THE NAGALAND GAZETTE

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NOTIFICATION
Dated Kohima, the 5<sup>th</sup> February, 2019
NO.UDD/2-ESTT/01/2016:: Consequent upon the passing of the speed test conducted by the Nagaland Public Service Commission vide No.NPSC/CON-17/2004, dated 21.11.2011 and on completion of prescribed qualifying years, the Government of Nagaland is pleased to promote Smti. Rebecca C. Khuvung, Stenographer Grade III to the post of Stenographer Grade-II, personal to the incumbent under the Directorate of Urban Development in the revised Pay Matrix Level -11 p.m. plus all other allowances as are admissible as per rules in force with immediate effect.

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

NOTIFICATION
Dated Kohima, 26<sup>th</sup> March, 2019
NO.POL/ESTT-6/2/2019:: On the recommendation of the Nagaland Public Service Commission vide Notification No. NPSC/C-5/2012 dated 17-12-2018, the Governor of Nagaland is pleased to appoint Smti. Yinglong H Phom to the post of Medical Officer (Class-I Gazetted) under Home Department in the pay matrix Level-13 (Rs. 56,000-1,77,500/-) plus all other allowances as are admissible in Nagaland from time to time with effect from the date of assuming charge of the post.

1. The appointment will be on probation for 2 (two) years, at the end of which they will be considered for confirmation subject to fulfilment of the required conditions under the rules in force.
2. Non-Practicing Allowance (NPA) shall be admissible as per existing Government rules.
3. The individual shall not be allowed to avail study leave until they have completed a minimum of 2 (two) years of continuous service in the Department.

In the interest of public service Smti. Yinglong H Phom is posted to 8<sup>th</sup> NAP Bn, Naltoqa, Zunheboto.

Sd/-
CHUBASANGLA LONGKUMER
Under Secretary to the Govt. of Nagaland.
NOTIFICATION

Dated Kohima, the 20th March 2019

NO.POL-1/ESTT/11/2013 :: On the recommendation of the Nagaland Public Service Commission vide letter No.NPSC/C-13/2010 dated 28.02.2019 and in the interest of the Public Service, the Governor of Nagaland is pleased to appoint Shri Haoujamhopong I Chang to the Post of Deputy Superintendent of Police (Class-I) Gazetted in the Nagaland Police Service in the Pay Matrix Level -13(Rs. 56100-177500/-) plus all other allowances as are admissible under rules from time to time with effect from the date of joining the post.

2. The appointment is on provisional basis and in case the character & antecedents of the candidate(s) are found not verified or any false information is given by the candidate(s) in his self declaration, the provisional appointment will be cancelled forthwith and other criminal/legal action will be taken, as a consequence.

3. Confirmation of the provisional appointment will be subject to fulfillment of the laid down criteria as per P& AR OM No.AR-3/GEN-336/16 dated 13/06/2017 and amendments, if any, from time to time in this regard.

4. The individual is directed to submit his joining reports to the Director General of Police, Nagaland, Kohima within 30 (thirty) days from the date of issue of this Notification and on expiry of which the appointment shall be treated as cancelled unless extension of joining report is notified.

Sd/-

CHUBASANGLA LONGKUMER
Under Secretary to the Govt. of Nagaland.
PART-IIA

OFFICE MEMORANDUM

No.FIN/ROP/REL-8/87 (Vol-II) Dated Kohima, the 26th March 2018.

Payment of Dearness Relief to Nagaland Government Pensioners/Family Pensioners.

The undersigned is directed to refer to this department's notification of even number dated 8th November, 2018 and to state that the Governor of Nagaland is pleased to enhance the Dearness Relief to Pensioners and Family Pensioners of the Government of Nagaland at the following rates:

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Category of ROP</th>
<th>Existing rates</th>
<th>Enhanced rates</th>
<th>Net increased</th>
<th>Effective date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Nagaland Services (Revision of Pay) Rules, 2017</td>
<td>9%</td>
<td>12%</td>
<td>3%</td>
<td>01.01.2019</td>
</tr>
<tr>
<td>2</td>
<td>Nagaland Services (Revision of Pay) Rules, 2010</td>
<td>148%</td>
<td>154%</td>
<td>6%</td>
<td>01.01.2019</td>
</tr>
</tbody>
</table>

2. Payment of Dearness Relief involving a fraction of a rupee shall be rounded off to the next higher rupee.

3. The Principal Accountant General (A&E), Nagaland, is requested to circulate this O.M. to the Accountants General of all States so that Pensioners of the Government of Nagaland drawing pensions under their jurisdiction may be authorized for payment of this relief at the earliest.

Sd/-
AYANGLA LONGCHARI
Joint Secretary to the Govt. Of Nagaland.

NOTIFICATION

Dated Kohima the 26th February 2019

NO.FOR/ESTT-19/91(Vol-II)/112: In pursuance of the Appointments Committee of the Cabinet, Ministry of Personnel, Public Grievances & Pensions, DoPT, Govt. of India's Letter No. 37/19/2018-EO (SM-I) dated 18.02.2019 and Ministry of Environment, Forest & Climate Change, Govt. of India's Letter No. 17016/11/2017-IFS-I dated 19.02.2019. the Governor of Nagaland is pleased to release Dr. N. Senthil Kumar, IFS, Conservator of Forests, Research, Planning & Utilization (current charge), Dimapur, Nagaland with immediate effect to enable him to join his new assignment with the Government of Tamil Nadu.

Sd/-
DR. Y. ATSASE THONGTSAR
OSD to the Govt. of Nagaland
NOTIFICATION

Dated Kohima, the 18th December, 2018

No.PWR/ESTT-02/05/10(Pt-I) // In continuation of this Department's Notification NO. PWR/ESTT-02/05 dated 02-11-2015 and 31-10-2017, the Governor of Nagaland is pleased to extend the deputation service of ER. I.V. Chishi, Addl. Chief Engineer (E), O/o Engineer-in-Chief (Power) as Chief Electrical Inspector, Electrical Inspectorate, Nagaland for further period of 3 (three) months w.e.f 04-11-2018.

2. The terms and conditions laid down in this Department's Notification of even number dated 02-11-2015 shall apply.

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

NOTIFICATION

Dated, Kohima, the 12th February 2019

SAB(A): 6/3/2018: On the recommendation of the Departmental Promotion Committee conducted by NPSC vide letter No. NPSC/DPC-10/2017 dated 22nd January 2019, the Governor of Nagaland is pleased to regularize the officiating promotion of the following 4(four) Principal Private Secretaries(PPS) (Class-I Gazetted) against the vacant posts mentioned below in the pay matrix of level 16/79000-193700, ROP 2017, plus all other allowances as admissible under the rules of Government Service from time to time in the state of Nagaland.

<table>
<thead>
<tr>
<th>Sl No</th>
<th>Name</th>
<th>Date of Regularization of Officiating promotion</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Shri Johnychen Thomas</td>
<td>04/09/2017</td>
<td>Against vacancy caused by the retirement of Shri S Purkayastha, PPS w.e.f 30/11/2016</td>
</tr>
<tr>
<td>2</td>
<td>Smti Sentjungla</td>
<td>04/09/2017</td>
<td>Against vacancy caused by the promotion of Shri Nungmosba to OSD w.e.f 29/03/2017</td>
</tr>
<tr>
<td>3</td>
<td>Shri I Iveto Sumi</td>
<td>04/09/2017</td>
<td>Against vacancy caused by the retirement of Shri Sudarshan Sinha, PPS w.e.f 31/05/2017</td>
</tr>
<tr>
<td>4</td>
<td>Smti I Amongla Walling</td>
<td>10/10/2017</td>
<td>Against vacancy caused by the retirement of Shri Rajendra Singh PPS w.e.f 30/09/2017</td>
</tr>
</tbody>
</table>

Sd/-
NEINGULIE KROME
Under Secretary to the Govt. of Nagaland.

NOTIFICATION

Dated Kohima the, 6th February, 2019

NO: AS/ESTT/10/2006/1454:

CONVERSION OF POST THEREOF

As per the Notification of Personnel & Administrative Reforms Department (Administrative Reforms Branch) NO: AR-8/19/84, Dated Kohima, the 1st July, 2009, the post of Typist vacated by Smti. Taunyei Phom, Spl. Gr. Typist on retirement is converted to the post of J.S.A with effect from 01/01/2019.

Sd/-
AOSENLA
NOTIFICATION

Dated, Kohima, the 28th February 2019

NO. FOR/ESTT-19/91 (Vol-II)/113 : Consequent upon release of Dr. N. Senthil Kumar, IFS, Conservator of Forests, Research, Planning & Utilization, Dimapur, Nagaland on Inter-State Cadre deputation to Tamil Nadu State, Dr. Keneilhouthei Miachico, IFS, Conservator of Forests, Southern Territorial Circle, Nagaland shall hold additional charge of CF. RPU till further orders.

Sd/-

DR. Y. ATSASE THONGTSAR
OSD to the Govt. of Nagaland.

NOTIFICATION

Dated, Kohima, the 28th February 2019

NO. FOR/ESTT-15/5/2018/117 : Consequent upon retirement of Shri. Y. Motsuthung Jami, IFS, CF, NTC & Director, Intanki National Park on 28.02.2019 (A/N) the Governor of Nagaland is pleased to allow Shri. Supongnuksi, IFS, CCF (Environment, Biodiversity & Research), Nagaland to hold additional charge of CF, NTC and Shri. Temjenyaphang Jamir, CF (Publicity & Training), Nagaland to hold additional charge of Director, Intanki National Park, till further orders.

Sd/-

DR. Y. ATSASE THONGTSAR
OSD to the Govt. of Nagaland.

NOTIFICATION

Dated Kohima, the 5th March, 2019.

NO.YRS/ESTT-7/78 (PT): Having being declared successful in the speed test in short hand conducted by NPSC and on having completed the qualifying length of service, the Governor of Nagaland is pleased to upgrade and promote the post of Steno Grade II (Senior) held by Smti.Kedutalal Ringa to that of Steno Grade-I personal to her under Directorate of Youth Resources & Sports in level 14 (57400-181600) of the Pay Matrix plus other allowances that are admissible under the rules enforced in Nagaland from time to time with immediate effect.

2. The Officer shall remain at the present place of posting till further order.

Sd/-

LANURENLA LONGCHAR
Under Secretary to the Govt. of Nagaland.

NOTIFICATION

Dated Kohima, the 6th of March 2019

IPR/EST-PER/27/2013/109 :: In pursuance to the office Memo No. CAB-2/2013 dated 13.12.2017, the Governor of Nagaland is pleased to order the notional promotion to the upgraded post of District Public Relations Officer (DPRO) in respect of Smti. Keviyie-u, retired DPRO (class II gazette) w.e.f 1.4.2013--- in the Payband of Rs. 15600-39100/- with Grade Pay Rs.5400/- (the applicable ROP then)---

This is issued as per the approval of the State Cabinet vide Cab-2/2013(Pt) dated 19.02.2019.

Sd/-

PETER CHAWANG
Under Secretary to the Governor of Nagaland
NOTIFICATION

Dated Kohima, the 7th March, 2019.

NO.SERI/ESTT-1/09/2015 :: In the interest of public service and with the approval of the Cabinet, the Governor of Nagaland is pleased to notify the Cadre Review for the Department of Sericulture with immediate effect subject to the following conditions:

1. With the up-gradation / re-designation / merger of the posts, the Department will re-organize the staffing pattern/place of deployment/posting in the Directorate/Districts as well as in the departmental Farms of the Department.

2. The Administrative Structure / Organogram of the Department of Sericulture, Nagaland shall be as follows:

a). The Department of Sericulture, Nagaland, shall be headed by a Director.

b). Status-quo will be maintained for the post of Additional Director.

c). There shall be 3(three) posts of Joint Directors in the Pay Matrix Level 16 (79900-193700) with the up-gradation of 1(one) existing post of Deputy Director in the Pay Matrix Level 15 (67300-189300). Status-quo will be maintained for the remaining 3(three) posts of Deputy Directors.

d). There shall be 6(six) posts of Deputy Directors in the Pay Matrix Level 15 (67300-189300) with the up-gradation of 3(three) existing post of District Sericulture Officer in the Pay Matrix Level 13 (56100-177500). Status-quo will be maintained for the remaining 7(seven) posts of District Sericulture Officer.

e). There shall be 15(fifteen) posts of District Sericulture Officers (Class-I) in the Pay Matrix Level 13 (56100-177500) with the up-gradation of 8(eight) existing post of Assistant Sericulture Officer in the Pay Matrix Level 11 (40800-129200). Out of 15(fifteen) posts of District Sericulture Officers, 11(eleven) District Sericulture Officers will be posted to District offices as District Controlling Officers and the remaining District Sericulture Officers will be retained in the Directorate.

f). There shall be 18(eighteen) posts of Assistant Sericulture Officers (Class-II) in the Pay Matrix Level 11 (40800-129200) with the up-gradation of 16(sixteen) existing post of Extension Officer (Class-III) in the Pay Matrix Level 8 (28700-91300). Out of 18(eighteen) posts of Assistant Sericulture Officers, 11(eleven) Assistant Sericulture Officers (ASO) will be posted to the District Offices to assist the District Sericulture Officers. The remaining Assistant Sericulture Officers will be either deputed to various Centres or will be retained in the Directorate.

g). There shall be 30(thirty) posts of Extension Officers (Class-III) in the Pay Matrix Level 8 (28700-91300) with the up-gradation of 19(nineteen) existing post of Supervisor in the Pay Matrix Level 6 (25300-80500). The Extension Officers (EO) will be posted to all the Departmental Farms & Centres. The remaining Extension Officers (EO) will be either deputed to various Centres or will be retained in the Directorate.

h). The entry level for the post of Extension Officer (EO) will be made on sharing pattern of 50:50 ratio on inter-se basis between the Direct Recruits through NPSC having a minimum qualification of B.Sc.(Ser) /M.Sc (Ser) /PGDS and the serving Supervisors possessing Certificate Course in Sericulture.

i). There shall be 34(thirty-four) posts of Supervisors in the Pay Matrix Level 6 (25300-80500) with the up-gradation of 27(twenty-seven) existing post of Demonstrators in the Pay Matrix Level 4 (19500-62000). The Supervisors will be posted to various Departmental Farms & Centres to assist the Extension Officer (EO) and to the District Offices.

j). The post of Supervisor shall be made 100 percent promotional to reduce entry level and to minimize the problem of stagnancy in the lower grades.
m). Upon the up-gradation of all the 50 (fifty) post of Operators in the Pay Matrix Level 3 (18000-56900) to the post of Demonstrators and re-designated as Sericulture Field Assistant (SFA), the post of Operator stands abolished.

3. Pursuant to the recommendation of the Cadre Review Committee and the approval of the State Cabinet, the Nagaland Sericulture Service Rules 2008 shall be reviewed and amended wherever necessary as per the changes in the cadre restructure through a separate notification.


Sd/-
ANGAU I. THOU, IAS
Commissioner & Secretary to the Govt. of Nagaland.

NOTIFICATION

Dated Kohima, 12th March, 2019.

NO.COP-162/86-87(Pt-1)/17: In the interest of public service, the Governor of Nagaland is pleased to order up-gradation of the following posts under the establishment of the Registrar of Co-operative Societies, Nagaland, Kohima with immediate effect:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Post</th>
<th>Number of Post Upgraded</th>
<th>Pay Matrix</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Deputy Registrar of Co-operative Societies (Dy.RCS)</td>
<td>02</td>
<td>Level-15</td>
</tr>
<tr>
<td>2.</td>
<td>Assistant Registrar of Co-operative Societies (ARCS)</td>
<td>01</td>
<td>Level-14</td>
</tr>
<tr>
<td>3.</td>
<td>Sub-Registrar of Co-operative Societies (SRCS)</td>
<td>15</td>
<td>Level-12</td>
</tr>
<tr>
<td>4.</td>
<td>Inspector of Co-operative Societies (ICS)</td>
<td>21 posts of Junior Inspector of Co-operative Societies (JICS) upgraded and merged with the existing 38 posts of Senior Inspector of Co-operative Societies (SICS) and re-designated as Inspector of Co-operative Societies (ICS). The post of JICS hereby stands abolished. Total post of ICS: 59.</td>
<td>Level-8</td>
</tr>
</tbody>
</table>

This has the approval of the Cabinet vide Cabinet Secretariat (Cabinet Cell) letter No.CAB-2/2013(Pt) dated 28.02.2019.

Sd/-
L. AKATO SEMA, IAS
Commissioner & Secretary to the Govt. of Nagaland
NOTIFICATION

Dated, Kohima the 8th March 2019.

No. PAR/XC-5/2007 :: In the interest of public service, the Governor of Nagaland is pleased to absorb the service of Smti. Atie-u- Sekhose, in the Ex-cadre post of Supervisor Grade-IV Staff of the Nagaland Civil Secretariat in Pay Level-12 (₹ 43700-138500/-) of the pay matrix.

2. The absorption is against the Ex-cadre post of Supervisor, Grade-IV staff of the Nagaland Civil Secretariat, in Pay Level-12 (₹ 43700-138500/-) of the pay matrix created vide letter No. PAR/XC-14/97 dated 27/11/98.

3. Her service prior to her absorption to the ex-cadre post will be counted for all service benefits.

4. All other terms and conditions will be governed by the existing rules and regulations applicable to employees holding ex-cadre posts under the Government of Nagaland.

Sd/-

S. ATSHA NGLA
Under Secretary to the Govt. of Nagaland.

NOTIFICATION

HFW-30/B-22/2015/528 Dated Kohima, the 13th March 2019

In supersession to this Department’s Notification Vide No.Med-1/6/86/ dated 16th April 2003 and in exercise of the power conferred by Section 21(1) of the Drugs & Cosmetics Act, 1940, the Governor of Nagaland is pleased to notify all Drugs Inspectors in the Health & Family Welfare Department, Government of Nagaland, having qualified under Rule 49 of the Drugs & Cosmetics Rules, 1945 as an officer appointed under Section 21(1) for the purpose of Chapter-IV of the said Act.

The officer shall exercise all Powers and Functions provided under Drugs & Cosmetics Act, 1940 within the administrative jurisdiction for which the officer is posted.

Sd/-

Y. P. ALONG
Under Secretary to the Govt. of Nagaland.
PART-V

NOTIFICATION

NO.NL/LOK/ESTT-19/2019/899; Dated 30th March 2019

In exercise of power conferred by Section 33 of the Nagaland Lokayukta Act, 2017 (Act No.1 of 2018) on Nagaland Lokayukta to make Regulations for carrying out the purposes of this Act, the undersigned hereby makes and notifies the accompanied appendixes regulatory in nature VIZ.: A (INSTRUCTIONS); B (FORM NO. I); C (FORM NO. II) and D (FORM NO. III) as required under Section 33 (2) (d) for filing complaint to the Nagaland Lokayukta Organization.

Issued by

Sd/-

JUSTICE UMA NATH SINGH
Former chief Justice, High Court of Meghalaya
NAGALAND LOKAYUKTA
Appendix-A

[See Section 33 (2) (d)]

Instructions for filing complaint

(1) A complaint shall be signed by the complainant and shall be made in Form I accompanied by his own affidavit in Form II and affidavits of his witnesses, if any, duly affirmed and attested by a Gazetted Officer/ Village Council Chairman/ Head Master of the Village/ Gaon Bura of the Village.

Provided that the Lokayukta or the Upa-Lokayukta, as the case may be, may in his discretion permit the filing of Forms I and II on any day subsequent to the date of filing of the original complaint.

(2) Every complaint shall be accompanied by cash of Rs. 20/- Money Order, Banker’s Cheque or Demand Draft in favour of the Secretary/ Under Secretary or Registrar of the institution on any Bank having a branch at Kohima for Rupees Twenty Only.

(3) A complaint may be presented in person to the Registrar/ Secretary/ Under Secretary or any other officer duly authorized by Lokayukta in this behalf or be sent by registered post.

Sd/-

SEHJANG DOUNGEL, NCS
Secretary
Nagaland Lokayukta,
Kohima.
Appendix-B
FORM NO. I
(Complaint)
[ See Section 33 (2)(d) ]

Before the Nagaland Lokayukta / Upa-Lokayukta

1. Name and address of the complainant for all correspondence in respect of the complaint:

2. Name and address of the public servant complained against:

3. Brief facts relating to the action complained of:
   (Complainant’s affidavit in the prescribed form to be enclosed)

4. If the complainant or the person for whom he is acting is aggrieved, the nature of the grievance should be specifically mentioned:

5. Names and address of the witnesses whom the complainant desires to examine in support of the allegations:
   (Affidavits, if any, of the witnesses may be produced).

6. Particulars of the documents relied upon by the complainant in support of the allegations:

7. If the documents relied upon or their true copies are available with the complainant, they should be enclosed and details thereof should be furnished:

8. If the documents relied upon are not in the custody of or cannot be produced by the complainant, the office or other place or individual from whom they may be secured, should be specified:

9. Remarks, if any:

Note: Copies of affidavits and documents shall be enclosed in duplicate for office use and in as many sets as there are public servants complained against.

Place:

Dated: 

Signature or thumb mark of the complainant

Sd/-
SEHJANG DOUNGEL, NCS
Secretary
Nagaland Lokayukta,
Kohima.
Appendix-C
FORM NO. II
(Complainant's Affidavit)
[ See Section 33(2) (d) ]

Before the Nagaland Lokayukta / Upa-Lokayukta

I. ........................................... son/daughter of Shri ..........................................., aged ...........years, profession ...........................................resident (village) of ........................................... P.S. ........................................... district ...........................................at present at ........................................... P.S. ........................................... district ........................................... do hereby solemnly affirm and state as follows:

1. That I am the complainant in this case.

2. I have enclosed hereto a complaint making allegations against Sri/Srimathi ........................................... The contents of my complaint may be read as part and parcel of this affidavit.

3. That the statements of his complaint petition have been read by/ read over to me and understood by me and that I declare and affirm that they are true to the best of my knowledge and belief.

Dated: 

Signature or thumb mark of the Deponent

Solemnly affirmed before me this ....... day of ................. 2019 ....... at ...........

Signature of Attestor

Sd/-
SEHJANG DOUNGEL, NCS
Secretary
Nagaland Lokayukta,
Kohima.
Appendix-D
FORM NO. III
[ See Section 33(2) (d) ]

Office of the Nagaland Lokayukta/ Upa-Lokayukta at Kohima

Proceedings No…………………………… Dated…………………………

To

Sri/ Srimathi……………………………………

Sir/ Madam,

Ref: Your complaint dated…………………

Your complaint dated …………against Sri/ Srimathi…………….is found to be deficient in the following particulars. You are hereby requested to supply the omissions and rectify the defects mentioned below within ten days after receipt of this communications, failing which your complaint will be disposed of on the basis of the available material.

