allocate funds for development of state of art sport facilities for training of persons with disabilities;

(f) promote and organise disability specific sporting events for persons with disabilities and also facilitate awards to the winners and other participants of such sporting events.
CHAPTER VI
SPECIAL PROVISIONS FOR PERSONS WITH BENCHMARK DISABILITIES
31. (1) Notwithstanding anything contained in the Rights of Children to Free and Compulsory Education Act, 2009, every child with benchmark disability between the age of six to eighteen years shall have the right to free education in a neighbourhood school, or in a special school, of his choice.

(2) The appropriate Government and local authorities shall ensure that every child with benchmark disability has access to free education in an appropriate environment till he attains the age of eighteen years.

32. (1) All Government institutions of higher education and other higher education institutions receiving aid from the Government shall reserve not less than five per cent. seats for persons with benchmark disabilities.

(2) The persons with benchmark disabilities shall be given an upper age relaxation of five years for admission in institutions of higher education.

33. The appropriate Government shall—

(i) identify posts in the establishments which can be held by respective category of persons with benchmark disabilities in respect of the vacancies reserved in accordance with the provisions of section 34;

(ii) constitute an expert committee with representation of persons with benchmark disabilities for identification of such posts; and

(iii) undertake periodic review of the identified posts at an interval not exceeding three years.

34. (1) Every appropriate Government shall appoint in every Government establishment, not less than four per cent. of the total number of vacancies in the cadre strength in each group of posts meant to be filled with persons with benchmark disabilities of which, one per cent. each shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and one per cent. for persons with benchmark disabilities under clauses (d) and (e), namely;—

(a) blindness and low vision;

(b) deaf and hard of hearing;

(c) locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;

(d) autism, intellectual disability, specific learning disability and mental illness;

(e) multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities:

Provided that the reservation in promotion shall be in accordance with such instructions as are issued by the appropriate Government from time to time:

Provided further that the appropriate Government, in consultation with the Chief Commissioner or the State Commissioner, as the case may be, may, having regard to the type of work carried out in any Government establishment, by notification and subject to such conditions, if any, as may be specified in such notifications exempt any Government establishment from the provisions of this section.

(2) Where in any recruitment year any vacancy cannot be filled up due to non-availability of a suitable person with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the five categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability.
Provided that if the nature of vacancies in an establishment is such that a given category of person cannot be employed, the vacancies may be interchanged among the five categories with the prior approval of the appropriate Government.

(3) The appropriate Government may, by notification, provide for such relaxation of upper age limit for employment of persons with benchmark disability, as it thinks fit.

35. The appropriate Government and the local authorities shall, within the limit of their economic capacity and development, provide incentives to employer in private sector to ensure that at least five per cent. of their work force is composed of persons with benchmark disability.

36. The appropriate Government may, by notification, require that from such date, the employer in every establishment shall furnish such information or return as may be prescribed by the Central Government in relation to vacancies appointed for persons with benchmark disability that have occurred or are about to occur in that establishment to such special employment exchange as may be notified by the Central Government and the establishment shall thereupon comply with such requisition.

37. The appropriate Government and the local authorities shall, by notification, make schemes in favour of persons with benchmark disabilities, to provide,—

(a) five per cent. reservation in allotment of agricultural land and housing in all relevant schemes and development programmes, with appropriate priority to women with benchmark disabilities;

(b) five per cent. reservation in all poverty alleviation and various developmental schemes with priority to women with benchmark disabilities;

(c) five per cent. reservation in allotment of land on concessional rate, where such land is to be used for the purpose of promoting housing, shelter, setting up of occupation, business, enterprise, recreation centres and production centres.

CHAPTER VII

SPECIAL PROVISIONS FOR PERSONS WITH DISABILITIES WITH HIGH SUPPORT NEEDS

38. (1) Any person with benchmark disability, who considers himself to be in need of high support, or any person or organisation on his or her behalf, may apply to an authority, to be notified by the appropriate Government, requesting to provide high support.

(2) On receipt of an application under sub-section (1), the authority shall refer it to an Assessment Board consisting of such Members as may be prescribed by the Central Government.

(3) The Assessment Board shall assess the case referred to it under sub-section (1) in such manner as may be prescribed by the Central Government, and shall send a report to the authority certifying the need of high support and its nature.

(4) On receipt of a report under sub-section (3), the authority shall take steps to provide support in accordance with the report and subject to relevant schemes and orders of the appropriate Government in this behalf.

CHAPTER VIII

DUTIES AND RESPONSIBILITIES OF APPROPRIATE GOVERNMENTS

39. (1) The appropriate Government, in consultation with the Chief Commissioner or the State Commissioner, as the case may be, shall conduct, encourage, support or promote awareness campaigns and sensitisation programmes to ensure that the rights of the persons with disabilities provided under this Act are protected.

(2) The programmes and campaigns specified under sub-section (1) shall also,—

(a) promote values of inclusion, tolerance, empathy and respect for diversity;

(b) advance recognition of the skills, merits and abilities of persons with disabilities and of their contributions to the workforce, labour market and professional fee;
(c) foster respect for the decisions made by persons with disabilities on all matters related to life, relationships, bearing and raising children;

(d) provide orientation and sensitisation at the school, college, University and professional training level on the human condition of disability and the rights of persons with disabilities;

(e) provide orientation and sensitisation on disabling conditions and rights of persons with disabilities to employers, administrators and co-workers;

(f) ensure that the rights of persons with disabilities are included in the curriculum in Universities, colleges and schools.

40. The Central Government shall, in consultation with the Chief Commissioner, formulate rules for persons with disabilities laying down the standards of accessibility for the physical environment, transportation, information and communications, including appropriate technologies and systems, and other facilities and services provided to the public in urban and rural areas.

