Bill No. 104 of 2026

THE *JAN VISHWAS* (AMENDMENT OF PROVISIONS) BILL, 2026

A

BILL

to amend certain enactments for decriminalising and rationalising offences to further enhance trust-based governance for ease of living and doing business.

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

Short title and commencement.

1. (*1*) This Act may be called the *Jan Vishwas* (Amendment of Provisions) Act, 2026.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for amendments relating to different enactments mentioned in the Schedule.

Amendment of certain enactments.

2. The enactments mentioned in column (4) of the Schedule are hereby amended to the extent and in the manner mentioned in column (5) thereof.

Revision of fines and penalties.

3. The fines and penalties provided under various provisions in the enactments mentioned in the Schedule shall be increased by ten per cent. of the minimum amount of fine or penalty, as the case may be, prescribed therefor, after the expiry of every three years from the date of commencement of this Act:

Provided that notwithstanding anything contained in this section, if any enactment mentioned in the Schedule provides the manner of revision of fines and penalties therein, only the said provision shall be applicable for increase of fines and penalties for provisions of such enactment.

Savings.

4. The amendment or repeal by this Act of any enactment shall not affect any other enactment in which the amended or repealed enactment has been applied, incorporated or referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of, or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, despite the fact that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby amended or repealed;

nor shall the amendment or repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

Power to remove difficulties.

5. (*1*) If any difficulty arises in giving effect to the provisions of different enactments mentioned in the Schedule as amended by this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of the enactments as amended by this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(*2*) Every order made under sub-section (*1*) shall, as soon as may be after it is made, be laid before each House of Parliament.

THE SCHEDULE

(*See* section 2)

Sl. No.	Year	No.	Short title	Amendments
(1)	(2)	(3)	(4)	(5)
1.	1870	7	The Court-fees Act, 1870	(*A*) In section 34, for sub-section (*3*), the following sub-section shall be substituted, namely:— "(*3*) Any person appointed to sell stamps, who,— (*a*) with fraudulent intent, disobeys any rule made under this section, or sells or offers for sale any stamp without being duly appointed, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both; (*b*) without any fraudulent intent, contravenes any rule made under this section, shall be liable to penalty not exceeding ten thousand rupees.". (*B*) After section 34, the following sections shall be inserted, namely:— "34A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under clause (*b*) of sub-section (*3*) of section 34, the Administrator of the Union territory concerned may appoint an officer not below the rank of Deputy Commissioner or Deputy Collector or any officer equivalent in rank as an adjudicating officer for holding an inquiry and imposing penalties: Provided that the Administrator of the Union territory concerned may appoint as many adjudicating officers as may be required. (*2*) The adjudicating officer may 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, and if, on such inquiry, is satisfied that the person concerned has contravened any rule made under sub-section (*1*) of section 34, he may impose penalty as deemed fit, subject to the amount mentioned under clause (*b*) of sub-section (*3*) of the said section: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. 34B. Appeal.—(*1*) Whoever aggrieved by an order of the adjudicating officer under section 34A may, within thirty days from the date of receipt of such order, prefer an appeal to the Commissioner or Collector of the Division or before any officer equivalent in rank designated as such by the Administrator of the Union territory concerned as an appellate authority.

(1)	(2)	(3)	(4)	(5)
				(*2*) An appeal may be admitted after the expiry of the period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*3*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit. (*4*) An appeal under sub-section (*1*) shall be disposed of within sixty days from the date of filing. (*5*) If penalty imposed by the adjudicating officer under sub-section (*1*) of section 34A or by an order of the appellate authority under sub-section (*3*) of this section, as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.”.
2.	1871	1	The Cattle-trespass Act, 1871	(*A*) For section 3, the following section shall be substituted, namely:— ‘3. Definitions.—In this Act, unless the context otherwise requires,— (*a*) “adjudicating officer” means the Sub-Divisional Magistrate or any other Executive Magistrate authorised by the State Government or the Union territory administration, as the case may be ; (*b*) “appellate authority” means the District Magistrate or the Additional District Magistrate authorised by the State Government or the Union territory administration, as the case may be; (*c*) “cattle” includes also camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids; (*d*) “local authority” means Municipal Corporation, Municipal Council, Municipality, Cantonment Board, Notified Area Committee, Gram Panchayat or any other authority for the time being vested by law with the control and administration of any matters within a specified local area; and (*e*) “officer of police” also includes village-watchman.’. (*B*) In section 6, for the words, “the Indian Penal Code (45 of 1860)”, the words, brackets and figures “clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)” shall be substituted. (*C*) In section 8, in clause (*a*), for the word “animals”, the word “cattle” shall be substituted.

(1)	(2)	(3)	(4)	(5)

(*D*) For section 12, the following section shall be substituted, namely:—

"12. Penalties for cattle impounded.—(*1*) For every head of cattle impounded as aforesaid, the pound-keepers shall impose penalty in accordance with the scale for the time being prescribed by the State Government in this behalf by notification in the Official Gazette and different scales may be prescribed for different local areas.

(*2*) All penalties so imposed shall be deposited with the Magistrate of the District through such officer as the State Government may direct.

(*3*) A list showing the penalties and the rates of charge for feeding and watering cattle shall be posted in a conspicuous place on or near to every pound.".

(*E*) In section 13,—

(*i*) in the marginal heading, for the word "fines", the word "penalties" shall be substituted;

(*ii*) for the words "payment of the fines", the words "payment of penalties imposed" shall be substituted.

(*F*) In section 15,—

(*i*) for the words "appear and refuse to pay the said fines and expenses", the words "appears and refuses to pay the said penalties and expenses" shall be substituted;

(*ii*) for the words "deposit of the fines", the words "deposit of the penalties imposed" shall be substituted.

(*G*) In section 16,—

(*i*) in the marginal heading, for the word "fines", the word "penalties" shall be substituted;

(*ii*) for the words "deposit the said fines", the words "deposit the said penalties imposed" shall be substituted;

(*iii*) for the words "Deduction of fines and expenses", the words "Deduction of penalties and expenses" shall be substituted;

(*iv*) for the words "fines leviable", the words "penalties imposed" shall be substituted;

(*v*) in clause (*c*), for the word "fines", the word "penalties" shall be substituted.

(*H*) In section 17,—

(*i*) in the marginal heading, for the word "fines", the word "penalties" shall be substituted.

(*ii*) for the words "the fines so deducted", the words "the penalties so deducted" shall be substituted.

(1)	(2)	(3)	(4)	(5)
				(*I*) In section 22,—
				(*i*) for the words "one hundred rupees", the words "five thousand rupees" shall be substituted;
				(*ii*) for the words "together with all fines paid", the words "together with all penalties paid" shall be substituted;
				(*iii*) for the words "the fines and expenses leviable", the words "the penalties imposed and expenses incurred" shall be substituted.
				(*J*) In section 23, for the words "compensation, fines and expenses", the words "compensation, penalties and expenses" shall be substituted.
				(*K*) In section 24, for the words "on conviction before a Magistrate, be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both", the words "on being found in default by the adjudicating officer, be liable to penalty of not exceeding five thousand rupees" shall be substituted.
				(*L*) In section 25,—
				(*i*) for the words "Any fine imposed under the next following section or for the offence of mischief", the words "Any penalty imposed under the next following section or for mischief" shall be substituted;
				(*ii*) for the words "the person convicted of the offence", the words "the person found liable" shall be substituted.
				(*M*) For section 26, the following section shall be substituted, namely:—
				"26. Penalty for damage caused to land or crops or public roads by pigs and cattle.—(*1*) Any owner or keeper of pigs who, through neglect or otherwise, damages or causes or permits to be damaged any land, or any crop or produce of land, or any public road, by allowing such pigs to trespass thereon, shall, on being found in default by the adjudicating officer be liable to penalty not exceeding one thousand rupees.
				(*2*) Any owner or keeper of cattle who, through neglect or otherwise, damages or causes or permits to be damaged any land or any crop or produce of land or any public road, by allowing such cattle to trespass thereon, shall, on being found in default by the adjudicating officer be liable to penalty not exceeding five thousand rupees.".
				(*N*) In section 27, for the words "be punished, on conviction before a Magistrate, with fine not exceeding fifty rupees. Such fines", the words "on being found in default by the adjudicating officer, be liable to penalty, not exceeding five thousand rupees and such penalty" shall be substituted.

(1)	(2)	(3)	(4)	(5)

(*O*) After section 27, the following sections shall be inserted, namely:—

"27A. Adjudication of penalties.—For the purpose of adjudicating penalties under the provisions of this Act and the rules made thereunder, the State Government or the Union territory administration, may authorise the Sub-Divisional Magistrate or any other Executive Magistrate, as the case may be, having jurisdiction, as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed by the Central Government:

Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

27B. Appeal.—(*1*) Whoever aggrieved by an order of the adjudicating officer under section 27A may, within thirty days from the date of receipt of the such order, prefer an appeal to the District Magistrate or the Additional District Magistrate specially authorised in this behalf by the State Government or the Union territory administration as an appellate authority, in such form and manner as may be prescribed by the Central Government.

(*2*) An appeal may be admitted to after the expiry of the period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*3*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit.

(*4*) An appeal under sub-section (*1*) shall be disposed of within sixty days from the date of filing.

27C. Imprisonment for non-payment of penalty.—Where any person fails to pay the penalty imposed under the provisions of this Act and the rules made thereunder within ninety days of such imposition, he shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to twice the amount of the penalty, or with both.".

(*P*) For section 28, the following section shall be substituted, namely:—

"28. Remittance of penalty.—(*1*) Where an adjudicating officer imposes a penalty under the provisions of this Act and the rules made thereunder, the amount of said penalty realised shall be credited to the fund of the Animal Welfare Board of India constituted under the Prevention of Cruelty to Animals Act, 1960 (59 of 1960).

(1)	(2)	(3)	(4)	(5)

(*2*) The Board referred to in sub-section (*1*) shall utilise the amount realised through penalty under sub-section (*1*) for the implementation of the provisions of the Act and the rules made thereunder in such manner as may be prescribed by the Central Government.".

(*Q*) In CHAPTER VII, for the Chapter heading "SUITS FOR COMPENSATION", the heading "APPLICATION FOR COMPENSATION" shall be substituted.

(*R*) In section 29,—

(*i*) in the marginal heading, for the words "sue for compensation", the words "apply for compensation" shall be substituted;

(*ii*) for the words "suing for compensation in any competent Court", the words "making an application for compensation to the adjudicating officer" shall be substituted.

(*S*) In section 30,—

(*i*) for the words "convicting Magistrate", the words "adjudicating officer" shall be substituted;

(*ii*) for the words "such suit", the words "such complaint" shall be substituted.

(*T*) After section 31, the following section shall be inserted, namely:—

"32. Power of Central Government to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules not inconsistent with the provisions of this Act, to carry out the provisions of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the manner of holding an inquiry and imposing penalties under section 27A;

(*b*) the form and manner of appeal under sub-section (*1*) of section 27B; and

(*c*) the manner of utilisation of penalty amount under sub-section (*2*) of section 28.

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

(1)	(2)	(3)	(4)	(5)
				Houses agree in making any modification in said rules or both Houses agree that the rules should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.".
3.	1882	15	The Presidency Small Cause Courts Act, 1882	(*A*) In section 68, for the words "shall, on conviction before a Presidency Magistrate, be liable to be punished with fine which may extend to five hundred rupees and with imprisonment for a term which may extend to three months, in addition to any other liability he may have incurred by his proceedings", the words "shall be liable to such penalty as may be imposed by the adjudicating officer" shall be substituted. (*B*) In section 87,— (*i*) in the marginal heading, for the words "Imprisonment or committal of person", the words "Penalty for" shall be substituted; (*ii*) for the words, figures and brackets "the Court may sentence him to simple imprisonment, or commit him to the custody of an officer of the Court, for any term not exceeding seven days, unless in the meantime such person consents to answer such questions or to produce such document, as the case may be, after which, in the event of his persisting in his refusal, he may be dealt with according to the provisions of section 480 or section 482 of the Code of Criminal Procedure, 1898 (5 of 1898)", the words "he shall be liable to penalty as may be imposed by the adjudicating officer" shall be substituted. (*C*) After section 87, the following sections shall be inserted, namely:— "87A. Adjudication of penalties.—For the purpose of adjudication of penalties under sections 68 and 87, the State Government, may designate the Deputy Registrar appointed under section 13 of this Act, to be the adjudicating officer, for holding an inquiry and imposing penalties in the manner as may be provided by rules by the High Court: Provided that the State Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(1)	(2)	(3)	(4)	(5)

87B. Appeal.—(*1*) Any person aggrieved by an order of the adjudicating officer under section 87A may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the State Government as an appellate authority, in such form and manner as may be provided by rules by the High Court.

(*2*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the Appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*3*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit.

(*4*) An appeal under sub-section (*1*) shall be disposed of within sixty days from the date of filing.

(*5*) If penalty imposed by the adjudicating officer under section 87A or by an order of the appellate authority under this section is not deposited, the amount shall be recovered as an arrear of land revenue.".

87C. Amount of penalty.—Notwithstanding anything contained in this Act, the quantum of penalty or fine shall be such amount as the State Government concerned may, by notification in the Official Gazette, determine from time to time, having regard to the pecuniary jurisdiction and local requirements of the Court.

Explanation.—For the purposes of this section, "State Government concerned" means the Government of the States of Maharashtra, Tamil Nadu and West Bengal, within whose respective jurisdictions the Act is in force; and such determination shall be consistent with the amendments and adaptations made by the respective State Acts.".

(*D*) Section 88 shall be omitted.

(*E*) Section 95 shall be omitted.

(*F*) After section 97, the following section shall be inserted, namely:—

"98. Power of the High Court to make rules.—(*1*) The High Courts may make rules not inconsistent with the provisions of this Act to carry out the provisions of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(1)	(2)	(3)	(4)	(5)
				(*a*) the manner of holding inquiry and imposing penalties under section 87A; and (*b*) the form and manner of appeal under sub-section (*1*) of section 87B.".
4.	1898	9	The Live-stock Importation Act, 1898	(*A*) After section 3A, the following section shall be inserted, namely:— "3B. Laying of notification before both Houses of Parliament.—All notifications issued under this Act shall be laid before both Houses of Parliament as soon as may be after they are issued." . (*B*) Section 4 shall be omitted.
5.	1903	7	The Works of Defence Act, 1903	For section 36, the following sections shall be substituted, namely:— "36. Punishments.—(*1*) Whoever wilfully— (*a*) obstructs any person in doing any of the acts authorised by section 4, section 6 or section 8; or (*b*) destroys, damages, alters or otherwise interferes with the ground level or any work done under section 6, shall be liable to penalty which may extend to two thousand and five hundred rupees, and in case of continuing contravention, with an additional penalty of two hundred and fifty rupees for every day after the first during which the contravention continues; and any expenses incurred in removing the effects of this contravention may be recovered from him in the manner provided by the law for the time being in force for the recovery of penalty. (*2*) Whoever obstructs any person authorised under section 4, section 6, or section 8, by using or threatening to use force, or by any act of physical interference that prevents such officer from exercising any lawful power or performing any lawful duty under this Act, or contravenes any of the provisions of section 7 or any condition prescribed thereunder, shall be punishable with imprisonment of either description for a term which may extend to one month, or with fine which may extend to two thousand and five hundred rupees, and in case of continuing offence, with an additional fine of two hundred and fifty rupees for every day after the first during which the contravention continues; and any expenses incurred in removing the effects of his offence may be recovered from him in the manner provided by the law for the time being in force for the recovery of fines.

(1)	(2)	(3)	(4)	(5)
				Explanation.—For the purposes of this section, obstruction shall not include any act or omission arising from physical or mental incapacity, unintentional conduct, or circumstances beyond the person's control.". 36A. Adjudication of penalties.—For the purpose of adjudicating penalties under sub-section (*1*) of section 36, the Central Government shall appoint an officer not below the rank of Commanding Officer as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. 36B. Appeal.—(*1*) Any person aggrieved by an order of the adjudicating officer under section 36A may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, not below the rank of General Officer Commanding-in-Chief or equivalent or head of the organisation, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*2*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*3*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit. (*4*) An appeal under sub-section (*1*) shall be disposed of within sixty days from the date of filing. (*5*) In the event of non-payment of amount of penalty imposed under section 36A or under this section within a period of fifteen days from date of receipt of such order, the appellant shall be liable to be punished with a fine which may extend to twice the penalty imposed.".
6.	1925	39	The Indian Succession Act, 1925	(*A*) In section 296, in sub-section (*2*), for the words "one thousand rupees, or with imprisonment for a term which may extend to three months, or with both", the words "ten thousand rupees" shall be substituted. (*B*) In section 389, in sub-section (*2*), for the words "one thousand rupees, or with imprisonment for a term which may extend to three months or with both", the words "ten thousand rupees" shall be substituted.

(1)	(2)	(3)	(4)	(5)
7.	1934	2	The Reserve Bank of India Act, 1934	(*A*) In section 58B,— (*i*) in the marginal heading, for the word "Penalties", the word "Offences" shall be substituted; (*ii*) sub-section (*4AA*) shall be omitted. (*B*) In section 58G, in the marginal heading, for the word "fine", the word "penalties" shall be substituted.
8.	1940	23	The Drugs and Cosmetics Act, 1940	(*A*) In section 27A, in clause (*ii*), for the words "shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to twenty thousand rupees, or with both", the words "shall be liable to penalty of one lakh rupees or three times the value of the cosmetics confiscated, whichever is higher" shall be substituted. (*B*) In section 28A, for the words "punishable with imprisonment for a term which may extend to one year or with fine which shall not be less than twenty thousand rupees or with both", the words "liable to penalty which shall not be less than three lakh rupees but which may extend to five lakh rupees" shall be substituted. (*C*) Section 29 shall be omitted. (*D*) In section 30, sub-sections (*1A*) and (*2*) shall be omitted. (*E*) After section 30, the following section shall be inserted, namely:— "30A. Adjudication of penalties.—(*1*) For the purpose of adjudicating of penalties under this Act, the Central Government or the State Government, as the case may be, may appoint an officer not below the rank of Deputy Drugs Controller or Assistant Drugs Controller, as the case may be, or an officer equivalent in rank in the State Government, as an adjudicating officer, for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government or the State Government, as the case may be, may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Whoever aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer at least one rank higher than the adjudicating officer as an appellate authority as may be appointed by the Central Government, or as the case may be, the State Government, in such form and manner as may be prescribed.

(1)	(2)	(3)	(4)	(5)

(*3*) An appeal may be admitted after the expiry of the said period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".

(*F*) In section 32B, in sub-section (*1*), for the words, brackets, figures and letters "clause (*ii*) of section 27A, section 28 and section 28A", the word and figures "section 28" shall be substituted.

(*G*) In section 33, in sub-section (*2*), after clause (*o*), the following clauses shall be inserted, namely:—

"(*oa*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 30A;

(*ob*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 30A.".

(*H*) In section 33-I, for sub-section (*2*), the following sub-section shall be substituted, namely:—

"(*2*)(*a*) Contravenes any other provisions of this Chapter except section 24 as applied by section 33H or any rule made under this Chapter shall be punishable with imprisonment for a term which may extend to six months and with fine which shall not be less than ten thousand rupees;

(*b*) contravenes section 24 as applied by section 33H, shall be punishable with fine which shall not be less than thirty thousand rupees.".

(*I*) In section 33J, for clause (*c*), the following clause shall be substituted, namely:—

"(*c*)(*i*) under clause (*a*) of sub-section (*2*) of section 33-I is again convicted of an offence under that sub-section, shall be punishable with imprisonment for a term which may extend to one year and with fine which shall not be less than twenty thousand rupees or three times the value of the drugs confiscated, whichever is higher;

(1)	(2)	(3)	(4)	(5)
				(*ii*) under clause (*b*) of sub-section (*2*) of section 33-I is again convicted of an offence under that sub-section, shall be punishable with fine which shall not be less than fifty thousand rupees or six times the value of the drugs confiscated, whichever is higher."; (*J*) In section 36AB, in sub-section (*1*), the word, figures and letter "section 28A," shall be omitted. (*K*) In section 36AC, in sub-section (*1*),— (*i*) the word, figures and letter "section 28A," the occurring at both the places, shall be omitted; (*ii*) for the words, brackets and figures "sub-sections (*1*) and (*2*) of section 30" occurring at both the places, the words, brackets and figures "sub-section (*1*) of section 30" shall be substituted.
9.	1948	8	The Pharmacy Act, 1948	(*A*) In section 26A, in sub-section (*4*), for the words, figures and brackets "section 21 of the Indian Penal Code (45 of 1860)", the words, brackets and figures "clause (*28*) of section 2 of the of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted. (*B*) In section 43,— (*i*) in sub-section (*1*), for the words "be punishable with fine which may extend to fifty rupees", the words "be liable to penalty which may extend to five thousand rupees" shall be substituted; (*ii*) for sub-section (*2*), the following sub-sections shall be substituted, namely:— "(*2*) The penalty referred to in sub-section (*1*) shall be paid within ten days from the date on which the person's name was removed from the register. (*3*) If any person fails to pay the penalty within the period prescribed in sub-section (*2*) and fails to surrender the certificate of registration; he shall be liable to a further penalty of one thousand rupees for every day during which the contravention continues."; (*C*) In section 43A, in sub-section (*1*), for the word, figures and letter "section 26A", the words, figures and letter "sections 26A and 43," shall be substituted.
10.	1948	9	The Dock Workers (Regulation of Employment) Act, 1948	(*A*) In section 3, for sub-section (*3*), the following sub-section shall be substituted, namely:— "(*3*) A scheme may further provide that contravention of any provision thereof shall be subject to a penalty, which shall not exceed,— (*a*) five thousand rupees in respect of first contravention; and

(1)	(2)	(3)	(4)	(5)

(*b*) ten thousand rupees in respect of second and subsequent contravention.".

(*B*) After section 3, the following section shall be inserted, namely:—

"3A. Authority for imposing penalty, appeal and procedure thereof—(*1*) The Deputy Chairman, Calcutta Dock Labour Board, shall be the adjudicating authority for the purpose holding an inquiry and imposing penalty for contravention of a scheme in accordance with sub-section (*3*) of section 3, in such manner as may be prescribed by rules:

Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*), may, within thirty days from the date of receipt of such order, prefer an appeal to the Chairman, Calcutta Dock Labour Board, who shall be the appellate authority, in such form and manner as may be prescribed as may be prescribed by rules.

(*3*) An appeal may be admitted after the expiry of the said period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".

(*C*) Sections 7 and 7A shall be omitted.

(*D*) In section 8, in sub-section (*2*), after clause (*g*), the following clauses shall be inserted, namely:—

"(*ga*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 3A;

(*gb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 3A.";

(1)	(2)	(3)	(4)	(5)
11.	1948	14	The Damodar Valley Corporation Act, 1948	(*A*) Sections 18 and 19 shall be omitted. (*B*) For section 53, the following section shall be substituted, namely:— "53. Punishment.—(*1*) Whoever contravenes the provisions of section 17 of this Act or any rule made thereunder shall be punishable with a fine which may extend up to ten lakh rupees in respect of each offence and in the case of a continuing failure, with an additional fine which shall not be less than one thousand rupees but may extend to fifty thousand rupees for every day during which the failure continues after conviction of the first such offence. (*2*) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), any competent court may accept a sum of ten lakh rupees for compounding of the offence from any person who committed or who is reasonably suspected of having committed an offence under sub-section (*1*). (*3*) On payment of the sum of money in accordance with sub-section (*2*), no proceedings shall be instituted or continued against such a person in any criminal court. (*4*) The acceptance of the sum of money by a competent court for compounding an offence in accordance with sub-section (*2*) shall be deemed to be an amount of an acquittal within the meaning of section 337 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023). (*5*) The Compounding of an offence under sub-section (*2*) shall be allowed only once for any person.". (*C*) In section 56, for the words, figures and brackets "section 21 of the Indian Penal Code (45 of 1860)", the words, brackets and figures "clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted.
12.	1948	46	The Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948	(*A*) For section 9, the following sections shall be substituted, namely:— "9. Penalty.—(*1*) If any person contravenes or fails to comply with any provision of this Act or of any scheme framed thereunder, he shall be liable to penalty which shall not be less than five thousand rupees but which may extend to fifty thousand rupees. (*2*) Where any person continues contravention under sub-section (*1*), he shall be liable to an additional penalty of ten thousand rupees for every day during which such contravention continues subject to a maximum of ten lakh rupees.

(1)	(2)	(3)	(4)	(5)
				9A. Adjudication of penalties.—For the purpose of adjudicating penalties under section 9, the Central Government, may appoint an officer not below the rank of Joint Secretary to the Government of India or a Secretary to the State Government as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government or the State Government, as the case may be, may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. 9B. Appeal.—(*1*) Any person aggrieved by an order of the adjudicating officer under section 9A may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the Central Government, as an appellate authority, in such form and manner as may be prescribed. (*2*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*3*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit. (*4*) An appeal under sub-section (*1*) shall be disposed of within sixty days from the date of filing. (*5*) If penalty imposed by the adjudicating officer under section 9A or by an order of the appellate authority under this section, as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.”. (*B*) After section 11D, the following section shall be inserted, namely:— “11E. Power of Central Government to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act. (*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:— (*a*) the manner of holding an inquiry and imposing penalties under section 9A;

(1)	(2)	(3)	(4)	(5)
				(*b*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*1*) of section 9B. (*3*) Every rule made under this section 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.".
13.	1948	61	The Central Silk Board Act, 1948	(*A*) In section 13, in sub-section (*2*), after clause (*xvc*), the following clauses shall be inserted, namely:— "(*xvca*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 14B; (*xvcb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 14B;". (*B*) In section 14, in sub-section (*1*),— (*i*) clause (*b*) shall be omitted; (*ii*) in the long line, for the words "punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both", the words "warned at the first instance, and in case of continuing or repeated contraventions, he shall be liable to penalty of not less than twenty-five thousand rupees but may extend to one lakh rupees" shall be substituted. (*C*) For section 14A, the following sections shall be substituted, namely:— "14A. Penalty for Contravention of section 8C or 8E.— If any person contravenes the provisions of section 8C or 8E of this Act or regulations made thereunder or any notification relating to silk-worm seed, he shall be liable to penalty of not less than twenty-five thousand rupees but may extend to one lakh rupees, and in addition to such penalty, the competent authority may suspend or cancel the registration granted for the production of silk-worm seeds.

(1)	(2)	(3)	(4)	(5)
				14B. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under clauses (*a*) and (*c*) of sub-section (*1*) of section 14, and section 14A, an officer not below the rank of Director to the Government of India or equivalent in rank as may be appointed by the Central Government shall be the adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to the appellate authority who shall be an officer not below the rank of Joint Secretary to the Government of India or equivalent in rank as may be appointed by the Central Government, in such form and manner as may be prescribed. (*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.”.
14.	1950	64	The Road Transport Corporations Act, 1950	In section 46, for the words “shall be punishable with fine which may extend to five hundred rupees, and when the breach is a continuing one, with a further fine not exceeding twenty rupees for every day after the date of the first conviction during which the offender is proved to have persisted in the offence”, the words “shall be liable to penalty which may extend to five hundred rupees and when the breach is a continuing one with a further penalty not exceeding twenty rupees for every day after the first contravention, during which the breach continues” shall be substituted.