Yours faithfully

Registrar,
for the Lokayukta of Nagaland

Omissions to be supplied:

1. Prescribed fee of Rs. 20 to be paid.
2. Complaint is not signed by the complainant.
3. Affidavit of the complainant in the prescribed form and/ or of the witnesses not enclosed.
4. Name, designation and address of the public servant complained against not furnished.
5. Documents relied on or true copies thereof in the custody and control of the complainant not enclosed.
6. Particulars of documents relied on not in the custody or control of the complainant not furnished.
7. Required sets of copies of affidavits and documents not enclosed.
8. Other reasons.

Sd/-
SEHJANG DOUNGEL, NCS
Secretary
Nagaland Lokayukta,
Kohima.
PART-V

NOTIFICATION

NO.NL/LOK/ESTT-19/2019/907: Dated 3rd April 2019

In exercise of power conferred by Section 33 of the Nagaland Lokayukta Act 2017,(Act No.1 of 2018) on Nagaland lokayukta to make Regulations for carrying out the purposes of this Act, the undersigned hereby makes and notifies the accompanied Appendix B(I) containing supplementary instructions, under Section 33(2)(d) for processing of complaint submitted to the Nagaland Lokayukta Orzanisation.

Issued by

Sd/-
JUSTICE UMA NATH SINGH
Former chief justice, High court of Meghalaya
NAGALAND LOKAYUKTA
Appendix-B(1)

[See Section 33 (2)(d)]

1. **Registering of complaints** – After any complaint is received in the Nagaland Lokayukta office, it shall be scrutinized by the Registering Authority designated by Lokayukta,(hereinafter to be referred to as “the Registering Authority”), and if the authority is satisfied that the complaint is proper, he may direct the complaint to be registered in a register maintained for that purpose.

2. **Defects in complaint.** – If the Registering Authority finds that the complaint is not in accordance to the instructions or is otherwise defective, he may postpone the registration of the complaint and inform the complainant to rectify the defects within a specified time and after such compliance, he may direct the complaint to be registered.

3. **Effects of non-compliance.**- If the necessary requirements are not complied with within the time specified in the order of Registering Authority or such further time as the Registering Authority may allow, the complaint may be put up by him before the Lokayukta or the Upa-Lokayukta, as the case maybe, and the Lokayukta or Upa-Lokayukta may summarily reject such complaint or pass such other order as he deems fit in the circumstances of the case.

Issued by

*Sd/-*

**SEHJANG DOUNGEL, NCS**
Secretary
Nagaland Lokayukta,
Kohima.
MINISTRY OF LAW AND JUSTICE  
(Legislative Department)

New Delhi, the 21st February, 2019/Phalgun 2, 1940 (Saka)

THE BANNING OF UNREGULATED  
DEPOSIT SCHEMES ORDINANCE, 2019  
No. 7 of 2019

Promulgated by the President in the Seventieth Year of  
the Republic of India.

An Ordinance to provide for a comprehensive  
mechanism to ban the unregulated deposit schemes and to  
protect the interest of depositors and for matters connected  
therewith or incidental thereto.

WHEREAS the Banning of Unregulated Deposit  
Schemes Bill, 2019 was passed on the 13th day of February,  
2019 in the House of the People;

AND WHEREAS the said Bill could not be taken up for  
consideration and passing in the Council of States;

AND WHEREAS Parliament is not in session and the  
President is satisfied that circumstances exist which render  
it necessary for him to take immediate action;
NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:

CHAPTER I
PRELIMINARY

1. (1) This Ordinance may be called the Banning of Unregulated Deposit Schemes Ordinance, 2019.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

Definitions.

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

(1) “appropriate Government” means in respect of matters relating to,—

(i) the Union territory without legislature, the Central Government;

(ii) the Union territory of Puducherry, the Government of that Union territory;

(iii) the Union territory of Delhi, the Government of that Union territory; and

(iv) the State, the State Government;

(2) “company” shall have the same meaning as assigned to it in clause (20) of section 2 of the Companies Act, 2013;

(3) “Competent Authority” means an Authority appointed by the appropriate Government under section 7;

(4) “deposit” means an amount of money received by way of an advance or loan or in any other form, by any deposit taker with a promise to return whether after a specified period or otherwise, either in cash or in kind or in the form of a specified service, with or without any benefit in the form of interest, bonus, profit or in any other form, but does not include—

(a) amounts received as loan from a scheduled bank or a co-operative bank or any other banking
company as defined in section 5 of the Banking Regulation Act, 1949;

(b) amounts received as loan or financial assistance from the Public Financial Institutions notified by the Central Government in consultation with the Reserve Bank of India or any non-banking financial company as defined in clause (f) of section 45-i of the Reserve Bank of India Act, 1934 and is registered with the Reserve Bank of India or any Regional Financial Institutions or insurance companies;

(c) amounts received from the appropriate Government, or any amount received from any other source whose repayment is guaranteed by the appropriate Government, or any amount received from a statutory authority constituted under an Act of Parliament or a State Legislature;

(d) amounts received from foreign Governments, foreign or international banks, multilateral financial institutions, foreign Government owned development financial institutions, foreign export credit collaborators, foreign bodies corporate, foreign citizens, foreign authorities or person resident outside India subject to the provisions of the Foreign Exchange Management Act, 1999 and the rules and regulations made thereunder;

(e) amounts received by way of contributions towards the capital by partners of any partnership firm or a limited liability partnership;

(f) amounts received by an individual by way of loan from his relatives or amounts received by any firm by way of loan from the relatives of any of its partners;

(g) amounts received as credit by a buyer from a seller on the sale of any property (whether movable or immovable);

(h) amounts received by an asset re-construction company which is registered with the Reserve Bank of India under section 3 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002;
(i) any deposit made under section 34 or an amount accepted by a political party under section 29B of the Representation of People Act, 1951;

(ii) any periodic payment made by the members of the self-help groups operating within such ceilings as may be prescribed by the State Government or Union territory Government;

(iii) any other amount collected for such purpose and within such ceilings as may be prescribed by the State Government;

(iv) an amount received in the course of, or for the purpose of, business and bearing a genuine connection to such business including—

(i) payment, advance or part payment for the supply or hire of goods or provision of services and is repayable in the event the goods or services are not in fact sold, hired or otherwise provided;

(ii) advance received in connection with consideration of an immovable property under an agreement or arrangement subject to the condition that such advance is adjusted against such immovable property as specified in terms of the agreement or arrangement;

(iii) security or dealership deposited for the performance of the contract for supply of goods or provision of services; or

(iv) an advance under the long-term projects for supply of capital goods except those specified in item (ii):

Provided that if the amounts received under items (i) to (iv) become refundable, such amounts shall be deemed to be deposits on the expiry of fifteen days from the date on which they become due for refund:

Provided further that where the said amounts become refundable, due to the deposit taker not obtaining necessary permission or approval under the law for the time being in force, wherever required, to deal in the goods or
properties or services for which money is taken, such amounts shall be deemed to be deposits.

*Explanation.*—For the purposes of this clause,—

(i) in respect of a company, the expression “deposit” shall have the same meaning as assigned to it under the Companies Act, 2013;

(ii) in respect of a non-banking financial company registered under the Reserve Bank of India Act, 1934, the expression “deposit” shall have the same meaning as assigned to it in clause (bb) of the section 45-I of the said Act;

(iii) the expressions “partner” and “firm” shall have the same meanings as respectively assigned to them under the Indian Partnership Act, 1932;

(iv) the expression “partner” in respect of a limited liability partnership shall have the same meaning as assigned to it in clause (q) of section 2 of the Limited Liability Partnership Act, 2008;

(v) the expression “relative” shall have the same meaning as assigned to it in the Companies Act, 2013;

(5) “depositor” means any person who makes a deposit under this Ordinance;

(6) “deposit taker” means—

(i) any individual or group of individuals;

(ii) a proprietorship concern;

(iii) a partnership firm (whether registered or not);

(iv) a limited liability partnership registered under the Limited Liability Partnership Act, 2008;

(v) a company;

(vi) an association of persons;

(vii) a trust (being a private trust governed under the provisions of the Indian Trusts Act, 1882 or a public trust, whether registered or not);
(viii) a co-operative society or a multi-State co-operative society; or

(ix) any other arrangement of whatsoever nature, receiving or soliciting deposits, but does not include—

(i) a Corporation incorporated under an Act of Parliament or a State Legislature;

(ii) a banking company, a corresponding new bank, the State Bank of India, a subsidiary bank, a regional rural bank, a co-operative bank or a multi-State co-operative bank as defined in the Banking Regulation Act, 1949; 10 of 1949.

(7) “Designated Court” means a Designated Court constituted by the appropriate Government under section 8;

(8) “insurer” shall have the same meaning as assigned to it in clause (9) of section 2 of the Insurance Act, 1938; 4 of 1938.

(9) “notification” means a notification published in the Official Gazette and the expression “notify” shall be construed accordingly;

(10) “person” includes—

(i) an individual;

(ii) a Hindu Undivided Family;

(iii) a company;

(iv) a trust;

(v) a partnership firm;

(vi) a limited liability partnership;

(vii) an association of persons;

(viii) a co-operative society registered under any law for the time being in force relating to co-operative societies; or
(ix) every artificial juridical person, not falling within any of the preceding sub-clauses;

(11) “prescribed” means prescribed by the rules made by the Central Government or, as the case may be, the State Government under this Ordinance;

(12) “property” means any property or assets of every description, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and includes deeds and instruments evidencing title to, or interest in, such property or assets, wherever located;

(13) “public financial institution” shall have the same meaning as assigned to it in clause (72) of section 2 of the Companies Act, 2013;

(14) “Regulated Deposit Scheme” means the Schemes specified under column (3) of the First Schedule;

(15) “Regulator” means the Regulator specified in column (2) of the First Schedule;

(16) “Schedule” means the Schedules appended to this Ordinance;

(17) “Unregulated Deposit Scheme” means a Scheme or an arrangement under which deposits are accepted or solicited by any deposit taker by way of business and which is not a Regulated Deposit Scheme, as specified under column (3) of the First Schedule.

CHAPTER II
BANNING OF UNREGULATED DEPOSIT SCHEMES

3. On and from the date of commencement of this Ordinance,—

(a) the Unregulated Deposit Schemes shall be banned; and

(b) no deposit taker shall, directly or indirectly, promote, operate, issue any advertisement soliciting participation or enrolment in or accept deposits in pursuance of an Unregulated Deposit Scheme.
4. No deposit taker, while accepting deposits pursuant to a Regulated Deposit Scheme, shall commit any fraudulent default in the repayment or return of deposit on maturity or in rendering any specified service promised against such deposit.

5. No person by whatever name called shall knowingly make any statement, promise or forecast which is false, deceptive or misleading in material facts or deliberately conceal any material facts, to induce another person to invest in, or become a member or participant of any Unregulated Deposit Scheme.

6. A prize chit or a money circulation scheme banned under the provisions of the Prize Chits and Money Circulation Scheme (Banning) Act, 1978 shall be deemed to be an Unregulated Deposit Scheme under this Ordinance.

CHAPTER III
AUTHORITIES

7. (1) The appropriate Government shall, by notification, appoint one or more officers not below the rank of Secretary to that Government, as the Competent Authority for the purposes of this Ordinance.

(2) The appropriate Government may, by notification, appoint such other officer or officers as it thinks fit, to assist the Competent Authority in discharging its functions under this Ordinance.

(3) Where the Competent Authority or officers appointed under sub-section (2), for the purposes of this section, has reason to believe (the reason for such belief to be recorded in writing), on the basis of such information and particulars as may be prescribed that any deposit taker is soliciting deposits in contravention of section 3, he may, by order in writing, provisionally attach the deposits held by the deposit taker and the money or other property acquired either in the name of the deposit taker or in the name of any other person on behalf of the deposit taker from the date of the order, in such manner as may be prescribed.

(4) The Competent Authority shall, for the purposes of sub-section (3), have the same powers as vested in a civil court under the Code of Civil Procedure, 1908 while conducting investigation or inquiry in respect of the following matters, namely:—

(a) discovery and inspection;
(b) enforcing the attendance of any person, including any officer of a reporting entity and examining him on oath;

(c) compelling the production of records;

(d) receiving evidence on affidavits;

(e) issuing commissions for examination of witnesses and documents; and

(f) any other matter which may be prescribed.

(5) The Competent Authority shall have power to summon any person whose attendance he considers necessary whether to give evidence or to produce any records during the course of any investigation or proceeding under this section.

(6) All the persons so summoned shall be bound to attend in person or through authorised agents, as such officer may direct, and shall be bound to state the truth upon any subject respecting which they are examined or make statements, and produce such documents as may be required.

(7) Every proceeding under sub-sections (4) and (5) shall be deemed to be a judicial proceeding within the meaning of section 193 and section 228 of the Indian Penal Code.

(8) Subject to any rules made in this behalf by the Central Government, any officer referred to in sub-section (2) may impound and retain in his custody for such period, as he thinks fit, any records produced before him in any proceedings under this Ordinance:

Provided that the officers referred to in sub-section (2) shall not—

(a) impound any records without recording his reasons for so doing; or

(b) retain in his custody any such records for a period exceeding three months, without obtaining the previous approval of the Competent Authority.

8. (1) The appropriate Government shall, with the concurrence of the Chief Justice of the concerned High Court, by notification, constitute one or more Courts known as the Designated Courts for such area or areas or such case or cases as may be specified in such notification, which shall be presided over by a Judge not below the rank of a District
and Sessions Judge or Additional District and Sessions Judge.

(2) No Court other than the Designated Court shall have jurisdiction in respect of any matter to which the provisions of this Ordinance apply.

(3) When trying an offence under this Ordinance, the Designated Court may also try an offence, other than an offence under this Ordinance, with which the accused may, under the Code of Criminal Procedure, 1973, be charged at the same trial.

CHAPTER IV
INFORMATION ON DEPOSIT TAKERS

9. (1) The Central Government may designate an authority, whether existing or to be constituted, which shall create, maintain and operate an online database for information on deposit takers operating in India.

(2) The authority designated under sub-section (1) may require any Regulator or the Competent Authority to share such information on deposit takers, as may be prescribed.

10. (1) Every deposit taker which commences or carries on its business as such on or after the commencement of this Ordinance shall intimate the authority referred to in sub-section (1) of section 9 about its business in such form and manner and within such time, as may be prescribed.

(2) The Competent Authority may, if it has reason to believe that the deposits are being solicited or accepted pursuant to an Unregulated Deposit Scheme, direct any deposit taker to furnish such statements, information or particulars, as it considers necessary, relating to or connected with the deposits received by such deposit taker.

Explanation.— For the removal of doubts, it is hereby clarified that—

(a) the requirement of intimation under sub-section (1) is applicable to deposit takers accepting or soliciting deposits as defined in clause (4) of section 2; and

(b) the requirement of intimation under sub-section (1) applies to a company, if the company accepts the deposits under Chapter V of the Companies Act, 2013.
11. (1) The Competent Authority shall share all information received under section 29 with the Central Bureau of Investigation and with the authority which may be designated by the Central Government under section 9.

(2) The appropriate Government, any Regulator, income-tax authorities or any other investigation agency, having any information or documents in respect of the offence investigated under this Ordinance by the police or the Central Bureau of Investigation, shall share all such information or documents with the police or the Central Bureau of Investigation.

(3) Where the principal officer of any banking company, a corresponding new bank, the State Bank of India, a subsidiary bank, a regional rural bank, a cooperative bank or a multi-State co-operative bank has reason to believe that any client is a deposit taker and is acting in contravention to the provisions of this Ordinance, he shall forthwith inform the same to the Competent Authority.

CHAPTER V
RESTITUTION TO DEPOSITORS

12. Save as otherwise provided in the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 or the Insolvency and Bankruptcy Code, 2016, any amount due to depositors from a deposit taker shall be paid in priority over all other debts and all revenues, taxes, cesses and other rates payable to the appropriate Government or the local authority.

13. (1) Save as otherwise provided in the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 or the Insolvency and Bankruptcy Code, 2016, an order of provisional attachment passed by the Competent Authority, shall have precedence and priority, to the extent of the claims of the depositors, over any other attachment by any authority competent to attach property for repayment of any debts, revenues, taxes, cesses and other rates payable to the appropriate Government or the local authority.

(2) Where an order of provisional attachment has been passed by the Competent Authority—

(a) such attachment shall continue until an order is passed under sub-section (3) or sub-section (5) of section 15 by the Designated Court;
(b) all the attached money or property of the deposit taker and the persons mentioned therein shall vest in the Competent Authority and shall remain so vested till further order of the Designated Court.

(3) The Competent Authority shall open an account in a scheduled bank for the purpose of crediting and dealing with the money realised under this Ordinance, which shall not be utilised except under the instructions of the Designated Court.

(4) The Competent Authority shall not dispose of or alienate the property or money attached except in accordance with the order of the Designated Court under sub-section (3) or sub-section (5) of section 15.

(5) Notwithstanding anything contained in sub-section (4), the Competent Authority may, if it thinks it expedient, order the immediate sale of perishable items or assets, and the proceeds of the sale shall be utilised in the same manner as provided for other property.

14. (1) The Competent Authority shall, within a period of thirty days, which may extend up to sixty days, for reasons to be recorded in writing, from the date of the order of provisional attachment, file an application with such particulars as may be prescribed, before the Designated Court for making the provisional attachment absolute, and for permission to sell the property so attached by public auction or, if necessary, by private sale.

(2) In case where the money or property has been attached on the permission granted by a Designated Court in another State or Union territory, the application for confirmation of such attachment shall be filed in that Court.

15. (1) Upon receipt of an application under section 14, the Designated Court shall issue notice to—

(a) the deposit taker; and

(b) any person whose property is attached under section 14,

to show cause, within a period of thirty days from the date of issue of notice, as to why the order of attachment should not be made absolute and the properties so attached be sold.
(2) The Designated Court shall also issue notice to all other persons represented to it as having or being likely to claim any interest or title in the property, to appear on the same date as persons referred to in sub-section (1) to raise objections, if they so desire, to the attachment of the property.

(3) The Designated Court shall, after adopting such procedure as may be prescribed, pass an order—

(a) making the provisional order of attachment absolute; or

(b) varying it by releasing a portion of the property from attachment; or

(c) cancelling the provisional order of attachment,

and in case of an order under clause (a) or clause (b), direct the Competent Authority to sell the property so attached by public auction or, if necessary, by private sale and realise the sale proceeds:

(4) The Designated Court shall not, in varying or cancelling the provisional order of attachment, release any property from attachment, unless it is satisfied that—

(a) the deposit taker or the person referred to in sub-section (1) has interest in such property; and

(b) there shall remain an amount or property sufficient for repayment to the depositors of such deposit taker.

(5) The Designated Court shall pass such order or issue such direction as may be necessary for the equitable distribution among the depositors of the money attached or realised out of the sale.

(6) The Designated Court shall endeavor to complete the proceedings under this section within a period of one hundred and eighty days from the date of receipt of the application referred to in sub-section (1).

16. (1) Where the Designated Court is satisfied that there is a reasonable cause for believing that the deposit taker has transferred any property otherwise than in good faith and not for commensurate consideration, it may, by notice, require any transferee of such property, whether or
not he received the property directly from the said deposit
taker, to appear on a date to be specified in the notice and
show cause why so much of the transference’s property as is
equivalent to the proper value of the property transferred
should not be attached.

(2) Where the said transferee does not appear and
show cause on the specified date or where the Designated
Court is satisfied that the transfer of the property to the said
transferee was not a bonafide transfer and not for
commensurate consideration, it shall order the attachment of
so much of the said transferee’s property as in its opinion is
equivalent to the proper value of the property transferred.

17. (1) Any deposit taker or a person referred to in sub-
section (1) of section 15, or transferee referred to in section
16 whose property is about to be attached or has been
provisionally attached under this Ordinance, may, at any
time before the confirmation of attachment, apply to the
Designated Court for permission to deposit the fair value of
the property in lieu of attachment.

(2) While allowing the deposit taker or person or
transferee referred to in sub-section (1) to make the deposit
under sub-section (1), the Designated Court may order such
deposit taker or person or transferee to pay any sum towards
costs as may be applicable.

18. (1) The Designated Court shall exercise the
following powers, namely:—

(a) power to approve the statement of dues of the
deposit taker due from various debtors;

(b) power to assess the value of the assets of the
deposit taker and finalise the list of the depositors and
their respective dues;

(c) power to direct the Competent Authority to take
possession of any assets belonging to or in the control
of the deposit taker and to sell, transfer or realise the
attached assets, either by public auction or by private
sale as it deems fit depending upon the nature of assets
and credit the sale proceeds thereof to its bank account;

(d) power to approve the necessary expenditure to
be incurred by the Competent Authority for taking
possession and realisation of the assets of the deposit
taker;
(e) power to pass an order for full payment to the depositors by the Competent Authority or an order for proportionate payment to the depositors in the event the money so realised is not sufficient to meet the entire deposit liability;

(f) power to direct any person, who has made profit or averted loss by indulging in any transaction or activity in contravention of the provisions of this Ordinance, to disgorge an amount equivalent to the wrongful gain made or loss averted by such contravention; and

(g) power to pass any other order which the Designated Court deems fit for realisation of assets of the deposit taker and for repayment of the same to the depositors of such deposit taker or on any other matter or issue incidental thereto.

(2) On the application of any person interested in any property attached and vested in the Competent Authority under this Ordinance and after giving such Competent Authority an opportunity of being heard, make such order as the Designated Court considers just and reasonable for—

(a) providing from such of the property attached and vested in the Competent Authority as the applicant claims an interest in, such sums as may be reasonably necessary for the maintenance of the applicant and of his family, and for expenses connected with the defence of the applicant where criminal proceedings have been initiated against him in the Designated Court under this Ordinance; or

(b) safeguarding, so far as may be practicable, the interest of any business affected by the attachment.

Explanation.—For the purposes of this section, the expression “deposit taker” includes the directors, promoters, managers or members of said establishment or any other person whose property or assets have been attached under this Ordinance.

19. Any person including the Competent Authority, if aggrieved by any final order of the Designated Court under this Chapter, may appeal to the High Court, within a period of sixty days from the date of such order:
Provided that the High Court may entertain the appeal after the expiry of the said period of sixty days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.

Explanation.—The expression “High Court” means the High Court of a State or Union territory where the Designated Court is situated.

20. (1) Whenever it is made to appear to the Supreme Court that there is a default in any deposit scheme or deposit schemes of the nature referred to in section 30, the Supreme Court may, by an order, direct that any particular case be transferred from one Designated Court to another Designated Court.

(2) The Supreme Court may act under this section only on an application filed by the Competent Authority or any interested party, and every such application shall be supported by an affidavit.

(3) Where an application for the exercise of the powers conferred by this section is dismissed, the Supreme Court may, if it is of opinion that the application was frivolous or vexatious, order the applicant to pay by way of compensation to any person who has opposed the application such sum not exceeding fifty thousand rupees as it may consider appropriate in the circumstances of the case.

CHAPTER VI
OFFENCES AND PUNISHMENTS

21. (1) Any deposit taker who solicits deposits in contravention of section 3 shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to five years and with fine which shall not be less than two lakh rupees but which may extend to ten lakh rupees.