41. (1) The appropriate Government shall take suitable measures to provide,—

(a) facilities for persons with disabilities at bus stops, railway stations and airports conforming to the accessibility standards relating to parking spaces, toilets, ticketing counters and ticketing machines;

(b) access to all modes of transport that conform the design standards, including retrofitting old modes of transport, wherever technically feasible and safe for persons with disabilities, economically viable and without entailing major structural changes in design;

(c) accessible roads to address mobility necessary for persons with disabilities.

(2) The appropriate Government shall develop schemes programmes to promote the personal mobility of persons with disabilities at affordable cost to provide for,—

(a) incentives and concessions;

(b) retrofitting of vehicles; and

(c) personal mobility assistance.

42. The appropriate Government shall take measures to ensure that,—

(i) all contents available in audio, print and electronic media are in accessible format;

(ii) persons with disabilities have access to electronic media by providing audio description, sign language interpretation and close captioning;

(iii) electronic goods and equipment which are meant for every day use are available in universal design.

43. The appropriate Government shall take measures to promote development, production and distribution of universally designed consumer products and accessories for general use for persons with disabilities.

44. (1) No establishment shall be granted permission to build any structure if the building plan does not adhere to the rules formulated by the Central Government under section 40.

(2) No establishment shall be issued a certificate of completion or allowed to take occupation of a building unless it has adhered to the rules formulated by the Central Government.

45. (1) All existing public buildings shall be made accessible in accordance with the rules formulated by the Central Government within a period not exceeding five years from the date of notification of such rules:

Provided that the Central Government may grant extension of time to the States on a case to case basis for adherence to this provision depending on their state of preparedness and other related parameters.
The appropriate Government and the local authorities shall formulate and publish an action plan based on prioritisation, for providing accessibility in all their buildings and spaces providing essential services such as all primary health centres, civil hospitals, schools, railway stations and bus stops.

46. The service providers whether Government or private shall provide services in accordance with the rules on accessibility formulated by the Central Government under section 40 within a period of two years from the date of notification of such rules:

Provided that the Central Government in consultation with the Chief Commissioner may grant extension of time for providing certain category of services in accordance with the said rules.

47. (1) Without prejudice to any function and power of Rehabilitation Council of India constituted under the Rehabilitation Council of India Act, 1992, the appropriate Government shall endeavour to develop human resource for the purposes of this Act and to that end shall—

(a) mandate training on disability rights in all courses for the training of Panchayati Raj Members, legislators, administrators, police officials, judges and lawyers;

(b) induct disability as a component for all education courses for schools, colleges and University teachers, doctors, nurses, para-medical personnel, social welfare officers, rural development officers, ashram workers, anganwadi workers, engineers, architects, other professionals and community workers;

(c) initiate capacity building programmes including training in independent living and community relationships for families, members of community and other stakeholders and care providers on care giving and support;

(d) ensure independence training for persons with disabilities to build community relationships on mutual contribution and respect;

(e) conduct training programmes for sports teachers with focus on sports, games, adventure activities;

(f) any other capacity development measures as may be required.

(2) All Universities shall promote teaching and research in disability studies including establishment of study centres for such studies.

(3) In order to fulfil the obligation stated in sub-section (1), the appropriate Government shall in every five years undertake a need based analysis and formulate plans for the recruitment, induction, sensitisation, orientation and training of suitable personnel to undertake the various responsibilities under this Act.

48. The appropriate Government shall undertake social audit of all general schemes and programmes involving the persons with disabilities to ensure that the scheme and programmes do not have an adverse impact upon the persons with disabilities and need the requirements and concerns of persons with disabilities.

CHAPTER IX

REGISTRATION OF INSTITUTIONS FOR PERSONS WITH DISABILITIES AND GRANTS TO SUCH INSTITUTIONS

49. The State Government shall appoint an authority as it deems fit to be a competent authority for the purposes of this Chapter.

50. Save as otherwise provided under this Act, no person shall establish or maintain any institution for persons with disabilities except in accordance with a certificate of registration issued in this behalf by the competent authority:

Provided that an institution for care of mentally ill persons, which holds a valid licence under section 8 of the Mental Health Act, 1987 or any other Act for the time being in force, shall not be required to be registered under this Act.
51. (1) Every application for a certificate of registration shall be made to the competent authority in such form and in such manner as may be prescribed by the State Government.

(2) On receipt of an application under sub-section (1), the competent authority shall make such enquiries as it may deem fit and on being satisfied that the applicant has complied with the requirements of this Act and the rules made thereunder, it shall grant a certificate of registration to the applicant within a period of ninety days of receipt of application and if not satisfied, the competent authority shall, by order, refuse to grant the certificate applied for:

Provided that before making any order refusing to grant a certificate, the competent authority shall give the applicant a reasonable opportunity of being heard and every order of refusal to grant a certificate shall be communicated to the applicant in writing.

(3) No certificate of registration shall be granted under sub-section (2) unless the institution with respect to which an application has been made is in a position to provide such facilities and meet such standards as may be prescribed by the State Government.

(4) The certificate of registration granted under sub-section (2),—

(a) shall, unless revoked under section 52 remain in force for such period as may be prescribed by the State Government;

(b) may be renewed from time to time for a like period; and

(c) shall be in such form and shall be subject to such conditions as may be prescribed by the State Government.

(5) An application for renewal of a certificate of registration shall be made not less than sixty days before the expiry of the period of validity.

(6) A copy of the certificate of registration shall be displayed by the institution in a conspicuous place.

(7) Every application made under sub-section (1) or sub-section (5) shall be disposed of by the competent authority within such period as may be prescribed by the State Government.

52. (1) The competent authority may, if it has reason to believe that the holder of a certificate of registration granted under sub-section (2) of section 51 has,—

(a) made a statement in relation to any application for the issue or renewal of the certificate which is incorrect or false in material particulars; or

(b) committed or has caused to be committed any breach of rules or any conditions subject to which the certificate was granted,

it may, after making such inquiry, as it deems fit, by order, revoke the certificate:

Provided that no such order shall be made until an opportunity is given to the holder of the certificate to show cause as to why the certificate of registration shall not be revoked.