(1)	(2)	(3)	(4)	(5)
15.	1952	30	The Requisitioning and Acquisition of Immovable Property Act, 1952	(*A*) In section 20, for the words "punishable with fine", the words "liable to penalty" shall be substituted. (*B*) After section 20, the following sections shall be inserted, namely:— "20A. Adjudication of penalties.—For the purpose of adjudicating penalties under section 20, the Central Government shall, appoint an officer at least one rank higher than the competent authority as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. 20B. Appeal.—(*1*) Any person aggrieved by an order of the adjudicating officer under section 20A may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*2*) An appeal may be admitted after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*3*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit. (*4*) An appeal under sub-section (*1*) shall be disposed of within sixty days from the date of filing. (*5*) If penalty imposed by the adjudicating officer under section 20A or by an order of the appellate authority under this section, as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*C*) In section 21, for the words, figures and brackets "section 21 of the Indian Penal Code (45 of 1860)", the words, brackets and figures "clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted. (*D*) In section 22, in sub-section (*2*), after clause (*e*), the following clauses shall be inserted, namely:— "(*ea*) the manner of holding an inquiry and imposing penalties under section 20A; (*eb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*1*) of section 20B;".

(1)	(2)	(3)	(4)	(5)
16.	1952	62	The Reserve and Auxiliary Air Forces Act, 1952	(*A*) In section 30,— (*i*) in sub-section (*1*), for the words "punishable with fine which may extend to five hundred rupees", the words "liable to penalty which may extend to ten thousand rupees" shall be substituted; (*ii*) in sub-section (*2*), for the words "punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both", the words "liable to penalty which may extend to one lakh rupees" shall be substituted. (*B*) After section 30, the following section shall be inserted, namely:— "30A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 30, the Central Government, may appoint an officer not below the rank of Wing Commander as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".

(1)	(2)	(3)	(4)	(5)
				(*C*) In section 34,— (*i*) in sub-section (*2*), after clause (*m*), the following clauses shall be inserted, namely:— "(*ma*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 30A; (*mb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 30A;"; (*ii*) sub-section (*3*) shall be omitted.
17.	1953	29	The Tea Act, 1953	(*A*) In section 37, for the words "punishable with fine which may extend to one thousand rupees", the words "warned at the first instance, and in case of subsequent contraventions, he shall be liable to penalty which may extend to one lakh rupees" shall be substituted. (*B*) In section 42A, in sub-section (*1*),— (*i*) for the words, brackets and figures "sub-section (*1*) of section 41", the words, figures and brackets "section 37, sub-section (*1*) of section 41" shall be substituted; (*ii*) after the words "an adjudicating officer for", the words "issuing warning letter or" shall be inserted.
18.	1953	45	The Coir Industry Act, 1953	Sections 20, 21 and 22 shall be omitted.
19.	1954	27	The Delivery of Books and Newspapers (Public Libraries) Act, 1954	(*A*) For section 5, the following sections shall be substituted, namely:— "5. Penalties.—(*1*) Any publisher, including a publishing house, a publishing agency or individual, who contravenes any provision of this Act or of any rule made thereunder, shall be given an opportunity to fulfil the conditions of the Act or to remedy the contravention within thirty days on the service of a notice informing them of the contravention. (*2*) If on the expiry of thirty days from the date of service of the notice, the contravention persists— (*a*) the registration of the publisher with the National Agency for International Standard Book Number shall be suspended for a period of one year or up to the day the books are submitted to the designated libraries by the publisher, whichever is earlier; (*b*) the publisher shall be debarred from receiving an International Standard Book Number for a period of one year or up to the day the books are submitted to the designated libraries by the publisher, whichever is earlier.

(1)	(2)	(3)	(4)	(5)
				(*3*) If the contravention persists, suspension of registration, and debarment, the publisher's registration with National Agency for International Standard Book Number shall be permanently cancelled and the publisher shall be permanently debarred from receiving an International Standard Book Number. 5A. Adjudication of penalties.—For the purpose of adjudicating penalties under section 5, the Central Government shall appoint the Head of the Library as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government may appoint such other adjudicating officers as it may consider necessary: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. 5B. Appeal.—(*1*) Any person aggrieved by an order of the adjudicating officer under section 5A may, within a period of thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*2*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*3*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit. (*4*) An appeal under sub-section (*1*) shall be disposed of within sixty days from the date of filing.". (*B*) Section 6 shall be omitted.
20.	1956	31	The Life Insurance Corporation Act, 1956	(*A*) In section 4D,— (*i*) in sub-section (*2*), for the words "on a director or employee", the words "on any person" shall be substituted; (*ii*) in sub-section (*4*), for the words "A director or employee aggrieved by any order", the words "Any person aggrieved by an order" shall be substituted; (*iii*) in sub-section (*5*), for the words "Where a director or employee of the Corporation", the words "Where any person" shall be substituted.

(1)	(2)	(3)	(4)	(5)
				(*B*) In section 40, for the words "punishable with imprisonment which may extent to one year, or with fine which may extend to one thousand rupees, or with both", the words "liable to penalty which may extend to fifty lakh rupees or the value of the property, whichever is higher, in respect of each contravention, and if he continues such contravention, to a further penalty which may extend to fifty thousand rupees for every day during which the contravention continues" shall be substituted.
21.	1956	48	The National Highways Act, 1956	For section 8B, the following section shall be substituted, namely:— "8B. Penalty for mischief by injury to national highway.—(*1*) Whoever commits mischief by doing any act which renders or which he knows to be likely to render any national highway in sub-section (*1*) of section 8A impassable or less safe for travelling or conveying property, shall be liable to penalty which shall not be less than ten lakh rupees, but may extend to one crore rupees. (*2*) The Highway Administration or officer authorised by such Administration under the Control of National Highways (Land and Traffic) Act, 2002 (13 of 2003) shall have the power to impose and recover the penalty under sub-section (*1*), together with such expenses and additional charges as prescribed in the Control of National Highway (Land and Traffic) Act, 2002, in the same manner as prescribed in section 26 of the said Act.".
22.	1956	96	The Slum Areas (Improvement and Clearance) Act, 1956	(*A*) In section 32,— (*i*) in sub-section (*1*), for the words "punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both", the words "liable to penalty, which may extend to ten thousand rupees for each failure and in case of continuing failure, with an additional penalty of one thousand rupees for every day during which such failure continues after contravention of the first such notice, order or direction subject to a maximum of one lakh rupees" shall be substituted; (*ii*) in sub-section (*2*), for the words "punishable with imprisonment which may extend to three months, or with fine which may extend to one thousand rupees, or with both", the words "liable to penalty, which may extend to ten thousand rupees for each failure and in case of continuing failure, with an additional penalty of one thousand rupees for every day during which such failure continues after contravention of the first such restriction or condition, subject to a maximum of one lakh rupees" shall be substituted;

(1)	(2)	(3)	(4)	(5)

(*iii*) after sub-section (*2*), the following proviso shall be inserted, namely:—

"Provided that in cases where such contravention directly results in significant harm to public health or human life, the offender shall be punishable with imprisonment which may extend to three months, or with fine or with both.";

(*iv*) in sub-section (*3*), for the words "or molests such person after such entry shall be punishable with fine which may extend to one thousand rupees", the words "shall be liable to penalty which may extend to ten thousand rupees" shall be substituted;

(*v*) after sub-section (*3*), the following sub-section shall be inserted, namely:—

"(*3A*) Where any person intentionally obstructs a person authorised under this Act, by using or threatening to use force, or by any act of physical interference that prevents such officer from exercising any lawful power or performing any lawful duty under this Act, shall be punishable with imprisonment of either description for a term which may extend to three months, or with fine which may extend to two thousand and five hundred rupees, or with both.

Explanation.—For the purposes of this section, obstruction shall not include any act or omission arising from physical or mental incapacity, unintentional conduct, or circumstances beyond the person's control.".

(*B*) After section 32, the following section shall be inserted, namely:—

"32A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under sub-sections (*1*), (*2*) and (*3*) of section 32, the Administrator may appoint an officer as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that the Administrator concerned may appoint as many adjudicating officers as may be required:

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Whoever, aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to an officer one rank higher than the adjudicating officer to be appointed as an appellate authority by the Administrator, in such form and manner as may be prescribed.

(1)	(2)	(3)	(4)	(5)
				(*3*) An appeal may be admitted after the expiry of the period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*C*) In section 38, for the words, figures and brackets "section 21 of the Indian Penal Code (45 of 1860)", the words, brackets and figures "clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted. (*D*) In section 40, in sub-section (*2*), after clause (*eeeeee*), the following clauses shall be inserted, namely:— "(*eeeeeea*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 32A; (*eeeeeeb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 32A;".
23.	1957	14	The Copyright Act, 1957	Section 67 shall be omitted.
24.	1957	20	The Coal Bearing Areas (Acquisition and Development) Act, 1957	In section 23,— (*i*) in the marginal heading, for the word "Penalties", the word "Punishments" shall be substituted; (*ii*) the words "or wilfully obstructs the lawful exercise of any other power conferred by or under this Act, or fails to comply with any order made or direction given under this Act" shall be omitted; (*iii*) for the words "one thousand rupees", the words "one lakh rupees" shall be substituted.
25.	1957	61	The Delhi Development Act, 1957	(*A*) In section 29,—

(1)	(2)	(3)	(4)	(5)
				(*i*) in the marginal heading, for the word "penalties", the word "punishments" shall be substituted; (*ii*) for sub-section (*1*), the following sub-section shall be substituted, namely:— "(*1*) Any person who whether at their own instance or at the instance of any other person or any body (including a department of Government) undertakes or carries out development of any land in contravention of the master plan or zonal development plan or without the permission, approval or sanction referred to in section 12 or in contravention of any condition subject to which such permission, approval or sanction has been granted, shall be— (*a*) punishable with imprisonment of either description for a term which may extend to three years, if such development relates to utilising, selling or otherwise dealing with any land with a view to the setting up of a colony without a lay out plan; (*b*) liable to penalty which may extend to fifty thousand rupees in any case, other than those referred to in clause (*a*)."; (*iii*) in sub-section (*2*), for the words "punishable with fine which may extend to five thousand rupees and in the case of a continuing offence, with further fine which may extend to two hundred and fifty rupees for every day during which such offence continues after conviction for the first commission of the offence", the words "liable to penalty which may extend to fifty thousand rupees and in case of a continuing contravention, with further penalty which may extend to two thousand and five hundred rupees for every day during which such contravention continues after the order imposing penalty has been passed and confirmed for the first contravention" shall be substituted; (*iv*) for sub-section (*3*), the following sub-sections shall be substituted, namely:— "(*3*) Any person who obstructs the entry of a person authorised under section 28 into or upon any land or building shall for the first contravention be liable to penalty which may extend to ten thousand rupees and for any second or subsequent contravention, to the punishment provided under section 221 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).

(1)	(2)	(3)	(4)	(5)

(*4*) Any person who assaults any person authorised under section 28 to enter into or upon any land or building, after such entry, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both.".

(*B*) In section 31, in sub-section (*5*), for the words "punishable with fine which may extend to two hundred rupees for every day during which the non-compliance continues after the service of the order", the words "liable to penalty which may extend to two thousand rupees for every day during which the non-compliance continues after the service of the order" shall be substituted.

(*C*) After section 31A, the following section shall be inserted, namely:—

"31AA. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 29 and sub-section (*5*) of section 31, the Central Government, shall appoint an officer not below the rank of Deputy Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required:

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the Central Government to be the appellate authority, in such form and manner as may be prescribed.

(*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(1)	(2)	(3)	(4)	(5)
				(*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub- section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*D*) In section 34A,— (*i*) in the opening portion, for the words, brackets and figures "The Code of Criminal Procedure, 1973 (2 of 1974) shall apply to an offence under sub-section (*1*) of section 29", the words, brackets, figures and letter "The Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023) shall apply to an offence under sub-clause (*a*) of sub-section (*1*) of section 29" shall be substituted; (*ii*) in sub-clause (*1*), for the words and figures "section 42 of that Code", the words and figures "section 39 of that Sanhita" shall be substituted. (*E*) In section 47, for the words, figures and brackets "section 21 of the Indian Penal Code (45 of 1860)", the words, brackets and figures "clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted. (*F*) In section 49,— (*i*) in sub-section (*1*), the words, brackets and figure "other than an offence referred to in sub-section (*2*)" shall be omitted; (*ii*) sub-section (*2*) shall be omitted. (*G*) In section 56, in sub-section (*2*), after clause (*ja*), the following clause shall be inserted, namely:— "(*jaa*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 31AA; (*jab*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 31AA;".
26.	1957	66	The Delhi Municipal Corporation Act, 1957	(*A*) In section 123D,— (*i*) after clause (*a*), the following proviso shall be inserted, namely:— "Provided that no such assessment for an assessment year shall be made after the lapse of seven years from the close of that assessment year;"; (*ii*) for clauses (*b*) and (*c*), the following clause shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)

"(*b*) revise any assessment where the information furnished in the return of self-assessment is found to be incorrect or reopen any assessment where it has been detected that there is wilful suppression of information; and";

(*iii*) in clause (*d*), for brackets and letter "(*d*)", the brackets and letter "(*c*)" shall be substituted.

(*B*) For section 152A, the following section shall be substituted, namely:—

"152A. Punishment for wilful default in payment of property tax, furnishing wrong information in return of assessment, etc.—Whoever wilfully makes default in the payment of, or wilfully attempts in any manner whatsoever to evade, any tax, including amount of interest due and penalty levied under this Act, or furnishes any wrong information in the return of assessment, or wilfully fails to furnish in due time the return of property tax, or does not furnish information as asked for under any provision of this Act, he shall, without prejudice to any other penal provision under this Act to which he may be subject, be liable for penalty equal to fifty per cent. of the amount of tax so evaded or sought to be evaded:

Provided that the penalties so imposed shall be in addition to, and not in derogation of, any liability in respect of the payment of tax which the defaulter may have incurred.".

(*C*) In section 153, in sub-section (*1*), for the proviso, the following provisos shall be substituted, namely:—

"Provided that such bill shall be presented in respect of a property tax due in respect of a property after carrying out physical survey or collection of relevant data in respect of that property if it is being assessed for the first time:

Provided further that no such bill shall be necessary in the case of—

(*a*) property tax payable on self-assessment of vacant land or covered space in any building;

(*b*) a tax on vehicles and animals; and

(*c*) a theatre-tax.".

(*D*) In section 305, sub-sections (*3*), (*4*), (*5*), (*6*) and (*7*) shall be omitted.

(*E*) In section 309, sub-section (*2*) shall be omitted.

(*F*) Section 310 shall be omitted.

(*G*) In section 317, in sub-section (*1*), for the words and figures "Except as provided in section 318, no person", the words "No person" shall be substituted.

(1)	(2)	(3)	(4)	(5)
				(*H*) Section 318 shall be omitted. (*I*) Section 330 shall be omitted. (*J*) In section 336,— (*i*) in sub-section (*1*), the words and figures "or the provisions of section 340", shall be omitted; (*ii*) in sub-section (*3*), the words and figures "or under section 340" shall be omitted. (*K*) Section 340 shall be omitted. (*L*) In section 343,— (*i*) in section (*5*), for the word "Administrator" occurring at both the places, the words "District Judge" shall be substituted; (*ii*) in section (*6*), for the word "Administrator" occurring at both the places, the words "District Judge" shall be substituted; (*M*) In section 345A, in sub-section (*3*), in clause (*b*), for the word "Administrator", the words "District Judge" shall be substituted. (*N*) In section 347B, in sub-section (*1*), clause (*j*) shall be omitted. (*O*) In section 347D,— (*i*) in sub-section (*1*), for the word "Administrator", the words "District Judge" shall be substituted; (*ii*) for sub-section (*3*), the following sub-section shall be substituted, namely:— "(*3*) An appeal against the order of the District Judge shall lie to the High Court of Delhi.". (*P*) In section 351, the words and figures "and section 355" shall be omitted. (*Q*) Section 355 shall be omitted. (*R*) In section 357, sub-section (*3*) shall be omitted. (*S*) Sections 360 and 361 shall be omitted. (*T*) Sections 364 shall be omitted. (*U*) Sections 369 and 370 shall be omitted. (*V*) Sections 373 and 374 shall be omitted. (*W*) Sections 377 and 378 shall be omitted. (*X*) Section 380 shall be omitted. (*Y*) Section 382 shall be omitted. (Z) Section 385 shall be omitted. (*ZA*) Section 387 shall be omitted.

(1)	(2)	(3)	(4)	(5)

(*ZB*) Section 396 shall be omitted.

(*ZC*) Sections 400, 401 and 402 shall be omitted.

(*ZD*) Sections 409, 410 and 411 shall be omitted.

(*ZE*) Section 414 shall be omitted.

(ZF) In section 437,—

(*i*) in the marginal heading, the words "or molestation" shall be omitted;

(*ii*) the words "or molest" shall be omitted.

(*ZG*) For section 461, the following section shall be substituted, namely:—

"461. Penalty for certain violations.—Whoever—

(*a*) contravenes any provision of any of the sections, sub-sections, clauses, provisos or other provisions of this Act mentioned in column (1) of the Twelfth Schedule; or

(*b*) fails to comply with any order or direction lawfully given to him or any requisition lawfully made upon him under any of the said sections, sub-sections, clauses, provisos or other provisions,

shall be punishable with penalty specified in that behalf in column (3) of the Twelfth Schedule:

Provided that before invoking section 353, section 354, sub-sections (*1*) and (*2*) of section 357, sub-sections (*4*) and (*5*) of section 399, and sub-section (*5*) of section 430, for the first contravention of the said sections, a warning notice shall be issued to the offender.".

(*ZH*) Section 465 shall be omitted.

(*Z-I*) Section 466A shall be omitted.

(*ZJ*) After section 468, the following sections shall be inserted, namely:—

"468A. Adjudication of penalties.—(*1*) The Commissioner may authorise an officer not below the rank of Assistant Commissioner as an adjudicating officer for holding an inquiry and imposing penalties specified under the Twelfth Schedule, in such manner as may be prescribed, after giving the parties a reasonable opportunity of being heard.

(*2*) The adjudicating officer may summon and enforce the attendance of noticee, or, as the case may be, 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 and if, on such inquiry, adjudicating officer is satisfied that the

(1)	(2)	(3)	(4)	(5)

person concerned has contravened the provisions of this Act, may, by an order, impose the penalty as specified under the Twelfth Schedule.

468B. Appeal.—(*1*) The Commissioner may authorise an officer not less than one rank above the adjudicating officer to act as an appellate authority.

(*2*) Whosoever aggrieved by an order of the adjudicating officer under section 468A may prefer an appeal to the appellate authority, within thirty days from the date of receipt of the order.

(*3*) The appellate authority may 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.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as it thinks fit, either confirming or modifying or setting aside the order appealed against.

(*5*) The appellate authority shall dispose of the appeal within sixty days from the date of filing of such appeal.

(*6*) The amount of penalty imposed under this Act, if not paid, may be recovered as an arrear of tax.".

(*ZK*) In section 474, in sub-section (*1*), after the words "Any police officer may", the words ", on a complaint made by an officer not below the rank of Deputy Commissioner as may be authorised as such by the Administrator," shall be inserted.

(*ZL*) For section 475, the following section shall be substituted, namely:—

"475. Duties of police officers.—It shall be the duty of all police officers to assist all municipal officers and other municipal employees in the exercise of their lawful authority under this Act or any rule, regulation or bye-law made thereunder.".

(*ZM*) For section 482, the following section shall be substituted, namely:—

"482. Penalty for breaches of bye-laws.—(*1*) Any bye-law made under this Act may provide that a contravention thereof shall be liable to penalty which may extend to five hundred rupees.

(*2*) Any such bye-law may also provide that a person contravening the same shall be required to remedy so far as lies in his power, the mischief, if any, caused by such contravention.".

(1)	(2)	(3)	(4)	(5)

(*ZN*) For the Twelfth Schedule, the following Schedule shall be substituted, namely:—

"THE TWELFTH SCHEDULE

(*See* section 461)

PENALTIES

Explanation.—The entries in the second column of the Table below under the heading "Subject" are not intended as definitions of the offences prescribed in the provisions mentioned in the first column of the said Table or even as abstracts of those provisions, but are inserted merely as reference to the subject thereof.

Section, sub-section, clause or proviso	Subject	Penalty (in Rupees)
(1)	(2)	(3)
Section 129	Failure to give notice of erection of new building, etc.	500/-
Section 143	Prohibition of advertisement without permission.	5000/-
Section 314, sub-section (*1*), clauses (*a*) and (*b*)	Failure to comply with requisition to show cause for alteration of street or for appearance before the Commissioner.	200/-
Section 315, sub-section (*1*)	Failure to comply with requisition on owner of private street or owner of adjoining land or building to level, etc., such street.	100/-
Section 317, sub-section (*1*)	Prohibition of projections upon streets, etc.	5000/-
Section 317, sub-section (*2*)	Failure to comply with requisition to remove projections from streets.	5000/-
Section 320, sub-section (*1*)	Erection, etc., of structures of fixtures which cause obstruction in streets.	5000/-

(1)	(2)	(3)	(4)	(5)		
				(1)	(2)	(3)
				Section 321	Deposit, etc., of things in streets.	500/-
				Section 323, sub-sections (*1*) and (*2*)	Tethering of animals and milking of cattle in public streets.	1000/-
				Section 327, sub-section (*2*)	Name of street and number of house not to be destroyed or defaced, etc.	1000/-
				Section 328, sub-section (*1*)	Failure to comply with requisition to repair, protect or enclose a dangerous place.	1000/-
				Section 346, sub-sections (*1*) and (*2*)	Non-compliance with provision as to completion certificates, occupation or use, etc., without permission.	1000/-
				Section 348, sub-sections (*1*) and (*2*)	Failure to comply with requisition to remove structures which are in ruins or likely to fall.	1000/-
				Section 349, sub-section (*1*)	Failure to comply with requisition to vacate buildings in dangerous condition, etc.	1000/-
				Section 353	Failure to provide for collection, removal and deposit of refuse and provision of receptacles.	500/-
				Section 354	Failure to collect and remove filth and polluted matter.	500/-
				Section 356	Failure to comply with requisition for removal of rubbish, etc., from premises used as market, etc.	1000/-

(1)	(2)	(3)	(4)	(5)		
				(1)	(2)	(3)
				Section 357, sub-section (*1*)	Keeping rubbish and filth for more than twenty-four hours, etc.	100/-
				Section 357, sub-section (*2*)	Allowing filth to flow in streets.	200/-
				Section 362	Failure to provide latrines for premises used by large number of people and to keep them clean and in proper order.	500/-
				Section 363	Failure to comply with requisition to provide latrines for market, cattle shed, cart stand, etc., and to keep them clean and in proper order.	500/-
				Section 366	Failure to comply with requisition to improve buildings unfit for human habitation.	5000/-
				Section 381	Disposal of infected articles without disinfection.	500/-
				Section 383	Sale of food or drink in contravention of restriction or prohibition of the Commissioner.	500/-
				Section 384	Removal or use of water from wells and tanks in contravention of prohibition of Commissioner.	500/-
				Section 386	Removal of infectious corpses in contravention of the provisions of the section.	500/-
				Section 391, sub-section (*1*)	Failure to comply with requisition to close a burning or burial ground.	1000/-

(1)	(2)	(3)	(4)	(5)		
				(1)	(2)	(3)
				Section 391, sub-section (*2*)	Burning or burial of corpses in a burning or burial ground after it has been closed.	1000/-
				Section 392	Removal of corpses by other than prescribed routes.	500/-
				Section 393, sub-section (*1*), clause (*b*).	Failure to give notice for removal of carcasses of dead animals.	100/-
				Section 397, sub-sections (*1*), (*2*) and (*3*)	Commission of nuisances.	500/-
				Section 398	Failure to comply with requisition for removal or abatement of nuisance.	1000/-
				Section 399, sub-section (*4*)	Dogs not to be at large in a street without being secured by a chain lead.	1000/-
				Section 399, sub-section (*5*)	Ferocious dogs at large without being muzzled, etc.	1000/-
				Section 403	Failure to comply with requisition to render buildings, wells, etc., safe.	1000/-
				Section 404	Failure to comply with requisition to enclose land used for improper purposes.	500/-
				Section 406, sub-section (*1*)	Sale in municipal markets without permission.	200/-
				Section 407, sub-sections (*1*) and (*2*)	Use of places as private markets without a licence and use of places other than a municipal slaughter house as slaughter houses.	500/-

(1)	(2)	(3)	(4)	(5)		
				(1)	(2)	(3)
				Section 407, sub-section (*2*), proviso (*a*)	Non-compliance with conditions imposed by Commissioner.	200/-
				Section 415	Carrying on butcher's, fish-monger's or poulterer's trade without licence etc.	200/-
				Section 416	Establishment of factory, etc., without Permission.	5000/-
				Section 417	Certain things not to be kept and certain trades and operations not to be carried on without a licence.	1000/-
				Section 418, sub-section (*3*)	Keeping, abandonment or tethering of animals, etc.	200/-
				Section 419, sub-section (*5*)	Use of premises in contravention of declaration.	500/-
				Section 420	Hawking articles for sale without a licence, etc.	200/-
				Section 421	Keeping a lodging house, eating house, tea shop, etc., without licence or contrary to licence.	1000/-
				Section 422	Keeping open theatre, circus or other place of public amusement without licence or contrary to terms of licence.	1000/-
				Section 430, sub-section (*5*)	Failure to produce licence or written permission.	100/-
				Section 437	Obstruction in execution of work.	500/-
				Section 444, sub-section (*4*)	Failure to comply with requisition to state the name and address of owners of premises.	200/-

(1)	(2)	(3)	(4)	(5)		
				(1)	(2)	(3)
				Section 495	Obstruction of Mayor or any municipal authority, etc.	500/-
				Section 496	Removal of any mark set up for indicating level, etc.	200/-
				Section 497	Removal etc., of notice exhibited by or under orders of the Corporation, Commissioner, etc.	100/-
				Section 498	Unlawful removal of earth, sand or other material or deposit of any matter or making of any encroachment from any land vested in the Corporation.	500/-".
27.	1957	67	The Mines and Minerals (Development and Regulation) Act, 1957	(*A*) In section 21,— (*i*) for sub-section (*2*), the following sub-sections shall be substituted, namely:— "(*2*) Whoever contravenes the provisions of the rules made under section 23C shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to fifty thousand rupees for every day during which such contravention continues after conviction for the first such contravention. (*2A*) Where any person fails to pay the penalty or the additional penalty, as the case may be, imposed under the provisions of section 25B or section 25C within ninety days of such imposition, he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to twice the amount of the penalty or additional penalty so imposed or with both."; (*ii*) in sub-section (*6*), for the words and figures "Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted.		

(1)	(2)	(3)	(4)	(5)

(*B*) After section 25, the following sections shall be inserted, namely:—

"25A. Penalty.—(*1*) Whoever contravenes the provisions of the rules made under the Act, other than those rules made under section 23C, or the terms and conditions of mineral concession granted under this Act shall be liable to a penalty which may extend to fifty lakh rupees.