(2) Any deposit taker who accepts deposits in contravention of section 3 shall be punishable with imprisonment for a term which shall not be less than two years but which may extend to seven years and with fine which shall not be less than three lakh rupees but which may extend to ten lakh rupees.

(3) Any deposit taker who accepts deposits in contravention of section 3 and fraudulently defaults in repayment of such deposits or in rendering any specified service, shall be punishable with imprisonment for a term
which shall not be less than three years but which may extend to ten years and with fine which shall not be less than five lakh rupees but which may extend to twice the amount of aggregate funds collected from the subscribers, members or participants in the Unregulated Deposit Scheme.

**Explanation.**— For the purposes of this Ordinance,—

(i) the expression “fraudulently” shall have the same meaning as assigned to it in section 25 of the Indian Penal Code;

(ii) where the terms of the Deposit Scheme are entirely impracticable or unviable, the terms shall be relevant facts showing an intention to defraud.

22. Any deposit taker who contravenes the provisions of section 4 shall be punishable with imprisonment for a term which may extend to seven years, or with fine which shall not be less than five lakh rupees but which may extend to twenty-five crore rupees or three times the amount of profits made out of the fraudulent default referred to in said section, whichever is higher, or with both.

23. Any person who contravenes the provisions of section 5 shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to five years and with fine which may extend to ten lakh rupees.

24. Whoever having been previously convicted of an offence punishable under this Chapter, except the offence under section 26, is subsequently convicted of an offence shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to ten years and with fine which shall not be less than ten lakh rupees but which may extend to fifty crore rupees.

25. (1) Where an offence under this Ordinance has been committed by a deposit taker other than an individual, every person who, at the time the offence was committed, was in charge of, and was responsible to, the deposit taker for the conduct of its business, as well as the deposit taker, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Nothing contained in sub-section (1) shall render any such person liable to any punishment provided in this Ordinance, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.
(3) Notwithstanding anything contained in sub-section (1), where an offence under this Ordinance has been committed by a deposit taker other than an individual, and it is proved that the offence—

(a) has been committed with the consent or connivance; or

(b) is attributable to any neglect on the part of any director, manager, secretary, promoter, partner, employee or other officer of the deposit taker,

such person shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

26. Whoever fails to give the intimation required under sub-section (1) of section 10 or fails to furnish any such statements, information or particulars as required under sub-section (2) of that section, shall be punishable with fine which may extend to five lakh rupees.

27. Notwithstanding anything contained in section 4, no Designated Court shall take cognizance of an offence punishable under that section except upon a complaint made by the Regulator:

Provided that the provisions of section 4 and this section shall not apply in relation to a deposit taker which is a company.

CHAPTER VII
INVESTIGATION, SEARCH AND SEIZURE

28. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 every offence punishable under this Ordinance, except the offence under section 22 and section 26, shall be cognizable and non-bailable.

29. The police officer shall, on recording information about the commission of an offence under this Ordinance, inform the same to the Competent Authority.

30. (1) On receipt of information under section 29 or otherwise, if the Competent Authority has reason to believe that the offence relates to a deposit scheme or deposit schemes in which—
(a) the depositors, deposit takers or properties involved are located in more than one State or Union territory in India or outside India; and

(b) the total value of the amount involved is of such magnitude as to significantly affect the public interest,

the Competent Authority shall refer the matter to the Central Government for investigation by the Central Bureau of Investigation.

(2) The reference made by the Competent Authority under sub-section (1) shall be deemed to be with the consent of the State Government under section 6 of the Delhi Special Police Establishment Act, 1946.

(3) On the receipt of the reference under sub-section (1), the Central Government may transfer the investigation of the offence to the Central Bureau of Investigation under section 5 of the Delhi Special Police Establishment Act, 1946.

31. (1) Whenever any police officer, not below the rank of an officer-in-charge of a police station, has reason to believe that anything necessary for the purpose of an investigation into any offence under this Ordinance may be found in any place within the limits of the police station of which he is in-charge, or to which he is attached, such officer may, with the written authorisation of an officer not below the rank of Superintendent of Police, and after recording in writing so far as possible, the thing for which the search is to be made and subject to the rules made in this behalf, authorise any officer sub-ordinate to him,—

(a) to enter and search any building, conveyance or place, between sunrise and sunset, which he has reason to suspect is being used for purposes connected with the promotion or conduct of any deposit taking scheme or arrangement in contravention of the provisions of this Ordinance;

(b) in case of resistance, to break open any door and remove any obstacle to such entry, if necessary by force, with such assistance as he considers necessary, for exercising the powers conferred by clause (a);

(c) to seize any record or property found as a result of the search in the said building, conveyance or place, which are intended to be used, or reasonably suspected to have been used, in connection with any such deposit-
taking scheme or arrangement in contravention of the provisions of this Ordinance; and

(d) to detain and search, and if he thinks proper, take into custody and produce before any Designated Court any such person whom he has reason to believe to have committed any offence punishable under this Ordinance:

Provided that if such officer has reason to believe that the said written authorisation cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of an offender, he may, without the said written authorisation, enter and search such building, conveyance or place, at any time between sunset and sunrise after recording the grounds in writing.

(2) Where it is not practicable to seize the record or property, the officer authorised under sub-section (1), may make an order in writing to freeze such property, account, deposits or valuable securities maintained by any deposit taker about which a complaint has been made or credible information has been received or a reasonable suspicion exists of their having been connected with the promotion or conduct of any deposit taking scheme or arrangement in contravention of the provisions of this Ordinance and it shall be binding on the concerned bank or financial or market establishment to comply with the said order:

Provided that no bank or financial or market establishment shall freeze such account, deposit or valuable securities, for a period beyond thirty days unless the same is authorised by the order of the Designated Court:

Provided further that, if at any time, it becomes practicable to seize the frozen property, the officer authorised under sub-section (1) may seize such property.

Explanation.—For the purpose of this section, the expressions,—

(i) “freezing of account” shall mean that no transaction, whether deposit or withdrawal shall be allowed in the said account; and

(ii) “freezing of property” shall mean that no transfer, conversion, disposition or movement of property shall be allowed.
(3) Where an officer takes down any information in writing or records grounds for his belief or makes an order in writing under sub-section (1) or sub-section (2), he shall, within a time of seventy-two hours send a copy thereof to the Designated Court in a sealed envelope and the owner or occupier of the building, conveyance or place shall, on application, be furnished, free of cost, with a copy of the same by the Designated Court.

(4) All searches, seizures and arrests under this section shall be made in accordance with the provisions of the Code of Criminal Procedure, 1973.

32. (1) The Designated Court may take cognizance of offences under this Ordinance without the accused being committed to it for trial.

(2) Save as otherwise provided in section 31, the provisions of the Code of Criminal Procedure, 1973 shall apply—

(a) to all arrests, searches and seizures made under this Ordinance;

(b) to the proceedings under this Ordinance and for the purposes of the said provisions, the Designated Court shall be deemed to be a Court of Session and the persons conducting the prosecution before the Designated Court, shall be deemed to be Public Prosecutors.

CHAPTER VIII
MISCELLANEOUS

33. Where any newspaper or other publication of any nature, contains any statement, information or advertisement promoting, soliciting deposits for, or inducing any person to become a member of any Unregulated Deposit Scheme, the appropriate Government may direct such newspaper or publication to publish a full and fair retraction, free of cost, in the same manner and in the same position in such newspaper or publication as may be prescribed.
34. Save as otherwise expressly provided in this Ordinance, the provisions of this Ordinance shall have effect notwithstanding anything contained in any other law for the time being in force, including any law made by any State or Union territory.

35. The provisions of this Ordinance shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

36. No suit, prosecution or other legal proceedings shall lie against the appropriate Government or the Competent Authority or any officer of the appropriate Government for anything which is in good faith done or intended to be done under this Ordinance or the rules made thereunder.

37. (1) The Central Government may, by notification, make rules for carrying out the provisions of this Ordinance.

(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 information and other particulars to be taken into consideration before issuing an order, and the manner of attachment, under sub-section (3) of section 7;

(b) information to be shared under sub-section (2) of section 9;

(c) the form and manner in which and the time within which the intimation shall be given under sub-section (1) of section 10;

(d) the particulars contained in the application to be filed by the Competent Authority before the Designated Court under sub-section (1) of section 14;

(e) the procedure to be adopted by the Designated Court before issuing an order under sub-section (3) of section 15;

(f) rules under sub-section (1) of section 31;

(g) the manner of publication of advertisement under section 33; and
(h) any other matter which is required to be, or may be, prescribed.

38. (1) The State Government or Union territory Government, as the case may be, in consultation with the Central Government, by notification, make rules for carrying out the provisions of this Ordinance.

(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) ceiling for self-help groups under clause (j) of sub-section (4) of section 2;

(b) purpose and ceiling under clause (k) of sub-section (4) of section 2;

(c) the manner of provisional attachment of property by the Competent Authority under sub-section (3) of section 7;

(d) other matters under clause (f) of sub-section (4) of section 7;

(e) the rules relating to impounding and custody of records under sub-section (8) of section 7;

(f) any other matter which is required to be, or may be, prescribed.

39. (1) Every rule made by the Central Government under this Ordinance 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.

(2) Every rule made by a State Government or the Union territory Government, as the case may be shall be laid, as soon as may be after it is made, before each House of the State Legislature or the Union territory Legislature, as
the case may be, where it consists of two Houses, or where such Legislature consists of one House, before that House.

40. (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Ordinance, as may appear to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Ordinance.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

41. (1) The Central Government may, having regard to the objects of this Ordinance, and if it considers necessary or expedient so to do, by notification, add to, or as the case may be, omit from the First Schedule, any scheme or arrangement, and on such addition, or omission, such scheme or arrangement shall become, or cease to be, a Regulated Deposit Scheme, as the case may be.

(2) A copy of every notification issued under this section shall, as soon as may be after it has been issued, be laid before each House of Parliament.

42. The enactments specified in the Second Schedule shall be amended in the manner specified therein.
FIRST SCHEDULE  
[[See section 2 (15)]]

REGULATED DEPOSIT SCHEMES

(1) The Regulator and Regulated Deposit Scheme refers to the regulators and schemes and arrangements listed in the following Table, namely:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Regulator</th>
<th>Regulated Deposit Scheme</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Securities and Exchange Board of India</td>
<td>(i) Any scheme or an arrangement [as defined under section 11AA of the Securities and Exchange Board of India Act, 1992 (15 of 1992)] launched, sponsored or carried out by a Collective Investment Management Company registered with the Securities and Exchange Board of India under the Securities and Exchange Board of India (Collective Investment Scheme) Regulations, 1999.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(ii) Any scheme or an arrangement registered with the Securities and Exchange Board of India under the Securities and Exchange Board of India (Alternative Investment Funds) Regulations, 2012.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(iii) Any scheme or an arrangement, pursuant to which funds are managed by a portfolio manager, registered under the Securities and Exchange Board of India (Portfolio Managers) Regulations, 1993.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(iv) Any scheme or an arrangement regulated under the Securities and Exchange Board of India (Share Based Employee Benefits) Regulations, 2014 or providing for employee benefits as permitted under the Companies Act, 2013 (18 of 2013).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(v) Any other scheme or an arrangement registered under the Securities and Exchange Board of India Act, 1992 (15 of 1992), or the regulations made thereunder.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(vi) Any amount received as contributions in the nature of subscriptions to a mutual fund registered with Securities and</td>
</tr>
</tbody>
</table>
2. Reserve Bank of India

(i) Any scheme under which deposits are accepted by Non-Banking Financial Companies as defined in clause (f) of section 45-I of the Reserve Bank of India Act, 1934 (2 of 1934) and registered with the Reserve Bank of India, or any other scheme or an arrangement registered under the Reserve Bank of India Act, 1934.

(ii) Any scheme or an arrangement under which funds are accepted by individuals or entities engaged as Business Correspondents and Facilitators by banks subject to the Guidelines and Circulars issued by the Reserve Bank of India from time to time.

(iii) Any scheme or an arrangement under which funds are received by a system provider operating as an authorised payment system under the Payment and Settlement Systems Act, 2007 (51 of 2007).

(iv) Any other scheme or an arrangement regulated under the Reserve Bank of India Act, 1934 (2 of 1934), or the guidelines or circulars of the Reserve Bank of India.

3. The Insurance Regulatory and Development Authority of India

A contract of insurance pursuant to a certificate of registration obtained in accordance with the Insurance Act, 1938 (4 of 1938).

4. State Government or Union territory Government

(i) Any scheme or an arrangement made or offered by a co-operative society registered under the Co-operative Societies Act, 1912 (2 of 1912) or a society being a society registered or deemed to be registered under any law relating to co-operative societies for the time being in force in any State or Union territory.

(ii) Any scheme or an arrangement commenced or conducted as a chit business with the previous sanction of the State Government in accordance with the provisions of the Chit Funds Act, 1982 (40 of 1982).

(iii) Any scheme or an arrangement regulated by any enactment relating to money lending which is for the time being in force in any State or Union territory.
(iv) Any scheme or an arrangement by a prize chit or money circulation scheme under section 11 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 (43 of 1978).

5. National Housing Bank

Any scheme or an arrangement for acceptance of deposits registered under the National Housing Bank Act, 1987 (53 of 1987).

6. Pension Fund Regulatory and Development Authority

Any scheme or an arrangement under the Pension Fund Regulatory and Development Authority Act, 2013 (23 of 2013).

7. Employees Provident Fund Organisation

Any scheme, Pension Scheme or Insurance Scheme framed under the Employees’ Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952).

8. Central Registrar, Multi-State Co-operative Societies

Any scheme or an arrangement for acceptance of deposits from voting members by a Multi-State Co-operative Society registered under the Multi-State Co-operative Societies Act, 2002 (39 of 2002).

9. Ministry of Corporate Affairs, Government of India

(i) Deposits accepted or permitted under the provisions of Chapter V of the Companies Act, 2013 (18 of 2013).

(ii) Any scheme or an arrangement under which deposits are accepted by a company declared as a Nidhi or a Mutual Benefit Society under section 406 of the Companies Act, 2013 (18 of 2013).

(2) The following shall also be treated as Regulated Deposit Schemes under this Ordinance, namely:

(a) deposits accepted under any scheme or an arrangement registered with any regulatory body in India constituted or established under a statute; and

(b) any other scheme as may be notified by the Central Government under this Ordinance.
AMENDMENT TO CERTAIN ENACTMENTS

PART I
AMENDMENT TO THE RESERVE BANK OF INDIA ACT, 1934

2 of 1934.

In the Reserve Bank of India Act, 1934, in section 45-I, in clause (bb), after Explanation II, the following Explanation shall be inserted, namely:—

"Explanation III.—The amounts accepted by a co-operative society from the members or shareholders, by whatever name called, but excluding the amounts received as share capital, shall be deemed to be deposits for the purposes of this clause, if such members or shareholders are nominal or associate members, by whatever name called, who do not have full voting rights in the meetings of such co-operative society."

PART II
AMENDMENTS TO THE SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992

In the Securities and Exchange Board of India Act, 1992,—

(i) in section 11, in sub-section (4), for clause (e), the following clause shall be substituted, namely:—

"(c) attach, for a period not exceeding ninety days, bank accounts or other property of any intermediary or any person associated with the securities market in any manner involved in violation of any of the provisions of this Act, or the rules or the regulations made thereunder:

Provided that the Board shall, within ninety days of the said attachment, obtain confirmation of the said attachment from the Special Court, established under section 26A, having jurisdiction and on such confirmation, such attachment shall continue during the pendency of the aforesaid proceedings and on conclusion of the said proceedings, the provisions of section 28A shall apply:

Provided further that only property, bank account or accounts or any transaction entered therein, so far as it relates to the proceeds actually involved in violation of any of the provisions of this Act, or the rules or the
SECOND SCHEDULE

[See section 42]

AMENDMENT TO CERTAIN ENACTMENTS

PART I

AMENDMENT TO THE RESERVE BANK OF INDIA ACT, 1934

In the Reserve Bank of India Act, 1934, in section 45-l, in clause (bb), after Explanation II, the following Explanation shall be inserted, namely:—

"Explanation III.—The amounts accepted by a co-operative society from the members or shareholders, by whatever name called, but excluding the amounts received as share capital, shall be deemed to be deposits for the purposes of this clause, if such members or shareholders are nominal or associate members, by whatever name called, who do not have full voting rights in the meetings of such co-operative society."

PART II

AMENDMENTS TO THE SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992

In the Securities and Exchange Board of India Act, 1992,—

(i) in section 11, in sub-section (4), for clause (e), the following clause shall be substituted, namely:—

"(e) attach, for a period not exceeding ninety days, bank accounts or other property of any intermediary or any person associated with the securities market in any manner involved in violation of any of the provisions of this Act, or the rules or the regulations made thereunder:

Provided that the Board shall, within ninety days of the said attachment, obtain confirmation of the said attachment from the Special Court, established under section 26A, having jurisdiction and on such confirmation, such attachment shall continue during the pendency of the aforesaid proceedings and on conclusion of the said proceedings, the provisions of section 28A shall apply:

Provided further that only property, bank account or accounts or any transaction entered therein, so far as it relates to the proceeds actually involved in violation of
any of the provisions of this Act, or the rules or the regulations made thereunder shall be allowed to be attached.

(ii) in section 28A, after Explanation 3, the following Explanation shall be inserted, namely:

"Explanation 4.—The interest referred to in section 220 of the Income-tax Act, 1961 shall commence from the date the amount became payable by the person.".

PART III
AMENDMENT TO THE MULTI-STATE CO-OPERATIVE SOCIETIES ACT, 2002

In the Multi-State Co-operative Societies Act, 2002, in section 67, in sub-section (1),—

(a) after the words "receive deposits", the words "from its voting members" shall be inserted;

(b) the following Explanation shall be inserted, namely:

"Explanation.—For the removal of doubts, it is hereby clarified that a multi-State co-operative society shall not be entitled to receive deposits from persons other than voting members.".

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.
PART-VII

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 21st February, 2019/Phalguna 2, 1940 (Saka)

THE COMPANIES (AMENDMENT) SECOND
ORDINANCE, 2019
NO. 6 OF 2019

Promulgated by the President in the Seventieth Year of the
Republic of India.

An Ordinance further to amend the Companies Act, 2013.

WHEREAS the Companies (Amendment) Ordinance, 2018
was promulgated by the President on the 2nd day of November,
2018;

AND WHEREAS the Companies (Amendment) Bill, 2019 to
replace the Companies (Amendment) Ordinance, 2018 has
been passed by the House of People on the 4th day of January,
2019 and is pending in the Council of States;

AND WHEREAS in order to give continued effect to the
provisions of the Companies (Amendment) Ordinance, 2018,
the Companies (Amendment) Ordinance, 2019 was
promulgated on the 12th day of January, 2019;
AND WHEREAS the Companies (Amendment) Bill, 2019 along with amendments to the said Bill could not be taken up for consideration and passing in the Council of States;

AND WHEREAS the Companies (Amendment) Ordinance, 2019 will cease to operate on the 13th day of March, 2019;

AND WHEREAS it is considered necessary to give continued effect to the provisions of the Companies (Amendment) Ordinance, 2019;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Companies (Amendment) Second Ordinance, 2019.

(2) It shall be deemed to have come into force on the 2nd day of November, 2018.

2. In section 2 of the Companies Act, 2013 (hereinafter referred to as the principal Act), in clause (41),—

(a) for the first proviso, the following provisos shall be substituted, namely:—

“Provided that where a company or body corporate, which is a holding company or a subsidiary or associate company of a company incorporated outside India and is required to follow a different financial year for consolidation of its accounts outside India, the Central Government may, on an application made by that company or body corporate in such form and manner as may be prescribed, allow any period as its financial year, whether or not that period is a year:

Provided further that any application pending before the Tribunal as on the date of commencement of the Companies (Amendment) Second Ordinance, 2019, shall be disposed of by the Tribunal in accordance with the provisions applicable to it before
such commencement."

(b) in the second proviso, for the words "Provided further that", the words "Provided also that" shall be substituted.

3. After section 10 of the principal Act, the following section shall be inserted, namely:

"10A.(1) A company incorporated after the commencement of the Companies (Amendment) Second Ordinance, 2019 and having a share capital shall not commence any business or exercise any borrowing powers unless—

(a) a declaration is filed by a director within a period of one hundred and eighty days of the date of incorporation of the company in such form and verified in such manner as may be prescribed, with the Registrar that every subscriber to the memorandum has paid the value of the shares agreed to be taken by him on the date of making of such declaration; and

(b) the company has filed with the Registrar a verification of its registered office as provided in sub-section (2) of section 12.

(2) If any default is made in complying with the requirements of this section, the company shall be liable to a penalty of fifty thousand rupees and every officer who is in default shall be liable to a penalty of one thousand rupees for each day during which such default continues but not exceeding an amount of one lakh rupees.

(3) Where no declaration has been filed with the Registrar under clause (a) of sub-section (1) within a period of one hundred and eighty days of the date of incorporation of the company and the Registrar has reasonable cause to believe that the company is not carrying on any business or operations, he may, without prejudice to the provisions of sub-section (2), initiate action for the removal of the name of the company from the register of companies under Chapter XVIII.

4. In section 12 of the principal Act, after sub-section (8), the following sub-section shall be inserted, namely:—
“(9) If the Registrar has reasonable cause to believe that the company is not carrying on any business or operations, he may cause a physical verification of the registered office of the company in such manner as may be prescribed and if any default is found to be made in complying with the requirements of sub-section (1), he may without prejudice to the provisions of sub-section (8), initiate action for the removal of the name of the company from the register of companies under Chapter XVIII.”.

5. In section 14 of the principal Act,—

(i) in sub-section (1), for the second proviso, the following provisos shall be substituted, namely:—

“Provided further that any alteration having the effect of conversion of a public company into a private company shall not be valid unless it is approved by an order of the Central Government on an application made in such form and manner as may be prescribed:

Provided also that any application pending before the Tribunal, as on the date of commencement of the Companies (Amendment) Second Ordinance, 2019, shall be disposed of by the Tribunal in accordance with the provisions applicable to it before such commencement.”;

(ii) in sub-section (2), for the word “Tribunal”, the words “Central Government” shall be substituted.

6. In section 53 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) Where any company fails to comply with the provisions of this section, such company and every officer who is in default shall be liable to a penalty which may extend to an amount equal to the amount raised through the issue of shares at a discount or five lakh rupees, whichever is less, and the company shall also be liable to refund all monies received with interest at the rate of twelve per cent. per annum from the date of issue of such shares to the persons to whom such shares have been issued.”.
7. In section 64 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) Where any company fails to comply with the provisions of sub-section (1), such company and every officer who is in default shall be liable to a penalty of one thousand rupees for each day during which such default continues, or five lakh rupees whichever is less.”.