(2) Where a certificate of registration in respect of an institution has been revoked under sub-section (1), such institution shall cease to function from the date of such revocation:

Provided that where an appeal lies under section 53 against the order of revocation, such institution shall cease to function,—

(a) where no appeal has been preferred immediately on the expiry of the period prescribed for the filing of such appeal; or

(b) where such appeal has been preferred, but the order of revocation has been upheld, from the date of the order of appeal.

(3) On the revocation of a certificate of registration in respect of an institution, the competent authority may direct that any person with disability who is an inmate of such institution on the date of such revocation, shall be—

(a) restored to the custody of his or her parent, spouse or lawful guardian, as the case may be; or
(h) transferred to any other institution specified by the competent authority.

(4) Every institution which holds a certificate of registration which is revoked under this section shall, immediately after such revocation, surrender such certificate to the competent authority.

53. (1) Any person aggrieved by the order of the competent authority refusing to grant a certificate of registration or revoking a certificate of registration may, within such period as may be prescribed by the State Government, prefer an appeal to such appellate authority, as may be notified by the State Government against such refusal or revocation.

(2) The order of the appellate authority on such appeal shall be final.

54. Nothing contained in this Chapter shall apply to an institution for persons with disabilities established or maintained by the Central Government or a State Government.

55. The appropriate Government may within the limits of their economic capacity and development, grant financial assistance to registered institutions to provide services and to implement the schemes and programmes in pursuance of the provisions of this Act.

CHAPTER X

CERTIFICATION OF SPECIFIED DISABILITIES

56. The Central Government shall notify guidelines for the purpose of assessing the extent of specified disability in a person.

57. (1) The appropriate Government shall designate persons, having requisite qualifications and experience, as certifying authorities, who shall be competent to issue the certificate of disability.

(2) The appropriate Government shall also notify the jurisdiction within which and the terms and conditions subject to which, the certifying authority shall perform its certification functions.

58. (1) Any person with specified disability, may apply, in such manner as may be prescribed by the Central Government, to a certifying authority having jurisdiction, for issuing of a certificate of disability.

(2) On receipt of an application under sub-section (1), the certifying authority shall assess the disability of the concerned person in accordance with relevant guidelines notified under section 56, and shall, after such assessment, as the case may be,—

(a) issue a certificate of disability to such person, in such form as may be prescribed by the Central Government;

(b) inform him in writing that he has no specified disability.

(3) The certificate of disability issued under this section shall be valid across the country.

59. (1) Any person aggrieved with decision of the certifying authority, may appeal against such decision, within such time and in such manner as may be prescribed by the State Government, to such appellate authority as the State Government may designate for the purpose.

(2) On receipt of an appeal, the appellate authority shall decide the appeal in such manner as may be prescribed by the State Government.
60. (1) The Central Government shall, by notification, constitute a body to be known as the Central Advisory Board on Disability to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.

(2) The Central Advisory Board shall consist of:—

(a) the Minister in charge of Department of Disability Affairs in the Central Government, Chairperson, ex officio;

(b) the Minister of State in charge dealing with Department of Disability Affairs in the Ministry in the Central Government, Vice Chairperson, ex officio;

(c) three Members of Parliament, of whom two shall be elected by Lok Sabha and one by the Rajya Sabha, Members, ex officio;

(d) the Ministers in charge of Disability Affairs of all States and Administrators or Lieutenant Governors of the Union territories, Members, ex officio;


(f) Secretary, National Institute of Transforming India (NITI) Aayog, Member, ex officio;

(g) Chairperson, Rehabilitation Council of India, Member, ex officio;

(h) Chairperson, National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities, Member, ex officio;

(i) Chairman-cum-Managing Director, National Handicapped Finance Development Corporation, Member, ex officio;

(j) Chairman-cum-Managing Director, Artificial Limbs Manufacturing Corporation, Member, ex officio;

(k) Chairman, Railway Board, Member, ex officio;

(l) Director-General, Employment and Training, Ministry of Labour and Employment, Member, ex officio;

(m) Director, National Council for Educational Research and Training, Member, ex officio;

(n) Chairperson, National Council of Teacher Education, Member, ex officio;

(o) Chairperson, University Grants Commission, Member, ex officio;

(p) Chairperson, Medical Council of India, Member, ex officio;

(q) Directors of the following Institutes:—

(i) National Institute for the Visually Handicapped, Dehradun;

(ii) National Institute for the Mentally Handicapped, Secundabad;

(iii) Pandit Deen Dayal Upadhyay Institute for the Physically Handicapped, New Delhi;

(iv) Ali Yavar Jung National Institute for the Hearing Handicapped, Mumbai;
(v) National Institute for the Orthopaedically Handicapped, Kolkata;

(vi) National Institute of Rehabilitation Training and Research, Cuttack;

(vii) National Institute for Empowerment of Persons with Multiple Disabilities, Chennai;

(viii) National Institute for Mental Health and Sciences, Bangalore;

(ix) Indian Sign Language Research and Training Centre, New Delhi.

Members, ex officio:

(r) Members to be nominated by the Central Government.—

(i) five Members who are experts in the field of disability and rehabilitation;

(ii) ten Members, as far as practicable, being persons with disabilities, to represent non-Governmental Organisations concerned with disabilities or disabled persons organisations;

Provided that out of the ten Members nominated, at least, five Members shall be women and at least one person each shall be from the Scheduled Castes and the Scheduled Tribes;

(iii) up to three representatives of national level chambers of commerce and industry;

(iv) Joint Secretary to the Government of India dealing with the subject of disability policy. Member-Secretary, ex officio.

61. (i) Save as otherwise provided under this Act, a Member of the Central Advisory Board nominated under clause (r) of sub-section (2) of section 60 shall hold office for a term of three years from the date of his nomination.

Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The Central Government may, if it thinks fit, remove any Member nominated under clause (r) of sub-section (2) of section 60, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same.

(3) A Member nominated under clause (r) of sub-section (2) of section 60 may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereafter become vacant.

(4) A casual vacancy in the Central Advisory Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated.

(5) A Member nominated under sub-clause (i) or sub-clause (iii) of clause (r) of sub-section (2) of section 60 shall be eligible for renomination.

(6) The Members nominated under sub-clause (i) and sub-clause (ii) of clause (r) of sub-section (2) of section 60 shall receive such allowances as may be prescribed by the Central Government.

62. (1) No person shall be a Member of the Central Advisory Board who —

(a) is, or at any time has been, adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or

(b) is of unsound mind and stands so declared by a competent court, or

(c) is, or has been, convicted of an offence which, in the opinion of the Central Government, involves moral turpitude, or

(d) is, or at any time has been, convicted of an offence under this Act, or

(e) has so abused his position in the opinion of the Central Government as a Member so as to render his continuance in the office is prejudicial interests of the general public.

(2) No order of removal shall be made by the Central Government under this section unless the Member concerned has been given a reasonable opportunity of showing cause against the same.
(3) Notwithstanding anything contained in sub-section (1) or sub-section (5) of section 61, a Member who has been removed under this section shall not be eligible for renomination as a Member.

63. If a Member of the Central Advisory Board becomes subject to any of the disqualifications specified in section 62, his seat shall become vacant.

64. The Central Advisory Board shall meet at least once in every six months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed.

65. (1) Subject to the provisions of this Act, the Central Advisory Board on disability shall be the national-level consultative and advisory body on disability matters, and shall facilitate the continuous evolution of a comprehensive policy for the empowerment of persons with disabilities and the full enjoyment of rights.

(2) In particular and without prejudice to the generality of the foregoing provisions, the Central Advisory Board on disability shall perform the following functions, namely:

(a) advise the Central Government and the State Governments on policies, programmes, legislation and projects with respect to disability;

(b) develop a national policy to address issues concerning persons with disabilities;

(c) review and coordinate the activities of all Departments of the Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to persons with disabilities;

(d) take up the cause of persons with disabilities with the concerned authorities and the international organisations with a view to provide for schemes and projects for the persons with disabilities in the national plans;

(e) recommend steps to ensure accessibility, reasonable accommodation, non-discrimination for persons with disabilities vis-à-vis information, services and the built environment and their participation in social life;

(f) monitor and evaluate the impact of laws, policies and programmes to achieve full participation of persons with disabilities; and

(g) such other functions as may be assigned from time to time by the Central Government.

66. (1) Every State Government shall, by notification, constitute a body to be known as the State Advisory Board on disability to exercise the powers conferred on, and to perform the function assigned to it, under this Act.

(2) The State Advisory Board shall consist of—

(a) the Minister in charge of the Department in the State Government dealing with disability matters, Chairperson, ex officio;

(b) the Minister of State or the Deputy Minister in charge of the Department in the State Government dealing with disability matters, if any, Vice-Chairperson, ex officio;


(d) three Members of the State Legislature of whom two shall be elected by the Legislative Assembly and one by the Legislative Council, if any, and where there is no Legislative Council, three Members shall be elected by the Legislative Assembly, Members, ex officio;
(e) Members to be nominated by the State Government:-

(i) five Members who are experts in the field of disability and rehabilitation;

(ii) five Members to be nominated by the State Government by rotation to represent the districts in such manner as may be prescribed:

Provided that no nomination under this sub-clause shall be made except on the recommendation of the district administration concerned;

(iii) ten persons as far as practicable, being persons with disabilities, to represent non-Governmental Organisations or associations which are concerned with disabilities:

Provided that out of the ten persons nominated under this clause, at least, five shall be women and at least one person each shall be from the Scheduled Castes and the Scheduled Tribes;

(iv) not more than three representatives of the State Chamber of Commerce and Industry;

(f) officer not below the rank of Joint Secretary in the Department dealing with disability matters in the State Government, Member-Secretary, ex officio.

67. (1) Save as otherwise provided under this Act, a Member of the State Advisory Board nominated under clause (e) of sub-section (2) of section 66, shall hold office for a term of three years from the date of his nomination:

Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The State Government may, if it thinks fit, remove any Member nominated under clause (e) of sub-section (2) of section 66, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same.

(3) A Member nominated under clause (e) of sub-section (2) of section 66 may at any time resign his office by writing under his hand addressed to the State Government and the seat of the said Member shall thereupon become vacant.

(4) A casual vacancy in the State Advisory Board shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated.

(5) A Member nominated under sub-clause (i) or sub-clause (iii) of clause (e) of sub-section (2) of section 66 shall be eligible for renomination.

(6) the Members nominated under sub-clause (i) and sub-clause (ii) of clause (e) of sub-section (2) of section 66 shall receive such allowances as may be prescribed by the State Government.

68. (1) No person shall be a Member of the State Advisory Board, who-

(a) is, or at any time has been, adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or

(b) is of unsound mind and stands so declared by a competent court, or

(c) is, or has been, convicted of an offence which, in the opinion of the State Government, involves moral turpitude, or

(d) is, or at any time has been, convicted of an offence under this Act, or

(e) has so abused in the opinion of the State Government his position as a Member as to render his continuance in the State Advisory Board detrimental to the interests of the general public.

(2) No order of removal shall be made by the State Government under this section unless the Member concerned has been given a reasonable opportunity of showing cause against the same.
(3) Notwithstanding anything contained in sub-section (1) or sub-section (3) of section 67, a Member who has been removed under this section shall not be eligible for renomination as a Member.

69. If a Member of the State Advisory Board becomes subject to any of the disqualifications specified in section 68 his seat shall become vacant.

70. The State Advisory Board shall meet at least once in every six months and shall observe such rules or procedure in regard to the transaction of business at its meetings as may be prescribed by the State Government.