(*2*) Where any person continues contravention made under sub-section (*1*), even after direction of the adjudicating officer appointed under section 25B regarding such contravention, he shall be liable to additional penalty of fifty thousand rupees for every day during which such contravention continues.

25B. Adjudication of penalties.—(*1*) For the purposes of adjudication of penalties under section 25A, for contravention of the rules relating to mining plan, mine closure plan, submission of reports to Indian Bureau of Mines or other authority subordinate to the Central Government and other functions of Central Government or an authority or officer sub-ordinate to such Government, the Central Government shall appoint an officer not below the rank of Deputy Secretary to the Government of India as an adjudicating officer, for holding an inquiry and imposing penalties in the manner, as may be prescribed by the Central Government:

Provided that the Central Government may appoint as many adjudicating officers as may be required.

(*2*) The State Government, for the purpose of determining the penalties under section 25A, other than those covered under sub-section (*1*), shall appoint an officer not below the rank of Joint Secretary to the State Government to be the adjudicating officer, for holding an inquiry and imposing penalties in the manner, as may be prescribed by the Central Government:

Provided that the State Government may appoint as many adjudicating officers as may be required:

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(1)	(2)	(3)	(4)	(5)
				25C. Appeal.—(*1*) Whoever aggrieved by the order passed by the adjudicating officer under section 25B may, within thirty days from the date of receipt of order, prefer an appeal to an officer not below the rank of Joint Secretary to the Government of India, who shall be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*2*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*3*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as it thinks fit, confirming, modifying or setting aside the order appealed against. (*4*) Where an appeal is preferred against any order of the adjudicating officer under sub-section (*1*), it shall not be entertained by the appellate authority unless the person has deposited with the said authority ten per cent. of the amount of the penalty imposed by the adjudicating officer. (*5*) An appeal under this section shall be disposed of within sixty days from the date of filing. 25D. Power of Central Government to make rules in respect of adjudication and appeal.—(*1*) The Central Government may, by notification in the Official Gazette, make rules for regulating the adjudication of penalty and appeal and for purposes connected therewith. (*2*) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:— (*a*) the manner of holding an inquiry and imposing penalties under sub-sections (*1*) and (*2*) of section 25B; and (*b*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*1*) of section 25C.”.
28.	1960	24	The Delhi Land Holdings (Ceiling) Act, 1960	(*A*) In section 23,— (*i*) in sub-section (*1*), for the words “shall be punishable with imprisonment for a term which may extend to six months and with fine which may extend to one thousand rupees”, the words “shall be liable to penalty which may extend to ten thousand rupees” shall be substituted;

(1)	(2)	(3)	(4)	(5)

(*ii*) in sub-section (*2*), for the words "punishable with fine which may extend to one thousand rupees", the words "liable to penalty which may extend to ten thousand rupees" shall be substituted.

(*B*) After section 23, the following sections shall be inserted, namely:—

"23A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 23, the State Government may appoint an officer not below the rank of Sub-Divisional Magistrate (Revenue Assistant) to be the adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that the State Government may appoint as many adjudicating officers as may be required:

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Whoever is aggrieved by an order passed by the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to an officer not below the rank of Additional District Magistrate or Deputy Commissioner (Revenue), as may be appointed by the State Government as an appellate authority, in such form and manner as may be prescribed.

(*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may think fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If a penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".

(*C*) In section 27, in sub-section (*2*), after clause (*l*), the following clauses shall be inserted, namely:—

"(*la*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 23A;

(*lb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 23A.".

(1)	(2)	(3)	(4)	(5)
29.	1961	52	The Apprentices Act, 1961	(*A*) In section 2,— (*i*) after clause (*aaa*), the following clause shall be inserted, namely:— '(*aaaa*) "advisory" means a written notice issued directing the employer or establishment or any other person to comply with the provisions of this Act or the rules made thereunder within a specified period, without imposing any penalty in such format as may be prescribed;'; (*ii*) after clause (*q*), the following clause shall be inserted, namely:— '(*qa*) "warning" means a written notice issued cautioning the employer or establishment or any other person that continued or repeated non-compliance with the provisions of this Act or the rules made thereunder in such manner and format as may be prescribed;'. (*B*) For section 30, the following section shall be substituted, namely:— "30. Offences and penalties for contravention of provisions of the Act or rules made thereunder.—(*1*) If any employer or any other person— (*a*) contravenes the provisions of this Act and rules relating to the number of apprentices which he is required to engage; or (*b*) required to furnish any information or return— (*i*) refuses or neglects to furnish such information or return; or (*ii*) furnishes or causes to be furnished any information or return which is false and which he either knows or believes to be false or does not believe to be true; or (*iii*) refuses to answer or gives a false answer to any question necessary for obtaining any information required to be furnished by him; or (*c*) refuses or wilfully neglects to afford the Central or the State Apprenticeship Adviser or such other person, not below the rank of an Assistant Apprenticeship Adviser, as may be authorised by the Central or the State Apprenticeship Adviser in writing in this behalf any reasonable facility for making any entry, inspection, examination or inquiry authorised by or under this Act; or (*d*) requires an apprentice to work overtime without the approval of the Apprenticeship Adviser; or

(1)	(2)	(3)	(4)	(5)

(*e*) employs an apprentice on any work which is not connected with his training; or

(*f*) makes payment to an apprentice on the basis of piece-work; or

(*g*) requires an apprentice to take part in any output bonus or incentive scheme; or

(*h*) engages as an apprentice a person who is not qualified for being so engaged; or

(*i*) fails to carry out the terms and conditions of a contract of apprenticeship,

shall be liable for the first contravention with an advisory to be complied within thirty days; for the second contravention, be liable to warning to be complied within fifteen days; and for every subsequent contravention, be liable to penalty of not less than one thousand rupees but which may extend to five thousand rupees.

(*2*) The provisions of this section shall not apply to any establishment or industry which the Central Government may, by order exempt with effect from such date as may be mentioned therein.".

(*C*) In section 31, for the words and figures "for which no punishment is provided in section 30, he shall be punishable with fine which shall not be less than one thousand rupees but may extend to three thousand rupees", the words and figures "or of any rules made thereunder for which no penalty is provided in section 30, he shall be liable for the first contravention with an advisory to be complied within thirty days; for the second contravention, be liable to warning to be complied within fifteen days; and for every subsequent contravention, be liable to penalty of not less than one thousand rupees but which may extend to five thousand rupees" shall be substituted.

(*D*) After section 31, the following section shall be inserted, namely:—

"31A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under this Act, the appropriate Government may, by an order published in the Official Gazette, appoint one or more adjudicating officers, not below the rank of Assistant Apprenticeship Adviser, as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(1)	(2)	(3)	(4)	(5)
				(*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to the appellate authority who shall be an officer not below the rank of Deputy Apprenticeship Adviser, appointed by the appropriate Government, in such form and manner as may be prescribed. (*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If a penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*E*) In section 37, sub-section (*2*) shall be omitted.
30.	1962	50	The Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962	(*A*) In section 15,— (*i*) in the marginal heading, for the word "Penalty", the word "Punishments" shall be substituted; (*ii*) for sub-section (*1*), the following sub-section shall be substituted, namely:— "(*1*) Whoever wilfully obstructs any person in doing any of the acts authorised by section 4 or section 7 or section 8 or wilfully fills up, destroys, damages or displaces any trench or mark made under section 4 or wilfully does any act prohibited under section 9, shall,— (*a*) for the first contravention, be liable to penalty which may extend to one lakh rupees; (*b*) for the second or any subsequent contraventions, be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one lakh rupees, or with both."; (*iii*) in sub-section (*2*), for the words "ten years", the words "three years" shall be substituted; (*iv*) in sub-section (*4*), for the words "ten years but may extend to imprisonment for life or death", the words "five years but may extend to imprisonment for life" shall be substituted.

(1)	(2)	(3)	(4)	(5)
				(*B*) After section 15, the following sections shall be inserted, namely:— "15A. Adjudication of penalties.—(*1*) For the purpose of adjudication of penalties under clause (*a*) of sub-section (*1*) of section 15, the Central Government shall appoint an officer not below the rank of Joint Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. 15B. Appeal.—(*1*) Every appeal against the order of the adjudicating authority under this section shall lie with the Appellate Tribunal referred to in section 30 of the Petroleum and Natural Gas Regulatory Board Act, 2006 (19 of 2006) and the provisions contained in sections 33, 34, 35 and 36 of that Act, shall, *mutatis mutandis* apply, in relation to every such appeal. (*2*) The provisions contained in section 37 of the Petroleum and Natural Gas Regulatory Board Act, 2006 (19 of 2006) shall *mutatis mutandis* apply, in relation to every appeal against the order of the Appellate Tribunal referred to in sub-section (*1*).". (*C*) In section 17, in sub-section (*2*), after clause (*b*), the following clause shall be inserted, namely:— "(*c*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 15A;".
31.	1963	41	The Textiles Committee Act, 1963	(*A*) In section 17, in sub-section (*2*),— (*i*) in the long line, for the words "conviction, be punishable", the words "contravention, be" shall be substituted; (*ii*) for clauses (*i*) and (*ii*), the following clauses shall be substituted, namely:— "(*i*) warned at the first instance; (*ii*) liable to penalty which may extend to twenty-five lakh rupees in case of continuing or repeated contravention.". (*B*) After section 17, the following section shall be inserted, namely:— "17A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under clauses (*i*) and (*ii*) of sub-section (*2*) of section 17, the Central Government shall appoint an officer not below the rank of Director to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

(1)	(2)	(3)	(4)	(5)
				Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to an officer not below the rank of Joint Secretary to the Government of India as an appellate authority who shall be appointed by the Central Government, in such form and manner as may be prescribed. (*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If a penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*C*) In section 18,— (*i*) in sub-section (*1*), after the words "punished accordingly", the words, brackets and figures "as per the provisions specified under clauses (*i*) and (*ii*) of sub-section (*2*) of section 17" shall be inserted; (*ii*) in sub-section (*2*), after the words "punished accordingly", the words, brackets and figures "as per the provisions specified under clauses (*i*) and (*ii*) of sub-section (*2*) of section 17" shall be inserted. (*D*) Sections 19 and 20 shall be omitted. (*E*) In section 22, in sub-section (*2*), after clause (*e*), the following clauses shall be inserted, namely:— "(*ea*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 17A; (*eb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 17A;".
32.	1963	45	The Administrators-General Act, 1963	In section 34, in sub-section (*2*), for the words "imprisonment which may extend to three months, or with fine which may extend to one thousand rupees, or with both", the words "fine which may extend to ten thousand rupees" shall be substituted.

(1)	(2)	(3)	(4)	(5)
33.	1966	4	The Seamen's Provident Fund Act, 1966	(*A*) In section 16,— (*i*) in sub-section (*1*), for the words "one year", the words "six months" shall be substituted; (*ii*) in sub-section (*2*), for the words "shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both", the words "shall be liable to penalty which may extend to one lakh rupees" shall be substituted; (*iii*) in sub-section (*3*), for the words "be punishable with imprisonment which may extend to three months, or with fine which may extend to one thousand rupees, or with both", the words "be liable to penalty which may extend to one lakh rupees" shall be substituted; (*iv*) in sub- section (*4*), for the words "cognizance of any offence punishable under this Act or under the Scheme except on a report in writing", the words, brackets and figure "cognizance of an offence punishable under sub-section (*1*) of this section except on a report in writing" shall be substituted; (*v*) after sub-section (*4*), the following sub-section shall be inserted, namely:— "(*5*) The offence under sub-section (*1*) of this section may be compounded for the first contravention by an officer authorised by the Central Government by notification in this behalf.". (*B*) After section 16, the following section shall be inserted, namely:— "16A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under sub-sections (*2*) and (*3*) of section 16, the Central Government shall appoint the Seamen's Provident Fund Commissioner as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to an officer not below the rank of Director, Directorate General of Shipping, appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed.

(1)	(2)	(3)	(4)	(5)

(*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may think fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If a penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".

(*C*) After section 24, the following section shall be inserted, namely:—

"24A. Power of Central Government to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 16A;

(*b*) the form and manner of preferring an appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 16A.

(*3*) Every rule made under this section 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.".

(1)	(2)	(3)	(4)	(5)
34.	1968	27	The Civil Defence Act, 1968	(*A*) In section 11,— (*i*) in sub-section (*1*), for the words "shall be punishable with fine which may extend to five hundred rupees, and where such neglect or refusal is a continuing one, with a further fine which may extend to fifty rupees", the words "shall be liable to penalty which may extend to five hundred rupees, and where such neglect or refusal is a continuing one, with a further penalty which may extend to fifty rupees" shall be substituted; (*ii*) in sub-section (*2*), for the words "shall be punishable with fine which may extend to five hundred rupees, and where such negligence or failure is a continuing one, with a further fine which may extend to fifty rupees", the words "shall be liable to penalty which may extend to five hundred rupees, and where such negligence or failure is a continuing one, with a further penalty which may extend to fifty rupees" shall be substituted. (*B*) After section 11, the following section shall be inserted, namely:— "11A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under sub-sections (*1*) and (*2*) of section 11, the State Government may appoint the Controller of Civil Defence as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the State Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*), may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the State Government as an appellate authority, in such form and manner as may be prescribed. (*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit.

(1)	(2)	(3)	(4)	(5)
				(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If a penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*C*) After section 19, the following section shall be inserted, namely:— "19A. Power of Central Government to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act. (*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:— "(*a*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 11A; (*b*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 11A.".
35.	1970	39	The Patents Act, 1970	(*A*) In CHAPTER XX, for the Chapter heading "PENALTIES", the heading "PUNISHMENTS" shall be substituted. (*B*) After section 118, the following proviso shall be inserted, namely:— "Provided that in the case of contravention of section 39, if in the opinion of the Central Government the invention was not relevant for defence purpose or atomic energy at the time of such contravention, the provisions contained in this section shall not apply.". (*C*) Section 119 shall be omitted.
36.	1971	40	The Public Premises (Eviction of Unauthorised Occupants) Act, 1971	(*A*) For section 11, the following section shall be substituted, namely:— "11. Offences and contraventions.—(*1*) If any person unlawfully occupies any public premises, including land, other than public premises providing residential accommodation, he shall be punishable with simple imprisonment for a term which may extend to six months, or with fine which shall be five per cent. of the land value for every year of occupation, or with both.

(1)	(2)	(3)	(4)	(5)
				(*2*) If any person unlawfully occupies any public premises providing residential accommodation, such person shall be liable to penalty of forty times the rate of licence fee for that residential accommodation for the first month and shall increase in telescopic method from second month onwards at the rate of ten per cent. per month: Provided that a person who, having been lawfully in occupation of any public premises or residential accommodation by virtue of any authority (whether by way of grant, allotment or by any other mode whatsoever) continues to be in occupation of such premises after such authority has ceased to be valid, shall not be guilty of the offence or contravention referred to in sub-section (*1*) or under this sub-section. (*3*) If any person who has been evicted from any public premises under this Act, including land but other than public premises providing residential accommodation, again occupies the premises without authority for such occupation, he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to five thousand rupees, or with both. (*4*) If any person who has been evicted from any public premises for residential accommodation under this Act, again occupies the premises without authority for such occupation, he shall be liable to penalty of fifty times the rate of licence fee for that residential accommodation for the first month and shall increase in telescopic method from second month onwards at the rate of ten per cent. per month. (*5*) Any magistrate convicting a person under sub-section (*3*) may make an order for evicting that person summarily and he shall be liable to such eviction without prejudice to any other action that may be taken against him under this Act.". (*B*) In section 11A,— (*i*) in the opening portion, for the words and figures "The Code of Criminal Procedure, 1973 (2 of 1974) shall apply to an offence under section 11", the words and figures "The Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), shall apply to offences under sub-sections (*1*) and (*3*) of section 11" shall be substituted; (*ii*) in clause (*ii*), in sub-clause (*1*), for the words and figures "section 42 of the Code", the words and figures "section 39 of the Sanhita" shall be substituted. (*C*) After section 11A, the following section shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
				"11B. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under sub-sections (*2*) and (*4*) of section 11, the Central Government shall appoint an officer at least one rank higher than the Estate Officer as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If a penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".
				(*D*) In section 18, in sub-section (*2*), after clause (*ea*), the following clauses shall be inserted, namely:— "(*eb*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 11B; (*ec*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 11B;".
37.	1972	13	The Marine Products Export Development Authority Act, 1972	(*A*) In section 20, in sub-section (*3*), for the words "not less than", the word "of" shall be substituted. (*B*) For section 24, the following section shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)
				"24. Penalty for failure to produce books and records.—Any person who, having control over or custody of any account book or other record, fails to produce such book or record when required to do so by or under this Act, shall be liable to penalty which may extend to ten thousand rupees.". (*C*) In section 25A, in sub-section (*1*),— (*i*) after the words "penalties under", the words and figures "section 11, section 12," shall be inserted; (*ii*) the words, brackets and letter "clause (*b*) of" shall be omitted. (*D*) After section 25A, the following section shall be inserted, namely:— "25B. Officers and employees of Authority to be public servants.—All officers and other employees of the Authority, when acting or purporting to act in pursuance of any of the provisions of this Act, shall be deemed to be public servants within the meaning of clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).". (*E*) Section 27 shall be omitted.
38.	1972	57	The General Insurance Business (Nationalisation) Act, 1972	(*A*) In section 30, for the words "punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both", the words "liable to penalty which may extend to fifty lakh rupees or the value of the property, whichever is higher, in respect of each contravention, and if he persists in such contravention, to a further penalty which may extend to fifty thousand rupees for every day during which the contravention continues." shall be substituted. (*B*) After section 30, the following section shall be inserted, namely:— "30A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 30, the Central Government shall appoint an officer not below the rank of Joint Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(1)	(2)	(3)	(4)	(5)
				(2) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If a penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*C*) In section 39, in sub-section (*2*), after clause (*e*), the following clauses shall be inserted, namely:— "(*ea*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 30A; (*eb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 30A;".
39.	1972	78	The Richardson and Cruddas Limited (Acquisition and Transfer of Undertaking) Act, 1972	(*A*) In section 24,— (*i*) in sub-section (*1*), in the long line, for the words "shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten thousand rupees, or with both", the words "shall be liable to penalty which may extend to two lakh rupees" shall be substituted; (*ii*) for the proviso, the following proviso shall be substituted, namely:— "Provided that the adjudicating officer holding an inquiry under clause (*a*), (*b*) or (*c*) may, at the time of imposing penalties on the person found liable, order him to deliver up or refund, within a period to be fixed by the adjudicating officer, any property or money wrongfully withheld or wrongfully obtained or any document wilfully withheld or not furnished."; (*iii*) sub-section (*2*) shall be omitted.

(1)	(2)	(3)	(4)	(5)

(*B*) After section 24, the following section shall be inserted, namely:—

"24A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under sub-section (*1*) of section 24, the Central Government shall appoint an officer not below the rank of Deputy Secretary to the Government of India, as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required:

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer not below the rank of Joint Secretary to the Government of India, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed.

(*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If a penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".

(*C*) Sections 25 and 26 shall be omitted.

(*D*) In section 31, in sub-section (*2*), after clause (*b*), the following clauses shall be inserted, namely:—

"(*ba*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 24A;

(*bb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 24A;".

(1)	(2)	(3)	(4)	(5)
40.	1974	47	The Oil Industry (Development) Act, 1974	(*A*) In section 23,— (*i*) in the marginal heading, for the word "Penalties", the word "Punishments" shall be substituted; (*ii*) in clause (*a*), after the words "or does not believe to be true", the words "shall be liable to penalty which may extend to five crore rupees" shall be inserted; (*iii*) in clause (*b*), for the words "punishable with imprisonment which may extend to one year, or with fine which may extend to five thousand rupees, or with both", the words and figures "deemed to have committed an offence under section 221 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted. (*B*) After section 23, the following section shall be inserted, namely:— "23A. Certain persons to be public servants.—Member, officer or any other employee of the Board empowered by the Central Government, while exercising any power or performing any duty under this Act, shall be deemed to be a public servant within the meaning of clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).". (*C*) For section 24, the following section shall be substituted, namely:— "24. Adjudication of penalties.—For the purpose of adjudicating penalties under clause (*a*) of section 23, the Central Government shall appoint an officer not below the rank of Joint Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. 24A. Appeal.—(*1*) Every appeal against the order of the adjudicating officer under section 24, shall lie with the Appellate Tribunal referred to in section 30 of the Petroleum and Natural Gas Regulatory Board Act, 2006 (19 of 2006) and the provisions contained in sections 33, 34, 35 and 36 of that Act, shall, *mutatis mutandis* apply, in relation to every such appeal. (*2*) The provisions contained in section 37 of the Petroleum and Natural Gas Regulatory Board Act, 2006 (19 of 2006) shall *mutatis mutandis* apply, in relation to every appeal against the order of the Appellate Tribunal referred to in sub-section (*1*).". (*D*) For section 25, the following section shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)
				'25. Offence or contravention by companies.—(*1*) Where an offence or a contravention under this Act has been committed by a company, every person who, at the time the offence or the contravention was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence or liable for the contravention and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable to any punishment or penalty, if he proves that the offence or the contravention was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence or the contravention. (*2*) Notwithstanding anything contained in sub-section (*1*), where an offence or a contravention under this Act has been committed by a company and it is proved that the offence or the contravention has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence or liable for that contravention and shall be liable to be proceeded against and punished accordingly. *Explanation*.—For the purposes of this section— (*a*) "company" means any body corporate and includes a firm or other association of individuals; and (*b*) "director", in relation to a firm, means a partner in the firm.'. (*E*) In section 31, in sub-section (*2*), after clause (*o*), the following clause shall be inserted, namely:— "(*oa*) the manner of holding an inquiry and imposing penalties under section 24;".
41.	1978	34	The Delhi Police Act, 1978	(*A*) In section 59, in sub-section (*2*),— (*i*) in clause (*c*), the words, brackets and figures "sub-section (*1*) of section 108" shall be omitted; (*ii*) in clause (*e*), the words and figures "section 101, section 102 or" shall be omitted. (*B*) For section 85, the following section shall be substituted, namely:— "85 Causing obstruction and annoyance by performances, etc.—No person shall, in contravention of any regulation made by the Commissioner of Police, exhibit any mimetic, musical or other performances of

(1)	(2)	(3)	(4)	(5)

such a nature as may attract crowds, whereby any obstruction to passengers or annoyance to the residents in the vicinity may be occasioned.".

(*C*) Sections 88, 89 and 90 shall be omitted.

(*D*) Section 95 shall be omitted.

(*E*) For section 97, the following section shall be substituted, namely:—

"97. Penalties for offences under sections 80 to 87 and sections 91 to 94 or section 96.—Any person who contravenes any of the provisions of sections 80 to 87, sections 91 to 94 or section 96 shall, on conviction, be punished with fine which may extend to one hundred rupees, or, in default of payment of such fine, with imprisonment for a term not exceeding eight days.".

(*F*) Sections 98 and 99 shall be omitted.

(*G*) Sections 101, 102 and 103 shall be omitted.

(*H*) In section 104, for the words and figures "mentioned in section 410 of the Indian Penal Code (45 of 1860) or by any offence punishable under section 417, section 418, section 419 or section 420 of the said Code", the words and figures "mentioned in section 317 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023) or by any offence punishable under section 318 or section 319 of the said Sanhita" shall be substituted.

(*I*) In section 105, for the words and figures "meaning of section 410 of the Indian Penal Code (45 of 1860) or property in respect of which any offence punishable under section 417, section 418, section 419 or section 420 of the said Code", the words and figures "meaning of section 317 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023) or by any offence punishable under section 318 or section 319 of the said Sanhita" shall be substituted.

(*J*) Section 106 shall be omitted.

(*K*) Section 108 shall be omitted.

(*L*) In section 110,—

(*i*) in the marginal heading, for the word "Penalty", the word "Punishment" shall be substituted;

(*ii*) for clause (*b*), the following clauses shall be substituted, namely:—

"(*b*) if the regulation was made under clause (*i*), (*j*), sub-clause (*ii*) of clause (*s*) or clause (*v*) of sub-section (*1*) of section 28, with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees, or with both;

(1)	(2)	(3)	(4)	(5)
				(*ba*) if the regulation was made under clause (*d*), (*h*), or sub-clause (*i*) of clause (*s*) of sub-section (*1*) of section 28, with fine which may extend to two hundred and fifty rupees;".
				(*M*) Section 112 shall be omitted.
				(*N*) In section 122, in clause (*b*), sub-clauses (*iii*) and (*iv*) shall be omitted.
42.	1980	70	The Hind Cycles Limited and Sen-Raleigh Limited (Nationalisation) Act, 1980	(*A*) In section 27, in the long line, for the words "shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both", the words "shall be liable to penalty which may extend to one lakh and twenty-five thousand rupees" shall be substituted.
				(*B*) After section 27, the following section shall be inserted, namely:—
				"27A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 27, the Central Government shall appoint an officer not below the rank of Deputy Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:
				Provided that the Central Government may appoint as many adjudicating officers as may be required:
				Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.
				(*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the receipt of such order, prefer an appeal to such officer not below the rank of Joint Secretary to the Government of India, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed.
				(*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
				(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit.
				(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(1)	(2)	(3)	(4)	(5)
				(*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*C*) Section 28 shall be omitted. (*D*) In section 31, in sub-section (*2*), after clause (*c*), the following clauses shall be inserted, namely:— "(*ca*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 27A; (*cb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 27A;".
43.	1981	31	The Dalmia Dadri Cement Limited (Acquisition and Transfer of Undertakings) Act, 1981	(*A*) In section 28, in the long line, for the words "shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both", the words "shall be liable to penalty which may extend to one lakh and twenty-five thousand rupees" shall be substituted. (*B*) After section 28, the following section shall be inserted, namely:— "28A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 28, the Central Government shall appoint an officer not below the rank of Deputy Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the receipt of such order, prefer an appeal to such officer not below the rank of Joint Secretary to the Government of India, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(1)	(2)	(3)	(4)	(5)
				(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*C*) Section 29 shall be omitted. (*D*) In section 30, in sub-section (*2*), after clause (*c*), the following clauses shall be inserted, namely:— "(*ca*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 28A; (*cb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 28A.".
44.	1981	29	The British India Corporation Limited (Acquisition of Shares) Act, 1981	Sections 17, 18 and 19 shall be omitted.
45.	1981	42	The Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981	(*A*) Sections 11 and 12 shall be omitted. (*B*) In section 13, in sub-section (*1*), the words and figures "or section 11 or section 12" shall be omitted. (*C*) In section 15, in the long line, for the words "with imprisonment for a term which may extend to one year or with fine not exceeding rupees fifty thousand or with both", the words "with fine not exceeding rupees thirty-five lakh for vessels of less than twenty-four meters overall length and rupees seventy-five lakh for vessels of twenty-four metres or more overall length" shall be substituted.
46.	1984	17	The Inchek Tyres Limited and the National Rubber Manufacturers Limited (Nationalisation) Act, 1984	(*A*) In section 27, in the long line, for the words "shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both", the words "shall be liable to penalty which may extend to one lakh rupees" shall be substituted. (*B*) After section 27, the following section shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
				"27A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 27, the Central Government shall appoint an officer not below the rank of Deputy Secretary to the Government of India, as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the receipt of such order, prefer an appeal to such officer not below the rank of Joint Secretary to the Government of India, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*C*) Section 28 shall be omitted. (*D*) In section 31, in sub-section (*2*), after clause (*c*), the following clauses shall be inserted, namely:— "(*ca*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 27A; (*cb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 27A;".
47.	1985	10	The Calcutta Metro Railway (Operation and Maintenance) Temporary Provisions Act, 1985	(*A*) For section 9, the following section shall be substituted, namely:— "9. Smoking.—(*1*) No person shall smoke in any compartment or carriage of the metro railway or in any underground metro railway station.