8. In section 77 of the principal Act, in sub-section (1), for the first and second provisos, the following provisos shall be substituted, namely:—

“Provided that the Registrar may, on an application by the company, allow such registration to be made—

(a) in case of charges created before the commencement of the Companies (Amendment) Second Ordinance, 2019, within a period of three hundred days of such creation; or

(b) in case of charges created on or after the commencement of the Companies (Amendment) Second Ordinance, 2019, within a period of sixty days of such creation,

on payment of such additional fees as may be prescribed:

Provided further that if the registration is not made within the period specified—

(a) in clause (a) to the first proviso, the registration of the charge shall be made within six months from the date of commencement of the Companies (Amendment) Second Ordinance, 2019, on payment of such additional fees as may be prescribed and different fees may be prescribed for different classes of companies;

(b) in clause (b) to the first proviso, the Registrar may, on an application, allow such registration to be made within a further period of sixty days after payment of such *ad valorem* fees as may be prescribed.”.

9. Section 86 of the principal Act shall be numbered as
sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:

“(2) If any person wilfully furnishes any false or incorrect information or knowingly suppresses any material information, required to be registered in accordance with the provisions of section 77, he shall be liable for action under section 447.”

10. For section 87 of the principal Act, the following section shall be substituted, namely:

“87. The Central Government on being satisfied that —

(a) the omission to give intimation to the Registrar of the payment or satisfaction of a charge, within the time required under this Chapter; or

(b) the omission or misstatement of any particulars, in any filing previously made to the Registrar with respect to any charge or modification thereof or with respect to any memorandum of satisfaction or other entry made in pursuance of section 82 or section 83,

was accidental or due to inadvertence or some other sufficient cause or it is not of a nature to prejudice the position of creditors or shareholders of the company, it may, on the application of the company or any person interested and on such terms and conditions as it deems just and expedient, direct that the time for the giving of intimation of payment or satisfaction shall be extended or, as the case may require, that the omission or misstatement shall be rectified.”.

11. In section 90 of the principal Act,—

(i) for sub-section (9), the following sub-section shall be substituted, namely:

“(9) The company or the person aggrieved by the order of the Tribunal may make an application to the
Tribunal for relaxation or lifting of the restrictions placed under sub-section (8), within a period of one year from the date of such order:

Provided that if no such application has been filed within a period of one year from the date of the order under sub-section (8), such shares shall be transferred, without any restrictions, to the authority constituted under sub-section (5) of section 125, in such manner as may be prescribed;

(ii) in sub-section (10),—

(a) after the word “punishable”, the words “with imprisonment for a term which may extend to one year or” shall be inserted;

(b) after the words “ten lakh rupees”, the words “or with both” shall be inserted;

12. In section 92 of the principal Act, for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) If any company fails to file its annual return under sub-section (4), before the expiry of the period specified therein, such company and its every officer who is in default shall be liable to a penalty of fifty thousand rupees and in case of continuing failure, with a further penalty of one hundred rupees for each day during which such failure continues, subject to a maximum of five lakh rupees.”.

13. In section 102 of the principal Act, for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) Without prejudice to the provisions of sub-section (4), if any default is made in complying with the provisions of this section, every promoter, director, manager or other key managerial personnel of the company who is in default shall be liable to a penalty of fifty thousand rupees or five times the amount of benefit accruing to the promoter, director, manager or other key managerial personnel or any of his relatives, whichever is higher.”.

14. In section 105 of the principal Act, in sub-section (3), for the words “punishable with fine which may extend to five
thousand rupees”, the words “liable to a penalty of five thousand rupees” shall be substituted.

15. In section 117 of the principal Act, for sub-section (2),
the following sub-section shall be substituted, namely:—

“(2) If any company fails to file the resolution or the
agreement under sub-section (1) before the expiry of the
period specified therein, such company shall be liable to a
penalty of one lakh rupees and in case of continuing
failure, with a further penalty of five hundred rupees for
each day after the first during which such failure
continues, subject to a maximum of twenty-five lakh
rupees and every officer of the company who is in default
including liquidator of the company, if any, shall be liable
to a penalty of fifty thousand rupees and in case of
continuing failure, with a further penalty of five hundred
rupees for each day after the first during which such
failure continues, subject to a maximum of five lakh
rupees.”.

16. In section 121 of the principal Act, for sub-section (3),
the following sub-section shall be substituted, namely:—

“(3) If the company fails to file the report under sub-
section (2) before the expiry of the period specified
therein, such company shall be liable to a penalty of one
lakh rupees and in case of continuing failure, with a
further penalty of five hundred rupees for each day after
the first during which such failure continues, subject to a
maximum of five lakh rupees and every officer of the
company who is in default shall be liable to a penalty
which shall not be less than twenty-five thousand rupees
and in case of continuing failure, with a further penalty of
five hundred rupees for each day after the first during
which such failure continues, subject to a maximum of one
lakh rupees.”.

17. In section 137 of the principal Act, in sub-section
(3),—

(a) for the words “punishable with fine”, the words
“liable to a penalty” shall be substituted;

(b) for the portion beginning with “punishable with
imprisonment”, and ending with “five lakh rupees or with
both”, the words “shall be liable to a penalty of one lakh rupees and in case of continuing failure, with a further penalty of one hundred rupees for each day after the first during which such failure continues, subject to a maximum of five lakh rupees” shall be substituted.

18. In section 140 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) If the auditor does not comply with the provisions of sub-section (2), he or it shall be liable to a penalty of fifty thousand rupees or an amount equal to the remuneration of the auditor, whichever is less, and in case of continuing failure, with a further penalty of five hundred rupees for each day after the first during which such failure continues, subject to a maximum of five lakh rupees.”.

19. In section 157 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) If any company fails to furnish the Director Identification Number under sub-section (1), such company shall be liable to a penalty of twenty-five thousand rupees and in case of continuing failure, with a further penalty of one hundred rupees for each day after the first during which such failure continues, subject to a maximum of one lakh rupees, and every officer of the company who is in default shall be liable to a penalty of not less than twenty-five thousand rupees and in case of continuing failure, with a further penalty of one hundred rupees for each day after the first during which such failure continues, subject to a maximum of one lakh rupees.”.

20. For section 159 of the principal Act, the following section shall be substituted, namely:—

“159. If any individual or director of a company makes any default in complying with any of the provisions of section 152, section 155 and section 156, such individual or director of the company shall be liable to a penalty which may extend to fifty thousand rupees and where the default is a continuing one, with a further penalty which may extend to five hundred rupees for each day after the first during which such default continues.”.

Penalty for default of certain provisions.
21. In section 164 of the principal Act, in sub-section (1), after clause (h), the following clause shall be inserted, namely:

“(i) he has not complied with the provisions of sub-section (1) of section 165.”.

22. In section 165 of the principal Act, in sub-section (6), for the portion beginning with “punishable with fine” and ending with “contravention continues”, the words “liable to a penalty of five thousand rupees for each day after the first during which such contravention continues” shall be substituted.

23. In section 191 of the principal Act, for sub-section (5), the following sub-section shall be substituted, namely:

“(5) If a director of the company makes any default in complying with the provisions of this section, such director shall be liable to a penalty of one lakh rupees.”.

24. In section 197 of the principal Act,—

(a) sub-section (7) shall be omitted;

(b) for sub-section (15), the following sub-section shall be substituted, namely:

“(15) If any person makes any default in complying with the provisions of this section, he shall be liable to a penalty of one lakh rupees and where any default has been made by a company, the company shall be liable to a penalty of five lakh rupees.”.

25. In section 203 of the principal Act, for sub-section (5), the following sub-section shall be substituted, namely:

“(5) If any company makes any default in complying with the provisions of this section, such company shall be liable to a penalty of five lakh rupees and every director and key managerial personnel of the company who is in default shall be liable to a penalty of fifty thousand rupees and where the default is a continuing one, with a further penalty of one thousand rupees for each day after the first during which such default continues but not exceeding
fifty lakh rupees.”.

26. In section 238 of the principal Act, in sub-section (3), for the words “punishable with fine which shall not be less than twenty-five thousand rupees but which may extend to five lakh rupees”, the words “liable to a penalty of one lakh rupees” shall be substituted.

27. In section 248 of the principal Act, in sub-section (1),—

(a) in clause (c), for the word and figures “section 455,”, the words and figures “section 455; or” shall be substituted;

(b) after clause (c) and before the long line, the following clauses shall be inserted, namely:—

“(d) the subscribers to the memorandum have not paid the subscription which they had undertaken to pay at the time of incorporation of a company and a declaration to this effect has not been filed within one hundred and eighty days of its incorporation under sub-section (1) of section 10A; or

(c) the company is not carrying on any business or operations, as revealed after the physical verification carried out under sub-section (9) of section 12.”.

28. In section 441 of the principal Act,—

(a) in sub-section (1), in clause (b), for the words “does not exceed five lakh rupees”, the words “does not exceed twenty-five lakh rupees” shall be substituted;

(b) for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any offence which is punishable under this Act with imprisonment only or with imprisonment and also with fine shall not be compoundable.”.

29. In section 446B of the principal Act, for the portion beginning with “punishable with fine” and ending with “specified in such sections”, the words “liable to a penalty
which shall not be more than one half of the penalty specified in such sections” shall be substituted.

Amendment of section 447.  

30. In section 447 of the principal Act, in the second proviso, for the words “twenty lakh rupees”, the words “fifty lakh rupees” shall be substituted.

Amendment of section 454.  

31. In section 454 of the principal Act, —

(i) for sub-section (3), the following sub-section shall be substituted, namely: —

“(3) The adjudicating officer may, by an order—

(a) impose the penalty on the company, the officer who is in default, or any other person, as the case may be, stating therein any non-compliance or default under the relevant provisions of this Act; and

(b) direct such company, or officer who is in default, or any other person, as the case may be, to rectify the default, wherever he considers fit.”;

(ii) in sub-section (4), for the words “such company and the officer who is in default”, the words “such company, the officer who is in default or any other person” shall be substituted;

(iii) in sub-section (8),—

(a) in clause (i), for the words “does not pay the penalty imposed by the adjudicating officer or the Regional Director”, the words, brackets and figures “fails to comply with the order made under sub-section (3) or sub-section (7), as the case may be,” shall be substituted;

(b) in clause (ii)—

(i) for the words “Where an officer of a company”, the words “Where an officer of a company or any other person” shall be substituted;

(ii) for the words “does not pay the penalty”, the words, brackets and figures “fails to comply
32. After section 454 of the principal Act, the following section shall be inserted, namely:

“454A. Where a company or an officer of a company or any other person having already been subjected to penalty for default under any provisions of this Act, again commits such default within a period of three years from the date of order imposing such penalty passed by the adjudicating officer or the Regional Director, as the case may be, it or he shall be liable for the second or subsequent defaults for an amount equal to twice the amount of penalty provided for such default under the relevant provisions of this Act.”

Ord. 3 of 2019.

33. (1) The Companies (Amendment) Ordinance, 2019 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Ordinance.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.
PART-VII
MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 21st February, 2019/Phaiguna 2, 1940 (Saka)

THE INDIAN MEDICAL COUNCIL (AMENDMENT)
SECOND ORDINANCE, 2019
NO. 5 OF 2019

Promulgated by the President in the Seventieth Year of the
Republic of India.

An Ordinance further to amend the Indian Medical Council
Act, 1956.

WHEREAS the Indian Medical Council (Amendment)
Ordinance, 2018 was promulgated by the President on the 26th
day of September, 2018;

AND WHEREAS the Indian Medical Council (Amendment)
Bill, 2018 to replace the said Ordinance was introduced in the
House of the People on 14th December, 2018 and the said Bill
was considered and passed in the said House on 31st December,
2018;

AND WHEREAS the Indian Medical Council (Amendment)
Bill, 2018 could not be taken up for consideration and passing in
the Council of States;
AND WHEREAS, as the Indian Medical Council (Amendment) Ordinance, 2018 would cease to operate in view of the provisions of sub-clause (a) of clause (2) of article 123 of the Constitution, the Indian Medical Council (Amendment) Ordinance, 2019 was promulgated by the President on the 12th day of January, 2019;

AND WHEREAS the Indian Medical Council (Amendment) Bill, 2018, as passed by the House of the People, could not be taken up for consideration and passing in the Council of States;

AND WHEREAS the Indian Medical Council (Amendment) Ordinance, 2019 would cease to operate on the 13th day of March, 2019;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:

1. (1) This Ordinance may be called the Indian Medical Council (Amendment) Second Ordinance, 2019.

(2) (A) The provisions of this Ordinance shall, except sub-clause (i) of clause (c) of section 2, be deemed to have come into force on the 26th day of September, 2018; and

(B) sub-clause (i) of clause (c) of section 2 shall be deemed to have come into force on the 12th day of January, 2019.

2. In section 3A of the Indian Medical Council Act, 1956,—

(a) in sub-section (1), for the words, brackets and figures “Indian Medical Council (Amendment) Act, 2010”, the words, brackets and figures “Indian Medical Council (Amendment) Second Ordinance, 2019” shall be substituted;

(b) in sub-section (2), for the words “three years”, the words “two years” shall be substituted;

(c) in sub-section (4),—

(i) for the words “seven persons”, the words “twelve persons” shall be substituted;
(ii) for the words “and medical education”, the words “and medical education or proven administrative capacity and experience” shall be substituted;

(d) after sub-section (7), the following sub-section shall be inserted, namely:—

“(7A) The Board of Governors shall be assisted by a Secretary General who shall be appointed by the Central Government on deputation or contract basis and he shall be the head of the secretariat in the Council.”.

3. (1) The Indian Medical Council (Amendment) Ordinance, 2019 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Indian Medical Council Act, 1956 as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the said Act, as amended by this Ordinance.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.
PART-VII
MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 21st February, 2019/Phalguna 2, 1940 (Saka)

THE MUSLIM WOMEN (PROTECTION OF RIGHTS ON MARRIAGE) SECOND ORDINANCE, 2019
No. 4 of 2019

Promulgated by the President in the Seventieth Year of the Republic of India.

An Ordinance to protect the rights of married Muslim women and to prohibit divorce by pronouncing *talaq* by their husbands and for matters connected therewith or incidental thereto;

WHEREAS the Muslim Women (Protection of Rights on Marriage) Bill, 2017 has been passed by the House of the People and is pending in the Council of States;
AND WHEREAS the Muslim Women (Protection of Rights on Marriage) Ordinance, 2018 with certain modifications was promulgated by the President on the 19th day of September, 2018;

AND WHEREAS the Muslim Women (Protection of Rights on Marriage) Bill, 2018 to replace the said Ordinance has been passed by the House of the People and is pending in the Council of States;

AND WHEREAS the Muslim Women (Protection of Rights on Marriage) Ordinance, 2018 cease to operate on the 21st January, 2019, and to give continued effect to the provisions of the said Ordinance, the Muslim Women (Protection of Rights on Marriage) Ordinance, 2019 was promulgated by the President on the 12th day of January, 2019;

AND WHEREAS the Muslim Women (Protection of Rights on Marriage) Bill, 2018 replacing the Muslim Women (Protection of Rights on Marriage) Ordinance, 2019 with necessary official amendments was listed for consideration and passing in Rajya Sabha and it could not be taken up;

AND WHEREAS to give continued effect to the provisions of the Muslim Women (Protection of Rights on Marriage) Ordinance, 2019, it is necessary to take immediate necessary action in the matter;
AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

CHAPTER I
PRELIMINARY

1. (1) This Ordinance may be called the Muslim Women (Protection of Rights on Marriage) Second Ordinance, 2019.

(2) It shall extend to the whole of India except the State of Jammu and Kashmir.

(3) It shall be deemed to have come into force on the 19th day of September, 2018.

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

(a) “electronic form” shall have the same meaning as assigned to it in clause (r) of sub-section (1) of section 2 of the Information Technology Act, 2000;

(b) “talaq” means talaq-e-biddat or any other similar form of talaq having the effect of instantaneous and irrevocable divorce pronounced by a Muslim husband; and
(c) "Magistrate" means a Judicial Magistrate of the first class exercising jurisdiction under the Code of Criminal Procedure, 1973, in the area where the married Muslim woman resides.

CHAPTER II
DECLARATION OF TALAQ TO BE VOID AND ILLEGAL

3. Any pronouncement of talaq by a Muslim husband upon his wife, by words, either spoken or written or in electronic form or in any other manner whatsoever, shall be void and illegal.

4. Any Muslim husband who pronounces talaq referred to in section 3 upon his wife shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine.

CHAPTER III
PROTECTION OF RIGHTS OF MARRIED MUSLIM WOMEN

5. Without prejudice to the generality of the provisions contained in any other law for the time being in force, a married Muslim woman upon whom talaq is pronounced, shall be entitled to receive from her husband such amount of subsistence allowance for her and dependent children as may be determined by the Magistrate.
6. Notwithstanding anything contained in any other law for the time being in force, a married Muslim woman shall be entitled to custody of her minor children in the event of pronouncement of *talaq* by her husband, in such manner as may be determined by the Magistrate.


(a) an offence punishable under this Ordinance shall be cognizable, if information relating to the commission of the offence is given to an officer in charge of a police station by the married Muslim woman upon whom *talaq* is pronounced or any person related to her by blood or marriage;

(b) an offence punishable under this Ordinance shall be compounding, at the instance of the married Muslim women upon whom *talaq* is pronounced with the permission of the Magistrate, on such terms and conditions as he may determine;

(c) no person accused of an offence punishable under this Ordinance shall be released on bail unless the Magistrate, on an application filed by the accused and after hearing the married Muslim woman upon whom *talaq* is pronounced, is satisfied
that there are reasonable grounds for granting bail to such person.


(2) Notwithstanding such repeal, anything done or any action taken under the Muslim Women (Protection of Rights on Marriage) Ordinance, 2019 shall be deemed to have been done or taken under the provisions of this Ordinance.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.
PART-VII

MINISTRY OF LAW AND JUSTICE
(Legislative Department)
New Delhi, the 7th March, 2019/Phalguna 16, 1940
(Saka)

THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN TEACHERS' CADRE) ORDINANCE, 2019
No. 13 of 2019

Promulgated by the President in the Seventieth Year of the Republic of India.

An Ordinance to provide for the reservation of posts in appointments by direct recruitment of persons belonging to the Scheduled Castes, the Scheduled Tribes and the socially and educationally backward classes, to teachers' cadre in certain Central Educational Institutions established, maintained or aided by the Central Government, and for matters connected therewith or incidental thereto.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Central Educational Institutions (Reservation in Teachers' Cadre) Ordinance, 2019.

   (2) It shall come into force at once.
Definitions.

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

(a) “appropriate authority” means the University Grants Commission established under the University Grants Commission Act, 1956, or any other authority or body established by or under a Central Act for the determination, coordination or maintenance of the standards of higher education in any Central Educational Institution;

(b) “branch of study” means a branch of study leading to three principal levels of qualifications at bachelor's (under graduate), masters (post graduate) and doctoral levels;

(c) “Central Educational Institution” means—

(i) a university established or incorporated by or under a Central Act;  

(ii) an institution of national importance established by an Act of Parliament;  

(iii) an institution, declared as an institution deemed to be University under section 3 of the University Grants Commission Act, 1956, and maintained by or receiving aid from the Central Government;  

(iv) an institution maintained by or receiving aid from the Central Government, whether directly or indirectly, and affiliated to an institution referred to in sub-clause (i) or sub-clause (ii), or a constituent unit of an institution referred to in sub-clause (iii); and

(v) an educational institution established by the Central Government under the Societies Registration Act, 1860;

(d) “direct recruitment” means the process of appointing faculty by inviting applications against public advertisement from persons eligible to teach in a Central Educational Institution;

(e) “faculty” means the faculty of a Central Educational Institution;

(f) “Minority Educational Institution” means an institution established and administered by the minorities under clause (1) of article 30 of the Constitution and so declared by an Act of Parliament or by the Central Government or declared as a Minority Educational Institution under the National Commission for Minority Educational Institutions Act, 2004;

(g) “sanctioned strength” means the number of posts in teachers' cadre approved by the appropriate authority;

(h) “Scheduled Castes” means the Scheduled Castes notified under article 341 of the Constitution;

(i) “Scheduled Tribes” means the Scheduled Tribes notified under article 342 of the Constitution;
(j) “socially and educationally backward classes” means such backward classes as are so deemed under article 342A of the Constitution;

(k) “teachers’ cadre” means a class of all teachers of a Central Educational Institution, regardless of the branch of study or faculty, who are remunerated at the same grade of pay, excluding any allowance or bonus.

3. (1) Notwithstanding anything in any other law for the time being in force, there shall be reservation of posts in direct recruitment out of the sanctioned strength in teachers’ cadre in a Central Educational Institution to the extent and in the manner as may be specified by the Central Government by notification in the Official Gazette.

(2) For the purpose of reservation of posts, a Central Educational Institution shall be regarded as one unit.

4. (1) The provisions of section 3 shall not apply to—

(a) the institutions of excellence, research institutions, institutions of national and strategic importance specified in the Schedule to this Ordinance:

(b) a Minority Educational Institution.

(2) The Central Government may, by notification in the Official Gazette, amend the Schedule referred to in clause (a) of sub-section (1) from time to time.

5. Every notification made by the Central Government under this Ordinance 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 notification or both Houses agree that the notification should not be made, the notification 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 notification.
**THE SCHEDULE**

[See section 4(1)(a)]

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**RAM NATH KOVIND.**

President.

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**DR. G. NARAYANA RAJU.**

Secretary to the Govt. of India.
PART-VII

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 1st March, 2019/Phalguna 10, 1940 (Saka)

THE JAMMU AND KASHMIR RESERVATION
(AMENDMENT) ORDINANCE, 2019

No 8 of 2019

Promulgated by the President in the Seventieth Year of the Republic of India.


WHEREAS the President of India issued a Proclamation No. G.S.R. 1223(E), dated the 19th December, 2018 under article 356 of the Constitution of India in relation to the State of Jammu and Kashmir declaring therein that the powers of the Legislature of the State of Jammu and Kashmir shall be exercisable by or under the authority of the Parliament;

AND WHEREAS aforesaid Proclamation inter alia provides that the references in section 91 in the Constitution to the Governor and to the Legislature of the State or the House thereof, shall be construed as references to the
President and to the Parliament or to the Houses thereof respectively;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by section 91 of the Constitution of Jammu and Kashmir and of all other powers enabling him in that behalf, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Jammu and Kashmir Reservation (Amendment) Ordinance, 2019.

(2) It shall come into force at once.

2. In section 2 of the Jammu and Kashmir Reservation Act, 2004 (hereinafter referred to as the principal Act), in clause (o),—

(a) for sub-clause (ii), the following sub-clause shall be substituted, namely:—

“(ii) the persons residing in the area adjoining Actual Line of Control and International Border;”;

and

(b) in second proviso, in clause (ix), in the proviso for the words “Actual Line of Control”, the words “Actual Line of Control or International Border” shall be substituted.