71. (1) Subject to the provisions of this Act, the State Advisory Board shall be the State-level consultative and advisory body on disability matters, and shall facilitate the continuous evolution of a comprehensive policy for the empowerment of persons with disabilities and the full enjoyment of rights.

(2) In particular and without prejudice to the generality of the foregoing provisions, the State Advisory Board on disability shall perform the following functions, namely:—

(a) advise the State Government on policies, programmes, legislation and projects with respect to disability;

(b) develop a State policy to address issues concerning persons with disabilities;

(c) review and coordinate the activities of all Departments of the State Government and other Governmental and non-Governmental Organisations in the State which are dealing with matters relating to persons with disabilities;

(d) take up the cause of persons with disabilities with the concerned authorities and the international organisations with a view to provide for schemes and projects for the persons with disabilities in the State plans;

(e) recommend steps to ensure accessibility, reasonable accommodation, non-discrimination for persons with disabilities, services and the built environment and their participation in social life on an equal basis with others;

(f) monitor and evaluate the impact of laws, policies and programmes designed to achieve full participation of persons with disabilities; and

(g) such other functions as may be assigned from time to time by the State Government.

72. The State Government shall constitute District-level Committee on disability to perform such functions as may be prescribed by it.

73. No act or proceeding of the Central Advisory Board on disability, a State Advisory Board on disability, or a District-level Committee on disability shall be called in question on the ground merely of the existence of any vacancy in or any defect in the constitution of such Board or Committee, as the case may be.

CHAPTER XII

CHIEF COMMISSIONER AND STATE COMMISSIONER FOR PERSONS WITH DISABILITIES

74. (1) The Central Government may, by notification, appoint a Chief Commissioner for Persons with Disabilities (hereinafter referred to as the “Chief Commissioner”) for the purposes of this Act.

(2) The Central Government may, by notification appoint two Commissioners to assist the Chief Commissioner, of which one Commissioner shall be a persons with disability.
(3) A person shall not be qualified for appointment as the Chief Commissioner or Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation.

(4) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits) of the Chief Commissioner and Commissioners shall be such as may be prescribed by the Central Government.

(5) The Central Government shall determine the nature and categories of officers and other employees required to assist the Chief Commissioner in the discharge of his functions and provide the Chief Commissioner with such officers and other employees as it thinks fit.

(6) The officers and employees provided to the Chief Commissioner shall discharge their functions under the general superintendence and control of the Chief Commissioner.

(7) The salaries and allowances and other conditions of service of officers and employees shall be such as may be prescribed by the Central Government.

(8) The Chief Commissioner shall be assisted by an advisory committee comprising of not more than eleven members drawn from the experts from different disabilities in such manner as may be prescribed by the Central Government.

75. (1) The Chief Commissioner shall—

(a) identify, suo moto or otherwise, the provisions of any law or policy, programme and procedures, which are inconsistent with this Act and recommend necessary corrective steps;

(b) inquire, suo moto or otherwise, deprivation of rights of persons with disabilities and safeguards available to them in respect of matters for which the Central Government is the appropriate Government and take up the matter with appropriate authorities for corrective action;

(c) review the safeguards provided by or under this Act or any other law for the time being in force for the protection of rights of persons with disabilities and recommend measures for their effective implementation;

(d) review the factors that inhibit the enjoyment of rights of persons with disabilities and recommend appropriate remedial measures;

(e) study treaties and other international instruments on the rights of persons with disabilities and make recommendations for their effective implementation;

(f) undertake and promote research in the field of the rights of persons with disabilities;

(g) promote awareness of the rights of persons with disabilities and the safeguards available for their protection;

(h) monitor implementation of the provisions of this Act and schemes, programmes meant for persons with disabilities;

(i) monitor utilisation of funds disbursed by the Central Government for the benefit of persons with disabilities; and

(j) perform such other functions as the Central Government may assign.

(2) The Chief Commissioner shall consult the Commissioners on any matter while discharging its functions under this Act.

76. Whenever the Chief Commissioner makes a recommendation to an authority in pursuance of clause (b) of section 75, that authority shall take necessary action on it, and inform the Chief Commissioner of the action taken within three months from the date of receipt of the recommendation:

Provided that where an authority does not accept a recommendation, it shall convey reasons for non-acceptance to the Chief Commissioner within a period of three months, and shall also inform the aggrieved person.
The Nagaland Gazette, Part-V 13, October, 2017

77. (1) The Chief Commissioner shall, for the purpose of discharging his functions under this Act, have the same powers of a civil court as are vested in a civil court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:--

(a) summoning and enforcing the attendance of witnesses;
(b) requiring the discovery and production of any documents;
(c) requisitioning any public record or copy thereof from any court or office;
(d) receiving evidence on affidavits; and
(e) issuing commissions for the examination of witnesses or documents.

(2) Every proceeding before the Chief Commissioner shall be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the Chief Commissioner shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

78. (1) The Chief Commissioner shall submit an annual report to the Central Government and may at any time submit special reports on any matter, which, in his opinion, is of such urgency or importance that it shall not be deferred till submission of the annual report.

(2) The Central Government shall cause the annual and the special reports of the Chief Commissioner to be laid before each House of Parliament, along with a memorandum of action taken or proposed to be taken on his recommendations and the reasons for non-acceptance the recommendations, if any.

(3) The annual and special reports shall be prepared in such form, manner and contain such details as may be prescribed by the Central Government.

79. (1) The State Government may, by notification, appoint a State Commissioner for Persons with Disabilities (hereinafter referred to as the "State Commissioner") for the purposes of this Act.

(2) A person shall not be qualified for appointment as the State Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation.

(3) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits) of the State Commissioner shall be such as may be prescribed by the State Government.

(4) The State Government shall determine the nature and categories of officers and other employees required to assist the State Commissioner in the discharge of his functions and provide the State Commissioner with such officers and other employees as it thinks fit.