(1)	(2)	(3)	(4)	(5)

(*2*) Any person who contravenes the provisions of sub-section (*1*) shall be liable to penalty of two thousand rupees and forfeiture of his pass or ticket, and may also be removed from the compartment by any metro railway servant.

(*3*) If the person refuses to pay the penalty mentioned in sub-section (*2*), he shall be produced before the competent court wherein, he shall be punishable with a fine which may extend up to five thousand rupees:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of two thousand rupees.".

(*B*) For section 10, the following section shall be substituted, namely:—

"10. Drunkenness or nuisance upon the metro railway.—(*1*) If any person is in a state of intoxication and there conducts himself in such a manner as to cause annoyance to any person, he shall be removed from the metro railway by any metro railway servant and shall, in addition to the forfeiture of his pass or ticket, be punishable with simple imprisonment for a term which may extend to twenty-four hours, or with fine which may extend to one thousand rupees, or with both.

(*2*) If any person,—

(*a*) commits any nuisance or act of indecency or uses abusive or obscene language; or

(*b*) wilfully or without excuse interferes with any amenity provided by the metro railway administration so as to affect the comfortable travel of any passenger,

he shall be punishable with fine which may extend to two hundred and fifty rupees and shall also be liable to forfeiture of the fare which he may have paid or any pass or ticket which he may have obtained or purchased, or be removed from such carriage or part by any metro railway official authorised by the metro railway administration in this behalf.

(*3*) If any metro railway official is in a state of intoxication while on duty, where the improper performance of the duty would be likely to endanger the safety of any passenger travelling or being upon the metro railway, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.".

(*C*) In section 13,—

(1)	(2)	(3)	(4)	(5)

(*i*) for sub-section (*1*), the following sub-sections shall be substituted, namely:—

"(*1*) If any person enters upon or into any part of a metro railway without lawful authority, he shall be liable to a penalty of five hundred rupees.

(*1A*) If the person refuses to pay the penalty mentioned in sub-section (*1*), the violator shall be produced before the competent court, wherein he shall be punishable with imprisonment for a term which may extend up to three months, or with fine which may extend up to five thousand rupees, or with both:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than imprisonment for one month or a fine of two thousand rupees.

(*1B*) If any person having lawfully or unlawfully entered upon or into any part of metro railway misuses such property and refuses to leave, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of five hundred rupees.

(*1C*) Any person referred to in sub-sections (*1A*) and (*1B*) may be removed from the metro railway by any metro railway servant or by any other person whom such metro railway servant may call to his aid.".

(*D*) After section 17, the following section shall be inserted, namely:—

"17A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under sub-section (*3*) of section 9 and sub-section (*1*) of section 13 of this Act, the metro railway administration shall appoint an officer of or above the rank of Assistant Sub-Inspector in Railway Protection Force or officers not below the rank of Group 'C' in commercial, operating or vigilance Department of metro railway as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be specified:

Provided that the metro railway administration may appoint as many adjudicating officers as may be required:

(1)	(2)	(3)	(4)	(5)

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to an officer at least one rank higher than the adjudicating officer, as may be appointed by the metro railway administration as an appellate authority, in such form and manner as may be specified.

(*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".

(*E*) After section 22, the following section shall be inserted, namely:—

"22A. Power of metro railway administration to make regulations.—(*1*) The metro railway administration may, with the previous approval of the Central Government, make regulations not inconsistent with this Act and the rules made thereunder, to provide for all matters for which provisions are necessary or expedient for the purpose of giving effect to the provisions of this Act.

(*2*) Every regulation made by a metro railway administration under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the 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 regulation.".

(1)	(2)	(3)	(4)	(5)
48.	1985	22	The Handlooms (Reservation of Articles for Production) Act, 1985	(*A*) In section 10, for clause (*a*), the following clause shall be substituted, namely:— "(*a*) shall be punishable with imprisonment for a term which may extend to three months or with a fine of not less than ten thousand rupees but may extend up to twenty-five thousand rupees per loom by which the said article or class of articles is produced, or with both and in the case of a continuing or repeated contravention, with an additional fine of one thousand rupees per loom per day which may extend up to five thousand rupees per loom per day during which period such contravention continues or repeated after conviction for the first such contravention;". (*B*) In section 11, for the words "punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both", the words "punishable with fine of not less than ten thousand rupees but may extend to twenty-five thousand rupees" shall be substituted.
49.	1985	82	The Inland Waterways Authority of India Act, 1985	(*A*) In section 34, in sub-section (*2*), after clause (*h*), the following clauses shall be inserted, namely:— "(*ha*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 35A; (*hb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 35A; and". (*B*) In section 35, in sub-section (*3*), for the words "punishable with fine which may extend to five hundred rupees and in the case of continuing contravention with an additional fine which may extend to twenty rupees during which such contravention continues after conviction for the first such contravention", the words "liable to penalty which may extend to five hundred rupees and in case of continuing contravention with an additional penalty which may extend to five hundred rupees during which such contravention continues after imposition of penalty for the first such contravention" shall be substituted. (*C*) After section 35, the following section shall be inserted, namely:— "35A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under sub-section (*3*) of section 35, the Authority shall appoint an officer not below the rank of Deputy Director or an officer equivalent in rank to the Under Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

(1)	(2)	(3)	(4)	(5)
				Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the receipt of such order, prefer an appeal to such officer not below the rank of Director or an officer equivalent in rank to the Deputy Secretary to the Government of India, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may think fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".
50.	1986	2	The Agricultural and Processed Food Products Export Development Authority Act, 1985	(*A*) In section 19, in sub-section (*3*), for the words "punishable with imprisonment for a term which may extend to one year, or with fine, or with both", the words "liable to penalty of not less than ten thousand rupees and not exceeding twice the value of goods, in respect of which such order has been made" shall be substituted. (*B*) For section 22, the following section shall be substituted, namely:— "22. Penalty for making false reports.—Any person who, being required by or under this Act,— (*i*) fails to furnish any return shall be liable— (*a*) for the first contravention with a warning; (*b*) for any subsequent contravention, to penalty of not less than ten thousand rupees but which may extend to fifty thousand rupees; (*ii*) furnishes a return containing any particular which is false and which he knows to be false or does not believe to be true, shall be liable to penalty of not less than ten thousand rupees but which may extend to one lakh rupees.".

(1)	(2)	(3)	(4)	(5)

(*C*) Section 23 shall be omitted.

(*D*) For section 24, the following section shall be substituted, namely:—

"24. Other penalties.—Whoever contravenes or attempts to contravene or abets the contravention of the provisions of this Act or of any rules made hereunder other than the provisions, the punishment for the contravention whereof has been provided for in sections 19 and 22 shall be liable,—

(*a*) for the first contravention with a warning;

(*b*) for any subsequent contravention to penalty of not less than ten thousand rupees, and not exceeding an amount equivalent to the value of goods, in respect of which such contravention has been made; and

(*c*) in case of a continuing contravention, a penalty of one thousand rupees for every day during which such contravention continues, provided that the total quantum of penalty for a continuing contravention shall not exceed twice the value of goods, in respect of which such order has been made." .

(*E*) After section 25, the following section shall be inserted, namely:—

"25A. Adjudication of penalties.—(*1*) For the purpose of adjudging penalties under this Act, the Chairman shall appoint the Secretary to the Authority or any other officer equivalent to the rank of Secretary authorised by the Central Government, as the case may be, as an adjudicating officer for holding an inquiry and imposing penalty in such manner as may be prescribed:

Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to the Chairman who shall be an appellate authority, in such form and manner as may be prescribed.

(*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit.

(1)	(2)	(3)	(4)	(5)
				(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*F*) Section 26 shall be omitted. (*G*) After section 26 as so omitted, the following section shall be inserted, namely:— "26A. Officers and employees of Authority to be public servants.—All officers and other employees of the Authority, when acting or purporting to act in pursuance of any of the provisions of this Act, shall be deemed to be public servants within the meaning of clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).". (*H*) In section 32, in sub-section (*2*), after clause (*m*), the following clauses shall be inserted, namely:— "(*ma*) the manner of holding inquiry and imposing penalties under sub-section (*1*) of section 25A; (*mb*) the form and manner of preferring appeal to the Chairman against the order of adjudicating officer under sub-section (*2*) of section 25A;".
51.	1988	59	The Motor Vehicles Act, 1988	(*A*) In section 8, sub-section (*8*) shall be omitted. (*B*) In section 9, sub-section (*9*) shall be omitted. (*C*) In section 12, sub-section (*4*) shall be omitted. (*D*) In section 14, in sub-section (*2*), after clause (*iv*), the following proviso shall be inserted, namely:— "Provided that every driving licence shall, notwithstanding its expiry under this sub-section, continue to be effective for a period of thirty days from the date of such expiry.". (*E*) In section 15,— (*i*) in sub-section (*1*), for the word "expiry", the word "renewal" shall be substituted; (*ii*) for the first proviso, the following proviso shall be substituted, namely:— "Provided that in any case where the application for the renewal of a licence is made within a period of one year prior to date of its expiry, the driving licence shall be renewed with effect from the date of its expiry:".

(1)	(2)	(3)	(4)	(5)
				(*F*) In section 20, in sub-section (*2*),— (*i*) the words, brackets, letter and figures "clause (*c*) of sub-section (*1*) of section 132," shall be omitted; (*ii*) the words, brackets, letter and figures " clause (*c*) of sub-section (*1*) of section 132 or" shall be omitted. (*G*) In section 40, for the words "whose jurisdiction", the word "which" shall be substituted. (*H*) In section 55, in sub-section (*1*), for the words "fourteen days", the words "thirty days" shall be substituted. (*I*) In section 65, in sub-section (*2*), in clause (*k*), the words, brackets and figures "sub-section (*13*) of section 41 or" shall be omitted. (*J*) In section 75,— (*i*) in the marginal heading, after the words "motor cabs", the words "and motor cycles" shall be inserted; (*ii*) in sub-section (*2*), in clause (*g*), after the words "motor cabs", the words "and motor cycles" shall be inserted. (*K*) In section 84, in clause (*f*), for the words and figures "Chapters X, XI and XII", the words and figures "Chapters XI and XII" shall be substituted. (*L*) In section 96, in sub-section (*2*), clause (*xii*) shall be omitted. (*M*) In section 157, in sub-section (*2*), for the words "fourteen days", the words "thirty days" shall be substituted. (*N*) In section 161, in sub-section (*4*), in clause (*b*), for the words "punishable with imprisonment which may extend to two years, or with fine which shall not be less than twenty-five thousand rupees but may extend to five lakh rupees or with both", the words "liable to penalty which shall not be less than one lakh rupees but which may extend to five lakh rupees" shall be substituted. (*O*) In section 163, after sub-section (*2*), the following sub-section shall be inserted, namely:— "(*3*) Notwithstanding anything contained in sub-section (*1*), *ex gratia* payments awarded or received in respect of the death of, or grievous hurt, to any person, shall not be liable to be refunded to the Motor Vehicle Accident Fund constituted under section 164B.".

(1)	(2)	(3)	(4)	(5)
				(*P*) In section 164, after sub-section (*3*), the following sub-section and *Explanation* shall be inserted, namely:— '(*4*) Notwithstanding anything contained in sub-section (*3*), *ex gratia* payments received in respect of death or grievous hurt due to an accident arising out of the use of motor vehicle, shall not be liable to be reduced from the amount of compensation payable under this section. *Explanation*.—For the purposes of section 163 and this section, the expression "grievous hurt" shall be as referred to in section 116 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).'. (*Q*) In section 166, after sub-section (*3*), the following proviso shall be inserted, namely:— "Provided that the Claims Tribunal may entertain an application for compensation after the expiry of the said period of six months from the date of occurrence of the accident, but within a further period not exceeding twelve months, if it is satisfied that the applicant was prevented by sufficient cause from making an application within such period.". (*R*) In section 167, the words and figure "without prejudice to the provisions of Chapter X" shall be omitted. (*S*) In section 168, after sub-section (*3*), the following sub-section and proviso shall be inserted, namely:— "(*4*) The application for compensation made under section 166 shall be dealt with by the Claims Tribunal as expeditiously as possible and endeavour shall be made by it to dispose of the application within a period of twelve months from the date of receipt of the application: Provided that where any such application could not be disposed of within the said period of twelve months, the Claims Tribunal shall record its reasons in writing for not disposing of the application within that period.". (*T*) For sections 177 and 177A, the following sections shall be substituted, namely:— "177. General provision for punishment of offences.—Whoever contravenes any provision of this Act or of any rule, regulation or notification made thereunder shall, if no fine or penalty is provided for the offence, for the first contravention be issued a warning recorded in such manner as may be prescribed by the Central Government, and for any second or subsequent contravention with penalty which shall not be less than five hundred rupees, but may extend to one thousand and five hundred rupees.

(1)	(2)	(3)	(4)	(5)
				177A. Penalty for contravention of regulations under section 118.—(*1*) Whoever contravenes the regulations made under section 118 shall, for the first contravention be issued a warning recorded in such manner as may be prescribed by the Central Government, and for any second or subsequent contravention with penalty which shall not be less than five hundred rupees, but may extend to one thousand rupees. (*2*) Notwithstanding anything contained in sub-section (*1*), if any contravention of regulations made under section 118 is also an offence punishable with penalty or fine under any other provision of this Act, the penalty or fine imposed only under such other provision shall be applicable.”. (*U*) In section 178,— (*i*) for the words “punishable with fine” wherever they occur, the words “liable for a penalty” shall be substituted; (*ii*) in sub-section (*3*), after the words “driver of a contract carriage”, the words “while being on duty” shall be inserted. (*V*) In section 179,— (*i*) in sub-section (*1*), for the words “punishable with fine”, the words “liable to penalty” shall be substituted; (*ii*) in sub-section (*2*), for the words “provided for the offence, be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to two thousand rupees, or with both”, the words “provided for the contravention, be liable to penalty which shall not be less than five hundred rupees but which may extend to two thousand rupees” shall be substituted. (*W*) In section 182, in sub-section (*2*), for the words “punishable with imprisonment for term which may extend to one month, or with fine which may extend to ten thousand rupees or with both”, the words “liable to penalty of ten thousand rupees” shall be substituted. (*X*) In section 182B,— (*i*) in the marginal heading, for the word “Punishment”, the word “Penalty” shall be substituted; (*ii*) for the words “punishable with fine”, the words “liable for a penalty” shall be substituted. (*Y*) In section 186,— (*i*) for the words “punishable for the first offence with fine”, the words “liable for the first contravention with penalty” shall be substituted;

(1)	(2)	(3)	(4)	(5)

(*ii*) for the words "subsequent offence with fine", the words "subsequent contravention with penalty" shall be substituted.

(*Z*) In section 190, for sub-sections (*1*) and (*2*), the following sub-sections shall be substituted, namely:—

"(*1*) Any person who drives or causes or allows to be driven in any public place a motor vehicle or trailer while the vehicle or trailer has any defect, which such person knows of or could have discovered by the exercise of ordinary care and which is calculated to render the driving of the vehicle a source of danger to persons and vehicles using such place, shall be liable for penalty of five thousand rupees or, if as a result of such defect an accident is caused causing bodily injury or damage to property, with imprisonment for a term which may extend to six months, or with fine of five thousand rupees, or with both; and for a subsequent offence shall be punishable with imprisonment for a term which may extend to one year, or with a fine of ten thousand rupees, for bodily injury or damage to property.

(*2*) Any person who drives or causes or allows to be driven, in any public place a motor vehicle, which violates the standards prescribed,—

(*i*) in relation to road safety or control of air-pollution, shall be liable for the first contravention with penalty which may extend to ten thousand rupees and he shall be disqualified for holding licence for a period of three months and for any second or subsequent offence with imprisonment for a term which may extend to six months or with fine which may extend to ten thousand rupees, or with both; or

(*ii*) in relation to noise pollution, shall for the first contravention be issued a warning recorded in such manner as may be prescribed by the Central Government, and for any second or subsequent contravention with penalty which may extend to ten thousand rupees.".

(*ZA*) In section 192, in sub-section (*1*), for the words "punishable for the first offence with a fine which may extend", the words "liable for the first offence with a penalty which may extend" shall be substituted.

(*ZB*) In section 192A, in sub-section (*1*), for the words "punishable for the first offence with imprisonment for a term which may extend to six months or a fine of ten thousand rupees, or with both and for any subsequent offence with imprisonment which may extend to one year but shall not be less than six months or with fine of ten thousand rupees or with both", the words "liable to penalty of ten thousand rupees and for any subsequent contravention with penalty of twenty thousand rupees" shall be substituted.

(1)	(2)	(3)	(4)	(5)
				(*ZC*) In section 192B,— (*i*) in sub-section (*1*), for the words "punishable with fine", the words "liable for a penalty" shall be substituted; (*ii*) in sub-section (*2*), for the words "punishable with fine", the words "liable for a penalty" shall be substituted. (*ZD*) In section 193,— (*i*) in sub-section (*1*), for the words "for the first offence with fine", the words "for the first offence with penalty" shall be substituted; (*ii*) in sub-section (*2*), for the words "punishable with fine", the words "liable for a penalty" shall be substituted; (*iii*) in sub-section (*3*), for the words "punishable with fine of five thousand rupees" , the words "liable for penalty which shall not be less than fifty thousand rupees but may extend to one lakh rupees" shall be substituted. (*ZE*) In section 194,— (*i*) in sub-section (*1*),— (*a*) for the words "punishable with fine", the words "liable to penalty" shall be substituted; (*b*) for the words "additional amount", the words "additional penalty" shall be substituted; (*ii*) in sub-section (*1A*), for the words "punishable with a fine", the words "liable to penalty" shall be substituted; (*iii*) in sub-section (*2*), for the words "punishable with fine", the words "liable to penalty" shall be substituted. (*ZF*) In section 194A, for the words "punishable with a fine", the words "liable for a penalty" shall be substituted. (*ZG*) In section 194B, for the words "punishable with a fine" at both the places where they occur, the words "liable for a penalty" shall be substituted. (*ZH*) In section 194C, for the words "punishable with a fine", the words "liable for a penalty" shall be substituted. (*Z-I*) In section 194D, for the words "punishable with a fine", the words "liable for a penalty" shall be substituted.

(1)	(2)	(3)	(4)	(5)

(*ZJ*) In section 194E, for the words "shall be punishable with imprisonment for a term which may extend to six months, or with a fine of ten thousand rupees or with both", the words "shall be liable for penalty of ten thousand rupees for first offence and shall be punishable for any second or subsequent offence with imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees or with both" shall be substituted.

(*ZK*) For section 194F, the following section shall be substituted, namely:—

"194F. Use of horns and silence zones.—Whoever—

(*a*) while driving a motor vehicle—

(*i*) sounds the horn needlessly or continuously or more than necessary to ensure safety; or

(*ii*) sounds the horn in an area with a traffic sign prohibiting the use of a horn; or

(*b*) drives a motor vehicle which makes use of a cut-out by which exhaust gases are released other than through the silencer,

shall for the first contravention be issued a warning recorded in such manner as may be prescribed by the Central Government, and for any second or subsequent contravention shall be liable to penalty which shall not be less than one thousand rupees, but may extend to two thousand rupees.".

(*ZL*) In section 196, for the words "punishable for the first offence with imprisonment which may extend to three months, or with fine of two thousand rupees, or with both, and for a subsequent offence shall be punishable with imprisonment for a term which may extend to three months, or with fine of four thousand rupees, or with both", the words, brackets and figures "liable for the first contravention with penalty of three times the base premium for such vehicle specified under sub-section (*2*) of section 147 or five thousand rupees, whichever is higher, and for a subsequent contravention shall be liable to penalty of five times the base premium for such vehicle as specified under sub-section (*2*) of section 147 or ten thousand rupees, whichever is higher" shall be substituted.

(1)	(2)	(3)	(4)	(5)

(*ZM*) For section 198, the following section shall be substituted, namely:—

"198. Unauthorised interference with vehicle.—Whoever otherwise than with lawful authority or reasonable excuse, without prejudice to any liability under the provisions of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023),—

(*a*) enters or mounts any stationary motor vehicle shall be liable to penalty of one thousand rupees;

(*b*) tampers with the brake or any part of the mechanism of a motor vehicle shall be punishable with a fine of ten thousand rupees.".

(*ZN*) In section 198A:—

(*a*) in sub-section (*1*), after the words "the Central Government", the words, figures and letters "under section 210C for National Highways or by the State Government under section 210D for roads other than National Highways, as the case may be" shall be inserted;

(*b*) for sub-section (*2*), the following sub-section shall be substituted, namely:—

"(*2*) Where the failure on the part of the designated authority, contractor, consultant or concessionaire responsible under sub-section (*1*) to comply with standards for road design, construction and maintenance, results in death or disability, such authority or contractor or concessionaire shall be liable to penalty which may extend to fifty lakh rupees and the same,—

(*i*) for national highways, shall be paid to the Fund constituted under section 164B; and

(*ii*) for roads other than national highways, shall be paid to the State Government in such manner as may be prescribed by such Government.";

(*c*) In sub-section (*3*), in clause (*g*), after the words "the Central Government", the words "or the State Government, as the case may be" shall be inserted.

(*ZO*) In section 199B,—

(*i*) in the marginal heading, after the words "Revision of fines", the words "and penalties" shall be inserted;

(*ii*) for the words "The fines", the words "The fines and penalties" shall be substituted.

(1)	(2)	(3)	(4)	(5)
				(*ZP*) In section 200, in sub-section (*1*), for the portion beginning with the words and figures "punishable under section 177" and ending with the word and figures "section 201", the following shall be substituted, namely:— "punishable under section 180, section 181, sub-section (*1*) of section 182, sub-section (*1*) or sub-section (*3*) or sub-section (*4*) of section 182A, sub-section (*1*) of section 183, clause (*c*) of the *Explanation* to section 184, section 189, second or subsequent offence under clause (*i*) of sub-section (*2*) of section 190, second or subsequent offence under section 192, sub-section (*3*) of section 192B, second or subsequent offence under section 194E, and clause (*b*) of section 198.". (*ZQ*) In section 210A,— (*i*) in the marginal heading, after the words "to increase", the words "fines or" shall be inserted; (*ii*) for the words "to be applied to each fine under this Act and such modified fine", the words "to be applied to each fine or penalty under this Act and such modified fine or penalty" shall be substituted. (*ZR*) In section 210C, after clause (*b*), the following clause shall be inserted, namely:— "(*ba*) the manner in which warning for contraventions shall be recorded under this Chapter;". (*ZS*) In section 212, in sub-section (*4*), for the words, brackets and figures "sub-section (*1*) of section 163", the words, brackets and figures "sub-section (*3*) of section 161" shall be substituted.
52.	1989	24	The Railways Act, 1989	(*A*) In section 60, in sub-section (*3*), for the words "shall be punishable with fine which shall not exceed five hundred rupees", the words "shall be liable to penalty which shall not exceed two thousand rupees, and in the event of non-payment of the penalty, the person so failing shall be produced before a competent court having jurisdiction which may impose a fine which may extend to two thousand rupees" shall be substituted. (*B*) In section 87, in sub-section (*3*), for the words "shall be punishable with fine which may extend to one hundred and fifty rupees", the words "shall be liable to penalty which shall not exceed two thousand rupees, and in the event of non-payment of the penalty, the person so failing shall be produced before a competent court having jurisdiction which may impose a fine which may extend to two thousand rupees" shall be substituted.

(1)	(2)	(3)	(4)	(5)

(*C*) For section 137, the following section shall be substituted, namely:—

"137. Fraudulently travelling or attempting to travel without proper pass or ticket.— (*1*) If any person, with intent to defraud a railway administration,—

(*a*) enters or remains in any carriage on a railway or travels in a train in contravention of section 55; or

(*b*) uses or attempts to use a single pass or a single ticket which has already been used on a previous journey, or in the case of a return ticket, a half thereof which has already been so used,

he shall be liable to pay the fare for the distance which he has travelled, or where there is any doubt as to the station from which he started, the fare from the station from which the train originally started, or if the tickets of passengers travelling in the train have been examined since the original starting of the train, the fare from the place where the tickets were so examined or, in case of their having been examined more than once, were last examined:

Provided that he shall also pay the excess charges equal to the due charges mentioned herein, subject to a minimum of five hundred rupees or the charges notified by the Central Government.

(*2*) If any passenger liable to pay the excess charge and the fare mentioned in sub-section (*1*), fails or refuses to pay the same on a demand being made under this section, the authorised railway servant may apply to the competent court, for the recovery of the sum payable, and the court if satisfied that the sum is payable shall order it to be so recovered, and may order that the person liable for the payment shall in default of payment be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.".

(*D*) In section 138,—

(*i*) in sub-section (*3*), for the words "or two hundred and fifty rupees", the words "or five hundred rupees or the charges notified by the Central Government" shall be substituted;

(1)	(2)	(3)	(4)	(5)

(*ii*) in sub-section (*4*),—

(*a*) for the words "any Metropolitan Magistrate or a Judicial Magistrate of the first or second class," the words "the competent court having jurisdiction" shall be substituted;

(*b*) for the words "and the Magistrate if satisfied", the words "and the court if satisfied" shall be substituted.

(*E*) For section 142, the following section shall be substituted, namely:—

"142. Penalty for travelling on transferred tickets.— (*1*) If any person is found travelling in a train on the authority of a ticket booked for travel of some other person and on which he is not authorised to undertake journey in the train, the ticket shall be forfeited and he shall also be liable to pay the fare mentioned on the ticket:

Provided that he shall pay the excess charges equal to the fare mentioned on the ticket subject to a minimum of five hundred rupees or the charges notified by the Central Government.

(*2*) If any passenger liable to pay the excess charge and the fare mentioned in sub-section (*1*), fails or refuses to pay the same on a demand being made therefor under this section, the authorised railway servant may apply to the competent court for the recovery of the sum payable, and the court if satisfied that the sum is payable shall order it to be so recovered, and may order that the person liable for the payment shall, in default of payment, suffer imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both.".

(*F*) For section 144, the following section shall be substituted, namely:—

"144. Prohibition on hawking, etc., and begging.— (*1*) If any person canvasses for any custom or hawks or exposes for sale any article whatsoever in any railway carriage or upon any part of a railway, except under and in accordance with the terms and conditions of a license granted by the railway administration in this behalf, he shall be liable to penalty of two thousand rupees.

(*2*) If he fails or refuses to pay the penalty, he shall be produced before the competent court having jurisdiction and shall, on conviction, be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both:

(1)	(2)	(3)	(4)	(5)

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than imprisonment for one month or a fine of two thousand rupees.