3. In section 3 of the principal Act, in sub-section (2), for the words “Line of Actual Control”, wherever they occur, the words “Actual Line of Control or International Border” shall be substituted.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India
PART-VII

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 2nd March, 2019/Phalguna 11, 1940 (Saka)

THE AADHAAR AND OTHER LAWS (AMENDMENT) ORDINANCE, 2019
NO 9 OF 2019

Promulgated by the President in the Seventieth Year of the Republic of India.

An Ordinance to amend the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and further to amend the Indian Telegraph Act, 1885 and the Prevention of Money-laundering Act, 2002.

WHEREAS the Aadhaar and Other Laws (Amendment) Bill, 2019 was passed by the House of the People on the 4th day of January, 2019 and is pending in the Council of States;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:

PART I
PRELIMINARY

1(1) This Ordinance may be called the Aadhaar and Other Laws (Amendment) Ordinance, 2019.

(2) It shall come into force at once.
PART II
AMENDMENTS TO THE AADHAAR (TARGETED DELIVERY OF
FINANCIAL AND OTHER SUBSIDIES, BENEFITS AND SERVICES)
ACT, 2016

2. In section 2 of the Aadhaar (Targeted Delivery of Financial and Other
Subsidies, Benefits and Services) Act, 2016 (hereafter in this Part referred to as
the principal Act),—

(i) for clause (a), the following clause shall be substituted, namely:—

"(a) “Aadhaar number” means an identification number issued to
an individual under sub-section (3) of section 3, and includes any
alternative virtual identity generated under sub-section (4) of that
section;"

(ii) after clause (a), the following clause shall be inserted, namely:—

"(ca) “Aadhaar ecosystem” includes enrolling agencies,
Registrar, requesting entities, online verification-seeking entities and
any other entity or group of entities as may be specified by
regulations;"

(iii) after clause (b), the following clauses shall be inserted, namely:—

"(ba) “Adjudicating Officer” means an adjudicating officer
appointed under sub-section (1) of section 33B;

(bb) “Appellate Tribunal” means the Appellate Tribunal referred
to in sub-section (1) of section 33C;"

(iv) after clause (i), the following clause shall be inserted, namely:—

"(ta) “child” means a person who has not completed eighteen years
of age;"

(v) after clause (p), the following clauses shall be inserted, namely:—

"(pu) “offline verification” means the process of verifying the
identity of the Aadhaar number holder without authentication, through
such offline modes as may be specified by regulations;

(pb) “offline verification-seeking entity” means any entity
desirous of undertaking offline verification of an Aadhaar number
holder;"

3. In section 3 of the principal Act, after sub-section (3), the following sub
section shall be inserted, namely:—

“(4) The Aadhaar number issued to an individual under sub-section (3)
shall be a twelve-digit identification number and any alternative virtual
identity as an alternative to the actual Aadhaar number of an individual that
shall be generated by the Authority in such manner as may be specified by
regulations.”
4. After section 3 of the principal Act, the following section shall be inserted, namely:—

"3A.(1) The enrolling agency shall, at the time of enrolment of a child, seek the consent of the parent or guardian of the child, and inform the parent or guardian, the details specified under sub-section (2) of section 3.

(2) A child who is an Aadhaar number holder may, within a period of six months of attaining the eighteen years of age, make an application to the Authority for cancellation of his Aadhaar number, in such manner as may be specified by regulations and the Authority shall cancel his Aadhaar number.

(3) Notwithstanding anything in section 7, a child shall not be denied any subsidy, benefit or service under that section in case of failure to establish his identity by undergoing authentication, or furnishing proof of possession of Aadhaar number, or in the case of a child to whom no Aadhaar number has been assigned, producing an application for enrolment.".

5. In section 4 of the principal Act, for sub-section (3), the following sub-sections shall be substituted, namely:—

"(3) Every Aadhaar number holder to establish his identity, may voluntarily use his Aadhaar number in physical or electronic form by way of authentication or offline verification, or in such other form as may be notified, in such manner as may be specified by regulations.

Explanation.— For the purposes of this section, voluntary use of the Aadhaar number by way of authentication means the use of such Aadhaar number only with the informed consent of the Aadhaar number holder.

(4) An entity may be allowed to perform authentication, if the Authority is satisfied that the requesting entity is—

(a) compliant with such standards of privacy and security as may be specified by regulations; and

(b) (i) permitted to offer authentication services under the provisions of any other law made by Parliament; or

(ii) seeking authentication for such purpose, as the Central Government in consultation with the Authority, and in the interest of State, may prescribe.

(5) The Authority may, by regulations, decide whether a requesting entity shall be permitted the use of the actual Aadhaar number during authentication or only an alternative virtual identity.

(6) Every requesting entity to whom an authentication request is made by an Aadhaar number holder under sub-section (3) shall inform to the Aadhaar number holder of alternate and viable means of identification and shall not deny any service to him for refusing to, or being unable to, undergo authentication.

(7) Notwithstanding anything contained in the foregoing provisions, mandatory authentication of an Aadhaar number holder for the provision of
any service shall take place if such authentication is required by a law made by Parliament.”.

6. In section 8 of the principal Act,—

(a) in sub-section (1),—

(i) in clause (a), after the words “consent of an individual”, the words “; or in the case of a child obtain the consent of his parent or guardian” shall be inserted;

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

“Provided that the requesting entity shall, in case of failure to authenticate due to illness, injury or infirmity owing to old age or otherwise or any technical or other reasons, provide such alternate and viable means of identification of the individual, as may be specified by regulations.”;

(b) in sub-section (3), after the words “for authentication,”, the words “or in the case of a child, his parent or guardian” shall be inserted.

7. After section 8 of the principal Act, the following section shall be inserted, namely:—

“8A. (1) Every offline verification of an Aadhaar number holder shall be performed in accordance with the provisions of this section.

(2) Every offline verification-seeking entity shall,—

(a) before performing offline verification, obtain the consent of an individual, or in the case of a child, his parent or guardian, in such manner as may be specified by regulations; and

(b) ensure that the demographic information or any other information collected from the individual for offline verification is only used for the purpose of such verification.

(3) An offline verification-seeking entity shall inform the individual undergoing offline verification, or in the case of a child, his parent or guardian the following details with respect to offline verification, in such manner as may be specified by regulations, namely:—

(c) the nature of information that may be shared upon offline verification;

(b) the uses to which the information received during offline verification may be put by the offline verification-seeking entity; and

(c) alternatives to submission of information requested for, if any.

(4) No offline verification-seeking entity shall—

(a) subject an Aadhaar number holder to authentication;
(b) collect, use, or store an Aadhaar number or biometric information of any individual for any purpose;

(c) take any action contrary to any obligation on it as may be specified by regulations.”.

8. For section 21 of the principal Act, the following section shall be substituted, namely:

“21. (1) The Authority shall appoint such officers and employees as may be required for the discharge of its functions under this Act.

(2) The salaries and allowances payable to, and the other terms and conditions of service of, the officers and employees of the Authority shall be such as may be specified by regulations.”.

9. After section 23 of the principal Act, the following section shall be inserted, namely:

“23A. (1) The Authority may for the discharge of its functions under this Act, or any rules or regulations made thereunder, by order, issue such directions from time to time to any entity in the Aadhaar ecosystem, as it may consider necessary.

(2) Every direction issued under sub-section (1) shall be complied with by the entity in the Aadhaar ecosystem to whom such direction is issued.”.

10. For section 25 of the principal Act, the following section shall be substituted, namely:

“25. (1) There shall be constituted a Fund to be called the Unique Identification Authority of India Fund and there shall be credited thereto—

(a) all grants, fees and charges received by the Authority under this Act; and

(b) all sums received by the Authority from such other sources as may be decided upon by the Central Government.

(2) The Fund shall be applied for meeting—

(a) the salaries and allowances payable to the Chairperson and members and administrative expenses including the salaries, allowances and pension payable to or in respect of officers and other employees of the Authority; and

(b) the expenses on objects and for purposes authorised by this Act.”.

11. In section 29 of the principal Act,—

(a) for sub-section (3), the following sub-section shall be substituted, namely:

“(3) No identity information available with a requesting entity or offline verification-seeking entity shall be—
(a) used for any purpose, other than the purposes informed in writing to the individual at the time of submitting any information for authentication or offline verification; or

(b) disclosed for any purpose, other than purposes informed in writing to the individual at the time of submitting any information for authentication or offline verification:

Provided that the purposes under clauses (a) and (b) shall be in clear and precise language understandable to the individual.”;

(b) in sub-section (4), for the words “or core biometric information”, the words “, demographic information or photograph” shall be substituted.

12. In section 33 of the principal Act,—

(i) in sub-section (1),—

(a) for the words ”District Judge”, the words ”Judge of a High Court” shall be substituted;

(b) in the proviso, after the words “hearing to the Authority”, the words “and the concerned Aadhaar number holder” shall be inserted;

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

“Provided further that the core biometric information shall not be disclosed under this sub-section.”.

(ii) in sub-section (2), for the words “Joint Secretary”, the word “Secretary” shall be substituted.

13. After Chapter VI of the principal Act, the following Chapter shall be inserted, namely:—

“CHAPTER VIA
CIVIL PENALTIES

33A.(1) Where an entity in the Aadhaar ecosystem fails to comply with the provision of this Act, the rules or regulations made thereunder or directions issued by the Authority under section 23A, or fails to furnish any information, document, or return of report required by the Authority, such entity shall be liable to a civil penalty which may extend to one crore rupees for each contravention and in case of a continuing failure, with additional penalty which may extend to ten lakh rupees for every day during which the failure continues after the first contravention.

(2) The amount of any penalty imposed under this section, if not paid, may be recovered as if it were an arrear of land revenue.

33B.(1) For the purposes of adjudication under section 33A and imposing a penalty thereunder, the Authority shall appoint an officer of the Authority, who is not below the rank of a Joint Secretary to the Government of India and possessing such qualification and experience as may be
prescribed, to be an Adjudicating Officer for holding an inquiry in such manner as may be prescribed.

(2) No inquiry under sub-section (1) shall be initiated except by a complaint made by the Authority.

(3) While holding an inquiry, the Adjudicating Officer shall—

(a) provide the entity in the Aadhaar ecosystem against whom complaint is made, an opportunity of being heard;

(b) have the power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which, in the opinion of the Adjudicating Officer, may be useful for or relevant to the subject matter of the inquiry.

(4) If the Adjudicating Officer, on such inquiry, is satisfied that the entity in the Aadhaar ecosystem has failed to comply with any provision of this Act or the rules or regulations made thereunder or directions issued by the Authority under section 23A, or has failed to furnish any information, document, or return of report required by the Authority, the Adjudicating Officer may, by order, impose such penalty under section 33A as he thinks fit.

33C.(1) The Telecom Disputes Settlement and Appellate Tribunal established under section 14 of the Telecom Regulatory Authority of India Act, 1997, shall be Appellate Tribunal for the purposes of hearing appeals against the decision of the Adjudicating Officer under this Act.

(2) A person or entity in the Aadhaar ecosystem aggrieved by an order of the Adjudicating Officer under section 33B, may prefer an appeal to the Appellate Tribunal within a period of forty-five days from the date of receipt of the order appealed against, in such form and manner and accompanied with such fee as may be prescribed:

Provided that the Appellate Tribunal may entertain an appeal after the expiry of the said period of forty-five days if it is satisfied that there was sufficient cause for not filing it within that period.

(3) On receipt of an appeal under sub-section (2), the Appellate Tribunal may, after giving the parties to the appeal an opportunity of being heard, pass such orders thereon as it thinks fit, confirming, modifying or setting aside the order appealed against.

(4) The Appellate Tribunal shall send a copy of every order made by it to the parties to the appeal and to the Adjudicating Officer.

(5) Any appeal filed under sub-section (2) shall be dealt with by the Appellate Tribunal as expeditiously as possible and every endeavour shall be made by it to dispose of the appeal within six months from the date on which it is presented to it.
(6) The Appellate Tribunal may, for the purpose of deciding an appeal before it, call for the records relevant to disposing of such appeal and make such orders as it thinks fit.

33D. The provisions of sections 14-I to 14K (both inclusive), 16 and 17 of the Telecom Regulatory Authority of India Act, 1997 shall, mutatis mutandis, apply to the Appellate Tribunal in the discharge of its functions under this Act, as they apply to it in the discharge of its functions under that Act.

33E. (1) Notwithstanding anything contained in the Code of Civil Procedure, 1908 or in any other law for the time being in force, an appeal shall lie against any order, not being an interlocutory order, of the Appellate Tribunal to the Supreme Court on any substantial question of law arising out of such order.

(2) No appeal shall lie against any decision or order made by the Appellate Tribunal which the parties have consented to.

(3) Every appeal under this section shall be preferred within a period of forty-five days from the date of the decision or order appealed against.

Provided that the Supreme Court may entertain an appeal after the expiry of the said period of forty-five days if it is satisfied that there was sufficient cause for not filing it within that period.

33F. No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which an Adjudicating Officer appointed under this Act or the Appellate Tribunal is empowered, by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

14. In section 38 of the principal Act, for the words “three years”, the words “ten years” shall be substituted.

15. In section 39 of the principal Act, for the words “three years”, the words “ten years” shall be substituted.

16. For section 40 of the principal Act, the following section shall be substituted, namely:—

“40. Whoever,—

(a) being a requesting entity, uses the identity information of an individual in contravention of sub-section (2) of section 8; or

(b) being an offline verification-seeking entity, uses the identity information of an individual in contravention of sub-section (2) of section 8A,

shall be punishable with imprisonment which may extend to three years or with a fine which may extend to ten thousand rupees or, in the case of a company, with a fine which may extend to one lakh rupees or with both.”.
17. In section 42 of the principal Act, for the words "one year", the words "three years" shall be substituted.

18. In section 47 of the principal Act, in sub-section (1), the following proviso shall be inserted, namely:—

"Provided that the court may, on a complaint made by an Aadhaar number holder or individual take cognizance of any offence punishable under section 34 or 35 or 36 or 37 or 40 or section 41."

19. After section 50 of the principal Act, the following section shall be inserted, namely:—

"50A. Notwithstanding anything contained in the Income Tax Act, 1961 or any other enactment for the time being in force relating to tax on income, profits or gains, the Authority shall not be liable to pay income tax or any other tax in respect of its income, profits or gains."

20. In section 51 of the principal Act, for the words "Member, officer", the words "Member or officer" shall be substituted.

21. In section 53 of the principal Act, in sub-section (2),—

(i) after clause (a), the following clause shall be inserted, namely:—

"(aa) the purpose for which the requesting entity may be allowed by the Authority to perform authentication under sub-clause (ii) of clause (b) of sub-section (4) of section 4;”;

(ii) after clause (g), the following clauses shall be inserted, namely:—

"(ga) the qualification and experience of, and the manner of appointment of, the Adjudicating Officer under sub-section (7) of section 33B;

(gb) the form, manner, and fee for an appeal to be filed under sub-section (2) of section 33C;”.

22. In section 54 of the principal Act, in sub-section (2),—

(i) for clause (a), the following clause shall be substituted, namely:—

"(a) the entities or group of entities in the Aadhaar ecosystem under clause (aa), the biometric information under clause (g) and the demographic information under clause (k), the process of collecting demographic information and biometric information from the individuals by enrolling agencies under clause (m), and the modes of offline verification of Aadhaar number holder under clause (pa) of section 2;”;

(ii) after clause (b), the following clauses shall be inserted, namely:—

"(ba) the manner of generating alternative virtual identity under sub-section (4) of section 3;

(bb) the manner in which cancellation of an Aadhaar number may be carried out under sub-section (2) of section 3A.";
(iii) after clause (c), the following clauses shall be inserted, namely:—

"(ca) standards of privacy and security to be complied with by the requesting entities under sub-section (4) of section 4;

(cb) the classification of requesting entities under sub-section (5) of section 4;"

(iv) after clause (f), the following clauses shall be inserted, namely:—

"(fa) the alternate and viable means of identification of individual under the proviso to clause (b) of sub-section (2) of section 8;

(fb) the manner of obtaining consent under clause (a) of sub-section (2), the manner of providing information to the individual undergoing offline verification under sub-section (3), and the obligations of offline verification-seeking entities under clause (c) of sub-section (4), of section 8A;"

23. Section 57 of the principal Act shall be omitted.

PART III

AMENDMENT TO THE INDIAN TELEGRAPH ACT, 1885

24. In section 4 of the Indian Telegraph Act, 1885, after sub-section (2), the following sub-sections shall be inserted, namely:—

"(3) Any person who is granted a license under the first proviso to sub-section (2) to establish, maintain or work a telegraph within any part of India, shall identify any person to whom it provides its services by—

(a) authentication under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016; or 18 of 2016.

(b) offline verification under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016; or 18 of 2016.

(c) use of passport issued under section 4 of the Passports Act, 1967; or 15 of 1967.

(d) use of any other officially valid document or modes of identification as may be notified by the Central Government in this behalf.

(4) If any person who is granted a license under the first proviso to sub-section (2) to establish, maintain or work a telegraph within any part of India is using authentication under clause (a) of sub-section (3) to identify any person to whom it provides its services, it shall make the other modes of identification under clauses (b) to (d) of sub-section (3) also available to such person.

(5) The use of modes of identification under sub-section (3) shall be a voluntary choice of the person who is sought to be identified and no person shall be denied any service for not having an Aadhaar number.
(6) If, for identification of a person, authentication under clause (a) of sub-section (3) is used, neither his core biometric information nor the Aadhaar number of the person shall be stored.

(7) Nothing contained in sub-sections (3), (4) and (5) shall prevent the Central Government from specifying further safeguards and conditions for compliance by any person who is granted a license under the first proviso to sub-section (1) in respect of identification of person to whom it provides its services.

Explanation.—The expressions “Aadhaar number” and “core biometric information” shall have the same meanings as are respectively assigned to them in clauses (a) and (f) of section 2 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.”

PART IV
AMENDMENT TO THE PREVENTION OF MONEY-LAUNDERING ACT, 2002

25. In chapter IV of the Prevention of Money-laundering Act, 2002 (hereafter in this Part, referred to as the principal Act), before section 12, the following section shall be inserted, namely:—

11A. (1) Every Reporting Entity shall verify the identity of its clients and the beneficial owner, by—

(a) authentication under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 if the reporting entity is a banking company; or

(b) offline verification under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016; or

(c) use of passport issued under section 4 of the Passports Act, 1967; or

(d) use of any other officially valid document or modes of identification as may be notified by the Central Government in this behalf:

Provided that the Central Government may, if satisfied that a reporting entity other than banking company, complies with such standards of privacy and security under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, and it is necessary and expedient to do so, by notification, permit such entity to perform authentication under clause (a):

Provided further that no notification under the first proviso shall be issued without consultation with the Unique Identification Authority of India established under sub-section (7) of section 11 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and the appropriate regulator.
(2) If any reporting entity performs authentication under clause (a) of sub-section (1), to verify the identity of its client or the beneficial owner it shall make the other modes of identification under clauses (b), (c) and (d) of sub-section (1) also available to such client or the beneficial owner.

(3) The use of modes of identification under sub-section (1) shall be a voluntary choice of every client or beneficial owner who is sought to be identified and no client or beneficial owner shall be denied services for not having an Aadhaar number.

(4) If, for identification of a client or beneficial owner, authentication or offline verification under clause (a) or clause (b) of sub-section (1) is used, neither his core biometric information nor his Aadhaar number shall be stored.

(5) Nothing in this section shall prevent the Central Government from notifying additional safeguards on any reporting entity in respect of verification of the identity of its client or beneficial owner.

Explanation.— The expressions “Aadhaar number” and “core biometric information” shall have the same meanings as are respectively assigned to them in clauses (a) and (j) of section 2 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.'.

Amendment of section 12.

Amendment of section 73.

26. In section 12 of the principal Act, in sub-section (1), clauses (c) and (d) shall be omitted.

27. In section 73 of the principal Act, in sub-section (2), clauses (i) and (jj) shall be omitted.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.
MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 2nd March, 2019/Phalguna 11, 1940 (Saka)

THE NEW DELHI INTERNATIONAL ARBITRATION CENTRE ORDINANCE, 2019
No 10 of 2019

Promulgated by the President in the Seventieth Year of the Republic of India.

An Ordinance to provide for the establishment and incorporation of New Delhi International Arbitration Centre for the purpose of creating an independent and autonomous regime for institutionalised arbitration and for acquisition and transfer of the undertakings of the International Centre for Alternative Dispute Resolution and to vest such undertakings in the New Delhi International Arbitration Centre for the better management of arbitration so as to make it a hub for institutional arbitration and to declare the New Delhi International Arbitration Centre to be an institution of national importance and for matters connected therewith or incidental thereto;

WHEREAS dispute resolution process has a huge impact on the Indian economy and global perception on doing business in our
country and it has become necessary to inspire confidence and credibility among the litigants of commercial disputes;

AND WHEREAS rapidly changing economic activity demands expeditious settlement of disputes and creation and establishment of institutional arbitration;

AND WHEREAS the International Centre for Alternative Dispute Resolution was set-up in the year 1995, under the aegis of the Central Government and registered under the Societies Registration Act, 1860, with the objective of promoting alternative dispute resolution mechanism and providing facilities for the same;

AND WHEREAS the International Centre for Alternative Dispute Resolution has received land and substantial funding by way of grants and other benefits from the Central Government for constructing infrastructure and making other facilities;

AND WHEREAS the International Centre for Alternative Dispute Resolution has not been able to actively engage and embrace developments in the arbitration ecosystem and to create a reputation par excellence keeping pace with the dynamic nature of arbitration over more than two decades;

AND WHEREAS studies conducted by the High Powered Committee appointed by the Central Government indicate that the International Centre for Alternative Dispute Resolution has failed to address the growing needs of the institutional arbitration and also to bear optimum caseload and to become better choice to the parties for arbitration;

AND WHEREAS it has become expedient to take over the undertakings of the International Centre for Alternative Dispute Resolution including its regional offices without interfering with its activities and without adversely affecting its character as a Society but to utilise its existing infrastructure and other facilities which have been set-up by using the public funds provided by the Government and to incorporate a robust institution for domestic and international arbitration to be known as the New Delhi International Arbitration Centre;
AND WHEREAS it is considered necessary to declare the New Delhi International Arbitration Centre as an institution of national importance for its overall development as a major arbitration hub by promoting quick and efficient dispute resolution mechanism;

AND WHEREAS the New Delhi International Arbitration Centre Bill, 2018, to provide for the aforesaid matter, has been introduced in the House of the People on the 5th day of January, 2018 and passed by the House of the People on the 4th day of January, 2019 and is pending in the Council of States;

AND WHEREAS the New Delhi International Arbitration Centre Bill, 2019 could not be taken up for consideration and passing in the Council of the States;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance: —

CHAPTER I
PRELIMINARY

1. (1) This Ordinance may be called the New Delhi International Arbitration Centre Ordinance, 2019.

(2) It shall come into force at once.