(5) The officers and employees provided to the State Commissioner shall discharge his functions under the general superintendence and control of the State Commissioner.

(6) The salaries and allowances and other conditions of service of officers and employees shall be such as may be prescribed by the State Government.

(7) The State Commissioner shall be assisted by an advisory committee comprising of not more than five members drawn from the experts in the disability sector in such manner as may be prescribed by the State Government.

80. The State Commissioner shall—

(a) identify, suo motu or otherwise, provision of any law or policy, programme and procedures, which are in consistent with this Act, and recommend necessary corrective steps;
(b) inquire, suo motu or otherwise deprivation of rights of persons with disabilities and safeguards available to them in respect of matters for which the State Government is the appropriate Government and take up the matter with appropriate authorities for corrective action.
(c) review the safeguards provided by or under this Act or any other law for the time being in force for the protection of rights of persons with disabilities and recommend measures for their effective implementation;

(d) review the factors that inhibit the enjoyment of rights of persons with disabilities and recommend appropriate remedial measures;

(e) undertake and promote research in the field of the rights of persons with disabilities;

(f) promote awareness of the rights of persons with disabilities and the safeguards available for their protection;

(g) monitor implementation of the provisions of this Act and schemes, programmes meant for persons with disabilities;

(h) monitor utilisation of funds disbursed by the State Government for the benefits of persons with disabilities; and

(i) perform such other functions as the State Government may assign.

81. Whenever the State Commissioner makes a recommendation to an authority in pursuance of clause (h) of section 80, that authority shall take necessary action on it, and inform the State Commissioner of the action taken within three months from the date of receipt of the recommendation:

Provided that where an authority does not accept a recommendation, it shall convey reasons for non-acceptance to the State Commissioner for Persons with Disabilities within the period of three months, and shall also inform the aggrieved person.

82. (1) The State Commissioner shall, for the purpose of discharging their functions under this Act, have the same powers of a civil court as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of witnesses;

(b) requiring the discovery and production of any documents;

(c) requisitioning any public record or copy thereof from any court or office;

(d) receiving evidence on affidavits; and

(e) issuing commissions for the examination of witnesses or documents.

(2) Every proceeding before the State Commissioner shall be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the State Commissioners shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

83. (1) The State Commissioner shall submit an annual report to the State Government and may at any time submit special reports on any matter, which, in its opinion, is of such urgency or importance that it shall not be deferred till submission of the annual report.

(2) The State Government shall cause the annual and the special reports of the State Commissioner for persons with disabilities to be laid before each House of State Legislature where it consists of two Houses or where such Legislature consist of one House, before that House along with a memorandum of action taken or proposed to be taken on the recommendation of the State Commissioner and the reasons for non-acceptance the recommendations, if any.

(3) The annual and special reports shall be prepared in such form, manner and contain such details as may be prescribed by the State Government.
CHAPTER XIII

SPECIAL COURT

84. For the purpose of providing speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification, specify for each district, a Court of Session to be a Special Court to try the offences under this Act.

85. (1) For every Special Court, the State Government may, by notification, specify a Public Prosecutor or appoint an advocate, who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.

(2) The Special Public Prosecutor appointed under sub-section (1) shall be entitled to receive such fees or remuneration as may be prescribed by the State Government.

CHAPTER XIV

NATIONAL FUND FOR PERSONS WITH DISABILITIES

86. (1) There shall be constituted a Fund to be called the National Fund for persons with disabilities and there shall be credited thereto—

(a) all sums available under the Fund for people with disabilities, constituted vide notification No. S.O. 573 (E), dated the 11th August, 1983 and the Trust Fund for Empowerment of Persons with Disabilities, constituted vide notification No. 30-03/2004-DDII, dated the 21st November, 2006, under the Charitable Endowment Act, 1890.

(b) all sums payable by banks, corporations, financial institutions in pursuance of judgment dated the 16th April, 2004 of the Hon’ble Supreme Court in Civil Appeal Nos. 4655 and 5218 of 2000;

(c) all sums received by way of grant, gifts, donations, benefactions, bequests or transfers;

(d) all sums received from the Central Government including grants-in-aid;

(e) all sums from such other sources as may be decided by the Central Government.

(2) The Fund for persons with disabilities shall be utilised and managed in such manner as may be prescribed.

87. (1) The Central Government shall maintain proper accounts and other relevant records and prepare an annual statement of accounts of the Fund including the income and expenditure accounts in such form as may be prescribed in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Fund shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred by him in connection with such audit shall be payable from the Fund to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any other person appointed by him in connection with the audit of the accounts of the Fund shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India generally has in connection with the audit of the Government accounts, and in particular, shall have the right to demand production of books of account, connected vouchers and other documents and papers and to inspect any of the offices of the Fund.

(4) The accounts of the Fund as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be laid before each House of Parliament by the Central Government.
CHAPTER XV

STATE FUND FOR PERSONS WITH DISABILITIES

88. (1) There shall be constituted a Fund to be called the State Fund for persons with disabilities by a State Government in such manner as may be prescribed by the State Government.

(2) The State Fund for persons with disabilities shall be utilised and managed in such manner as may be prescribed by the State Government.

(3) Every State Government shall maintain proper accounts and other relevant records of the State Fund for persons with disabilities including the income and expenditure accounts in such form as may be prescribed by the State Government in consultation with the Comptroller and Auditor-General of India.

(4) The accounts of the State Fund for persons with disabilities shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred by him in connection with such audit shall be payable from the State Fund to the Comptroller and Auditor-General of India.

(5) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the State Fund for persons with disabilities shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India generally has in connection with the audit of the Government accounts, and in particular, shall have right to demand production of books of accounts, connected vouchers and other documents and papers and to inspect any of the offices of the State fund.

(6) The accounts of the State Fund for persons with disabilities as certified by the Comptroller and Auditor-General of India or any other person appointed by him in his behalf together with the audit report thereon shall be laid before each House of the State Legislature where it consists of two Houses or where such Legislature consists of one House before that House.