(*3*) If any person who has been ordered to pay a penalty under sub-section (*1*) is subsequently found to have contravened the same provision for the fourth or any subsequent time, he shall be punishable with imprisonment for a term which may extend to one year and with fine which may extend to five thousand rupees:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than imprisonment for three months and a fine of two thousand rupees.

(*4*) No person shall be permitted to beg in any railway carriage or upon any part of the railway.

(*5*) Any person referred to in sub-section (*1*), sub-section (*2*), sub-section (*3*) or sub-section (*4*) may be removed from the railway carriage or any part of the railway or railway station, as the case may be, by any railway servant authorised in this behalf or by any other person whom such railway servant may call to his aid.

Explanation.—For reckoning of the count of offence, if the person commits this act in any part of the Indian Railways it will be reckoned for the count of this offence.".

(*G*) For section 145, the following section shall be substituted, namely:—

'145. Drunkenness or nuisance.— (*1*) If any person in any railway carriage or upon any part of a railway is in a state of intoxication and conducts himself in such a manner as to cause annoyance to any person, he shall be removed from the railway by any railway servant and shall, in addition to the forfeiture of his pass or ticket, be punishable with simple imprisonment for a term which may extend to twenty-four hours, or with fine which may extend to one thousand rupees, or with both or with community service.

(*2*) If any person in any railway carriage or upon any part of a railway,—

(*a*) commits any nuisance or act of indecency or uses abusive or obscene language; or

(1)	(2)	(3)	(4)	(5)

(*b*) wilfully or without excuse interferes with any amenity provided by the railway administration so as to affect the comfortable travel of any passenger,

he shall be removed from the railway by any railway servant and shall, in addition to the forfeiture of his pass or ticket, be punishable with fine of one thousand rupees and if he continues the nuisance, having been enjoined by a railway servant who has lawful authority to issue such injunction not to repeat or continue such nuisance, shall be punished with simple imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees or with both.

Explanation.—For the purposes of this section, "nuisance" shall have the same meaning as defined in section 270 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).'.

(*H*) In section 146, for the words "term which may extend to six months, or with fine which may extend to one thousand rupees", the words "term which may extend to three months, or with fine which may extend to two thousand and five hundred rupees" shall be substituted.

(*I*) For section 147, the following section shall be substituted, namely:—

'147. Trespass and refusal to desist from trespass.— (*1*) If any person enters upon or into any part of a passenger area, without lawful authority and refuses to leave he shall be liable to a penalty of five hundred rupees:

Provided if the person lawfully entered upon the passenger area, misuses the passenger area and refuses to leave he shall be punishable as per sub-section (*3*).

(*2*) If such person refuses to pay the penalty, he shall be produced before the competent court having jurisdiction, and shall on conviction be punishable with imprisonment for a term which may extend up to three months or with fine which may extend up to five thousand rupees or with both:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than imprisonment for one month or a fine of two thousand rupees.

(1)	(2)	(3)	(4)	(5)
				(*3*) If any person enters upon or into any part of a railway, other than passenger area, without lawful authority or having lawfully entered upon or into such part misuses such property and refuses to leave, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both: Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of two thousand rupees. (*4*) Any person referred to in sub-section (*1*), sub-section (*2*) and sub section (*3*) may be removed from the railway by any railway servant or by any other person whom such railway servant may call to his aid. *Explanation*.—For the purposes of this section,— (*a*) "passenger area" shall have the same meaning as defined in clause (*cb*) of sub-section (*1*) of section 2 of the Railway Protection Force Act, 1957 (23 of 1957); (*b*) "railway" shall have the same meaning as defined in clause (*31*) of section 2 of this Act.'. (*J*) In section 155,— (*i*) in sub-section (*1*), for the words "he shall also be punishable with fine which may extend to five hundred rupees", the words "he shall be liable to penalty of two thousand rupees" shall be substituted; (*ii*) in sub-section (*2*), for the words "punishable with fine which may extend to two hundred rupees", the words "liable to penalty of one thousand rupees" shall be substituted; (*iii*) after sub-section (*2*), the following sub-section shall be inserted, namely:— "(*3*) If any passenger who is found liable for a contravention of sub-section (*1*) or sub-section (*2*) refuses to pay the penalty, the violator shall be produced before the competent court wherein, he shall be punishable with fine which may extend to three thousand rupees: Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of two thousand rupees.".

(1)	(2)	(3)	(4)	(5)

(*K*) Section 158 shall be omitted.

(*L*) For section 159, the following section shall be substituted, namely:—

"159. Disobedience of drivers or conductors of vehicles to directions of railway servant, etc.— (*1*) If any driver or conductor of any vehicle, while on the premises of a railway, halts or parks such vehicle other than at a designated place or drives against one way traffic or dangerously or in a manner which may obstruct free flow of traffic or disobeys the reasonable directions of any railway servant or police officer, he shall be liable to penalty of five hundred rupees.

(*2*) If any driver or conductor found to be liable to penalty under sub-section (*1*) and refuses to pay the penalty, shall be produced before the competent court having jurisdiction, shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to one thousand rupees, or with both:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than imprisonment for fifteen days or a fine of five hundred rupees.".

(*M*) For section 162, the following section shall be substituted, namely:—

"162. Entering carriage or other place reserved for females.—(*1*) If a male person knowing or having reason to believe that a carriage, compartment, berth or seat in a train or room or other place is reserved by a railway administration for the exclusive use of females, without lawful excuse,—

(*a*) enters such carriage, compartment, room or other place, or having entered such carriage, compartment, room or place, remains therein; or

(*b*) occupies any such berth or seat having been required by any railway servant to vacate it,

he shall, in addition to being liable to forfeiture of his pass or ticket, liable to pay penalty of two thousand and five hundred rupees and may also be removed by any railway servant.

(*2*) If a person found to be liable to penalty under sub-section (*1*) and refuses to pay the penalty, shall be produced before the competent court having jurisdiction, and shall on conviction be punishable with a fine which may extend up to five thousand rupees:

(1)	(2)	(3)	(4)	(5)

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of two thousand and five hundred rupees:

Provided further that notwithstanding anything contained in this Act, no proceeding under this section shall be initiated against any transgender person, as defined in clause (*k*) of section 2 of the Transgender Persons (Protection of Rights) Act, 2019 (40 of 2019).".

(*N*) In section 163, for the words "be punishable with fine which may extend to five hundred rupees for every quintal or part thereof of such goods", the words "be liable to penalty which shall be equal to the amount as notified by the Central Government" shall be substituted.

(*O*) For section 165, the following section shall be substituted, namely:—

"165. Unlawfully bringing offensive goods on a railway.— (*1*) If any person, in contravention of section 67, takes with him any offensive goods or entrusts such goods for carriage to the Railway administration, he shall be liable for removal of such goods from Railways and also to penalty amounting to any loss, injury or damage which may be caused by reason of bringing such goods on the Railway, but shall not be less than ten thousand rupees.

(*2*) If any person liable to remove such goods from Railways and pay a penalty under sub-section (*1*), fails or refuses to do so on a demand being made therefor under this section, the authorised railway servant may apply to the competent court having jurisdiction, for the recovery of the sum payable, and the court if satisfied that the sum is payable shall order it to be so recovered, and may order that the person liable for the payment shall in default of payment suffer imprisonment for a term which may extend to one year, or with fine which may not be less than ten thousand rupees, or with both.".

(*P*) In section 166,—

(*i*) in the long line, for the words "he shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to five hundred rupees, or with both.", the words "he shall be liable for the first contravention with penalty of two thousand rupees, for any second or subsequent offence, he shall be punishable with imprisonment for a term which may extend to one month, or with fine of five thousand rupees, or with both:" shall be substituted;

(1)	(2)	(3)	(4)	(5)
				(*ii*) after the long line, the following provisos shall be inserted, namely:— "Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of two thousand rupees: Provided further that if the person refuses to pay the penalty, he shall be produced before the competent court and shall be punishable with a fine which may extend up to five thousand rupees.". (*Q*) In section 167,— (*i*) in sub-section (*3*), for the words "punishable with fine which may extend to one hundred rupees.", the words "liable to penalty of two thousand rupees in addition to being liable to forfeiture of his pass or ticket and shall also be removed by any railway servant and if he refuses to pay the penalty, he shall be produced before the competent court having jurisdiction, shall be punishable with fine which may extend to five thousand rupees:" shall be substituted; (*ii*) after sub-section (*3*), the following proviso shall be inserted, namely:— "Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of two thousand rupees.". (*R*) In section 172, the words ", he shall be punishable with fine which may extend to five hundred rupees" shall be omitted. (*S*) Section 176 shall be omitted. (*T*) In section 179, in sub-section (*2*), for the words and figures "sections 137 to 139, 141 to 147, 153 to 157, 159 to 167 and 172 to 176", the words and figures "sections 137 to 139, 141 to 147, 153 to 157, 159 to 162, 164 to 167 and 172 to 175" shall be substituted.
53.	1994	44	The New Delhi Municipal Council Act, 1994	(*A*) In section 2,— (*i*) after clause (*1*), the following clause shall be inserted, namely:— '(*1A*) "annual value" means the annual value of any vacant land or covered space of any building determined under section 64F;'; (*ii*) after clause (*25*), the following clause shall be inserted, namely:— '(*25A*) "Municipal Valuation Committee" means the Municipal Valuation Committee constituted under section 64A;';

(1)	(2)	(3)	(4)	(5)

(*iii*) after clause (*39*), the following clause shall be inserted, namely:—

'(*39A*) "public utilities" include water-supply, electric supply and lighting, sewerage and drainage, solid waste management, energy and telecommunication services, gas distribution system and public transport system, whether managed by Government or otherwise;';

(*iv*) after clause (*54*), the following clause shall be inserted, namely:—

'(*54A*) "vacant land" means the land within a premises excluding the occupied by the plinth of any building erected thereon;'.

(*B*) For section 61, the following section shall be substituted, namely:—

"61. Components of property tax.—Save as otherwise provided in this Act, the property tax shall be levied on lands and buildings in New Delhi and shall consist of the following, namely:—

(*a*) a building tax; and

(*b*) a vacant land tax.".

(*C*) After section 61, the following sections shall be inserted, namely:—

'61A. Building tax.—For any building, the building tax shall be equal to the rate of building tax as may be specified by the Council under section 61D multiplied by the annual value of the covered space of building determined under sub-section (*1*) of section 64F or section 64G.

61B. Rebate for certain categories.—In the case of any self-occupied residential building, singly owned by such persons as may be specified by the bye-laws, the Council may specify a rebate on the building tax not exceeding thirty per cent. of the tax due on the covered space of such building up to one hundred square metres of the covered space:

Provided that such rebate shall not be available for more than one residential building within the jurisdiction of the New Delhi.

61C. Vacant land tax.—The vacant land tax in respect of any premises shall be equal to the rate of vacant land tax as may be specified by the Council under section 61E multiplied by the annual value of the vacant land determined under sub-section (*3*) of section 64F:

(1)	(2)	(3)	(4)	(5)
				Provided that where there is any construction on the land and the area of plinth of such building is in excess of such percentage of the area of the plot as may be provided in the bye-laws, no vacant land tax shall be levied. 61D. Rate of building tax.—Save as otherwise provided in this Act, the base rate of property tax on buildings in New Delhi shall be between a minimum of ten per cent. and a maximum of twenty per cent. of the annual values of such buildings as may be specified by the Council from time to time: Provided that the Council may, at any time, specify fixed rates between the minimum and the maximum rates of tax as aforesaid for different areas or for different groups of buildings in such areas: Provided further that the Council may also introduce graduated rates of tax within the minimum and the maximum rates of tax as aforesaid on the basis of straight line system or any other system as may be specified by the Council. *Explanation*.—For the purposes of this section and section 61E, "Straight line system" means the system in which the rate of tax is equivalent to the annual value of a property (*X*) divided by the minimum annual value (*X1*) and Y being added to the quotient so arrived, Y being the difference between the maximum rate of tax and the quotient of maximum (*X2*) and minimum (*X1*) annual values. 61E. Rate of vacant land tax.—Save as otherwise provided in this Act, the rate of tax on vacant lands in New Delhi shall be between a minimum of ten per cent. and a maximum of twenty per cent. of the annual value of such lands as may be specified by the Council from time to time: Provided that the Council may, at any time, specify fixed rates between the minimum and the maximum rates of tax as aforesaid for different areas or for different groups of vacant lands in such area: Provided further that the Council may also introduce graduated rates of tax within the minimum and the maximum rates of tax as aforesaid on the basis of straight line system or any other system as may be specified by the Council.'.
				(*D*) In section 62, in sub-section (*1*), in clause (*a*), for the *Explanation*, the following *Explanation* shall be substituted, namely:— '*Explanation*.—"charitable purpose" includes medical relief to, or education of, the poor;'.

(1)	(2)	(3)	(4)	(5)
				(*E*) For section 63, the following section shall be substituted, namely:— "63. Unit of assessment.—(*1*) Every building and every vacant land shall be assessed as a single unit: Provided that where portions of any building or vacant land are separately owned so as to be entirely independent and capable of separate enjoyment, notwithstanding the fact that the access to such separate portions is made through a common passage or a common stair case, as the case may be, such separately owned portions may be assessed separately. (*2*) All buildings, to the extent they are contiguous or are within the same cartilage or are on the same foundation and are owned by the same owner or co-owners as an undivided property, shall be treated as one unit for the purpose of assessment under this Act: Provided that if any such building is sub-divided into separate shares which are not entirely independent and capable of separate enjoyment, the Chairperson may, on application from the owners or the co-owners, apportion the valuation and assessment of such building among the co-owners according to the value of their respective shares, treating the entire building as a single unit. (*3*) Each residential unit with its percentage of the undivided interest in the common areas and facilities, constructed or purchased and owned by, or under the control of, any housing co-operative society registered under any law regulating the co-operative housing for the time being in force, shall be assessed separately. (*4*) Each apartment and its percentage of the undivided interest in the common areas and facilities in a building within the meaning of any law regulating apartment ownership for the time being in force, shall be assessed separately. (*5*) If the ownership of any vacant land or building or any portion thereof is sub-divided into separate shares, or if more than one adjoining vacant land or building or portion thereof comes under one ownership by amalgamation, the Chairperson may, on an application from the owner or the co-owners, as the case may be, separate, or amalgamate, as the case may be, such vacant land or building or portion thereof so as to ensure conformity with the provisions of this section. (*6*) Notwithstanding any assessment made in respect of any vacant lands or buildings before the date of commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, the Chairperson may, on his own or otherwise, amalgamate, or separate, or continue to assess, such vacant lands or buildings or portions thereof so as to ensure conformity with the provisions of this section.

(1)	(2)	(3)	(4)	(5)

(*7*) The Chairperson shall, upon an application made in this behalf by an owner, lessee, sub-lessee, or occupier of any vacant land or building and upon payment of such fee as may be provided in the bye-laws, furnish to such owner, lessee, sub-lessee, or occupier, as the case may be, information regarding the apportionment of the property tax on such vacant land or building among the several occupiers of such vacant land or building for the current period of assessment or for any preceding period of assessment:

Provided that nothing in this sub-section shall prevent the Council from recovering the arrear dues on account of property tax from any such person, jointly or severally.".

(*F*) After section 64, the following sections shall be inserted, namely:—

'64A. Constitution of Municipal Valuation Committee.—(*1*) The Council shall as soon as may be after the commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, and thereafter at the expiration of every third year, constitute a Municipal Committee by a public notice issued in such form and manner as may be specified by bye-laws.

(*2*) The Municipal Valuation Committee shall consist of—

(*a*) the Chairperson; and

(*b*) such other members, being not less than two and not more than six, as the Council may determine.

(*3*) The Chairperson and the other members of the Municipal Valuation Committee shall be appointed by the Council and the qualifications and experience requisite for their appointment, the manner of selection, and other terms and conditions of service including salaries and allowances, tenure of office shall be such as the Council may be rules determine.

(*4*) The salaries and allowances of the Chairperson and other members shall be paid from the Municipal Fund.

(*5*) The functions of the Municipal Valuation Committee shall be—

(*a*) to make recommendations to the Council on matters relating to classification of vacant lands and buildings in any area of New Delhi into areas and groups of lands and buildings and fixation of base value per unit area of vacant land or per unit area of covered space of building and factors for increase or decrease, or for no increase or decrease, thereof;

(*b*) to consider objections under section 64D, and to make recommendation thereon; and

(1)	(2)	(3)	(4)	(5)

(*c*) to perform such other functions as the Council may require.

64B. Classification of vacant lands and buildings into areas and groups and specification of base unit area values therefor.—(*1*) The Municipal Valuation Committee shall recommend the classification of the vacant lands and buildings in any area of New Delhi into areas and groups of lands and buildings after taking into account all or any of the following parameters, namely:—

(*a*) settlement pattern such as plotted housing, group housing, colony with flats only, urban village, unauthorised colony, resettlement colony, rural village and non-residential areas;

(*b*) availability of civic and social infrastructure;

(*c*) access to roads;

(*d*) access to district centres, local shopping centres, convenience shopping centres, and other markets;

(*e*) land prices as may, from time to time, be notified by the Government or the Delhi Development Authority;

(*f*) use-wise category of any building including residential building, business building, mercantile building, building for recreation and sports purposes, industrial building, hazardous building and public purpose building including educational, medical and such other institutional building and farmhouse, as may be specified by the Council;

(*g*) in the case of buildings used for business, mercantile, recreation and sports, industrial, hazardous, storage or farmhouse purposes, the location of such buildings adjacent to such categories of streets, as may, subject to the provisions of sub-section (*2*), be specified by the Council;

(*h*) the types of buildings which may be classified as *pucca*, semi-*pucca* or *katcha*, as may be specified by the Council;

(*i*) the age-wise grouping of buildings as may be specified by the Council; and

(*j*) such other parameters as may be considered relevant by the Municipal Valuation Committee.

(1)	(2)	(3)	(4)	(5)
				(*2*) The Municipal Valuation Committee shall recommend, group-wise,— (*a*) the base unit area value of any owner-occupied vacant land, or any wholly owner-occupied building of *pucca* structure, constructed in the year 2025 or thereafter, and put to exclusive residential use; and (*b*) the factor for increasing or decreasing, or for not increasing or decreasing, the base unit area values specified in clause (*a*), separately in respect of any or each of the parameters of type of area, use, age, type of structure and occupancy status of the vacant land or building, as the case may be, subject to a lower limit of zero point five and an upper limit of ten point zero. 64C. Notification of classification of vacant lands and buildings into areas and groups and specification of base unit area values thereof and factors for increase or decrease.—(*1*) The Council shall, having regard to the recommendations of the Municipal Valuation Committee, declare its intention to classify vacant lands and buildings in New Delhi area into such areas and groups of lands and buildings as the Council may, by public notice, specify, and shall also specify in such public notice the base value it proposes to specify per unit area of vacant land and per unit area of covered space of building within each such group and also the factors for increasing or decreasing, or for not increasing or decreasing, the base unit area values of vacant lands and buildings referred to in clause (*b*) of sub-section (*2*) of section 64B. (*2*) The Council shall, on receipt of any representation from any group in any area affected by such classification of lands or buildings into any group or specification of the base unit area values of vacant lands or covered space of buildings within such groups, and the factors for increasing or decreasing, or for not increasing or decreasing, such unit area values of vacant lands or covered space of buildings, refer such representation to the Municipal Valuation Committee for reconsideration, and the decision of the Municipal Valuation Committee thereon shall, subject to the provisions of section 64K, be binding on the Council. 64D. Objection to the classification of vacant lands and buildings into areas and groups and fixation of base unit area values and factors for increasing or decreasing such base unit area values.—(*1*) If any owner or occupier of any vacant land or building in any area in respect of which a public notice has been issued under section 64C has any objection to the manner of classification of any group or groups, or the

(1)	(2)	(3)	(4)	(5)
				base value per unit area of vacant land or the base value per unit area of covered space of building in any group, or the factors as specified in clause (*b*) of sub-section (*2*) of section 64B, he may submit to such officer of the Council as may be authorised by the Council in this behalf his objection in such form, and containing such particulars, as may be prescribed, within thirty days from the date of publication of such public notice, and such objection shall be considered by the Municipal Valuation Committee, after giving the person submitting the objection an opportunity of being heard. (*2*) The procedure for hearing and disposal of objections shall be such, as may be prescribed. (*3*) On the expiry of a period of thirty days from the date of publication of the public notice under section 64C and after considering the recommendation of the Municipal Valuation Committee on the objections, if any, in accordance with the provisions of this section the Council shall, by public notice, specify group-wise the base unit area value of vacant land and the base unit area value of covered space of building and the factors referred to in clause (*b*) of sub-section (*2*) of section 64B: Provided that the Council shall not alter the unit area values recommended by the Municipal Valuation Committee without the approval of the Government. 64E. Final base unit area values of vacant land and of covered space of building.—(*1*) Subject to the provisions of section 115, the base unit area value of vacant land and the base unit area value of covered space of building in any group, as may be specified under sub-section (*3*) of section 64D, shall be final. (*2*) The Council shall publish the final base unit area value of vacant land and the final base unit area value of covered space of building as aforesaid and the factors used for increasing or decreasing, or for not increasing or decreasing, the final base unit area values as aforesaid and shall make them available for inspection by any person free of charge and copies thereof also made available to any person on payment of cost. 64F. Determination of annual value of covered space of building and of vacant land.—(*1*) The annual value of any covered space of building in any area shall be the amount arrived at by multiplying the total area of such covered space of building by the final base unit area value of such covered space and the relevant factors as referred to in clause (*b*) of sub-section (*2*) of section 64B.

(1)	(2)	(3)	(4)	(5)
				Explanation.—For the purposes of this Act "covered space", in relation to a building, shall mean the total floor area in all the floor thereof, including the thickness of walls, and shall include the spaces of covered *verandah* and courtyard, gangway, garage, common service area, stilt parking area, staircase, and balcony including any area projected beyond the plot boundary and such other space, as may be prescribed. (*2*) The Council may require the total area of the covered space of building as aforesaid to be certified by an architect registered under the Architects Act, 1972 (20 of 1972), or any licensed architect, subject to such conditions as may be specified by the Council by a resolution in this behalf. (*3*) The annual value of any vacant land in any area shall be the amount arrived at by multiplying the total area of such vacant land by the final base unit area value of such land and the relevant factors as referred to in clause (*b*) of sub-section (*2*) of section 64B. (*4*) If, in the case of any vacant land or covered space of building or any portion thereof is subject to different final base unit area values or is not self-occupied, the annual value of each such portion shall be computed separately, and the sum of such annual values shall be the annual value for such vacant land or covered space of building, as the case may be. 64G. Determination of annual value of building where land is exempted from property tax.—Where any vacant land is exempted from property tax under any law for the time being in force, the annual value of any building erected on such land, which is in existence for more than one year and is not entitled to any exemption from such tax under this Act or any other law for the time being in force, shall be determined in accordance with the provisions of this Act. 64H. Transitory provisions.— (*1*) Notwithstanding anything contained in this Act, as amended by the *Jan Vishwas* (Amendment of Provisions) Act, 2026, a tax on vacant land or covered space of building or both, levied under this Act immediately before the commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, shall, on the commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, be deemed to be the tax on such vacant land or covered space of building or both, levied under this Act as amended by the *Jan Vishwas* (Amendment of Provisions) Act, 2026, and shall continue to be in force until such tax is revised in accordance with the provisions of this Act, as amended by the *Jan Vishwas* (Amendment of Provisions) Act, 2026.

(1)	(2)	(3)	(4)	(5)
				(*2*) Notwithstanding anything contained in sub-section (*1*), where assessment has not been finalised in respect of a vacant land or covered space of a building or both, on the date of the commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, the assessee may have such land or building or both, as the case may be, assessed on the basis of the annual value. (*3*) Notwithstanding anything contained in this Act or any other law for the time being in force, or in any judgment, any assessee, from whom tax dues are pending at the time of the commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026 may seek assessment on the basis of annual value for the period to which the dues pertain to: Provided that the benefit of any such scheme shall only be applicable to those assessees who apply to be so assessed within a period of six months of the declaration of final classification of areas and base unit area values of the property: Provided further that the assessee shall have to pay the dues as assessed under this Act as amended by the *Jan Vishwas* (Amendment of Provisions) Act, 2026, within a period of one year of the demand notice being served on him. 64-I. Validity of base unit area values of vacant land and covered space of building.—The base unit area value of vacant land and the base unit area value of covered space of building in respect of a specified group in an area shall remain in force for a period of three years: Provided that till the revision of such base unit area values is completed, the existing base unit area values shall continue to be in force. 64J. Indexation of unit area value.—If, for any reason, the base unit area value of any vacant land, or the base unit area value of any covered space of building, in any group in any area has not been revised on the completion of a period of three years from the date on which such base unit area values were last determined, it shall be lawful for the Council to increase or decrease the base unit area values according to the changes in the consumer price index of urban non-manual workers or such other suitable index as the Council may determine till such revision is made by the Municipal Valuation Committee, and to realise the amount of property tax for such covered space of building or vacant land on the basis of the revised base unit area values.

(1)	(2)	(3)	(4)	(5)
				64K. Hardship and Anomaly Committee.—(*1*) The Council shall, on the commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, appoint, for such period, not exceeding one year, as the Council may think fit, a Hardship and Anomaly Committee with a view to considering the cases of hardships or anomalies, if any, in respect of property tax imposed under the provisions of this Act as amended by the *Jan Vishwas* (Amendment of Provisions) Act, 2026. (*2*) The Hardship and Anomaly Committee shall consist of a professional from areas of finance, taxation, law or municipal management, as the Chairperson and four other members of whom one shall be a member of the Council to be nominated by the Council, one shall be the Chairperson of the Municipal Valuation Committee and one member shall be nominated from among the members of the Municipal Valuation Committee and one shall be the Secretary of the Council. (*3*) The Hardship and Anomaly Committee shall make recommendations to the Council on the petitions received from any group of affected persons regarding any hardship or anomaly arising out of the property tax imposed, and the decision of the Council on such recommendation shall be final. (*4*) The procedure for the functioning of the Hardship and Anomaly Committee shall be such, as may be specified by the Council.'. (*G*) In section 65,— (*i*) in sub-section (*1*), after the proviso, the following proviso shall be inserted, namely:— "Provided further that the Council may levy and collect service charges from properties of the Union of India at the rate of seventy-five per cent. of property tax leviable, for rendering municipal services."; (*ii*) after sub-section (*2*), the following sub-section shall be inserted, namely:— "(*3*) Property owned by a Government company incorporated under the Companies Act, 2013 (18 of 2013), or a society formed under the Societies Registration Act, 1860 (21 of 1860), functioning under the administrative control of the Central Government or any State Government, or any Union territory or a statutory or autonomous corporation constituted by an Act of Parliament or by an Act of any State Legislature, which has a corporate personality of its own, shall not be deemed to be the property of the Union.". (*H*) For section 66, the following section shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)
				'66. Incidence of property taxes.—(*1*) The property tax on any land or building shall be primarily leviable upon the owner thereof. (*2*) The liability of the several owners of any land or building constituting a single unit of assessment, which is, or purports to be, severally owned in parts including flats or rooms, for payment of property tax or any instalment thereof, payable during the period of such ownership, shall be joint and several: Provided that the Chairperson may apportion the amount of property tax on such land or building among several co-owners: Provided further that in any case where the Chairperson is, for reasons to be recorded in writing, satisfied that the owner is not traceable, the occupier of such land or building for the time being shall be liable for payment of the property tax and shall also be entitled to the rebate, if admissible. (*3*) In the case of any land or building which is not self-occupied and where the owner is constrained by any law, order of the Government or order of a court from recovering the tax due, such tax shall be recovered from the occupier or occupiers, as the case may be: Provided that the owner shall continue to pay such amount of tax as he was liable to pay before the date of coming into force of the Jan Vishwas (Amendment of Provisions) Act, 2026 and only the balance amount, if any, shall be recovered from the occupier. (*4*) The property tax on any land or building, which is the property of the Council and the possession of which has been delivered under any agreement or licensing arrangement, shall be leviable upon the transferee or the licensee, as the case may be. (*5*) If any land has been let to a tenant or lessee for a term exceeding one year and such tenant has built upon such land, the property tax assessed in respect of such land and the building erected thereon shall be payable by such tenant or lessee, whether the land and the building are in the occupation of such tenant or lessee or a sub-tenant or sub-lessee of such tenant or lessee, as the case may be. *Explanation.*—For the purposes of this section, "tenant" shall include any person deriving title to the land or the building erected upon such land, from the tenant, whether by operation of law or by transfer inter *vivos*.'.
				(*I*) Section 67 shall be omitted.
				(*J*) In section 69, in the *Explanation*, after the words "property tax and the penalty", the words "and any other sum recoverable as arrears of property tax" shall be inserted.