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

(a) "Chairperson" means the Chairperson of the Centre referred to in clause (a) of section 5;

(b) "Chief Executive Officer" means the Chief Executive Officer appointed under section 21;

(c) "Committee" means relevant Committee of the Centre referred to in section 19;
(d) "Centre" means the New Delhi International Arbitration Centre established and incorporated under section 3;

(e) "Custodian" means the person who is appointed as Custodian under sub-section (2) of section 11 in respect of the undertakings;

(f) "Fund" means the Fund of the Centre to be maintained under section 25;

(g) "Member" means Full-time or Part-time Member of the Centre and includes the Chairperson;

(h) "notification" means a notification published in the Official Gazette;

(i) "prescribed" means prescribed by rules made by the Central Government under this Ordinance;

(j) "regulations" means the regulations made by the Centre under this Ordinance;

(k) "Society" means the International Centre for Alternative Dispute Resolution, registered as such under the Societies Registration Act, 1860, and having its registered office at New Delhi;

(l) "specified date" means the date as may be specified by the Central Government by notification;

(m) "undertakings" means the undertakings of the Society which vests with the Central Government under section 7.

(2) All other words and expressions used herein but not defined and defined in the Arbitration and Conciliation Act, 1996, shall have the same meanings as assigned to them in that Act.

CHAPTER II

ESTABLISHMENT AND INCORPORATION OF NEW DELHI INTERNATIONAL ARBITRATION CENTRE

Establishment and incorporation of New Delhi International

3. (1) The Central Government shall, by notification, establish a body to be called the New Delhi International Arbitration Centre for the purposes of exercising the powers and discharging the functions under this Ordinance.
(2) The Centre shall be a body corporate by the name aforesaid, having perpetual succession and a common seal with power, subject to the provisions of this Ordinance, to acquire, hold and dispose of property, both movable and immovable, and to enter into contract, and shall, by the said name, sue or be sued.

4. (1) Whereas, the objects of the New Delhi International Arbitration Centre are such as to make it as an institution of national importance, it is hereby declared that the New Delhi International Arbitration Centre is an institution of national importance.

(2) The head office of the Centre shall be at New Delhi and it may with the previous approval of the Central Government, establish branches at other places in India and abroad.

5. The Centre shall consist of the following Members, namely:

(a) a person, who has been a Judge of the Supreme Court or a Judge of a High Court or an eminent person, having special knowledge and experience in the conduct or administration of arbitration, law or management, appointed by the Central Government in consultation with the Chief Justice of India — Chairperson;

(b) two eminent persons having substantial knowledge and experience in institutional arbitration, both domestic and international, appointed by the Central Government — Full-time or Part-time Members;

(c) one representative of a recognised body of commerce and industry, chosen on rotational basis by the Central Government — Part-time Member;

(d) Secretary, Department of Legal Affairs, Ministry of Law and Justice or his representative not below the rank of the Joint Secretary — Member, ex-officio;
(e) one Financial Adviser nominated by the Department of
Expenditure, Ministry of Finance — Member, ex-officio; and
(f) Chief Executive Officer — Member, ex-officio.

6. (1) The Chairperson and Members shall hold office for a term
of three years from the date on which they enter upon their office and
shall be eligible for re-appointment:

Provided that no Chairperson or Member shall hold office as such
after he has attained the age of seventy years in the case of
Chairperson and sixty-seven years in the case of a Member.

(2) The terms and conditions, salary and allowances payable to
the Chairperson and Full-time Member shall be such as may be
prescribed.

(3) The term of office of a Member appointed to fill a casual
vacancy shall be for the remainder of the term of the Member in whose
place he has been appointed.

(4) The Part-time Member shall be entitled to such travelling and
other allowances as may be prescribed.

CHAPTER III
ACQUISITION AND TRANSFER OF UNDERTAKINGS OF
SOCIETY

7. On and from the specified date, so much of the undertakings
of the Society as form part of, or are relatable to the Society, and the
right, title and interest of the Society in relation to such undertakings,
shall, by virtue of this Ordinance, stand transferred to, and vest in the
Central Government.

8. (1) The undertakings vested under section 7 shall be deemed to
include all assets, rights, leaseholds, powers, authorities and
privileges, and all property (movable and immovable), including
lands, buildings, works, projects, instruments, automobiles and other
vehicles, cash balances, Funds including reserve funds, investments
and book debts of the Society as form part of, or are relatable to, the
Society and all other rights and interest arising out of such properties
as were immediately before the commencement of this Ordinance in
the ownership, possession, power or control of the Society, and all books of account, registers and all other documents of whatever nature relating thereto.

(2) All properties and assets as aforesaid which have vested in the Central Government under section 7 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other encumbrances affecting them or of any attachment, injunction, decree or order of any court or other authority restricting the use of such properties or assets in any manner or appointing any receiver in respect of the whole or any part of such properties or assets shall be deemed to have been withdrawn.

(3) Any licence or other instrument granted to the Society in relation to any undertaking which has vested in the Central Government under section 7 at any time before the specified date and in force immediately before the specified date, shall continue to be in force on and after such day in accordance with its tenor in relation to and for the purpose of such undertaking or where the undertaking is directed under section 10, to vest in the Centre, the Centre shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to the Centre and the Centre shall hold it for the remainder of the period which the Society would have held it under the terms thereof.

(4) If, on the specified date, any suit, appeal or other proceeding, of whatever nature, in relation to any property or asset which has vested in the Central Government under section 7, instituted or preferred by or against the Society is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertaking of the Society of anything contained in this Ordinance, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the Central Government or where the undertakings of the Society are directed under section 10, to vest in the Centre, by or against the Centre.

9. Every liability in relation to any undertaking in respect of any period prior to the specified date, shall be enforceable against the Society and not against the Central Government.
10. (1) Notwithstanding anything contained in sections 7 and 8, the Central Government shall, as soon as may be after the specified date, direct by notification, that the undertakings and the right, title and interest of the Society in relation to such undertakings which had vested in the Central Government under section 7, shall, vest in the Centre either on the date of publication of the notification or on such earlier or later date as may be specified in the notification.

(2) Where the right, title and interest of the Society in relation to the undertakings vest, under sub-section (1), in the Centre, the Centre shall, on and from the date of such vesting, be deemed to have become the owner in relation to such undertakings and the rights and liabilities of the Central Government in relation to such undertakings shall, on and from the date of such vesting, be deemed to have become, the rights and liabilities, respectively, of the Centre.

11. (1) The general superintendence, direction, control and management of affairs of the undertakings, the right, the interest in relation to which have vested in the Central Government under section 7, shall—

(a) where a direction has been made by the Central Government under sub-section (1) of section 10, vest in the Centre; or

(b) where no such direction has been made by the Central Government, vest in the Custodian appointed by the Central Government under sub-section (2), and, thereupon, the Centre or the Custodian so appointed, as the case may be, shall be entitled to exercise all such powers and do all such things as the Society, is authorised to exercise and do in relation to its undertakings.

(2) The Central Government may appoint any person as the Custodian of the undertakings in relation to which no direction has been made by it under sub-section (1) of section 10.

(3) The Custodian so appointed shall receive such remuneration as the Central Government may fix and shall hold office during the pleasure of the Central Government.
12. (1) On the vesting of the management of the undertakings in the Centre or on the appointment of a Custodian under sub-section (2) of section 11, all persons in charge of management of the undertakings immediately before such vesting or appointment shall be bound to deliver to the Centre or Custodian, as the case may be, all assets, books of account, registers and other documents in their custody relating to the undertakings.

(2) The Central Government may issue such directions as it may deem desirable in the circumstances of the case to the Custodian as to the powers and duties of the Custodian and such Custodian may also, if it is considered necessary so to do, apply to the Central Government at any time for instructions as to the manner in which the management of the undertaking shall be conducted or in relation to any other matter arising in the course of such management.

(3) Any person who on the specified date, has in his possession or under his control, any books, documents or other papers relating to the undertakings shall be liable to account for the said books, documents or other papers to the Central Government or the Custodian or the Centre, as the case may be, and shall deliver them to the Central Government or the Custodian or the Centre or to such person or body of persons as the Central Government or the Centre may specify in this behalf.

(4) The Central Government or the Centre may take or cause to be taken, all necessary steps for securing possession of all undertakings which have vested in the Central Government or the Centre under this Ordinance.

(5) The Society shall, within such period as the Central Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the commencement of this Ordinance pertaining to the undertaking and for this purpose, the Central Government or Custodian or the Centre shall afford to the Society, or body all reasonable facilities.

13. The Central Government or the Custodian or the Centre shall be entitled to receive up to the specified date, to the exclusion of all other persons, any money due to the Society in relation to its Certain powers of Central Government or Centre.
undertakings which have vested in the Central Government or Custodian or the Centre, as the case may be, and realised after the commencement of this Ordinance, notwithstanding that the realisation pertains to a period prior to the commencement of this Ordinance.

14. The objects of the Centre shall be—

(a) to bring targeted reforms to develop itself as a flagship institution for conducting international and domestic arbitration;

(b) to promote research and study, providing teaching and training, and organising conferences and seminars in arbitration, conciliation, mediation and other alternative dispute resolution matters;

(c) to provide facilities and administrative assistance for conciliation, mediation and arbitral proceedings;

(d) to maintain panels of accredited arbitrators, conciliators and mediators both at national and international level or specialists such as surveyors and investigators;

(e) to collaborate with other national and international institutions and organisations for ensuring credibility of the Centre as a specialised institution in arbitration and conciliation;

(f) to set-up facilities in India and abroad to promote the activities of the Centre;

(g) to lay down parameters for different modes of alternative dispute resolution mechanisms being adopted by the Centre; and

(h) such other objectives as it may deem fit with the approval of the Central Government.

15. Without prejudice to the provisions contained in section 14, the Centre shall strive, —

(a) to facilitate for conducting international and domestic arbitrations and conciliation in the most professional manner;

(b) to provide cost effective and timely services for the conduct of arbitrations and conciliations at national and international level;
(c) to promote studies in the field of alternative dispute resolution and related matters, and to promote reforms in the system of settlement of disputes;

(d) to undertake teaching and to provide for diffusion of knowledge of law and procedures on alternative dispute resolution and related matters and to award certificates and other academic or professional distinction;

(e) to impart training in alternative dispute resolution and related matters to those who are handling arbitration, conciliation and mediation;

(f) to cooperate with other Societies, institutions and organisations, national or international for promoting alternative dispute resolution; and

(g) to perform such other functions as may be entrusted to it by the Central Government for promoting alternative dispute resolution.

16. No act or proceeding of the Centre shall be invalid merely by reason of—

(a) any vacancy in, or any defect in the constitution of, the Centre; or

(b) any defect in the appointment of a person acting as a Member of the Centre; or

(c) any irregularity in the procedure of the Centre not affecting the merits of the case.

17. The Chairperson or the Full-time or Part-time Member may, by notice in writing, under his hand addressed to the Central Government, resign his office:

Provided that the Chairperson or the Full-time Member shall, unless he is permitted by the Central Government to relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed

Vacancies, etc., not to invalidate proceedings of Centre.

Resignation of Members.
as his successor enters upon his office or until the expiry of his term of office, whichever is earlier.

18. (1) The Central Government may, remove a Member from his office if he—

(a) is an undischarged insolvent; or

(b) has engaged at any time (except Part-time Member), during his term of office, in any paid employment; or

(c) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Member; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest; or

(f) has become physically or mentally incapable of acting as a Member.

(2) Notwithstanding anything contained in sub-section (1), no Member shall be removed from his office on the grounds specified in clauses (d) and (e) of that sub-section unless the Supreme Court, on a reference being made to it in this behalf by the Central Government, has, on an inquiry, held by it in accordance with such procedure as may be prescribed in this behalf by the Supreme Court, reported that the Member, ought on such ground or grounds to be removed.

19. (1) The Centre may constitute such Committees as may be considered necessary to administer various aspects of its functions.

(2) The composition and functions of the Committees referred to in sub-section (1) shall be such as may be prescribed.

(3) The Committee shall meet at such time and at such places and shall observe such rules of procedure in regard to the transaction of business at its meetings including the quorum as may be specified by the regulations.

20. (1) The Chairperson shall ordinarily preside at the meetings of the Centre:
Provided that, in his absence, the Member chosen by the other Members present amongst themselves shall preside at the meetings.

(2) It shall be the duty of the Chairperson to ensure that the decisions taken by the Centre are implemented.

(3) The Chairperson shall exercise such other powers and perform such other duties as are assigned to him under this Ordinance.

(4) The Centre shall meet at least four times a year and follow such procedure in its meetings including quorum at such meetings in such manner as may be specified by the regulations.

(5) All questions which come up before any meeting of the Centre shall be—

(a) decided by a majority of votes by the Members present and voting, and in the event of an equality of votes, the Chairperson or in his absence, the person presiding, shall have a casting vote;

(b) dealt with as expeditiously as possible and the Centre shall dispose of the same within a period of sixty days from the date of receipt of the application:

Provided that where any such application could not be disposed of within the said period of sixty days, the Centre shall record its reasons in writing for not disposing of the application within that period.

(6) The Chairperson may invite any expert, not being a Member, to attend the meetings of the Centre, but such invitee shall not be entitled to vote at the meeting.

21. (1) There shall be a Chief Executive Officer of the Centre who shall be responsible for day-to-day administration of the Centre and for this purpose, he shall maintain liaison with the Centre and the Secretariat.

(2) The appointment, qualifications and the terms and conditions of services of the Chief Executive Officer shall be such as may be specified by the regulations.
(3) The Chief Executive Officer shall exercise such powers and discharge such functions as may be specified by the regulations or as may be delegated to him by the Centre.

22. The Centre may, for the purpose of discharging of its powers, functions and duties, by general or special order in writing, specify the powers and duties conferred or imposed upon the Centre by or under this Ordinance (except the power to make regulations) which may also be exercised or performed by the Chief Executive Officer or any officer or officers of the Centre and the conditions and restrictions, if any, subject to which the powers and duties may be exercised and performed.

23. (1) There shall be a Secretariat to the Centre consisting of—

(a) Registrar, who shall supervise the activities of the Centre;

(b) Counsel, dealing with the matters relating to domestic and international arbitration; and

(c) such number of other officers and employees as may be prescribed.

(2) The qualifications, experience, method of selection and the functions of the Registrar, Counsel and other officers and employees shall be such as may be prescribed.

CHAPTER IV
FINANCE, ACCOUNTS AND AUDIT

24. The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Centre in each financial year such sums of money and in such manner as it may think fit for being utilised for the purposes of this Ordinance.

25. (1) The Centre shall maintain a Fund to which shall be credited—

(a) all monies provided by the Central Government;

(b) all fees and other charges received during or in connection with the arbitration, conciliation, mediation or other proceedings;

(c) all monies received by the Centre for the facilities provided by it to the parties;
(d) all monies received by the Centre in the form of donations, grants, contributions and income from other sources; and

(e) the amount received from the investment income.

(2) All monies credited to the Fund shall be deposited in such banks or invested in such manner as may be decided by the Centre.

(3) The Fund shall be applied towards meeting the salary and other allowances of Members and the expenses of the Centre including expenses incurred in the exercise of its powers and discharge of its duties under this Ordinance.

26. (1) The Centre shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the balance sheet, in such form and manner as may be prescribed in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Centre shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Centre to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Centre shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts, and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Centre.

(4) The accounts of the Centre 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 forwarded annually to the Central Government and the Central Government shall cause the same to be laid before each House of Parliament.

27. The assets and liabilities in relation to any undertaking under this Ordinance shall be caused to be assessed by any agency authorised by the Comptroller and Auditor-General of India in such manner as may be specified by him and any payment on a claim to be
made in relation thereto shall be settled by him between the Society and the Central Government and shall be paid by the Society or the Central Government, as the case may be, in the manner as may be specified by the Comptroller and Auditor-General of India.

CHAPTER V

CHAMBER OF ARBITRATION AND ARBITRATION ACADEMY

28. (1) The Centre shall establish a Chamber of Arbitration which shall empanel the Arbitrators and also scrutinise the applications for admission in the panel of reputed arbitrators to maintain a permanent panel of arbitrators.

(2) The Chamber of Arbitration shall consist of experienced arbitration practitioners of repute, at national and international level and persons having wide experience in the area of alternative dispute resolution and conciliation.

(3) The Centre shall by regulations lay down the criteria for admission to the panel of the cadre so as to maintain a pool of reputed arbitrators having expertise in international commercial arbitration and arbitration other than international commercial arbitration.

(4) The Registrar to the Secretariat of the Centre shall act as the Member-Secretary to the Chamber of Arbitration.

29. (1) The Centre may establish an Arbitration Academy—

(a) to train the arbitrators, particularly in the area of international commercial arbitration to compete on par with the reputed international arbitral institutions;

(b) to conduct research in the area of alternative dispute resolution and allied areas; and

(c) to give suggestions for achieving the objectives of the Ordinance.

(2) For the purposes of sub-section (1), there may be constituted a permanent three member committee in order to suggest and to
submit a report to the Centre with respect to the amendments, if any, necessary to the rules and regulations pertaining to the Ordinance.

CHAPTER VI

MISCELLANEOUS

30. (1) The Central Government may, by notification, make rules to carry out the provisions of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may make provision for—

(a) the terms and conditions and the salary and allowances payable to the Chairperson and Full-time Member under sub-section (2) of section 6;

(b) the travelling and other allowances payable to the Part-time Member under sub-section (4) of section 6;

(c) the composition and functions of the Committees referred to in sub-section (2) of section 19;

(d) the number of officers and employees of the Secretariat of the Centre under clause (c) of sub-section (1) of section 23;

(e) the qualifications, experience, method of selection and the functions of the Registrar, Counsel and other officers and employees of the Centre under sub-section (2) of section 23;

(f) annual statement of accounts, including the balance sheet under sub-section (1) of section 26; and

(g) any other matter in respect of which provision is to be made or may be made under this Ordinance.

31. (1) The Centre may, with the previous approval of the Central Government, by notification, make regulations consistent with this Ordinance and the rules made thereunder to provide for all matters for which provision is necessary or expedient for the purposes of giving effect to the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may make provision for—
(a) the time and place and the rules of procedure to be observed in regard to the transaction of business of the Committee at the meetings including the quorum under sub-section (3) of section 19;

(b) the time and place and rules of procedure in regard to the transaction of business of the Centre or any Committee including the quorum at the meeting under sub-section (4) of section 20;

(c) the appointment, qualifications and the terms and conditions of service of the Chief Executive Officer under sub-section (2) of section 21;

(d) the powers and functions of the Chief Executive Officer under sub-section (3) of section 21;

(e) the criteria for admission to the panel of reputed arbitrators under sub-section (3) of section 28; and

(f) any other matter in respect of which provision, in the opinion of the Centre, is necessary for the performance of its functions under this Ordinance.

32. Every rule and regulation made under this Ordinance 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 regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation 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 or regulation.

33. No suit, prosecution or other legal proceedings shall lie against the Centre, the Chairperson or Members or its employees and arbitrators for anything which is in good faith done or intended to be done under this Ordinance or the rules or regulations made thereunder.

34. (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the
provisions of this Ordinance, as may appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of two years from the date of commencement of this Ordinance.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.
PART-VII
MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 2nd March, 2019/Phalguna 11, 1940 (Saka)

THE HOMOEOPATHY CENTRAL COUNCIL (AMENDMENT)
ORDINANCE, 2019
NO. 11 OF 2019

Promulgated by the President in the Seventieth Year of
the Republic of India.

An ordinance further to amend the Homoeopathy Central

WHEREAS Parliament is not in session and the President
is satisfied that circumstances exist which render it necessary
for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred
by clause (1) of article 123 of the Constitution, the President
is pleased to promulgate the following Ordinance:

1. (1) This ordinance may be called the Homoeopathy
Central Council (Amendment) Ordinance, 2019.

(2) It shall come into force at once.
2. In section 3A of the Homoeopathy Central Council Act, 1973, in sub-section (2), for the words “within a period of one year”, the words “within a period of two years” shall be substituted.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.
PART-VII

MINISTRY OF LAW AND JUSTICE  
(Legisltative Department)

New Delhi, the 2nd March, 2019/Phalguna 11, 1940 (Saka)

THE SPECIAL ECONOMIC ZONES (AMENDMENT)  
ORDINANCE, 2019  
No. 12 OF 2019

Promulgated by the President in the Seventieth Year of the Republic of India.

An Ordinance further to amend the Special Economic Zones Act, 2005.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:

1. (1) This Ordinance may be called the Special Economic Zones (Amendment) Ordinance, 2019.

(2) It shall come into force at once.
2. In section 2 of the Special Economic Zones Act, 2005, in clause (γ)—

(i) after the words “local authority”, the words “or trust or any entity as may be notified by the Central Government” shall be inserted;

(ii) for the words “authority or company”, the words “authority, company, trust or entity” shall be substituted.

RAM NATH KOVIND,
President.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.
PART-IX

NO.SRC/HOME/RNW/734/2018

Dt. Kohima the 30th Oct ’18

RENEWAL OF REGISTRATION CERTIFICATE

Certificate of Regd.NO.HOME/SRC -6954 Dated 18-02-2016 is hereby renewed on this day the 18-02-2018 in the Office of the Registrar of Societies, Home Department Nagaland, under the Registration of Societies Act 1860 as amended vide Registration of Societies (Nagaland third Amendment) Act, 2008 (Act- No.1 of 2009)

In the matter of application of the Chairman, for the renewal of the Society at Tesen, in the District of Peren, I do hereby certify that pursuant to Section 3 of the Registration of Societies Act, 1860 as amended vide Societies Registration (Nagaland Third Amendment) Act, 2008 the Centre has been renewed in my Office as a Society under the title of “TRUSTEESHIP SOCIETY” and numbered as Regd. NO.HOME/SRC- Six thousand nine hundred and fifty four Dated Eighteen February of the year two thousand and sixteen w.e.f. 18-02-2018 (Eighteen February of the Year two Thousand eighteen)

The Registration of the Society/Club/Union/Association etc, renewed under Section 3 of the Registration of Societies (Nagaland Third Amendment) Act. 2008 shall remain valid for a period of 2 (Two) years from the date of issue and renewal should be done on or before 18-02-2020 (Eighteen February of the Year Two Thousand and twenty)

Sd/-

A. CHUMREMO ODYUO
Secretary to the Govt. of Nagaland & Ex-Officio Registrar of Societies, Nagaland.

NO.SRC/HOME/RNW/660/2018

Dt. Kohima the 30th Oct ’18

RENEWAL OF REGISTRATION CERTIFICATE

Certificate of Regd.NO.H/RS -6353 Dated 27/06/2012 is hereby renewed on this day the 27-06-2018 in the Office of the Registrar of Societies, Home Department Nagaland, under the Registration of Societies Act 1860 as amended vide Registration of Societies (Nagaland third Amendment) Act, 2008 (Act- No.1 of 2009)

In the matter of application of the Co-ordinator, for the renewal of the Society at Midland in the District of Kohima, I do hereby certify that pursuant to Section 3 of the Registration of Societies Act, 1860 as amended vide Societies Registration (Nagaland Third Amendment) Act, 2008 the Centre has been renewed in my Office as a Society under the title of “WORD & WORK MINISTRY” and numbered as Regd. NO. H/RS –Six thousand Three hundred and fifty three Dated Twenty seven June of the Year two thousand and twelve w.e.f. 27-06-2018 (Twenty seven June of the Year two Thousand and eighteen)

The Registration of the Society/Club/Union/Association etc, renewed under Section 3 of the Registration of Societies (Nagaland Third Amendment) Act. 2008 shall remain valid for a period of 2 (Two) years from the date of issue and renewal should be done on or before 27-06-2020 (Twenty Seven June of the Year Two Thousand and twenty)

Sd/-

A. CHUMREMO ODYUO
Secretary to the Govt. of Nagaland & Ex-Officio Registrar of Societies, Nagaland.
RENEWAL OF REGISTRATION CERTIFICATE

Certificate of Regd.NO.H/RS -5994 Dated 02-06-2006 is hereby renewed on this day the 13-01-2018 in the Office of the Registrar of Societies, Home Department Nagaland, under the Registration of Societies Act 1860 as amended vide Registration of Societies (Nagaland third Amendment) Act, 2008 (Act- No.1 of 2009).