CHAPTER XVI

OFFENCES AND PENALTIES

89. Any person who contravenes any of the provisions of this Act, or of any rule made thereunder shall for first contravention be punishable with fine which may extend to ten thousand rupees and for any subsequent contravention with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees.

90. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
Explanation.—For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

91. Whoever, fraudulently avails or attempts to avail any benefit meant for persons with benchmark disabilities, shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to one lakh rupees or with both.

Punishment for fraudulently availing any benefit meant for persons with benchmark disabilities.

92. Whoever,—

(a) intentionally insults or intimidates with intent to humiliate a person with disability in any place within public view;

(b) assaults or uses force to any person with disability with intent to dishonour him or outrage the modesty of a woman with disability;

(c) having the actual charge or control over a person with disability voluntarily or knowingly denies food or fluids to him or her;

(d) being in a position to dominate the will of a child or woman with disability and uses that position to exploit her sexually;

(e) voluntarily injures, damages or interferes with the use of any limb or sense or any supporting device of a person with disability;

(f) performs, conducts or directs any medical procedure to be performed on a woman with disability which leads to or is likely to lead to termination of pregnancy without her express consent except in cases where medical procedure for termination of pregnancy is done in severe cases of disability and with the opinion of a registered medical practitioner and also with the consent of the guardian of the woman with disability,

shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.

Punishment for offences of atrocities.

93. Whoever, fails to produce any book, account or other documents or to furnish any statement, information or particulars which, under this Act or any order, or direction made or given thereunder, is duty bound to produce or furnish or to answer any question put in pursuance of the provisions of this Act or of any order, or direction made or given thereunder, shall be punishable with fine which may extend to twenty-five thousand rupees in respect of each offence, and in case of continued failure or refusal, with further fine which may extend to one thousand rupees for each day, of continued failure or refusal after the date of original order imposing punishment of fine.

Punishment for failure to furnish information.

94. No Court shall take cognizance of an offence alleged to have been committed by an employee of the appropriate Government under this Chapter, except with the previous sanction of the appropriate Government or a complaint is filed by an officer authorised by it in this behalf.

Previous sanction of appropriate Government.

95. Where an act or omission constitutes an offence punishable under this Act and also under any other Central or State Act, then, notwithstanding anything contained in any other law for the time being in force, the offender found guilty of such offence shall be liable to punishment only under such Act as provides for punishment which is greater in degree.

Alternative punishments.
CHAPTER XVII

MISCELLANEOUS

96. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

97. No suit, prosecution or other legal proceeding shall lie against the appropriate Government or any officer of the appropriate Government or any officer or employee of the Chief Commissioner or the State Commissioner for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

98. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid as soon as may be, after it is made, before each House of Parliament.

99. (1) On the recommendations made by the appropriate Government or otherwise, if the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification, amend the Schedule and any such notification being issued, the Schedule shall be deemed to have been amended accordingly.

(2) Every such notification shall, as soon as possible after it is issued, shall be laid before each House of Parliament.

100. (1) The Central Government may, subject to the condition of previous publication, by notification, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

(a) the manner of constituting the Committee for Research on Disability under sub-section (2) of section 6;

(b) the manner of notifying the equal opportunity policy under sub-section (1) of section 21;

(c) the form and manner of maintaining records by every establishment under sub-section (1) of section 22;

(d) the manner of maintenance of register of complaints by grievance redressal officer under sub-section (3) of section 23;

(e) the manner of furnishing information and return by establishment to the Special Employment Exchange under section 36;

(f) the composition of the Assessment Board under sub-section (2) and manner of assessment to be made by the Assessment Board under sub-section (3) of section 38;

(g) rules for person with disabilities laying down the standards of accessibility under section 40;

(h) the manner of application for issuance of certificate of disability under sub-section (1) and form of certificate of disability under sub-section (2) of section 58;

(i) the allowances to be paid to nominated Members of the Central Advisory Board under sub-section (6) of section 61;

(j) the rules of procedure for transaction of business in the meetings of the Central Advisory Board under section 64;
(k) the salaries and allowances and other conditions of services of Chief Commissioner and Commissioners under sub-section (4) of section 74;

(l) the salaries and allowances and conditions of services of officers and staff of the Chief Commissioner under sub-section (7) of section 74;

(m) the composition and manner of appointment of experts in the advisory committee under sub-section (8) of section 74;

(n) the form, manner and content of annual report to be prepared and submitted by the Chief Commissioner under sub-section (3) of section 78;

(o) the procedure, manner of utilisation and management of the Fund under sub-section (2) of section 86; and

(p) the form for preparation of accounts of Fund under sub-section (1) of section 87.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree 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.

101. (1) The State Government may, subject to the condition of previous publication, by notification, make rules for carrying out the provisions of this Act, not later than six months from the date of commencement of this Act.

(2) In particular, and without prejudice to the generality of foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) the manner of constituting the Committee for Research on Disability under sub-section (2) of section 5;

(b) the manner of providing support of a limited guardian under sub-section (1) of section 14;

(c) the form and manner of making an application for certificate of registration under sub-section (1) of section 51;

(d) the facilities to be provided and standards to be met by institutions for grant of certificate of registration under sub-section (3) of section 51;

(e) the validity of certificate of registration, the form of, and conditions attached to, certificate of registration under sub-section (4) of section 51;

(f) the period of disposal of application for certificate of registration under sub-section (7) of section 51;

(g) the period within which an appeal to be made under sub-section (1) of section 53;

(h) the time and manner of appealing against the order of certifying authority under sub-section (1) and manner of disposal of such appeal under sub-section (2) of section 59;

(i) the allowances to be paid to nominated Members of the State Advisory Board under sub-section (6) of section 67;

(j) the rules of procedure for transaction of business in the meetings of the State Advisory Board under section 70;

(k) the composition and functions of District Level Committee under section 72;
(l) salaries, allowances and other conditions of services of the State Commissioner under sub-section (3) of section 79;

(m) the salaries, allowances and conditions of services of officers and staff of the State Commissioner under sub-section (3) of section 79;

(o) the composition and manner of appointment of experts in the advisory committee under sub-section (7) of section 79;

(o) the form, manner and content of annual and special reports to be prepared and submitted by the State Commissioner under sub-section (3) of section 83;

(p) the fee or remuneration to be paid to the Special Public Prosecutor under sub-section (2) of section 85;

(q) the manner of constitution of State Fund for persons with disabilities under sub-section (1), and the manner of utilisation and management of State Fund under sub-section (2) of section 88;

(r) the form for preparation of accounts of the State Fund for persons with disabilities under sub-section (2) of section 88.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such State Legislature consists of one House, before that House.