(1)	(2)	(3)	(4)	(5)

(*K*) After section 69, the following sections shall be inserted, namely:—

"69A. Submission of returns.—(*1*) The Chairperson shall, with a view to determining the annual values of vacant land and covered space of building in any area and the person primarily liable for the payment of property tax, by public notice, or by notice, in writing, require the owner and the occupier of such vacant land or covered space of building or any portion thereof, including such owner or the person computing the tax due under the provisions of section 69B, to furnish a return in such form, as may be specified by the bye-laws and within such time, not being less than thirty days from the date of publication of such notice, as may be specified therein, containing the following particulars, namely:—

(*a*) the name of the owner and the occupier;

(*b*) the number of the area, the name of the area, and the number and the sub-number of the premises of such vacant land or covered space of building, as the case may be;

(*c*) whether the building is *pucca*, semi-*pucca* or *katcha*;

(*d*) year of completion of construction of the building, or year or years of part construction thereof, as the case may be;

(*e*) the use with reference to the provisions of clause (*f*) of sub-section (*1*) of section 64B to which such vacant land or covered space of building is put or intended to be put;

(*f*) the area of the vacant land and the covered space of the building with break-up of the area under various uses;

(*g*) whether wholly owner-occupied or wholly tenanted, or partly owner-occupied and partly tenanted, and the areas thereof; and

(*h*) such other particulars as may be specified by the bye-laws.

(*2*) Every owner and every occupier as aforesaid shall be bound to comply with such notice and to furnish a return with a declaration that the statement made therein is correct to the best of knowledge and belief of such owner and occupier.

(*3*) Whoever omits to comply with such requisition, shall in addition to any penalty to which he may be liable, be precluded from objecting to any assessment made by the Chairperson in respect of such land or building.

(1)	(2)	(3)	(4)	(5)
				(*4*) The Chairperson or any person subordinate to him and duly authorised by him in this behalf, in writing, or any licensed architect, may, with or without giving any previous notice to the owner or the occupier of any land or building, enter upon, and make any inspection or survey, and take measurement of such land or building with a view to verifying the statement made in the return for such land or building or for collecting the particulars referred to in sub-section (*1*) in respect of such land or building: Provided that no such entry shall be made except between the hours of sunrise and sunset. 69B. Self-assessment and submission of return.—(*1*) After the date of commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, any owner of any vacant land or covered space of building or any other person liable to pay the property tax or any occupier in the absence of such owner or person, shall file a return of self-assessment within sixty days from such commencement. (*2*) Such owner or other person or occupier, as the case may be, shall, thereafter, file the annual return only in those cases where there is a change in the position as compared to the previous return, within a period of three months after the end of the financial year in which the change in position has occurred. (*3*) Any owner of any covered space of building or vacant land or any other person liable to pay the property tax, or any occupier in the absence of such owner or person shall compute the tax due under section 61A or section 61C, as the case may be, and pay the same in equated quarterly instalment by the 30th day of June, 30th day of September, 31st day of December and 31st day of March of the financial year for which the tax is to be paid and in the event of tax being paid in one lump sum for the said financial year by the 30th day of June, rebate of such percentage not exceeding fifteen per cent., as may be notified by the Council, of the total tax amount due shall be allowed. (*4*) Any owner of any vacant land or covered space of building or any other person liable to pay the property tax or any occupier in the absence of such owner or person, who computes such property tax under this section, shall, on such computation pay the property tax on such vacant land or covered space of building, as the case may be, together with interest, if any, payable under the provisions of this Act on— (*a*) any new building or existing building which has not been assessed; or (*b*) any existing building which has been redeveloped or substantially altered or improved after the last assessment, but has not been subjected to revision of assessment consequent upon such redevelopment or alteration or improvement as the case may be.

(1)	(2)	(3)	(4)	(5)
				(*5*) Such owner or person, as the case may be, shall furnish to the Chairperson a return of self-assessment in such form, and in such manner, as may be specified in the bye-laws and every such return shall be accompanied by proof of payment of property tax and interest, if any. (*6*) In the case of any new building for which an occupancy certificate has been granted, or which has been occupied, after the date of commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, such payment shall be made, and such return shall be furnished, within a period of thirty days of the expiry of the quarter in which such occupancy certificate is granted or such building is occupied, whichever is earlier. *Explanation*.—For the removal of doubts, it is hereby declared that the occupancy certificate may be provisional or final and may be for the whole or any part of the building and occupancy may be of the whole or any part of the building. (*7*) After the determination of the annual value of vacant land or covered space of building under section 64F or section 64G or revision thereof under section 69C has been made, any amount paid on self-assessment under this section shall be deemed to have been paid on account of such determination under this Act as amended by the *Jan Vishwas* (Amendment of Provisions) Act, 2026. (*8*) If any owner or other person as aforesaid, liable to pay the property tax under this Act, fails to pay the same together with interest thereon, if any, in accordance with the provisions of this section, he shall, without prejudice to any other action to which he may be subject, be deemed to be a defaulter in respect of such property tax, or interest, or both, remaining unpaid, and all the provisions of this Act applicable to such defaulter shall apply to him accordingly. (*9*) If, after the assessment of the annual value of any land or covered space, of building is finally made under this Act, the payment on self-assessment under this section is found to be less than that of the amount payable by the assessee, the assessee shall pay the difference within a period of two months from the date of final assessment, failing which recovery shall be made in accordance with the provisions of this Act, but, after the final assessment, if it is found that the assessee has paid excess amount, such excess amount shall be refunded: Provided that in any case where the amount of tax determined in the final assessment is more than the amount of tax paid under self-assessment, and the difference in the amount of tax is, in the opinion of the Chairperson, the result of wilful suppression of facts as defined in the bye-laws, the Chairperson may levy a penalty not exceeding thirty per cent. of such difference in the tax besides the interest thereon:

(1)	(2)	(3)	(4)	(5)

Provided further that the levy of such penalty shall be in addition to any other punishment provided for under this Act:

Provided also that the procedure for sending of notice, hearing of objection and determination of tax and penalties shall be such as may be specified in the bye-laws.

(*10*) Where no notice is sent by the Chairperson under section 69C within a period of twelve months after the year to which such self-assessment relates, such self-assessment shall be regarded as assessment made under this Act:

Provided that in any case, where there has been wilful suppression of facts, penalty up to thirty per cent. of the tax due may be imposed:

Provided further that the procedure for sending of notice, hearing of objection and determination of tax and penalties shall be such as may be specified in the bye-laws.

69C. Revision of assessment.—(*1*) The Chairperson may cause any revision to be made at any time in the annual value of any vacant land or covered space of building or any portion thereof in the following cases, namely:—

(*i*) where the nature of use changes; or

(*ii*) where the nature of occupancy changes; or

(*iii*) where a new building is erected or an existing building is redeveloped or substantially altered or improved during the period the annual value remains in force; or

(*iv*) where, on an application made, in writing, by the owner or the person liable to pay the property tax, it is established that during the period the annual value is in force, such value has been reduced by reason of any substantial demolition or has suffered depreciation on account of any accident or any calamity proved to the satisfaction of the Chairperson to have been beyond the control of such owner or person; or

(*v*) where any vacant land or covered space of building or portion thereof is acquired by purchase or otherwise by the Central Government or the Government or the Council; or

(*vi*) where any vacant land or covered space of building or portion thereof is sold or otherwise transferred to the Central Government or the Government or the Council; or

(*vii*) where, upon the acquisition or transfer of a part of any vacant land or covered space of building, a residual portion remains; or

(*viii*) where it becomes necessary so to do for any other reason to be recorded in writing.

(1)	(2)	(3)	(4)	(5)
				(*2*) Before making any revision of the annual value under sub-section (*1*), the Chairperson shall give any owner, person or occupier as the case may be, affected by such revision, notice of not less than thirty days that he proposes to make the revision and consider any objections which may be made by such owner, person or occupier. (*3*) Notwithstanding anything contained in sub-section (*1*), where the annual value of any vacant land or covered space of building— (*i*) has not, for any reason, been determined under this Act, the annual value of such vacant land or covered space of building, as the case may be, may be determined by the Chairperson at any time during the currency of the period of assessment in respect of such vacant land or covered space of building under section 64F or section 64G, as the case may be; or (*ii*) has been cancelled on the ground of irregularity, the annual value of such vacant land or covered space of building, as the case may be, may be determined by the Chairperson at any time after such cancellation and such annual value of such vacant land or covered space of building, as the case may be, shall remain in force until a fresh valuation or revision is made. (*4*) Any revision of annual value of any vacant land or covered space of building or any portion thereof under this section shall be made with reference to the group into which such vacant land or covered space of building or part thereof is classified under section 64B, and the annual value fixed per unit area of such vacant land or covered space of building for that group shall be applicable. (*5*) Notwithstanding anything contained in the foregoing provisions of this section, no revision of the annual value of any vacant land or covered space of building under this section shall be made without giving the owner or the occupier of such vacant land or covered space of building a reasonable opportunity of being heard. (*6*) Where any revision of annual value of any vacant land or covered space of building is made under this section, the order of such revision shall be communicated to the owner or the occupier of such vacant land or covered space of building within a period of ten days from the date of the order. (*7*) An appeal shall lie against an order under sub-section (*6*) to an officer appointed by the Government, if preferred by the owner, person or the occupier of such vacant land or covered space of building within forty-five days from the date of the receipt of the order.

(1)	(2)	(3)	(4)	(5)

69D. Power of Chairperson regarding assessment.—The Chairperson may, at any time—

(*a*) make, *suo motu*, an assessment in any case where a return on the basis of self-assessment has not been filed;

(*b*) revise any assessment where the information furnished in the return of self-assessment is found to be incorrect;

(*c*) reopen any assessment even after the period of one year and not exceeding seven years in any case where it has been detected that there is wilful suppression of information or misclassification or misrepresentation or collusion or fraud or forgery in respect of assessment or any connection thereof;

(*d*) impose a penalty not exceeding thirty per cent. of the difference in tax arising from non-filing of a return in time, giving wrong information or misclassification or misrepresentation or collusion or fraud or forgery in respect of assessment or any connection thereof; and

(*e*) *suo motu* examine or review any assessment made under this Act for the purposes of satisfying himself as to the legality or propriety of such decision or order,

he may order or direct such assessing authority to reassess the order or decision on such points as may be specified by him in the order.".

(*L*) For section 70, the following section shall be substituted, namely:—

"70. Assessment list.—(*1*) The Council shall maintain a Municipal Assessment Book, also known as assessment list, in such form, and in such manner, as may be specified in the bye-laws and shall make it available for inspection, free of charge, through electronic media or otherwise as may be specified by the bye-laws:

Provided that the Municipal Assessment Book shall not be kept pending for any case for which any objection or appeal has been filed:

Provided further that subject to such alterations as may be made thereafter in the assessment list under this Act, the entries in the assessment list shall be accepted as conclusive evidence for the purpose of assessing any tax levied under this Act, of the annual value of all lands and buildings to which such entries respectively relate.

(*2*) The Chairperson may, at any time, amend the Municipal Assessment Book for such reasons as may be specified in the bye-laws:

Provided that no such amendment shall be made without giving any person affected a reasonable opportunity of being heard.".

(1)	(2)	(3)	(4)	(5)

(*M*) Sections 71 and 72 shall be omitted.

(*N*) After section 72 as so omitted, the following section shall be inserted, namely:—

"72A. Assignment of property identification code.—(*1*) The Council shall cause to be maintained a register wherein the property identification code numbers by which any premises or part thereof shall be known, shall be recorded in respect of each such premises in the municipal area and such numbers shall be fixed in such manner as may be specified in the bye-laws.

(*2*) When the property identification code numbers in respect of premises in any area of the Council have been determined, the Chairperson shall notify the same in such manner as may be specified in the bye-laws.

(*3*) After the property identification code numbers in respect of premises in any area have been notified under sub-section (*2*), any person required under this Act or any other law to make any application to the Council for permission, licence or for payment of any tax or for payment of any dues for any service and for such other purposes as may be prescribed, shall at the time of making such application, mention in the application, the property identification code number determined under sub-section (*1*).".

(*O*) Section 73 shall be omitted.

(*P*) Sections 77, 78, 79 and 80 shall be omitted.

(*Q*) Section 88 shall be omitted.

(*R*) For section 98, the following sections shall be substituted, namely:—

"98. Time and manner of payment of taxes.—(*1*) Save as otherwise provided in this Act, any tax levied under this Act shall be payable on such dates, in such number of instalments and in such manner as may be determined by the bye-laws made in this behalf:

Provided that if, on the commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, there is any increase in the amount of property tax which was being paid or was payable immediately before such commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, the difference in the amount of property tax in excess of fifty per cent. above the tax being paid or being payable, shall be given effect to by stages covering a period of three years by dividing the amount of such increase in the property tax by three, the quotient being added to the amount of property tax which was payable immediately before the date of commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, and to the amount of property tax which shall be payable respectively in each of the remaining two successive years after such addition.

(1)	(2)	(3)	(4)	(5)

(*2*) Where any person liable for the payment of property tax under this Act has failed to pay—

(*a*) such tax by the date as specified in sub-section (*3*) of section 69B; or

(*b*) the arrear of tax, interest and penalty, if any, and any other sum in the nature of tax up to the 31st March of the preceding financial year,

he shall be liable to pay simple interest at the rate of one and a half per cent. for every month or part of the month comprising the period from the expiry of the due date, till the amount is actually paid.

98A. Punishment for wilful default in payment of property tax, furnishing wrong information in return of assessment, etc.—Whoever wilfully makes default in the payment of, or wilfully attempts in any manner whatsoever to evade, any tax, including amount of interest due and penalty levied under this Act, or furnishes any wrong information in the return of assessment, or wilfully fails to furnish in due time the return of property tax, or does not furnish information as asked for under any provision of this Act, he shall, without prejudice to any other penal provision under this Act to which he may be subject, be liable for penalty equal to fifty per cent. of the amount of tax so evaded or sought to be evaded:

Provided that the penalties so imposed shall be in addition to, and not in derogation of, any liability in respect of the payment of tax which the defaulter may have incurred.".

(*S*) In section 99, in sub-section (*1*), in the proviso,–

(*i*) in clause (*a*), at the end, the word "and" shall be inserted;

(*ii*) in clause (*b*), at the end, the word "and" shall be omitted;

(*iii*) clause (*c*) shall be omitted.

(*T*) In section 101, in sub-section (*2*),—

(*i*) for the word "twenty", the word "thirty" shall be substituted;

(*ii*) for the words, brackets and figures "the amount of the tax and the notice fee, payable under sub-section (*2*) of section 100", the words "the amount of tax, notice fee and any interest that the defaulter may be liable to pay" shall be substituted.

(*U*) After section 102, the following section shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
				"102A. Recovery of property tax.—If, after the date of commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, any owner of any vacant land or covered space of building or any other person liable to pay the property tax or any occupier, in the absence of any such owner or person, does not file a return of self-assessment within a period of sixty days of the commencement of the *Jan Vishwas* (Amendment of Provisions) Act, 2026, or if the person liable for the payment of property tax does not pay the amount due within the due date, such sum together with all costs and penalty may be recovered under a warrant, issued in the form set forth in the Seventh Schedule, by distress and sale of the movable property, or the attachment and sealing and sale of the immovable property, of the defaulter: Provided that the Chairperson shall not recover any sum the liability for which has been remitted on appeal under the provisions of this Act.". (*V*) Sections 110 to 114 shall be omitted. (*W*) In section 116, in clause (*a*), the words and figures "or, as the case may be, within thirty days of the date on which an amendment is finally made under section 72" shall be omitted. (*X*) Section 125 shall be omitted. (*Y*) Sections 152 and 153 shall be omitted. (*Z*) Section 176 shall be omitted. (*ZA*) Sections 179 ,180 and 181 shall be omitted. (*ZB*) In section 193, sub-section (6) shall be omitted. (*ZC*) In section 209, sub-sections (*3*), (*4*), (*5*), (*6*) and (*7*) shall be omitted. (*ZD*) In section 213, sub-section (2) shall be omitted. (*ZE*) Section 214 shall be omitted. (*ZF*) In section 221, for the words and figures "Except as provided in section 222, no", the word "No" shall be substituted. (*ZG*) Section 222 shall be omitted. (*ZH*) Section 234 shall be omitted. (Z-I) Section 241,— (*i*) in sub-section (*1*), the words and figures "or the provisions of section 245" shall be omitted; (*ii*) in sub-section (*3*), the words and figures "or under section 245" shall be omitted.

(1)	(2)	(3)	(4)	(5)

(*ZJ*) Section 245 shall be omitted.

(*ZK*) In section 254, in sub-section (*1*), clause (*j*) shall be omitted.

(*ZL*) After section 254, the following section shall be inserted, namely:—

"254A. Appeals against penalties.— (*1*) Any person on whom penalty has been imposed other than a penalty imposed under the proviso to sub-section (9) of section 69B and clause (*d*) of section 69D under any of the provisions of this Act or any bye-laws or rules made thereunder may file an appeal to the appellate authority who shall be an officer designated by the Chairperson and who shall be not less than one rank above the officer who has imposed the said penalty.

(*2*) Every appeal under sub-section (*1*) shall be filed within thirty days from the date of receipt of notice of the penalty, in such form and manner as may be specified by the bye-laws made by the Council.

(*3*) The appellate authority may, after giving the appellant an opportunity of being heard, pass such summary order confirming, modifying or setting aside the penalty.

(*4*) The appellate authority shall dispose of the appeal within a period of sixty days from the date of its filing.

(*5*) The amount of penalty imposed under this Act, if not paid, may be recovered as an arrear of tax.".

(*ZM*) In section 265, sub-section (*3*) shall be omitted.

(*ZN*) In section 267, sub-section (*3*) shall be omitted.

(*Z-O*) Sections 271 and 272 shall be omitted.

(*ZP*) Section 275 shall be omitted.

(*ZQ*) Sections 280 and 281 shall be omitted.

(*ZR*) Sections 284 and 285 shall be omitted.

(*ZS*) Sections 288 and 289 shall be omitted.

(ZT) Section 291 shall be omitted.

(ZU) Section 293 shall be omitted.

(ZV) Section 296 shall be omitted.

(*ZW*) Sections 298 and 299 shall be omitted.

(*ZX*) For section 304, the following section shall be substituted, namely:—

"304. Disposal of dead animals.—Whenever any animal in the charge of any person dies, the person in charge thereof shall within a period of twenty-four hours convey the carcass to a place provided or appointed under section 263 for the final disposal of the carcasses of dead animals.".

(1)	(2)	(3)	(4)	(5)

(*ZY*) Section 307 shall be omitted.

(*ZZ*) Sections 311, 312 and 313 shall be omitted.

(*ZZA*) Sections 320, 321 and 322 shall be omitted.

(*ZZB*) Section 324 shall be omitted.

(*ZZC*) In section 346,—

(*i*) in the marginal heading, the words "or molestation" shall be omitted;

(*ii*) the words "or molest" shall be omitted.

(*ZZD*) In section 353, after sub-section (*1*), the following sub-section shall be inserted, namely:—

"(*1A*).The service of notices, summons and other documents referred to in sub-section (*1*) may be made by delivering or transmitting a copy thereof by speed post with registration and proof of delivery, addressed to the defendant or his agent empowered to accept the service or by speed post or by such courier services as are approved by the High Court or by any other means of transmission of documents (including fax message or electronic mail service) as may be provided by rules made by the High Court.".

(*ZZE*) In section 363, for the words "rates or rent", the words "rates, rents or penalty imposed under this Act" shall be substituted.

(*ZZF*) For section 369, the following section shall be substituted, namely:—

"369. Penalties for certain offences.—(*1*) Whoever—

(*a*) contravenes any provision of any of the sections, sub-sections, clauses, provisos or other provisions of this Act mentioned in column (1) of the Table in the Tenth Schedule; or

(*b*) fails to comply with any order or direction lawfully given to him or any requisition lawfully made upon him under any of the said sections, sub-sections, clauses, provisos or other provisions,

shall be liable to penalty as specified in that behalf in column (*3*) of the said Table.

(*2*) Any member, referred to in clauses (*b*) and (*d*) of sub-section (*1*) of section 4, who knowingly acquires, directly or indirectly, any share or interest in any contract made with, or any work done for the Council, shall be deemed to have committed the offence made punishable under section 202 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).".

(1)	(2)	(3)	(4)	(5)

(*ZZG*) For section 370, the following section shall be substituted, namely:—

"370. Provision for remedial action or warning notice.—Notwithstanding anything contained in this Act or any rules made or bye-laws framed thereunder, a remedial action or warning notice to the offender in the first instance of violation may be issued before imposition of penalty for the offences as mentioned in the Eleventh Schedule:

Provided that in such cases, on commission of the same offence by the same offender, or in case of failure to comply with the directions contained in the remedial action or warning notice within the stipulated time, penalty as prescribed in the Tenth Schedule shall be imposed without further notice:

Provided further that the Central Government may, by notification, amend, modify, add the offences for which a remedial action or warning notice to the offender in the first instance may be issued before imposition of penalty.".

(*ZZH*) Section 372 shall be omitted.

(*ZZ-I*) For section 382, the following section shall be substituted, namely:—

"382. Duties of police officer.— It shall be the duty of all police officers, to assist the Chairperson, municipal officers and other municipal employees, or any other officer authorised by the Chairperson, in discharge of their duties and functions under this Act or any rule, regulation or bye-law made thereunder and to assist them in the exercise of their lawful authority for prevention of commission of any contravention under this Act or otherwise.".

(*ZZJ*) For section 390, the following section shall be substituted, namely:—

"390. Penalty for breaches of bye-laws.— (*1*) Any bye-law made under this Act may provide that a contravention thereof shall be liable to penalty which may extend to five hundred rupees.

(*2*) Any such bye-law may also provide that a person contravening the same shall be required to remedy so far as lies in his power, the mischief, if any, caused by such contravention.".

(*ZZK*) The Fourth Schedule shall be omitted.