In the matter of application of the President, for the renewal of the Society at Nagarjan ‘a’ Khel, in the District of Dimapur, I do hereby certify that pursuant to Section 3 of the Registration of Societies Act, 1860 as amended vide Societies Registration (Nagaland Third Amendment) Act, 2008 the Centre has been renewed in my Office as a Society under the title of “CAPUCHIN SERVICE SOCIETY” and numbered as Regd. NO.H/RS- Five thousand nine hundred and ninety four Dated Two june of the Year two thousand and six w.e.f. 13-01-2018 (Thirteen January of the Year two Thousand and eighteen).

The Registration of the Society/Club/Union/Association etc, renewed under Section 3 of the Registration of Societies (Nagaland Third Amendment) Act, 2008 shall remain valid for a period of 2 (Two) years from the date of issue and renewal should be done on or before 13-01-2020 (Thirteen January of the Year Two Thousand and twenty).

Sd/-

A. CHUMREMO ODYUO
Secretary to the Government of Nagaland
& Ex-Officio Registrar of Societies, Nagaland

RENEWAL OF REGISTRATION CERTIFICATE

Certificate of Regd.NO.HOME/SRC -6550 Dated 21-06-2013 is hereby renewed on this day the 03-11-2016 in the Office of the Registrar of Societies, Home Department Nagaland, under the Registration of Societies Act 1860 as amended vide Societies Registration (Nagaland Third Amendment) Act, 2008 (Act- No.1 of 2009).

In the matter of application of the President, for the renewal of the Society at Zunheboto Town in the District of Zunheboto, I do hereby certify that pursuant to Section 3 of the Registration of Societies Act, 1860 as amended vide Societies Registration (Nagaland Third Amendment) Act, 2008 the Centre has been renewed in my Office as a Society under the title of “DISABLE ASSOCIATION” and numbered as Regd. NO. HOME/SRC –Six thousand five hundred and fifty Dated Twenty one June of the Year two thousand and thirteen w.e.f. 03-11-2016 (Three November of the Year two Thousand and sixteen).

The Registration of the Society/Club/Union/Association etc, renewed under Section 3 of the Registration of Societies (Nagaland Third Amendment) Act, 2008 shall remain valid for a period of 2 (Two) years from the date of issue and renewal should be done on or before 03-11-2018 (Three November of the Year Two Thousand and eighteen).

Sd/-

A. WOPEN LOTHA
Secretary to the Government of Nagaland
& Ex-Officio Registrar of Societies, Nagaland
RENEWAL OF REGISTRATION CERTIFICATE

Certificate of Regd.NO.H/RS-5814 Dated 29-10-2009 is hereby renewed on this day the 04-11-2016 in the Office of the Registrar of Societies, Home Department Nagaland, under the Registration of Societies Act 1860 as amended vide Registration of Societies (Nagaland third Amendment) Act, 2008 (Act- No.1 of 2009).

In the matter of application of the President, for the renewal of the Society at Dimapur in the District of Dimapur, I do hereby certify that pursuant to Section 3 of the Registration of Societies Act, 1860 as amended vide Societies Registration (Nagaland Third Amendment) Act, 2008 the Centre has been renewed in my Office as a Society under the title of “YOUNG MEN’S CHRISTIAN ASSOCIATION” and numbered as Regd. NO. H/RS–Five thousand eight hundred and fourteen Dated Twenty nine October of the Year two thousand and nine w.e.f. 04-11-2016 (Four November of the Year two Thousand and sixteen)

The Registration of the Society/Club/Union/Association etc, renewed under Section 3 of the Registration of Societies (Nagaland Third Amendment) Act, 2008 shall remain valid for a period of 2 (Two) years from the date of issue and renewal should be done on or before 04-11-2018 (Four November of the Year Two Thousand and eighteen)

Sd/-

A. WOPEN LOTHA
Secretary to the Government of Nagaland
& Ex-Officio Registrar of Societies, Nagaland

RENEWAL OF REGISTRATION CERTIFICATE


In the matter of application of the President, for the renewal of the Society at Diphupar Village, in the District of Dimapur, I do hereby certify that pursuant to Section 3 of the Registration of Societies Act, 1860 as amended vide Societies Registration (Nagaland Third Amendment) Act, 2008 the Centre has been renewed in my Office as a Society under the title of “UNITED TRIBAL SOCIETY” and numbered as Regd. NO.H/RS-Three thousand six and ninety three Dated Twenty six July of the Year two thousand and four w.e.f. 07-04-2018 (Seven April of the Year two Thousand and eighteen)

The Registration of the Society/Club/Union/Association etc, renewed under Section 3 of the Registration of Societies (Nagaland Third Amendment) Act, 2008 shall remain valid for a period of 2 (Two) years from the date of issue and renewal should be done on or before 07-04-2020 (Seven April of the Year Two Thousand and twenty)

Sd/-

A. CHUMREMO ODYUO
Secretary to the Government of Nagaland
& Ex-Officio Registrar of Societies, Nagaland
RENEWAL OF REGISTRATION CERTIFICATE

Certificate of Regd.NO.H/RS-2168 Dated 13-03-2002 is hereby renewed on this day the 09-10-2018 in the Office of the Registrar of Societies, Home Department Nagaland, under the Registration of Societies Act 1860 as amended vide Registration of Societies ( Nagaland third Amendment ) Act, 2008 ( Act- No.1 of 2009 )

In the matter of application of the President, for the renewal of the Society at Pongo Village, in the District of Longleng, I do hereby certify that pursuant to Section 3 of the Registration of Societies Act, 1860 as amended vide Societies Registration (Nagaland Third Amendment) Act, 2008 the Centre has been renewed in my Office as a Society under the title of “GOSPEL WING CLUB” and numbered as Regd. NO.H/RS-Two thousand one hundred and sixty eight Dated Thirteen March of the Year two thousand and two w.e.f. 09-10-2018 (Nine October of the Year two thousand and eighteen)

The Registration of the Society/Club/Union/Association etc, renewed under Section 3 of the Registration of Societies (Nagaland Third Amendment) Act, 2008 shall remain valid for a period of 2 (Two) years from the date of issue and renewal should be done on or before 09-10-2020 (Nine October of the Year Two Thousand and twenty)

Sd/-
A. CHUMREMO ODYUO
Secretary to the Government of Nagaland
& Ex-Officio Registrar of Societies, Nagaland

CERTIFICATE OF REGISTRATION


In the matter of application of the President, for the Society Registration at Rangapahar, in the district of Dimapur, I do hereby certify that pursuant to section 3 of the Societies Registration Act, 1860 as amended vide Societies Registration ( Nagaland Third Amendment ) Act, 2008 the centre has been registered in my office as a Society under the title “NAGALAND GOLF ASSOCIATION ” and numbered as HOME/SRC-Seven thousand Two hundred and seventy two dated Kohima the 12-11-2018 (Twelve November of the year Two thousand and eighteen).

The registration of Societies/Club etc registered under Section 3 of the Societies Registration Act 1860 as amended vide Societies Registration (Nagaland Third Amendment) Act 2008, shall remain valid for a period of 2 (two) years from the date of issue and shall be renewed within 3 (three) months from the date of validity period. Accordingly, the renewal has to be done on or before 12-11-2020 (Twelve November of the year two thousand and twenty)

Sd/-
A. CHUMREMO ODYUO
Secretary to the Government of Nagaland &
Ex-Officio Registrar of Societies, Nagaland.
NOTIFICATION

Dated Dimapur, the 22nd March 2019.

NO.CT/STS/1/5/2017 (Pt-D)/598:- In pursuance of the provisions contained in Rules, 4(10) and (11) of the Central Sales Tax (Nagaland) Rules, 1972. It is hereby notified for general information that the following serial numbers of the online declaration Form ‘C’ are declared to be obsolete and invalid from the date of issue due to erroneous entry of data while uploading transaction details. Please log-on for verification at www.nagalandtax.nic.in → e-services → Form & TIN verification.

<table>
<thead>
<tr>
<th>'C' Form</th>
<th>Name and address of the dealers to whom e-Form 'C' is issued by the department</th>
<th>Name and address of the dealers to whom e-Form 'C' was issued by the dealer</th>
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</thead>
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<tr>
<td>NL-CA1255083</td>
<td>M/s Prativa Enterprise</td>
<td>Emami Ltd</td>
</tr>
<tr>
<td>NL-CA1258092</td>
<td>M/s Ocean</td>
<td>Eastern Agency, Dabur India Limited, Lokentah Trading Corporation</td>
</tr>
<tr>
<td>NL-CA1258125</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NL-CA1258130</td>
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</tr>
</tbody>
</table>

Now therefore, it is hereby notified that the above serial numbers of the declaration Forms ‘C’ shall not be valid for the purpose of sub-section (4) of section 8 of the Central Sales Tax Act, 1956.

Sd/-

KESONYUYHOMEN
Commissioner of State Taxes.
Nagaland: Dimapur.

Kohima : Printed and published by the Directorate of Printing & Stationery, Nagaland (Ex-Gazette) No. 1/150/22-03-2019
NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 9, sub-section (1) of section 11, sub-section (1) of section 16 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (herein after referred to as the “said Act”), the State Government, on the recommendations of the Council, and on being satisfied that it is necessary in the public interest so to do, hereby notifies that the said tax, on the intra-State supply of goods or services or both as specified in column (1) of the Table below, shall be levied at the rate specified in the corresponding entry in column (2), subject to the conditions as specified in the corresponding entry in column (3) of the said Table below, namely:

<table>
<thead>
<tr>
<th>Description of supply</th>
<th>Rate (per cent.)</th>
<th>Conditions</th>
</tr>
</thead>
</table>
| First supplies of goods or services or both up to an aggregate turnover of fifty lakh rupees made on or after the 1st day of April in any financial year, by a registered person. | 3 | 1. Supplies are made by a registered person, -  
(i) whose aggregate turnover in the preceding financial year was fifty lakh rupees or below;  
(ii) who is not eligible to pay tax under sub-section (1) of section 10 of the said Act;  
(iii) who is not engaged in making any supply which is not leviable to tax under the said Act;  
(iv) who is not engaged in making any inter-State outward supply;  
(v) who is neither a casual taxable person nor a non-resident taxable person;  
(vi) who is not engaged in making any supply through an electronic commerce operator who is required to collect tax at source under section 52; and  
(vii) who is not engaged in making supplies of the goods, the description of which is specified in column (3) of the Annexure below and falling under the tariff item, sub-heading, heading or Chapter, as the case may be, as specified in the corresponding entry in column (2) of the said annexure. |
2. Where more than one registered person are having the same Permanent account Number, issued under the Income Tax Act, 1961(43 of 1961), state tax on supplies by all such registered persons is paid at the rate specified in column (2) under this notification.

3. The registered person shall not collect any tax from the recipient on supplies made by him nor shall he be entitled to any credit of input tax.

4. The registered person shall issue, instead of tax invoice, a bill of supply as referred to in clause (e) of sub-section (3) of section 31 of the said Act with particulars as prescribed in rule 49 of Nagaland Goods and Services Tax Rules.

5. The registered person shall mention the following words at the top of the bill of supply, namely:- "taxable person paying tax in terms of notification F.NO.FIN/REV-3/GST/1/08(Pt-I)(Vol.1) F 8 dated 07.03.2019, not eligible to collect tax on supplies"

6. The registered person opting to pay state tax at the rate of three percent. Under this notification shall be liable to pay state tax at the rate of three percent on all outward supplies specified in column (1) notwithstanding any other notification issued under sub-section (1) of section 9 or under section 11 of said Act.

7. The registered person opting to pay state tax at the rate of three percent under this notification shall be liable to pay state tax on inward supplies on which he is liable to pay tax under sub-section (3) or, as the case may be, under sub-section (4) of section 9 of said Act at the applicable rates.

Explanation.- For the purposes of this notification, the expression "first supplies of goods or services or both" shall, for the purposes of determining eligibility of a person to pay tax under this notification, include the supplies from the first day of April of a financial year to the date from which he becomes liable for registration under the said Act but for the purpose of determination of tax payable under this notification shall not include the supplies from the first day of April of a financial year to the date from which he
becomes liable for registration under the Act.

ANNEXURE

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Tariff item, sub-heading, heading or Chapter</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2105 00 00</td>
<td>Ice cream and other edible ice, whether or not containing cocoa.</td>
</tr>
<tr>
<td>2</td>
<td>2106 90 20</td>
<td>Pan masala</td>
</tr>
<tr>
<td>3</td>
<td>24</td>
<td>All goods, i.e. Tobacco and manufactured tobacco substitutes</td>
</tr>
</tbody>
</table>

2. In computing aggregate turnover in order to determine eligibility of a registered person to pay state tax at the rate of three percent under this notification, value of supply of exempt services by way of extending deposits, loans or advances in so far as the consideration is represented by way of interest or discount, shall not be taken into account.

3. *Explanation.*—For the purpose of this notification,
(i) "tariff item", "sub-heading", "heading" and "chapter" shall mean respectively a tariff item, sub-heading, heading and chapters specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975).

(ii) the rules for the interpretation of the First Schedule to the said Customs Tariff Act, 1975 (51 of 1975), including the Section and Chapter Notes and the General Explanatory Notes of the First Schedule shall, so far as may be, apply to the interpretation of this notification.

4. This notification shall come into force on the 1st day of April, 2019.

Sd/-

TALIREMBA
Officer on Special Duty (Finance)
NOTIFICATION

In exercise of the powers conferred by section 148 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereafter in this notification referred to as the said Act), the State Government, on the recommendations of the Council, hereby notifies the registered persons having aggregate turnover of up to 1.5 Crore rupees in the preceding financial year or the current financial year, as the class of registered persons, who shall follow the special procedure as mentioned below for furnishing the details of outward supply of goods or services or both.

2. The said registered persons shall furnish the details of outward supply of goods or services or both in FORM GSTR-1 under the Nagaland Goods and Services Tax Rules, 2017, effected during the quarter as specified in column (2) of the Table below till the time period as specified in the corresponding entry in column (3) of the said Table, namely:-

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Quarter for which details in FORM GSTR-1 are furnished</th>
<th>Time period for furnishing details in FORM GSTR-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>April – June, 2019</td>
<td>31st July, 2019</td>
</tr>
</tbody>
</table>

3. The time limit for furnishing the details or return, as the case may be, under sub-section (2) of section 38 and sub-section (1) of section 39 of the said Act, for the months of July, 2017 to June, 2019 shall be subsequently notified in the Official Gazette.

Sd/-

TALIREMBA

Officer on Special Duty (Finance)

Kohima: Printed and published by the Directorate of Printing & Stationery, Nagaland (Ex-Gazette) No. 3/150/07-03-2019
NOTIFICATION

In exercise of the powers conferred under the provision to sub-section (1) of section 10 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereinafter referred to as the said Act), and in supersession of the notification F.NO.FIN/REV-3/GST/1/08 (Pt-1) “C”, dated the 30th June, 2017, except as things done or omitted to be done before such supersession, the State Government, on the recommendations of the Council, hereby specifies that an eligible registered person, whose aggregate turnover in the preceding financial year did not exceed one crore and fifty lakh rupees, may opt to pay, in lieu of the tax payable by him under sub-section (1) of section 9 of the said Act, an amount of tax as prescribed under rule 7 of the Central Goods and Services Tax Rules, 2017:

Provided that the said aggregate turnover in the preceding financial year shall be seventy-five lakh rupees in the case of an eligible registered person, registered under section 25 of the said Act, in any of the following States, namely:

(i) Arunachal Pradesh,
(ii) Manipur,
(iii) Meghalaya,
(iv) Mizoram,
(v) Nagaland,
(vi) Sikkim,
(vii) Tripura,
(viii) Uttarakhand:

Provided further that the registered person shall not be eligible to opt for composition levy under sub-section (1) of section 10 of the said Act if such person is a manufacturer of the goods, the description of which is specified in column (3) of the Table below and falling under the tariff item, sub-heading, heading or Chapter, as the case may be, as specified in the corresponding entry in column (2) of the said Table, namely:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Tariff item, sub-heading, heading or Chapter</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>2105 00 00</td>
<td>Ice cream and other edible ice, whether or not containing cocoa.</td>
</tr>
<tr>
<td></td>
<td>2106 90 20</td>
<td>Pan masala.</td>
</tr>
<tr>
<td>---</td>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td>3.</td>
<td>24</td>
<td>All goods, i.e. Tobacco and manufactured tobacco substitutes.</td>
</tr>
</tbody>
</table>

*Explanation.*

(i) In this Table, “tariff item”, “sub-heading”, “heading” and “chapter” shall mean respectively a tariff item, sub-heading, heading and chapters as specified in the First Schedule to the Customs Tariff Act, 1975 (51 of 1975).

(ii) The rules for the interpretation of the First Schedule to the said Customs Tariff Act, 1975 (51 of 1975), including the Section and Chapter Notes and the General Explanatory Notes of the First Schedule shall, so far as may be, apply to the interpretation of this notification.

2. This notification shall come into force on the 1st day of April, 2019.

*Signature*

Sd/-
TALIREMBA
Officer on Special Duty (Finance)
ORDER-01/2018-State Tax

WHEREAS, sub-section (1) of section 44 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereafter in this Order referred to as the said Act) provides that every registered person, other than an Input Service Distributor, a person paying tax under section 51 or section 52, a casual taxable person and a non-resident taxable person, shall furnish an annual return for every financial year electronically in such form and manner as may be prescribed on or before the thirty-first day of December following the end of such financial year;

AND WHEREAS, for the purpose of furnishing of the annual return electronically for every financial year as referred to in sub-section (1) of section 44 of the said Act, the electronic system to be developed is at the advanced stage and is likely to be made operational by the 31st January, 2019 as a result whereof, the said annual return for the period from the 1st July, 2017 to the 31st March, 2018 could not be furnished by the registered persons, as referred to in the said sub-section (1) and because of that, certain difficulties have arisen in giving effect to the provisions of the said section;

NOW, THEREFORE, in exercise of the powers conferred by section 172 of the Nagaland Goods and Services Tax Act, 2017, the State Government, on recommendations of the Council, hereby makes the following Order, to remove the difficulties, namely:---

1. Short title.—This Order may be called the Nagaland Goods and Services Tax (Removal of Difficulties) Order, 2018.

2. In section 44 of the Nagaland Goods and Services Tax Act, 2017, after sub-section (2), the following Explanation shall be inserted, namely:—

"Explanation.—For the purposes of this section, it is hereby declared that the annual return for the period from the 1st July, 2017 to the 31st March, 2018 shall be furnished on or before the 31st March, 2019."

Sd/-

TALIREMBA
Officer on Special Duty (Finance)
ORDER-02/2018-State Tax

WHEREAS, sub-section (4) of section 16 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereafter in this Order referred to as the said Act) provides that a registered person shall not be entitled to take input tax credit in respect of any invoice or debit note for supply of goods or services or both after the due date of furnishing of the return under section 39 for the month of September following the end of financial year to which such invoices or invoice relating to such debit note pertains or furnishing of the relevant annual return, whichever is earlier;

AND WHEREAS, sub-section (3) of section 37 of the said Act provides that-

Any registered person, who has furnished the details under sub-section (1) for any tax period and which have remained unmatched under section 42 or section 43, shall, upon discovery of any error or omission therein, rectify such error or omission in such manner as may be prescribed, and shall pay tax and interest, if any, in case there is short payment of tax on account of such error or omission, in return to be furnished for such tax period:

Provided that no rectification of error or omission in respect of the details furnished under sub-section (1) shall be allowed after furnishing of the return under section 39 for the month of September following the end of the financial year to which such details pertain, or furnishing of the relevant annual return, whichever is earlier;

AND WHEREAS, the financial year 2017-18 was the first year of the implementation of the Goods and Services Tax in India and the taxpayers were still in the process of familiarizing themselves with the new taxation system and due to lack of said familiarity-

(i) the registered persons eligible to avail input tax credit could not claim the same in terms of provisions of section 16 because of missing invoices or debit notes referred to sub-section (4) within the stipulated time;

(ii) the registered persons could not rectify the error or omission in terms of provisions of sub-section (3) of section 37 within the stipulated time, as a result whereof certain
difficulties have arisen in giving effects to the provisions of subsection (4) of section 16 and sub-section (3) of section 37.

NOW, THEREFORE, in exercise of the powers conferred by section 172 of the Nagaland Goods and Services Tax Act, 2017, the State Government, on recommendations of the Council, hereby makes the following Order, to remove the difficulties, namely:—

1. Short title—This Order may be called the Nagaland Goods and Services Tax (Second Removal of Difficulties) Order, 2018.-

2. In sub-section (4) of section 16 of the said Act, the following proviso shall be inserted, namely:

“Provided that the registered person shall be entitled to take input tax credit after the due date of furnishing of the return under section 39 for the month of September, 2018 till the due date of furnishing of the return under the said section for the month of March, 2019 in respect of any invoice or invoice relating to such debit note for supply of goods or services or both made during the financial year 2017-18, the details of which have been uploaded by the supplier under sub-section (1) of section 37 till the due date for furnishing the details under sub-section (1) of said section for the month of March, 2019.”.

3. In sub-section (3) of section 37 of the said Act, after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that the rectification of error or omission in respect of the details furnished under sub-section (1) shall be allowed after furnishing of the return under section 39 for the month of September, 2018 till the due date for furnishing the details under subsection (1) for the month of March, 2019 or for the quarter January, 2019 to March, 2019.”.

Sd/-

TALIREMBA
Officer on Special Duty (Finance)
ORDER-03/2018-State Tax

WHEREAS, sub-section (1) of section 44 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereafter in this Order referred to as the said Act) provides that every registered person, other than an Input Service Distributor, a person paying tax under section 51 or section 52, a casual taxable person and a non-resident taxable person, shall furnish an annual return for every financial year electronically in such form and manner as may be prescribed on or before the thirty-first day of December following the end of such financial year;

AND WHEREAS, for the purpose of furnishing of the annual return electronically for every financial year as referred to in sub-section (1) of section 44 of the said Act, through the electronic system to be developed is at the advanced stage, it may likely to take some more time for being made operational as a result whereof, the said annual return for the period from the 1st July, 2017 to the 31st March, 2018 could not be furnished by the registered persons, as referred to in the said sub-section (1) and because of that, certain difficulties have arisen in giving effect to the provisions of the said section.