102. (1) The Persons with Disabilities (Equal Opportunity Protection of Rights and Full Participation) Act, 1995 is hereby repealed.

(2) Notwithstanding the repeal of the said Act, anything done or any action taken under the said Act, shall be deemed to have been done or taken under the corresponding provisions of this Act.

**THE SCHEDULE**

[See clause (zc) of section 2]

**SPECIFIED DISABILITY**

1. Physical disability—

   A. Locomotor disability (a person's inability to execute distinctive activities associated with movement of self and objects resulting from affliction of musculoskeletal or nervous system or both), including—

   (a) "leprosy cured person" means a person who has been cured of leprosy but is suffering from—

   (i) loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;

   (ii) manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;

   (iii) extreme physical deformity as well as advanced age which prevents him/her from undertaking any gainful occupation, and the expression "leprosy cured" shall construed accordingly;

   (b) "cerebral palsy" means a Group of non-progressive neurological condition affecting body movements and muscle coordination, caused by damage to one or more specific areas of the brain, usually occurring before, during or shortly after birth;
(c) "dwarfism" means a medical or genetic condition resulting in an adult height of 4 feet 10 inches (147 centimeters) or less;

(d) "muscular dystrophy" means a group of hereditary genetic muscle disease that weakens the muscles that move the human body and persons with multiple dystrophy have incorrect and missing information in their genes, which prevents them from making the proteins they need for healthy muscles. It is characterised by progressive skeletal muscle weakness, defects in muscle proteins, and the death of muscle cells and tissue;

(e) "acid attack victims" means a person disfigured due to violent assaults by throwing of acid or similar corrosive substance.

B. Visual impairment—

(a) "blindness" means a condition where a person has any of the following conditions, after best correction—

(i) total absence of sight; or

(ii) visual acuity less than 3/60 or less than 10/200 (Snellen) in the better eye with best possible correction; or

(iii) limitation of the field of vision subtending an angle of less than 10 degree.

(b) "low-vision" means a condition where a person has any of the following conditions, namely:—

(i) visual acuity not exceeding 6/18 or less than 20/60 upto 3/60 or upto 10/200 (Snellen) in the better eye with best possible corrections; or

(ii) limitation of the field of vision subtending an angle of less than 40 degree up to 10 degree.

C. Hearing impairment

(a) "deaf" means persons having 70 DB hearing loss in speech frequencies in both ears;

(b) "hard of hearing" means person having 60 DB to 70 DB hearing loss in speech frequencies in both ears;

D. "speech and language disability" means a permanent disability arising out of conditions such as laryngectomy or aphasia affecting one or more components of speech and language due to organic or neurological causes.

2. Intellectual disability, a condition characterised by significant limitation both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behaviour which covers a range of every day, social and practical skills including—

(a) "specific learning disabilities" means a heterogeneous group of conditions wherein there is a deficit in processing language, spoken or written, that may manifest itself as a difficulty to comprehend, speak, read, write, spell, or to do mathematical calculations and includes such conditions as perceptual disabilities, dyslexia, dysgraphia, dyscalculia, dyspraxia and developmental aphasia;

(b) "autism spectrum disorder" means a neuro-developmental condition typically appearing in the first three years of life that significantly affects a person's ability to communicate, understand relationships and relate to others, and is frequently associated with unusual or stereotypical rituals or behaviours.
3. Mental behaviour.—

"mental illness" means a substantial disorder of thinking, mood, perception, orientation or memory that grossly impairs judgment, behaviour, capacity to recognise reality or ability to meet the ordinary demands of life, but does not include retardation which is a condition of arrested or incomplete development of mind of a person, specially characterised by subnormality of intelligence.

4. Disability caused due to—

(a) chronic neurological conditions, such as—

(i) "multiple sclerosis" means an inflammatory, nervous system disease in which the myelin sheaths around the axons of nerve cells of the brain and spinal cord are damaged, leading to demyelination and affecting the ability of nerve cells in the brain and spinal cord to communicate with each other;

(ii) "parkinson's disease" means a progressive disease of the nervous system marked by tremor, muscular rigidity, and slow, imprecise movement, chiefly affecting middle-aged and elderly people associated with degeneration of the basal ganglia of the brain and a deficiency of the neurotransmitter dopamine.

(b) Blood disorder—

(i) "haemophilia" means an inheritable disease, usually affecting only male but transmitted by women to their male children, characterised by loss or impairment of the normal clotting ability of blood so that a minor would may result in fatal bleeding;

(ii) "thalassemia" means a group of inherited disorders characterised by reduced or absent amounts of haemoglobin.

(iii) "sickle cell disease" means a hemolytic disorder characterised by chronic anemia, painful events, and various complications due to associated tissue and organ damage; "hemolytic" refers to the destruction of the cell membrane of red blood cells resulting in the release of hemoglobin.

5. Multiple Disabilities (more than one of the above specified disabilities) including deaf-blindness which means a condition in which a person may have combination of hearing and visual impairments causing severe communication, developmental, and educational problems.

6. Any other category as may be notified by the Central Government.
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