(1)	(2)	(3)	(4)	(5)

(*ZZL*) For the Tenth Schedule, the following Schedules shall be substituted, namely:—

"THE TENTH SCHEDULE

[See section 369(*1*)]

PENALTIES

Explanation.— The entries in the second column of the following Table below under the heading "subject" are not intended as definitions of the offences prescribed in the provisions mentioned in the first column of the Table or even as abstracts of those provisions, but are inserted merely as reference to subject thereof:—

Section, sub-section, clause or proviso	Subject	Penalty (in Rupees)
(1)	(2)	(3)
Section 75	Failure to give notice of erection of new building, etc.	500/-
Section 89	Prohibition of advertisement without permission.	5000/-
Section 148	Use for non-domestic purposes of water supplied for domestic purposes.	1000/-
Section 164	Waste or misuse of water.	500/-
Section 173	Injury to, or interference with free flow of contents of municipal drain or drains communicating with municipal drain.	1000/-
Section 174, sub-section (*2*)	Private drain not to be connected with municipal drain without notice.	1000/-
Section 175	Non-compliance with requisition for drainage of undrained premises.	500/-
Section 177	Non-compliance with requisition of maintenance of drainage works for any group or block of premises.	500/-

(1)	(2)	(3)	(4)	(5)		
				(1)	(2)	(3)
				Section 178	Non-compliance with directions to close or limit the use of private drains in certain cases.	500/-
				Section 183	Connection with municipal water works or drains without written permission.	1000/-
				Section 193, sub-section (*1*)	Execution of work by a person other than a licensed plumber.	500/-
				Section 193, sub-section (*2*)	Failure to furnish when required, name of licensed plumber employed.	500/-
				Section 193, sub-section (*8*)	Licensed plumbers not to contravene bye-laws or execute work carelessly or negligently, etc.	500/-
				Section 194	Prohibition of wilful or neglectful acts relating to water or sewage works.	500/-
				Section 218, sub-section (*1*), clause (*a*) and (*b*)	Failure to comply with requisition to show cause for alteration of street or for a appearance before the Chairperson.	200/-
				Section 219, sub-section (*1*)	Failure to comply with requisition on owner of private street or owner of adjoining land or building to level, etc., such street.	100/-
				Section 221, sub-section (*1*)	Prohibition of projections upon streets, etc.	5000/-
				Section 221, sub-section (*2*)	Failure to comply with requisition to remove projections from streets.	5000/-
				Section 224, sub-section (*1*)	Erection, etc., of structures of fixtures which cause obstruction in streets.	5000/-
				Section 225	Deposit, etc., of things in streets.	500/-

(1)	(2)	(3)	(4)	(5)		
				(1)	(2)	(3)
				Section 227, sub-sections (*1*) and (*2*)	Tethering of animals and milking of cattle in public streets.	1000/-
				Section 231, sub-section (*2*)	Name of street and number of house not to be destroyed or defaced, etc.	1000/-
				Section 232, sub-section (*1*)	Failure to comply with requisition to repair, protect or enclose a dangerous place.	1000/-
				Section 251, sub-sections (*1*) and (*2*)	Non-compliance with provision as to completion certificates, occupation or use, etc., without permission.	1000/-
				Section 258, sub-sections (*1*) and (*2*)	Failure to comply with requisition to remove structures which are in ruins or likely to fall.	1000/-
				Section 259, sub-section (*1*)	Failure to comply with requisition to vacate buildings in dangerous conditions, etc.	1000/-
				Section 264	Failure to provide for collection, removal and deposit of refuse and provision of receptacles.	500/-
				Section 265, sub-section (*1*)	Failure to collect and remove filth and polluted matter.	500/-
				Section 266	Failure to comply with requisition for removal of rubbish, etc., from premises used as market, etc.	1000/-
				Section 267, sub-section (*1*)	Keeping rubbish and filth for more than twenty-four hours, etc.	100/-
				Section 267, sub-section (*2*)	Allowing filth to flow in streets.	200/-
				Section 273	Failure to provide latrines for premises used by large number of people and to keep them clean and in proper order.	500/-

(1)	(2)	(3)	(4)	(5)		
				(*1*)	(*2*)	(*3*)
				Section 274	Failure to comply with requisition to provide latrines for market, cattle shed, cart stand, etc., and to keep them clean and in proper order.	500/-
				Section 277	Failure to comply with requisition to improve buildings unfit for human habitation	5000/-
				Section 292	Disposal of infected articles without disinfection.	500/-
				Section 294	Sale of food or drink contravention restriction prohibition Chairperson.	500/-
				Section 295	Removal or use of water from wells and tanks in contravention of prohibition of Chairperson.	500/-
				Section 297	Removal of infectious corpses in contravention of the provisions.	500/-
				Section 302, sub-section (*1*)	Failure to comply with requisition to close a burning or burial ground.	1000/-
				Section 302, sub-section (*2*)	Burning or burial of corpses in a burning or burial ground after it has been closed.	1000/-
				Section 303	Removal of corpses by other than prescribed routes.	500/-
				Section 304, clause (*b*)	Failure to convey the carcass of a dead animal to a place provided or appointed for disposal within twenty-four hours.	100/-
				Section 308, sub-sections (*1*), (*2*) and (*3*)	Commission of nuisances.	500/-
				Section 309	Failure to comply with requisition for removal or abatement of nuisance.	1000/-

(1)	(2)	(3)	(4)	(5)		
				(*1*)	(*2*)	(*3*)
				Section 310, sub-section (*4*)	Dogs not to be at large in a street without being secured by a chain lead	1000/-
				Section 310, sub-section (*5*)	Ferocious dogs at large without being muzzled, etc.	1000/-
				Section 314	Failure to comply with requisition to render buildings, wells, etc., safe.	1000/-
				Section 315	Failure to comply with requisition to enclose land used for improper purposes.	500/-
				Section 317, sub-section (*1*)	Sale in municipal markets without permission.	200/-
				Section 318, sub-sections (*1*) and (*2*)	Use of places as private markets without a licence and use of places other than a municipal slaughter house as slaughter houses.	500/-
				Section 318, sub-section (*2*), proviso (*a*)	Non-compliance with conditions imposed by Chairperson.	200/-
				Section 325	Carrying on butcher’s, fishmonger’s or pouluters trade without licence, etc.	200/-
				Section 326	Establishment of factory, etc., without permission.	5000/-
				Section 327	Certain things not to be kept and certain trades and operations not to be carried on without a licence.	1000/-
				Section 328, sub-section (*3*)	Keeping, abandonment or tethering of animals, etc.	200/-

(1)	(2)	(3)	(4)	(5)		
				(*1*)	(*2*)	(*3*)
				Section 329, sub-section (*5*)	Use of premises in contravention of declaration.	500/-
				Section 330	Hawking articles for sale without a licence, etc.	200/-
				Section 331	Keeping a lodging house, eating house, tea shop, etc., without licence or contrary to licence.	1000/-
				Section 332	Keeping open theatre, circus or other place of public amusement without licence or contrary to terms of licence.	1000/-
				Section 339, sub-section (*5*)	Failure to produce licence or written permission.	100/-
				Section 346	Obstruction in execution of work.	500/-
				Section 353, sub-section (*4*)	Failure to comply with requisition to state the name and address of owner of premises.	200/-
				Section 404	Obstruction of Chairperson or a member, etc.	500/-
				Section 405	Removal of any mark set up for indicating level, etc.	200/-
				Section 406	Removal, etc., of notice exhibited by or under orders of the Council, Chairperson, etc.	100/-
				Section 407	Unlawful removal of earth, sand or other material or deposit of any matter or making of any encroachment from any land vested in the Council.	500/-

(1)	(2)	(3)	(4)	(5)
				THE ELEVENTH SCHEDULE
				(*See* section 370)
				Table
				Section, sub-section, clause or proviso — Subject
				(*1*) — (*2*)
				148 — Use for non-domestic purposes of water supplied for domestic purposes
				227 sub-sections (*1*) and (*2*) — Tethering of animals and milking of cattle in public streets
				264 — Failure to provide for collection, removal and deposit of refuse and provision of receptacles
				265 sub-section (*1*) — Failure to collect and remove filth and polluted matter
				267 sub-section (*1*) — Keeping rubbish and filth for more than twenty-four hours, etc.
				267 sub-section (*2*) — Allowing filth to flow in streets
				310 sub-section (*4*) — Dogs not to be at large in a street without being secured by a chain lead
				310 sub-section (*5*) — Ferocious dogs at large without being muzzled, etc.
				317 sub-section (*1*) — Sale in municipal markets without permission
				328 sub-section (*3*) — Keeping, abandonment or tethering of animals, etc.
				330 — Hawking articles for sale without a licence, etc.
				339 sub-section (*5*) — Failure to produce licence or written permission".
54.	1997	17	The Lalit Kala Akadami (Taking Over of Management) Act, 1997	Sections 8 and 9 shall be omitted.

(1)	(2)	(3)	(4)	(5)
55.	2002	60	The Metro Railways (Operation and Maintenance) Act, 2002	(*A*) In section 2, in sub-section (*1*),— (*i*) after clause (*b*), the following clause shall be inserted— "(*ba*) "demonstration" means a public display of group opinion or feelings involving protest, rallies, marches, gathering or procession, sit-ins, picketing, etc., which may cause disruption in metro operation and inconvenience to public;"; (*ii*) after clause (*s*), the following clause shall be inserted— '(*t*) "ticket" means any authority to travel which includes ticket, token, smart card, multi-modal transport card or any other travel instrument authorised by metro rail administration in this behalf.'. (*B*) In section 10, for the words, figures and brackets "section 21 of the Indian Penal Code (45 of 1860)", the words, brackets and figures "clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted. (*C*) In CHAPTER XI, for the Chapter heading "OFFENCE AND PENALTIES", the heading "OFFENCES AND CONTRAVENTIONS" shall be substituted. (*D*) In section 59, in sub-section (*1*), for the words "punishable with fine which may extend to five hundred rupees", the words "liable to penalty which may extend to two thousand and five hundred rupees" shall be substituted. (*E*) In section 60, in sub-section (*1*), for the words "punishable with fine which may extend to five hundred rupees", the words "liable to penalty which may extend to two thousand-five hundred rupees" shall be substituted. (*F*) In section 62, in sub-section (*3*), for the words "punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both", the words "liable to penalty which may extend to ten thousand rupees" shall be substituted. (*G*) In section 64,— (*i*) in sub-section (*1*), for the words "punishable with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred and fifty rupees, or with both", the words "liable to penalty which may extend to five thousand rupees" shall be substituted;

(1)	(2)	(3)	(4)	(5)

(*ii*) in sub-section (*2*), for the words "fine which may extend to five hundred rupees, or with both", the words "fine which may extend to twenty thousand rupees" shall be substituted.

(*H*) In section 71, for the words "punishable with imprisonment for a term which may extend to six months", the words "liable to penalty which may extend to twenty thousand rupees" shall be substituted.

(*I*) In section 72, for the words "punishable with imprisonment which may extend to two months or with fine up to two hundred and fifty rupees, or with both", the words "liable to penalty which may extend to twenty thousand rupees" shall be substituted.

(*J*) In section 73, for the words "punishable with fine which may extend to five hundred rupees, and in default of payment of fine, he shall be punishable with imprisonment which may extend to six months. Provided that, in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such fine shall not be less than one hundred rupees", the words "liable to penalty which may extend to five thousand rupees" shall be substituted.

(*K*) In section 75, for the words, "punishable for a term which may extend to three months, or fine which may extend to five hundred rupees, or with both", the words "liable to penalty which may extend to twenty-five thousand rupees" shall be substituted.

(*L*) In section 76, the words "with imprisonment for life or" shall be omitted.

(*M*) After section 79, the following sections shall be inserted, namely—

"79A. Adjudication of penalties.— (*1*) For the purpose of adjudicating penalties under sections 59, 60, 62, 63, sub-section (*1*) of section 64, sections 70, 71, 72, 73 and 75, the Metro Railway Administration may appoint an officer managing the functioning of metro station as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be specified:

Provided that the Metro Railway Administration may appoint as many adjudicating officers as may be required.

(*2*) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the receipt of such order, prefer an appeal to such officer at least one rank higher than the adjudicating officer as may be appointed by the Metro Railway Administration as an appellate authority, in such form and manner as may be specified.

(1)	(2)	(3)	(4)	(5)
				(*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) Where an appeal is preferred against any order of the adjudicating officer under sub-section (*1*), it shall not be entertained by the appellate authority unless the person has deposited the amount of the penalty imposed by the adjudicating officer. (*5*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may think fit. (*6*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. 79B. Consequence of failure to pay penalty.— (*1*) Where any person fails to pay the penalty imposed under section 79A within such period as may be prescribed, such failure shall constitute an offence and such person shall be punishable in accordance with the provisions of this section. (*2*) Where the failure to pay penalty relates to a contravention under sub-section (*1*) of section 59 or sub-section (*1*) of section 60, the person shall, on conviction, be punishable with fine which may extend to five thousand rupees. (*3*) Where the failure to pay penalty relates to a contravention under sub-section (*3*) of section 62, the person shall, on conviction, be punishable with fine which may extend to twenty thousand rupees or with imprisonment for a term which may extend to six months, or with both. (*4*) Where the failure to pay penalty relates to a contravention under section 63, the person shall, on conviction, be punishable with fine which may extend to ten thousand rupees. (*5*) Where the failure to pay penalty relates to a contravention under sub-section (*1*) of section 64, the person shall, on conviction, be punishable with fine which may extend to ten thousand rupees or with imprisonment for a term which may extend to three months, or with both. (*6*) Where the failure to pay penalty relates to a contravention under section 70, the person shall, on conviction, be punishable with fine which may extend to fifteen thousand rupees. (*7*) Where the failure to pay penalty relates to a contravention under section 71 or section 72, the person shall, on conviction, be punishable with fine which may extend to thirty thousand rupees. (*8*) Where the failure to pay penalty relates to a contravention of section 73, the person shall, on conviction, be punishable with fine which may extend to ten thousand rupees:

(1)	(2)	(3)	(4)	(5)
				Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such fine shall not be less than one thousand rupees. (*9*) Where the failure to pay penalty relates to a contravention of section 75, the person shall, on conviction, be punishable with fine which may extend to fifty thousand rupees.". (*N*) In section 82, in sub-section (1), for the words and figures "offence mentioned in sections 59, 61, sections 65 to 68, 71 to 79", the words and figures "offences mentioned in sections 59, 61, 65, 66, 67, 68, 74, 76, 77, 78, and 79" shall be substituted. (*O*) After section 85, the following section shall be inserted, namely:— "85A. Compounding of certain offences.—(*1*) Any offence punishable with imprisonment for a term less than four years under this Act may, either before or after the institution of proceedings, be compounded by the metro railway administration, for such amount as the Central Government, may by notification, specify in this behalf. (*2*) Where an offence has been compounded under sub-section (*1*), the offender if in custody shall be discharged and no further proceeding shall be taken against him in respect of such offence. (*3*) No offence shall be compoundable if the offender, by reason of a previous conviction, is liable to an enhanced punishment or punishment of a different kind for such offence.". (*P*) In section 90, for the words, figures and brackets "section 21 of the Indian Penal Code (45 of 1860)", the words, brackets and figures "clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted.
56.	2003	13	The Control of National Highways (Land and Traffic) Act, 2002	(*A*) In section 27,— (*i*) in sub-section (*1*), for the word "fine", the word "penalty" shall be substituted; (*ii*) in sub-section (*2*), for the word "fine" occurring at both places, the word "penalty" shall be substituted. (*B*) In section 37, in sub-section (*4*), for the word "fine imposed by the Highway Administration which shall not be less than five hundred rupees", the words "penalty imposed by the Highway Administration which shall not be less than two thousand rupees" shall be substituted. (*C*) In section 38, in sub-section (*4*), for the word "fine" wherever it occurs, the word "penalty" shall be substituted. (*D*) In section 39,—

(1)	(2)	(3)	(4)	(5)
				(*i*) in sub-section (*1*), for the words "shall be punishable with imprisonment for a term which may extend to one year, or with fine which shall not be less than one thousand rupees per square metre of so occupied highway land but which shall not exceed two times the cost of such highway land, or with both", the words "shall be liable to penalty imposed by the Highway Administration which shall not be less than five thousand rupees per square metre of the land unauthorisedly occupied by him but which may extend to the cost of such land" shall be substituted; (*ii*) in sub-section (*2*), for the words "Any court, convicting a person", the words "The Highway Administration, imposing liability on a person" shall be substituted; (*iii*) sub-section (*3*) shall be omitted.
57.	2003	17	The Offshore Areas Mineral (Development and Regulation) Act, 2002	(*A*) In section 23,— (*i*) in sub-section (*1*), clause (*b*) shall be omitted; (*ii*) in sub-section (*1*), in the *Explanation*, for the words, brackets and letters "clauses (*a*) and (*b*)", the word, brackets and letter "clause (*a*)" shall be substituted; (*iii*) for sub-sections (*3*) and (*4*), the following sub-sections shall be substituted, namely:— "(*3*) Whoever contravenes the provisions of the rules made under clause (*pa*) of sub-section (*2*) of section 35 shall be punishable with imprisonment for a term which may extend to two years or with fine which shall not be less than fifty lakh rupees, which may extend to one crore rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to five lakh rupees for every day during which such contravention continues after conviction for the first such contravention. (*4*) Where any person fails to pay the penalty or the additional penalty, as the case may be, imposed under the provisions of section 28 within ninety days of such imposition, he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to twice the amount of the penalty or additional penalty so imposed or with both.". (*B*) For Chapter V, the following Chapter shall be substituted, namely:— "CHAPTER V PENALTY AND ADJUDICATION 28. Penalty and adjudication.—(*1*) Whoever,— (*a*) contravenes any provision of this Act, other than those covered under sub-sections (*1*), (*2*) and (*3*) of section 23;

(1)	(2)	(3)	(4)	(5)
				(*b*) contravenes the provisions of the rules made under this Act [except rules made under clause (*pa*) of sub-section (*2*) of section 35]; (*c*) contravenes the terms and conditions of the operating right granted to him; or; (*d*) fails to furnish the required data, or information, or document under sub-section (*2*) of section 5 in the manner provided therein, shall be liable to penalty which shall not be less than ten lakh rupees but which may extend to one crore rupees. (*2*) Where any person continues contravention under sub-section (*1*), even after direction of adjudicating officer appointed under sub-section (*3*) regarding such contravention, he shall be liable to additional penalty of one lakh rupees for every day during which such contravention continues. (*3*) For the purpose of adjudication of penalties under sub-section (*1*), the Central Government shall appoint an officer not below the rank of Deputy Secretary to the Government of India to be the adjudicating officer, for holding an inquiry and imposing the penalty in the manner as may be prescribed: Provided that the Central Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.". (*C*) In section 34,— (*i*) in sub-section (*1*), for the words "the Central Government", the words "an officer not below the rank of Joint Secretary to the Government of India, appointed by the Central Government as an appellate authority" shall be substituted; (*ii*) in sub-sections (*2*) and (*3*), for the words "Central Government" occurring at both the places, the words "appellate authority" shall be substituted. (*D*) In section 35, in sub-section (*2*),— (*i*) for clause (*m*), the following clause shall be substituted, namely:— "(*m*) the manner of holding an inquiry and imposing penalty under sub-section (*3*) of section 28;"; (*ii*) clauses (*n*) and (*o*) shall be omitted.
58.	2003	36	The Electricity Act, 2003	(*A*) For section 139, the following section shall be substituted, namely:— "139. Negligently breaking or damaging works.—(*1*) Whoever, negligently breaks, injures, throws down or damages any material connected with the supply of electricity, shall be liable to penalty not less than five thousand rupees but which may extend to one lakh rupees, to be imposed by an officer duly authorised by the Appropriate Government.

(1)	(2)	(3)	(4)	(5)
				(*2*) Where a person imposed penalty under sub-section (*1*) is again found guilty under that sub-section, such person shall, for the second or subsequent offence, be punished with fine not less than five thousand rupees but which may extend to one lakh rupees.".
				(*B*) In section 140, for the words "which may extend to ten thousand rupees", the words "which shall not be less than five thousand rupees but may extend to one lakh rupees" shall be substituted.
				(*C*) Section 141 shall be omitted.
				(*D*) In section 142,—
				(*i*) for the marginal heading, the following marginal heading shall be substituted, namely:—
				"Penalty by Appropriate Commission for non-compliance of order or direction.";
				(*ii*) for the words "or any direction issued by the Commission", the words "or any order or direction issued under the Act" shall be substituted;
				(*iii*) for the words "which shall not exceed one lakh rupees", the words "shall not be less than ten thousand rupees but may extend to five lakh rupees" shall be substituted;
				(*iv*) for the words "may extend to six thousand rupees", the words "shall not be less than one thousand rupees but may extend to ten thousand rupees" shall be substituted.
				(*E*) In section 146,—
				(*i*) for the words "imprisonment for a term which may extend to three months or with fine which may extend to one lakh rupees, or with both", the words "fine which shall not be less than ten thousand rupees but which may extend to ten lakh rupees" shall be substituted;
				(*ii*) for the words "which may extend to five thousand rupees", the words "which shall not be less than one thousand rupees but which may extend to fifty thousand rupees" shall be substituted.
				(*F*) In section 152,—
				(*a*) for sub-section (*1*), the following sub-section shall be substituted, namely:—
				"(*1*) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the Appropriate Government or any officer authorised by it in this behalf shall accept from any consumer or person who committed or who is reasonably suspected of having committed an offence under sections 135, 138 and 140 of this Act, a sum of money by way of compounding of the offence as specified in the Table below:

<table>
<tr><th>(1)</th><th>(2)</th><th>(3)</th><th>(4)</th><th>(5)</th></tr>
<tr><td></td><td></td><td></td><td></td><td>Table
<table>
<tr><th>Sl. No</th><th>Section</th><th>Rate at which the sum of money for compounding to be collected</th></tr>
<tr><td>(1)</td><td>(2)</td><td>(3)</td></tr>
<tr><td>1.</td><td>135. Theft of Electricity</td><td>Per Kilowatt (KW)/Horse Power (HP) or part thereof for Low Tension (LT) supply and per Kilo Volt Ampere (KVA) of contracted demand for High Tension (HT)</td></tr>
<tr><td></td><td>(i) Industrial Service</td><td>Twenty thousand rupees</td></tr>
<tr><td></td><td>(ii) Commercial Service</td><td>Ten thousand rupees</td></tr>
<tr><td></td><td>(iii) Agricultural Service</td><td>Two thousand rupees</td></tr>
<tr><td></td><td>(iv) Other Services</td><td>Four thousand rupees</td></tr>
<tr><td>2.</td><td>138. Interference with meters or works of licensee</td><td>Ten thousand rupees</td></tr>
<tr><td>3.</td><td>140. Penalty for intentionally injuring works.</td><td>Ten thousand rupees</td></tr>
</table>
Provided that the Appropriate Government may, by notification in the Official Gazette, amend the rates specified in the Table above.";

(b) in sub-section (3) for the words and figures "section 300 of the Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "section 278 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted.</td></tr>
<tr><td>59.</td><td>2005</td><td>29</td><td>The Private Security Agencies (Regulation) Act, 2005</td><td>(A) Section 12 shall be omitted.

(B) In section 20, sub-section (2) shall be omitted.</td></tr>
</table>

(1)	(2)	(3)	(4)	(5)
60.	2005	53	The Disaster Management Act, 2005	(*A*) In section 51, for the words "imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years", the words "imprisonment for a term which may extend to six months or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to one year" shall be substituted. (*B*) In section 52, for the words "two years", the words "six months" shall be substituted. (*C*) In section 53, for the words "two years", the words "one year" shall be substituted.
61.	2006	19	The Petroleum and Natural Gas Regulatory Board Act, 2006	Section 44 shall be omitted.
62.	2006	34	The Food Safety and Standards Act, 2006	(*A*) In section 38, in sub-section (*5*), for the words and figures "Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted. (*B*) In section 39, in the proviso, for the words "guilty of an offence under this Act and shall be punishable with fine", the words "liable to penalty" shall be substituted. (*C*) In section 41, in sub-section (*2*), for the words and figures "Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted. (*D*) In section 60, for the words "six months", the words "three months" shall be substituted. (*E*) In section 62, for the words "resists, obstructs, or attempts to obstruct, impersonate, threaten, intimidate or assault", the words "impersonates, threatens, intimidates or assaults" shall be substituted. (*F*) In section 68, in sub-section (*3*),— (*i*) in sub-clause (*a*), for the words and figures "sections 193 and 228 of the Indian Penal Code (45 of 1860)", the words and figures "sections 229 and 267 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted;

(1)	(2)	(3)	(4)	(5)
				(*ii*) in sub-clause (*b*) for the words and figures "sections 345 and 346 of the Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "sections 384 and 385 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted. (*G*) In section 71, in sub-section (*3*), for the words and figures "sections 193 and 228, and for the purposes of section 196 of the Indian Penal Code (45 of 1860), it shall be deemed to be a civil court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "sections 229 and 267, and for the purposes of section 233 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023), it shall be deemed to be a civil court for all the purposes of section 215 and Chapter XXVIII of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted. (*H*) In section 73,— (*i*) for the words and figures "Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted; (*ii*) for the words, figures and brackets "provisions of sections 262 to 265 (both inclusive)" the words, figures and brackets "provisions of sections 285 to 288 (both inclusive)" shall be substituted. (*I*) In section 74, in sub-section (*1*), for the words and figures "Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted. (*J*) In section 75, for the words and figures "Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted. (*K*) In section 78, for the words and figures "notwithstanding anything contained in sub-section (*3*) of section 319 of the Code of Criminal Procedure, 1973 (2 of 1974)", the words, figures and brackets "notwithstanding anything contained in sub-section (*3*) of section 385 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted. (*L*) In section 79, for the words and figures "section 29 of the Code of Criminal Procedure, 1973 (2 of 1974)", the words and figures "section 23 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023)" shall be substituted. (*M*) In section 87, for the words and figures "section 21 of the Indian Penal Code (45 of 1860)", the words, brackets and figures "clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)" shall be substituted.

(1)	(2)	(3)	(4)	(5)
63.	2006	41	The Cantonments Act, 2006	(*A*) In section 49,— (*i*) in sub-section (*1*), in clause (*b*), the words "or toll whereby the said tax or toll respectively" shall be omitted; (*ii*) sub-section (*3*) shall be omitted. (*B*) In section 81, in sub-section (*6*), for the words "punishable with fine", the words "liable to penalty" shall be substituted. (*C*) In section 82, in sub-section (*2*), for the words "punishable with fine which may extend to five thousand rupees", the words "liable to penalty which may extend to five thousand rupees" shall be substituted. (*D*) In section 88, in sub-section (*2*),— (*i*) for the words "punishable with fine", the words "liable to penalty" shall be substituted; (*ii*) the word "sum" shall be omitted. (*E*) In Chapter V, sub-heading "Octroi, terminal tax and toll" shall be omitted. (*F*) Sections 90, 91 and 92 shall be omitted. (*G*) In section 116, in sub-section (*2*), for the words "punishable with fine", the words "liable to penalty" shall be substituted. (*H*) In section 143, in sub-section (*2*), for the words "punishable with fine which may extend to two thousand five hundred rupees, and, in the case of a continuing offence, to an additional fine which may extend to two hundred fifty rupees for every day after the first during which the failure has continued", the words "liable to penalty which may extend to two thousand and five hundred rupees and, in the case of continuing default, to an additional penalty which may extend to two hundred and fifty rupees for each day after the first during which the default continues" shall be substituted. (*I*) In section 145, in sub-section (*2*), for the words "punishable with fine which may extend to five thousand rupees, and, in the case of a continuing offence, with an additional fine which may extend to two hundred fifty rupees for each day after the first during which the offence continues", the words "liable to penalty which may extend to five thousand rupees and, in the case of continuing default, to an additional penalty which may extend to two hundred and fifty rupees for each day after the first during which the default continues" shall be substituted. (*J*) In section 155, in sub-section (*4*),— (*i*) in sub-clause (*b*), for the words "shall be punishable with fine which may extend to one thousand rupees", the words "shall be liable to penalty which may extend to two thousand rupees" shall be substituted;

(1)	(2)	(3)	(4)	(5)

(*ii*) in the proviso, for the words "no person shall be punishable", the words "no person shall be liable" shall be substituted.

(*K*) In section 166, for the words and figures "which he is required to make by section 164 or section 165 shall be punishable with fine which may extend to one thousand rupees.", the words and figures "required under section 164 or section 165 shall be liable to penalty which may extend to one thousand rupees" shall be substituted.

(*L*) In section 174, in the long line, for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*M*) In section 197, in clause (*b*), for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*N*) In section 244, for sub-section (*2*), the following sub-section shall be substituted, namely:—

"(*2*) Any person who contravenes the provisions of sub-section (*1*) shall be liable to penalty which may extend to one lakh rupees for the first contravention, and for any second and subsequent offence, he shall on conviction be punishable with fine which may extend to two lakh rupees and in the case of continuing contravention with an additional fine of twenty thousand rupees for every day during which the contravention continues, after the date it comes to the notice.".

(*O*) In section 247, in the long line, for the words "punishable with fine which may extend to fifty thousand rupees and the cost of sealing the illegal construction and its demolition.", the words "liable to penalty which may extend to fifty thousand rupees for the first contravention, and for any second and subsequent offence, he shall on conviction be punishable with fine which may extend to one lakh rupees and the cost of sealing the illegal constructions and its demolition" shall be substituted.

(*P*) In section 259, in sub-section (*2*), for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*Q*) For section 263, the following section shall be substituted, namely:—

"263. Digging of public land.—Any person who, without the written permission of the Chief Executive Officer, digs up the surface of any open space in the cantonment that is not private property, shall be liable to penalty which may extend to two thousand and five hundred rupees and, in the case of a continuing default, to an additional penalty which may extend to five hundred rupees for every day, after the first, during which the default continues.".

(1)	(2)	(3)	(4)	(5)

(*R*) In section 269, for sub-section (*3*), the following sub-section shall be substituted, namely:—

"(*3*) Any person who omits to comply with any condition imposed by the Chief Executive Officer under clause (*a*) of sub-section (*2*) shall be liable to penalty which may extend to five thousand rupees and, in the case of a continuing default, to an additional penalty which may extend to one thousand rupees for every day, after the first, during which the default continues.".

(*S*) In section 271, in sub-section (*1*), for the words "by or under this Act, without obtaining licence therefor, or while the licence therefor is suspended, or after the same has been cancelled, shall be punishable with fine which may extend to five thousand rupees and, in the case of a continuing offence, with an additional fine which may extend to five hundred rupees for every day after the first during which the offence is continued", the words "under this Act, without obtaining such licence, or while the licence is suspended, or after it has been cancelled, shall be liable to penalty which may extend to five thousand rupees and, in the case of a continuing default, to an additional penalty which may extend to five hundred rupees for every day after the first during which the default continues" shall be substituted.