NOW, THEREFORE, in exercise of the powers conferred by section 172 of the Nagaland Goods and Services Tax Act, 2017, the State Government, on recommendations of the Council, hereby makes the following Order, to remove the difficulties, namely:

1. Short title.—This Order may be called the Nagaland Goods and Services Tax (Third Removal of Difficulties) Order, 2018.

2. In section 44 of the Nagaland Goods and Services Tax Act, 2017, in the Explanation, for the figures, letters and word "31st March, 2019", the figures, letters and word "30th June, 2019" shall be substituted.

Sd/-

TALIREMBA
Officer on Special Duty (Finance)
ORDER-04/2018-State Tax

WHEREAS, sub-section (4) of section 52 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereafter in this Order referred to as the said Act) provides that every operator who collects the amount specified in sub-section (1) shall furnish a statement, electronically, containing the details of outward supplies of goods or services or both effected through it, including the supplies of goods or services or both returned through it, and the amount collected under sub-section (1) during a month, in such form and manner as may be prescribed, within ten days after the end of such month;

AND WHEREAS, certain operators, were unable to obtain registration because of technical issues being faced by them on the common portal but they collected the amount for the months of October, November and December 2018, as a result whereof, the statement under subsection (4) of section 52 of the said Act could not be furnished and because of that certain difficulties have arisen in giving effect to the provisions of the said sub-section;

NOW, THEREFORE, in exercise of the powers conferred by section 172 of the Nagaland Goods and Services Tax Act, 2017, the State Government, on recommendations of the Council, hereby makes the following Order, to remove the difficulties, namely:

1. Short title. — This Order may be called the Nagaland Goods and Services Tax (Fourth Removal of Difficulties) Order, 2018.

2. In section 52 of the Nagaland Goods and Services Tax Act, 2017, in sub-section (4), the following Explanation shall be inserted, namely:

"Explanation: - For the purposes of this sub-section, it is hereby declared that the due date for furnishing the said statement for the months of October, November and December, 2018 shall be the 31st January, 2019."

Sd/-
TALIREMBA
Officer on Special Duty (Finance)
ORDER-01/2019-State Tax

WHEREAS, sub-section (1) of section 10 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereafter in this Order referred to as the said Act) provides that-

(i) a registered person engaged in the supply of services, other than supply of service referred to in clause (b) of paragraph 6 of Schedule II to the said Act, may opt for the scheme under the said sub-section;

(ii) a person who opts for the said scheme may supply services (other than those referred to in clause (b) of paragraph 6 of Schedule II to the said Act), of value not exceeding ten per cent of turnover in a State or Union territory in the preceding financial year or five lakh rupees, whichever is higher;

AND WHEREAS, clause (a) of sub-section (2) of section 10 of the said Act provides that the registered person shall be eligible to opt under sub-section (1), if, save as otherwise provided in sub-section (1), he is not engaged in the supply of services;

AND WHEREAS, rendering of services as part of the savings and investment practice of business, by way of extending deposits, loans or advances, in so far as the consideration is represented by way of interest or discount, is resulting in their ineligibility for the aforesaid scheme, causing hardships to a lot of small businesses and because of that, certain difficulties have arisen in giving effect to the provisions of section 10;

NOW, THEREFORE, in exercise of the powers conferred by section 172 of the Nagaland Goods and Services Tax Act, 2017 and in supersession of the Nagaland Goods and Services Tax (Removal of Difficulties) Order, 2017, No. 01/2017-State Tax, dated the 26th October, 2017, except as respects things done or omitted to be done before such supersession, the State Government, on recommendations of the Council, hereby makes the following Order, namely:
1. Short title. — This Order may be called the Nagaland Goods and Services Tax (Removal of Difficulties) Order, 2019.

2. For the removal of difficulties, it is hereby clarified that the value of supply of exempt services by way of extending deposits, loans or advances in so far as the consideration is represented by way of interest or discount, shall not be taken into account:

(i) for determining the eligibility for composition scheme under second proviso to sub-section (1) of section 10;

(ii) in computing aggregate turnover in order to determine eligibility for composition scheme.

Sd/-
TALIREMBA
Officer on Special Duty (Finance)
ORDER-02/2019-State Tax

WHEREAS, sub-section (4) of section 52 of the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereafter in this Order referred to as the said Act) provides that every operator who collects the amount specified in sub-section (1) shall furnish a statement, electronically, containing the details of outward supplies of goods or services or both effected through it, including the supplies of goods or services or both returned through it, and the amount collected under subsection (1) during a month, in such form and manner as may be prescribed, within ten days after the end of such month;

AND WHEREAS, certain operators, were unable to obtain registration because of technical issues being faced by them on the common portal but they collected the amount for the months of October, November and December 2018, as a result whereof, the statement under subsection (4) of section 52 of the said Act could not be furnished and because of that certain difficulties have arisen in giving effect to the provisions of the said sub-section;

NOW, THEREFORE, in exercise of the powers conferred by section 172 of the Nagaland Goods and Services Tax Act, 2017, the State Government, on recommendations of the Council, hereby makes the following Order, to remove the difficulties, namely:

1. Short title. — This Order may be called the Nagaland Goods and Services Tax (Second Removal of Difficulties) Order, 2019.


Sd/-
TALIREMBA
Officer on Special Duty (Finance)
ORDER-03/2019-State Tax

Whereas, clause (c) of sub-section (3) of section 31 the Nagaland Goods and Services Tax Act, 2017 (4 of 2017) (hereinafter referred to as the said Act) provides that a registered person supplying exempted goods or services or both or paying tax under the provisions of section 10 shall issue, instead of a tax invoice, a bill of supply, and therefore any person not covered by the said clause has to issue a tax invoice:

Now, Therefore, in exercise of the powers conferred by section 172 of the said Act, the State Government, on recommendations of the Council, hereby makes the following Order, to remove the difficulties, namely:

1. Short title. —This Order may be called the Nagaland Goods and Services Tax (Third Removal of Difficulties) Order, 2019.

2. For the removal of difficulties, it is hereby clarified that provisions of clause (c) of sub-section (3) of section 31 of the said Act shall apply to a person paying tax under notification F.NO.FIN/REV-3/GST/1/08 (Pt-1)(Vol.1)/87 dated 07.03.2019.

Sd/-

TALIREMBA

Officer on Special Duty (Finance)
NOTIFICATION

No.12 Kohima Tuesday, March 26, 2019 Chaitra 05, 1941(Saka)

Dated Kohima the 26th March, 2019.

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 LOVING MORNING (EVERY MONDAY)
2. Price of the lottery ticket: ₹ 6/- (per ticket)
3. Total No. of tickets printed: 4.00 crores. Numbering: 60 to 99 / ABCDEGHJKLM 00000 TO 99 999
4. Gross value of the tickets printed: ₹ 24.00 crores (turnover)
6. Organized and Promoted by: Director, Directorate of Nagaland State Lotteries,
   Kohima, P.R. Hill Junction,
   Nagaland: Kohima-797001.
   Telex-0370-2229982.
7. Name of the Distributors 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 Chandnani, Kohima-797001.
   Nagaland. Telex-0370-22242200
8. Name of the Area Distributors with their address and contact information:
   Future Tradesolution I.P., Kolkata, West Bengal
   Yama Lottery Distributor, Sikkim.
9. Prize Structure:

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>DRAW METHOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>₹24,00,000</td>
<td>ON 2 TIMES ON 5 DIGITS WITH SERIAL No.</td>
</tr>
<tr>
<td>2</td>
<td>79%</td>
<td>₹1,000</td>
<td>ALL REMAINING SERIAL OF 1ST PRIZE Nos.</td>
</tr>
<tr>
<td>3</td>
<td>40000</td>
<td>₹500</td>
<td>ON 10 TIMES ON 5 DIGITS</td>
</tr>
<tr>
<td>4</td>
<td>40000</td>
<td>₹250</td>
<td>ON 10 TIMES ON LAST 4 DIGITS</td>
</tr>
<tr>
<td>5</td>
<td>40000</td>
<td>₹120</td>
<td>ON 100 TIMES ON LAST 4 DIGITS</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>₹11,95,99,000</td>
<td></td>
</tr>
</tbody>
</table>

DEAR LOVING MORNING MONDAY WEEKLY LOTTERY FROM 64th DRAW ON 15-04-2019 ONWARDS
10. The amount offered as prize money: Rs. 14,21,97,000

11. Periodicity / interval between the draws: 11:55 A.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 S.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.

16. Delivery of tickets:
   1. Tickets will be handed over to the distributor by Delivery Note.
   2. The distributor shall report the details of unsold tickets prior to the draw. The distributor shall be involved on the basis of the sold tickets for that draw.


18. Sale of Tickets: Tickets will be sold to West Bengal and Sikkim. No tickets shall be sold after the commencement of the draw. The unsold tickets shall be returned back to the DSL for adjustment.

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

Kohima : Printed and published by the Directorate of Printing & Stationery, Nagaland
(Ex-Gazette) No. 12/150/26-03-2019
NOTIFICATION

No.FIN/LOT-10/2010/788 ::

Dated: Kohima the 26th March, 2019.

In exercise of the powers conferred under Clause 3(3) of the Lottery (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 SINCERE MORNING (EVERY TUESDAY)

2. Price of the lottery ticket: ₹ 60/- (per ticket)

3. Total No. of tickets printed: 4.00 crores. Numbering: 60 to 99 /ABCD EGHJ KI 00000 TO 99999

4. Gross value of the tickets printed: ₹ 24.00 crores (turnover)


D-23 & D-31, Phase-1, I.D.A. Jeelamatta,
Shapur Nagar, Hyderabad-500 055.

6. Organized and Promoted by:

Director,
Directorate of Nagaland State Lotteries,
Kohima, P.H. Hill Junction,
Nagaland: Kohima-797001.
Telefax-0370-2229982.

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

Distributor-Reid. 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,
Mikar Building, Ground Floor,
Upper Chandmari, Kohima-797001,
Nagaland. Telefax-0370 2242200

8. Name of the Area Distributors with their address and contact information:

Future Tradeline LLP, Kolkata, West Bengal
Yama Lottery Distributor, Sikkim

9. Prize Structure:

DEAR SINCERE MORNING TUESDAY WEEKLY LOTTERY FROM 64TH DRAW ON 16-04-2019 ONWARDS

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>PRIZE AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>₹24,00,000</td>
<td>₹1,01,000</td>
</tr>
<tr>
<td>Cons</td>
<td>798</td>
<td>₹1,000</td>
<td>₹500</td>
</tr>
<tr>
<td>2</td>
<td>4000</td>
<td>₹9,000</td>
<td>₹1,000</td>
</tr>
<tr>
<td>3</td>
<td>40000</td>
<td>₹500</td>
<td>₹100</td>
</tr>
<tr>
<td>4</td>
<td>40000</td>
<td>₹250</td>
<td>₹50</td>
</tr>
<tr>
<td>5</td>
<td>40000</td>
<td>₹120</td>
<td>₹30</td>
</tr>
<tr>
<td>TOTAL</td>
<td>14,95,98,000</td>
<td>₹2,26,01,000</td>
<td>₹1,43,19,009</td>
</tr>
</tbody>
</table>

DRAW METHOD

1. On 2 times on 5 digits with serial no.
2. All remaining serial of 1st prize nos.
3. On 10 times on 5 digits.
4. On 10 times on last 4 digits.
5. On 10 times on last 4 digits.
10. The amount offered as prize money: ₹ 14,21,99,000

11. Periodicity / interval between the draws: 11:55 A.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.

16. Delivery of tickets:
   1. Tickets will be handed over to the distributor by Delivery Note.
   2. The distributor shall report the details of unsold tickets prior to the draw. The distributor shall be involved on the basis of the sold tickets for that draw.


18. Sale of Tickets: Tickets will be sold to West Bengal and Sikkim. No tickets shall be sold after the commencement of the draw. The unsold tickets shall be returned back to the DSL for adjustment.

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

Kohima: Printed and published by the Directorate of Printing & Stationery, Nagaland
(Ex-Gazette) No. 13/150/26-03-2019
NOTIFICATION

No. FIN/LOT-10/2010/788; Dated: Kohima the 26th March, 2019.

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 FAITHFUL MORNING (EVERY WEDNESDAY)

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

3. Total No. of tickets printed: 4.00 crores, Numbering: 60 to 99 / ABCDEGHUJKL 00000 TO 99999

4. Gross value of the tickets printed: ₹ 24.00 crores (turnover)

5. Name of the Printing Press: M/s Nu Tech Security Printers,
23, DLF Industrial Estate,
Phase-II, Faridabad (Haryana)-121003.

6. Organized and Promoted by: Director,
Directorate of Nagaland State Lotteries,
Kohima, P.K.Hill Junction,
Nagaland: Kohima-797001.
Telefono-0370-2242200

7. Name of the Distributor with their address and contact information: Distributor-Regd. Office
M/s Future Gaming & Hotel Services Pvt. Ltd.,
No.54, Metupalayam Road, G.N. Mills Post
Coimbatore-641 009, Ph: 0422 2649001.

Sales Office:
M/s Yama Lottery Distributor, Sikkim
Mitkar Building, Ground Floor,
Upper Chandmari, Kohima-797001,
Nagaland. Telephone-0370 2242200

8. Name of the Area Distributors, with their address and contact information: Future Trade Solution LLP, Kolkata, West Bengal

9. Prize Structure:

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>PRIZE AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>24,00,000</td>
<td>1,02,000</td>
</tr>
<tr>
<td>2</td>
<td>799</td>
<td>1,000</td>
<td>500</td>
</tr>
<tr>
<td>3</td>
<td>4,000</td>
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<td>4</td>
<td>4,000</td>
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<td>50</td>
</tr>
<tr>
<td>5</td>
<td>4,000</td>
<td>120</td>
<td>30</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>1,10,60,000</td>
<td>2,26,03,000</td>
</tr>
</tbody>
</table>

DEAR FAITHFUL MORNING WEDNESDAY WEEKLY LOTTERY FROM 64th DRAW ON 17-04-2019 ONWARDS

DRAW METHOD:
- ON 2 TIMES ON 5 DIGITS WITH SERIAL No.
- ALL REMAINING SERIAL OF 1ST PRIZE No.
- ON 10 TIMES ON LAST 4 DIGITS.
- ON 10 TIMES ON LAST 4 DIGITS.
10. The amount offered as prize money

- ₹ 14,22,01,000

11. Periodicity / interval between the draws

- 11.55 A.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.

16. Delivery of tickets:

- 1. Tickets will be handed over to the distributor by Delivery Note.
- 2. The distributor shall report the details of unsold tickets prior to the draw. The distributor shall be involved on the basis of the sold tickets for that draw.

17. Guaranteed Sale of Lottery Tickets

- On the basis of actual sale of tickets.

18. Sale of Tickets

- Tickets will be sold to West Bengal and Sikkim. No tickets shall be sold after the commencement of the draw. The unsold tickets shall be returned back to the DSL for adjustment.

Sd/-

ZANBEN! ODYUO

Under Secretary to the Govt. of Nagaland.

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Kohima: Printed and published by the Directorate of Printing & Stationery, Nagaland (Ex-Gazette) No. 14/150/26-03-2019
NOTIFICATION

No. FIN/LOT-10/2019/788; Dated Kohima the 26th March, 2019.

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 TENDER MORNING (FRIDAY)

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

3. Total No. of tickets printed: 4.00 crores. Numbering: 60 to 99/ABCDEHJKL 000000 TO 99 999

4. Gross value of the tickets printed: ₹ 24.00 crores (turnover)


6. Organized and Promoted by: 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

Sales Office,
Mithar Building, Ground Floor,
Upper Chandramari, Kohima-797001.
Nagaland. Telephone-0370 2242200

8. Name of the Area Distributors with their address and contact information: Future Tradessolution LLP, Kolkata, West Bengal
Yama Lottery Distributor, Sikkim

9. Prize Structure:

DEAR TENDER MORNING FRIDAY WEEKLY LOTTERY FROM 64TH DRAW ON 19-04-2019 ONWARDS

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>PRIZE AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>24,00,000.00</td>
<td>1,04,000.00</td>
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<td>2</td>
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<td>40,000</td>
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<td>1,000</td>
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<tr>
<td>4</td>
<td>40,000</td>
<td>500</td>
<td>100</td>
</tr>
<tr>
<td>5</td>
<td>400,000</td>
<td>250</td>
<td>50</td>
</tr>
<tr>
<td>6</td>
<td>412,000</td>
<td>120</td>
<td>30</td>
</tr>
<tr>
<td>TOTAL</td>
<td>11,95,98,000</td>
<td>2,26,07,000</td>
<td>14,22,05,000</td>
</tr>
</tbody>
</table>
10. The amount offered as prize money : ₹ 14,22,05,000
11. Periodicity / interval between the draws : 11:55 A.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.
16. Delivery of tickets : 1. Tickets will be handed over to the distributor by Delivery Note. 2. The distributor shall report the details of unsold tickets prior to the draw. The distributor shall be involved on the basis of the sold tickets for that draw.
18. Sale of Tickets : Tickets will be sold to West Bengal and Sikkim. No tickets shall be sold after the commencement of the draw. The unsold tickets shall be returned back to the DSL for adjustment.

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

Kohima : Printed and published by the Directorate of Printing & Stationery, Nagaland (Ex-Gazette) No. 16/150/26-03-2019
NOTIFICATION

No. FIN/LOT-10/2010 /788.

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 GENTLE MORNING (EVERY SATURDAY)
2. Price of the lottery ticket : ₹ 6/- (per ticket)
3. Total No. of tickets printed : 4.00 crores. Numbering: 60 to 99 JABCDFGHJKLM00000 TO 99 999
4. Gross value of the tickets printed : ₹ 24.00 crores (turnover)
   Telephone: 0370-229982.
7. Name of the Distributor with their address and contact information.
   Sales Office: Mitkar Building, Ground Floor, Upper Chandmari, Kohima-797001.
   Nagaland, Telephone-0370 2242200
   Future Tradexsolution LLP, Kolkata, West Bengal
   Yama Lottery Distributor, Sikkim
8. Name of the Area Distributors with their address and contact information.
9. Prize Structure -

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO. OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>PRIZE AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>₹ 24,60,000</td>
<td>₹ 1,05,000</td>
</tr>
<tr>
<td>2</td>
<td>4000</td>
<td>₹ 9,000</td>
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<td>3</td>
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<td>₹ 100</td>
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<td>₹ 50</td>
</tr>
<tr>
<td>5</td>
<td>4000</td>
<td>₹ 120</td>
<td>₹ 30</td>
</tr>
</tbody>
</table>

TOTAL: ₹ 41,95,98,000

ON 2 TIMES ON 5 DIGITS WITH SERIAL No.
ON 10 TIMES ON 5 DIGITS
ON 10 TIMES ON LAST 4 DIGITS.
ON 10 TIMES ON LAST 4 DIGITS.
ON 100 TIMES ON LAST 4 DIGITS.

DEAR GENTLE MORNING SATURDAY WEEKLY LOTTERY FROM 64TH DRAW ON 04-06-2019 ONWARDS

Dated Kohima the 26th March, 2019.
10. The amount offered as prize money: ₹ 1422.07,000
11. Periodicity / interval between the draws: 11.55 A.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 S.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.
16. Delivery of tickets: -
   1. Tickets will be handed over to the distributor by Delivery Note.
   2. The distributor shall report the details of unsold tickets prior to the draw. The distributor shall be involved on the basis of the sold tickets for that draw.
18. Sale of Tickets: Tickets will be sold to West Bengal and Sikkim. No tickets shall be sold after the commencement of the draw. The unsold tickets shall be returned back to the DSL for adjustment.
Registration No. NE/RN-646

THE NAGALAND GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.18 Kohima Tuesday, March 26, 2019 Chaitra 05, 1941(Saka)

NOTIFICATION

Dated Kohima the 26th March, 2019,

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 AFFECTIONATE MORNING (EVERY SUNDAY)
2. Price of the lottery ticket: ₹ 6/- (per ticket)
3. Total No. of tickets printed: 4.00 crores, Numbering: 00 to 99/ABCDEFGHIJKLMNOPQRSTUVWXYZ.
4. Gross value of the tickets printed: ₹ 24.00 crores (turnover)
6. Organized and Promoted by: Director, Directorate of Nagaland State Lotteries, Kohima, P.R.Hill Junction, Nagaland, Kohima-797001. Telefax-0370-2229482
7. Name of the Distributor with their address and contact information:
   - Sales Office: M/s Future Trade Solution LLP, West Bengal M/s Yama Lottery Distributor, Sikkim
8. Name of the Area Distributors with their address and contact information:
9. Prize Structure:

<table>
<thead>
<tr>
<th>RANK</th>
<th>NO OF PRIZES</th>
<th>PRIZE AMOUNT</th>
<th>PRIZE AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>24,00,000</td>
<td>1,00,000</td>
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<tr>
<td>2</td>
<td>500</td>
<td>9,000</td>
<td>1,00,000</td>
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<tr>
<td>3</td>
<td>2000</td>
<td>500</td>
<td>100,000</td>
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<tr>
<td>4</td>
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<td>50,000</td>
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<tr>
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<td>40,000</td>
<td>120</td>
<td>30,000</td>
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<td>TOTAL</td>
<td>11,95,98,000</td>
<td>22,56,00,000</td>
<td>14,22,09,000</td>
</tr>
</tbody>
</table>

DEAR AFFECTIONATE MORNING SUNDAY WEEKLY LOTTERY FROM 64TH DRAW ON 21-04-2019 ONWARDS

DRAW METHOD

- ON 2 TIMES ON 5 DIGITS WITH SERIAL NO.
- ALL REMAINING SERIAL OF 1ST PRIZE NO.
- ON 10 TIMES ON 5 DIGITS
- ON 10 TIMES ON LAST 4 DIGITS
- ON 10 TIMES ON LAST 4 DIGITS.
10. The amount offered as prize money : ₹ 14,22,09,000

11. Periodicity / interval between the draws : 11.55 A.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 S.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.

16. Delivery of tickets:
   1. Tickets will be handed over to the distributor by Delivery Note.
   2. The distributor shall report the details of unsold tickets prior to the draw. The distributor shall be involved on the basis of the sold tickets for that draw.


18. Sale of Tickets : Tickets will be sold to West Bengal and Sikkim. No tickets shall be sold after the commencement of the draw. The unsold tickets shall be returned back to the DSL for adjustment.

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

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Sd/-

WATI L. IMCHEN
Director
Printing & Stationery
Nagaland, Kohima

email: nagalandgovt.press@gmail.com | Website: www.govtpress.nagaland.gov.in

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