(*T*) For section 272, the following section shall be substituted, namely:—

"272. Penalty for using unlicensed market or slaughter-house.—Any person who, knowing that any market or slaughter-house has been opened to the public without a licence when such licence is required under this Act, or that the licence granted therefor is suspended or has been cancelled, sells or exposes for sale any article in such market, or slaughters any animal in such slaughter-house, shall be liable to penalty which may extend to five thousand rupees and, in the case of a continuing default, to an additional penalty which may extend to five hundred rupees for every day after the first during which the default continues.".

(*U*) In section 276, in sub-section (*3*), for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*V*) For sections 281 and 282, the following sections shall be substituted, namely:—

"281. Carrying on trade, etc., without licence or in contravention of section 280.—Any person who carries on any trade, calling, or occupation for which a licence is required, without obtaining such licence, or while the licence is suspended, or after it has been cancelled; and any person who, after receiving a notice under section 280, uses or allows to be used

(1)	(2)	(3)	(4)	(5)

any building or place in contravention thereof, shall be liable to penalty which may extend to five thousand rupees and, in the case of a continuing default, to an additional penalty which may extend to five hundred rupees for every day after the first during which the default continues.

282. Feeding animals on dirt, etc.—Any person who feeds, or allows to be fed, on filthy or deleterious substances any animal kept for the purpose of supplying milk to, or intended to be used as food for, the inhabitants of a cantonment, or who allows such an animal to graze in any place where grazing has been prohibited for sanitary reasons by public notice issued by the Board, shall be liable to penalty which may extend to one thousand rupees.".

(*W*) In section 283, in sub-section (*4*), for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*X*) In section 284, in sub-section (*3*), for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*Y*) In section 289,—

(*i*) in sub-section (*1*), in the long line, for the words "punishable with fine", the words "liable to penalty" shall be substituted;

(*ii*) in sub-section (*2*), for the words "punishable with fine which may extend to two hundred-fifty rupees", the words "liable to penalty which may extend to five hundred rupees" shall be substituted;

(*iii*) in sub-section (*3*), for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*Z*) In section 290,—

(*i*) in sub-section (*5*), in the long line, for the words "punishable with fine", the words "liable to penalty" shall be substituted;

(*ii*) in sub-section (*6*), in the long line, for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*ZA*) In section 291, in clause (*b*), for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*ZB*) In section 295, in sub-section (*2*), for the words "punishable with fine which may extend to five thousand rupees, and, in the case of a continuing offence, with an additional fine which may extend to two thousand rupees for each day after the first during which the offence continues", the words "liable to penalty which may extend to five thousand rupees and, in the case of a continuing

(1)	(2)	(3)	(4)	(5)

default, to an additional penalty which may extend to two thousand rupees for every day after the first during which the default continues" shall be substituted.

(*ZC*) For section 296, the following section shall be substituted, namely:—

"296. Discharging fire-works, fire-arms, etc.—(*1*) Whoever in a cantonment discharges any fire-arm, detonates or blasts in such manner as to cause or to be likely to cause danger to any person passing by or dwelling or working in the neighbourhood, or risk of injury to property, shall be punishable with fine which may extend to ten thousand rupees.

(*2*) Whoever engages in any game or carries on work such as quarrying, timber cutting or building operations, or lets off fire-balloons or fire-works, in such manner as to cause or to be likely to cause danger to any person passing by or dwelling or working in the neighbourhood, or risk of injury to property, shall be liable to penalty which may extend to two thousand and five hundred rupees.".

(*ZD*) For section 313, the following section shall be substituted, namely:—

"313. Penalty for obstruction.— Whoever obstructs any person acting on behalf of the Board, who is not a public servant within the meaning of clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023) or any person with whom the Board has lawfully contracted, in the execution of his duty or of anything which he is empowered or required to do by virtue or in consequence of any of the provisions of this Act or any rule, bye-law or order made thereunder, or in fulfilment of his contract, as the case may be, shall be liable to penalty which may extend to five thousand rupees;".

(*ZE*) For section 333, the following sections shall be substituted, namely:—

"333. General penalty.—Whoever, in any case in which a penalty is not expressly provided by this Act, fails to comply with any notice, order or requisition issued under any provision thereof, or otherwise contravenes any of the provisions of this Act, shall be liable penalty which may extend to five thousand rupees, and, in the case of a continuing failure or contravention, to an additional penalty which may extend to five hundred rupees for every day after the first during which the failure or contravention continues.

(1)	(2)	(3)	(4)	(5)
				333A. Adjudication of penalties.—(*1*) Any penalty under sections 81, 82, 88, 116, 143, 145, 155, 166, 174, 197, 244, 247, 259, 263, 269, 271, 272, 276, 281, 282, 283, 284, 289, 290, 291, 295, 313, 333 and sub-section (*2*) of section 296 of this Act or any bye-laws made thereunder, shall be imposed by an order issued by the Chief Executive Officer: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Notwithstanding anything contained in any other law for the time being in force, for the purposes of this Act, and for any bye-laws made or amended under this Act as amended by the *Jan Vishwas* (Amendment of Provisions) Act, 2026, the word penalty, unless the context otherwise requires, shall mean a cost of civil nature imposed by Chief Executive Officer, for commission or non-commission of an act prohibited or prescribed by this Act and it shall not be considered a conviction, and the imposition of a fixed penalty shall not be considered criminal proceedings. (*3*) Where there is no fine or imprisonment prescribed against a contravention in this Act, the same shall be treated as a civil offence, and no criminal proceedings under this Act shall be initiated in the first instance against the said contravention: Provided that nothing contained herein shall preclude or adversely affect the right of the Chief Executive Officer to initiate a criminal proceeding against the offender under any other law for the time being in force in case the penalty is not paid with in time by the offender. (*4*) Every penalty imposed shall be paid within thirty days of the notice issued by the Chief Executive Officer and whoever fails to pay the penalty within the time prescribed or does not file an appeal against such penalty, shall, in addition to any other liability under any law for the time being in force, also be liable to be punished with a fine may extend up to twice the amount of the penalty imposed. (*5*) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*) may, prefer an appeal to the President Cantonment Board as an appellate authority. (*6*) Every appeal under sub-section (*5*) shall be filed within thirty days from the date of receipt of the notice of the penalty. (*7*) The appellate authority may, after giving the appellant an opportunity of being heard, pass such summary order confirming, modifying or setting aside the penalty.

(1)	(2)	(3)	(4)	(5)
				(*8*) The appellate authority shall dispose of the appeal within a period of sixty days from the date of its filing. (*9*) In the event of non-payment of penalty amount upheld by the appellate authority within a period of fifteen days of receipt of the order of the appellate authority, the notice shall be liable to be punished with a fine which may extend to twice the penalty imposed.". (*ZF*) In section 348, in clause (*3*), for the word ", tolls" shall be omitted. (*ZG*) In section 349, for sub-section (*1*), the following sub-section shall be substituted, namely:— "(*1*) Any bye-law made by a Board under this Act may provide that any person who contravenes such bye-laws shall be liable to penalty,— (*a*) which may extend to five thousand rupees; or (*b*) which may extend to five thousand rupees and, in the case of a continuing contravention, to an additional penalty which may extend to five hundred rupees for every day after the first during which such contravention continues; or (*c*) which may extend to one hundred fifty rupees for every day during which the contravention continues after the receipt of a notice from the Board or Chief Executive Officer by the person contravening the bye-law requiring such person to discontinue such contravention.".
64.	2007	41	The Carriage by Road Act, 2007	In section 18, in sub-section (*1*), for the words and figures "section 3, section 13, or a notification issued under section 14", the words and figures "section 13 or a notification issued under section 14, or carries goods of dangerous or hazardous nature while being in contravention of section 3," shall be substituted.
65.	2009	27	The Prevention and Control of Infectious and Contagious Diseases in Animals Act, 2009	(*A*) In section 2,— (*i*) for clause (*a*), the following clauses shall be substituted, namely:— '(*a*) "adjudicating officer" means the Sub-Divisional Magistrate or any other Executive Magistrate appointed by the State Government or the Union territory administration under section 34A; (*aa*) "animal" means,— (*i*) cattle, buffalo, sheep, goat, yak, Mithun, elephant;

(1)	(2)	(3)	(4)	(5)

(*ii*) dog, cat, pig, horse, camel, ass, mule, poultry, bees;

(*iii*) fish, molluse, crustacean, amphibian; and

(*iv*) any other animal or bird as the Central Government may, by notification, specify;

(*ab*) "appellate authority" means the District Magistrate or the Additional District Magistrate appointed by the State Government or the Union territory administration under section 34B;';

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

'(*ga*) "disease" or "scheduled disease" means any disease specified in the Schedule;';

(*iii*) for clause (*k*), the following clauses shall be substituted, namely:—

'(*k*) "local authority" means the Municipal Corporation, Municipal Council, Municipality, Cantonment Board, Notified Area Committee, Gram Panchayat or any other authority for the time being vested by law with the control and administration of any matters within a specified local area;

(*ka*) "notification" means notification published in the Official Gazette and the expression "notify" or "notified" shall be construed accordingly;';

(*iv*) for clauses (*o*), (*p*), (*q*) and (*r*), the following clauses shall be substituted, namely:—

'(*o*) "registered veterinary practitioner" means a person having a Bachelor's Degree in Veterinary Science or Veterinary Science and Animal Husbandry from a recognised University and registered with the Veterinary Council of India or the State Veterinary Council;

(*oa*) "State Government" means the Government of a State or the Union territory administration;

(*ob*) "University" shall have the meaning assigned to it in clause (*f*) of section 2 of the University Grants Commission Act, 1956 (3 of 1956);

(1)	(2)	(3)	(4)	(5)
				(*p*) "Veterinarian" means a person having a Bachelor's Degree in Veterinary Science or Veterinary Science and Animal Husbandry from a recognised University and registered with the Veterinary Council of India or the State Veterinary Council and appointed as such by the State Government or the Union territory administration under clause (*a*) of section 3; (*q*) "Veterinary Officer" means a person having a Bachelor's Degree in Veterinary Science or Veterinary Science and Animal Husbandry from a recognised University and registered with the Veterinary Council of India or the State Veterinary Council and appointed as such by the State Government or the Union territory administration under clause (*b*) of section 3; (*r*) "Village Officer" means the livestock supervisor, by whatever name called, or any other officer designated or authorised as such, by notification, by the Central Government or the State Government.'. (*B*) In section 4,— (*i*) in sub-section (*1*), for the words "Every owner, or any other person, non-governmental organisation, public bodies or the village panchayat, in-charge of any animal", the words "Every owner, any other person, non-governmental organisation or local authority, in-charge of any animal," shall be substituted; (*ii*) in sub-section (*3*), for the words "report the matter to the Veterinary Officer", the words "report the matter to the Veterinary Officer, State Government and Central Government in such form and manner as may be prescribed by the Central Government" shall be substituted. (*C*) In section 5, for sub-section (*3*), the following sub-section shall be substituted, namely:— "(*3*) The Village Officer shall ensure that all infected animals are segregated and kept in a place away from other healthy animals.". (*D*) In section 6,— (*i*) in sub-section (*3*), for the words "public notice", the word "notification" shall be substituted; (*ii*) in sub-section (*4*), for the word "obligatory", the word "mandatory" shall be substituted; (*iii*) after sub-section (*6*), the following sub-section shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
				"(*7*) The Director shall submit a report to the State Government and the Central Government regarding vaccinated animals and such other facts, in such form, manner and within such time, as may be prescribed by the Central Government.".
				(*E*) In section 7, in sub-section (*3*), in clause (*b*), after the words "certificate of vaccination", the words "issued by the Veterinarian, Veterinary Officer or registered veterinary practitioner" shall be inserted.
				(*F*) In section 8, after sub-section (*3*), the following sub-section shall be inserted, namely:—
				"(*4*) The Director shall submit a report to the State Government and the Central Government regarding marking and issuing certificates in respect of vaccinated animals in such form and manner as may be prescribed by the Central Government.".
				(*G*) In section 13, the words "or attempt to bring" and the words "known to be" shall be omitted.
				(*H*) In section 26,—
				(*i*) for the words "dispose it of", the words "dispose of it" shall be substituted;
				(*ii*) after the words "as may be prescribed", the words "by the Central Government" shall be inserted.
				(*I*) In section 27, in sub-section (*2*), after the words "as may be prescribed", the words "by the Central Government" shall be inserted.
				(*J*) In section 29, in sub-section (*3*), for the words, figures and brackets "in the manner provided by the Code of Criminal Procedure, 1973 (2 of 1974) for the recovery of fines imposed by a Court", the words, figures and letter "in the manner provided in section 34A" shall be substituted.
				(*K*) In section 30, in the opening portion, for the words "All Municipal, Panchayat or Village Officers and all officers of the rural and dairy development, revenue, agriculture,", the words "Any Village Officer, Registered practitioners, Veterinarian or Veterinary Officer of the" shall be substituted.
				(*L*) For sections 32 and 33, the following sections shall be substituted, namely:—
				"32. Penalty for contravention and obstruction in duty.—Any person who contravenes any provision of this Act, the rules, orders and notifications made or issued thereunder or obstructs the Competent Officer in performing his duties, shall be liable to penalty not exceeding ten thousand rupees and in the case of a continuing contravention, to an additional penalty which may extend to five thousand rupees for every day during which such contravention is continues.

(1)	(2)	(3)	(4)	(5)
				33. Penalty for placing animal carcass in open place and in water source.—(*1*) No person shall,— (*a*) place or cause to be placed the carcass of any animal or any part thereof, in any river, canal, tank, pond, well, stream, lake, spring, ocean, or any other water source; or (*b*) dispose of or permit the carcass of any such animal to remain in any open place in a manner likely to cause spread of infection or environmental contamination. (*2*) Any person who contravenes the provisions of sub-section (*1*) shall be liable to penalty not exceeding ten thousand rupees. (*3*) Where such contravention results in contamination of any water source referred to in sub-section (*1*) or spread of disease to other animals, the adjudicating authority may make an order for,— (*a*) the recovery of charges for carcass disposal, disinfection and cleaning of water source or place, as the case may be, from the person adjudicated upon; and (*b*) the temporary suspension or cancellation of any livestock handling or trade licence held by the person adjudicated upon, for a period not exceeding six months. (*4*) The provisions of this section shall be in addition to, and not in derogation of, the provisions of sections 271 and 272 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023). 33A. Adjudication of penalties.— For the purpose of adjudication of penalties under the provisions of this Act and the rules made thereunder, the State Government or the Union territory administration, as the case may be, shall authorise the Sub-Divisional Magistrate or any other Executive Magistrate, as the case may be, having jurisdiction, as an adjudicating officer for holding an inquiry and imposing penalty, in the manner as may be prescribed by the Central Government: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. 33B. Appeal.— (*1*) Whoever aggrieved by the order, passed by the adjudicating officer under section 33A may, within thirty days from the date of receipt of order, prefer an appeal to the District Magistrate or the Additional District Magistrate specially authorised in this behalf by the State Government or the Union territory administration, as the case may be, as an appellate authority, in such form and manner as may be prescribed by the Central Government.

(1)	(2)	(3)	(4)	(5)

(*2*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*3*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit.

(*4*) An appeal under sub-section (*1*) shall be disposed of within sixty days from the date of filing.

33C. Imprisonment for non-payment of penalty.—Where any person fails to pay the penalty imposed under the provisions of this Act and the rules made thereunder within ninety days of such imposition, he shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to twice the amount of the penalty, or with both.

33D. Remittance of penalty.—(*1*) Where an adjudicating officer imposes a penalty under the provisions of this Act and the rules made thereunder, the amount of the said penalty realised shall be credited to the Fund of the Animal Welfare Board of India constituted under the Prevention of Cruelty to Animals Act, 1960 (59 of 1960).

(*2*) The Board shall utilise the amount realised through penalty for the implementation of the provision of the Act and the rules made thereunder in such manner as may be prescribed by the Central Government.".

(*M*) In section 39, for the words "statistics on scheduled diseases, and vaccination", the words "'statistics on scheduled diseases, vaccination, animal breeding or any other matter related to health" shall be substituted.

(*N*) In section 42, in sub-section (*2*),—

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

"(*aa*) the form, manner and time of reporting the matter to the Veterinary Officer, State Government and Central Government under sub-section (*3*) of section 4;

(*ab*) the form, manner and time of submission of report to the State Government and the Central Government regarding vaccinated animals under sub-section (*7*) of section 6;

(1)	(2)	(3)	(4)	(5)

(*ac*) the form and manner of submission of report to the State Government and the Central Government regarding marking and issuing certificate for vaccinated animals under sub-section (*4*) of section 8;";

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

"(*ca*) the manner of recovery of cost regarding measures under sub-section (*3*) of section 29;

(*cb*) the manner of holding an inquiry and imposing penalties under section 33A;

(*cc*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*1*) of section 33B;";

(*O*) For the Schedule, the following Schedule shall be substituted, namely:—

"THE SCHEDULE

[*See* clause (*ga*) of section 2 and section 38]

(*a*) Multiple species diseases

1. Anthrax.

2. Aujeszky's disease.

3. Bluetongue.

4. Brucellosis.

5. Crimean Congo haemorrhagic fever.

6. Echinococcosis/hydatidosis/granulosis/ multiloculosis.

7. Epizootice heamorrhagic disease virus.

8. Foot and mouth disease.

9. Heartwater.

10. Japanese encephalitis.

11. Leishmaniasis

12. Leptospirosis.

13. Mycobacterium tuberculosis complex.

14. New world screwworm (Cochliomyia hominivorax).

15. Nipah Virus infection.

16. Old world screwworm (Chrysomyabezziana).

17. Paratuberculosis.

(1)	(2)	(3)	(4)	(5)
				18. Q fever.
				19. Rabies.
				20. Rift Valley fever.
				21. Rinderpest.
				22. Trichinellosis.
				23. Trypnosomiasis
				24. Tularemia.
				25. Vesicular stomatitis.
				26. West Nile fever.
				(*b*) Bovine diseases
				1. Bovine anaplasmosis.
				2. Bovine babesiosis.
				3. Bovine genital campylobacteriosis.
				4. Bovine spongiform encephalopathy.
				5. Bovine viral diarrhoea.
				6. Contagious bovine pleuropneumonia.
				7. Enzootic bovine leucosis.
				8. Haemorrhagic septicaemia.
				9. Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis.
				10. Lumpy skin disease.
				11. Malignant catarrhal fever.
				12. Mycoplasmosis
				13. Theileriosis.
				14. Trichomonosis.
				(*c*) Sheep and goat diseases
				1. Caprine arthritis/encephalitis.
				2. Contagious agalactia.
				3. Contagious caprine pleuropneumonia.
				4. Enzootic abortion of ewes (ovine chlamydiosis).
				5. Maedi-visna.
				6. Nairobi sheep disease.
				7. Ovine epididymitis (Brucella ovis).
				8. Peste des petits ruminants.
				9. Salmonellosis (S. abortusovis).
				10. Scrapie.
				11. Sheep pox and goat pox.

(1)	(2)	(3)	(4)	(5)
				12. Theileriosis.
				(*d*) Equine diseases
				1. African horse sickness.
				2. Contagious equine metritis.
				3. Dourine.
				4. Equine encephalomyelitis (Eastern).
				5. Equine encephalomyelitis (Westem).
				6. Equine infectious anaemia.
				7. Equine Influenza.
				8. Equine piroplasmosis.
				9. Equine rhinopneumonitis.
				10. Equine viral arteritis.
				11. Glanders.
				12. Surra (Trypanosoma evansi).
				13. Venezuelan equine encephalomyelitis.
				(*e*) Swine diseases
				1. African swine fever.
				2. Classical swine fever.
				3. Nipah virus encephalitis.
				4. Porcine cysticercosis.
				5. Porcine reproductive and respiratory syndrome.
				6. Swine vesicular disease.
				7. Transmissible gastroenteritis.
				(*f*) Avian diseases
				1. Avian chlamydiosis.
				2. Avian infectious bronchitis.
				3. Avian infectious laryngotracheitis.
				4. Avian mycoplasmosis (M. gallisepticum).
				5. Avian mycoplasmosis (M. synoviae).
				6. Duck virus hepatitis.
				7. Fowl cholera.
				8. Fowl typhoid.
				9. Highly pathogenic avian influenza and low pathogenic avian influenza in poultry.
				10. Infectious bursal disease (Gumboro disease).
				11. Marek’s disease.
				12. Newcastle disease.

(1)	(2)	(3)	(4)	(5)
				13. Pullorum disease. 14. Turkey rhinotracheitis. (*g*) Lagomorph diseases 1. Myxomatosis. 2. Rabbit haemorrhagic disease. (*h*) Bee diseases 1. Acarapisosis of honey bees. 2. American foulbrood of honey bees. 3. European foulbrood of honey bees. 4. Small hive bettle infestation (Aethina tumida). 5. Tropilaelaps infestation of honey bees. 6. Varroosis of honey bees. (*i*) Fish diseases 1. Epizootic haematopoietic necrosis. 2. Infectious haematopoietic necrosis. 3. Spring viraemia of carp (SVC). 4. Viral haemorrhagic septicaemia (VHS). 5. Epizootic ulcerative syndrome (EUS). 6. Red seabream iridoviral disease (RSID). 7. Koi herpesvirus disease (KHV). 8. Grouper iridoviral disease. 9. Viral encephalopathy and retinopathy. 10. Enteric septicaemia of catfish. 11. Infection with Aeromonas hydrophila. 12. lnfection with Edwardsiella tarda. 13. Infection with Vibrio anguillarum. 14. Infection with Flavobacterium columnare. 15. Infection with Streptococus iniae in Tilapia. 16. Infectious pancreatic necrosis (cold water). 17. Infection with Myxobolus spp. 18. Infection with Ichthyophthirius multifilis. 19. Infection with Saprolegnia parasitica. 20. Infestation with Argulus spp. 21. Infestation with Dactylogyrus spp. 22. Infestation with Lernaea spp. 23. Infestation with Caligus spp.

(1)	(2)	(3)	(4)	(5)
				(*j*) Mollusc diseases 1. Infection with Bonamia exitiosa. 2. Infection with Perkinsus olseni. 3. lnfection with abalone herpesvirus. 4. Infection with Xenohaliotis californiensis. 5. Infection with Marteilioides chungmuensis. 6. Acute viral necrosis (in scallops). 7. Akoya oyster disease. 8. Infection with Bomania ostreae. 9. Infection with Marteilia regringens. 10. Infection with Perkinsus marinus. 11. Infection with ostreid herpes virus. (*k*) Crustacean diseases 1. Taura syndrome (TS). 2. White spot disease (WSD). 3. Yellowhead disease (YHD). 4. Infectious hypodermal and haematopoietic necrosis (IHHN). 5. Infectious myonecrosis (IMN). 6. White tail disease (MrNV). 7. Necrotising hepatopancreatitis (NHP). 8. Milky haemolymph disease of spiny lobster (Panulirus spp.). 9. Monodon slow growth syndrome. 10. Acute hepatopancreatic necrosis syndrome (AHPNS). 11. Hepatopancreatic parvovirus. 12. Monodon baculovirus. 13. Loose shell syndrome. 14. Soft shell syndrome. 15. Gaffkemia. (*l*) Amphibian disease 1. Infection with Ranavirus. 2. Infection with Batrachochytrium dendrobatidis. (*m*) Other diseases 1. Camel pox. 2. Leishmaniosis. 3. Middle East respiratory syndrome coronavirus.”.

(1)	(2)	(3)	(4)	(5)
66.	2010	1	The Legal Metrology Act, 2009	(*A*) In section 2, after clause (*e*), the following clause shall be inserted, namely:— '(*ea*) "improvement notice" means an improvement notice issued under this Act;'. (*B*) In section 15, after sub-section (*4*), the following sub-sections shall be inserted, namely:— "(*5*) Any inspection, search or seizure carried out by a legal metrology officer under this section in pursuance of a general or special order, instruction or written authorisation issued by the Director or Controller of Legal Metrology shall be deemed to have been made under a lawful warrant. (*6*) If the Director, Controller or legal metrology officer has reasonable ground for believing that any person has failed to comply with any provision of the Act or rules or directions issued, wherever applicable, he may, by a improvement notice served on that person,— (*i*) state the grounds for believing that the person has failed to comply with the provisions of Act or rules or directions issued; (*ii*) specify the matters which constitute the person's failure so to comply; (*iii*) specify the measures which, in the opinion of the said Authority, the person must take, in order to secure compliance; and (*iv*) require the person to take those measures, within a reasonable period, as may be specified in the said notice. (*7*) If the person fails to comply with an improvement notice issued under sub-section (*6*), his registration or approval, as the case may be, shall be suspended or revoked: Provided that the authorised officer may, after giving the person an opportunity of being heard, suspend or revoke the registration or approval granted, as the case may be, for reasons to be recorded in writing.". (*C*) In section 23,— (*i*) in the marginal heading, for the word "licence", the word "registration certificate" shall be substituted; (*ii*) in sub-section (*1*), for the word "licence" at both the places where they occur, the word "registration certificate" shall be substituted; (*iii*) in sub-section (*2*), for the word "licence", the words "registration certificate" shall be substituted.

(1)	(2)	(3)	(4)	(5)
				(*D*) In section 25, for the words "shall be punished with fine which may extend to one lakh rupees and for the second offence with fine which may extend to two lakh rupees and for the third and subsequent offence, with fine which may extend to five lakh rupees", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to one lakh rupees and for the subsequent offences the fine shall be not less than two lakhs rupees but may extend to five lakh rupees" shall be substituted. (*E*) In section 26, for the words "second and subsequent offence", the words "second offence with fine which may extend to one lakh rupees and for the third or subsequent offence" shall be substituted. (*F*) In section 27, in the long line, for the words "shall be punished with a fine which may extend to one lakh rupees and for the second offence with fine which may extend to two lakh rupees and for the third and subsequent offence, with fine which may extend to four lakh rupees", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to one lakh rupees and for the subsequent offences the fine shall be not less than two lakh rupees but may extend to four lakh rupees" shall be substituted. (*G*) In section 28, for the words "shall be punished with fine which may extend to fifty thousand rupees and for the second offence with fine which may extend to one lakh rupees and for the third and subsequent offence with fine which may extend to two lakh rupees", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to fifty thousand rupees and for the subsequent offences the fine shall be not less than one lakh rupees but may extend to two lakh rupees" shall be substituted. (*H*) In section 29, for the words "shall be punished with fine which may extend to fifty thousand rupees, for the second offence with fine which may extend to one lakh rupees and for the third and subsequent offence with a fine which may extend to two lakh rupees", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to fifty thousand rupees and for the subsequent offences the fine shall be not less than one lakh rupees but may extend to two lakh rupees" shall be substituted. (*I*) In section 30, in the long line, for the words "second or subsequent offence", the words "second offence with fine which may extend to twenty thousand rupees and for the third or subsequent offence" shall be substituted.

(1)	(2)	(3)	(4)	(5)
				(*J*) In section 31, for the words "shall be punished with fine which may extend to twenty-five thousand rupees and for the second offence with fine which may extend to fifty thousand rupees and for the third and subsequent offence, with fine which may extend to one lakh rupees", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to twenty-five thousand rupees and for the subsequent offences the fine shall not be fifty thousand rupees but may extend to one lakh rupees" shall be substituted. (*K*) In section 32, for the words "shall be punished with fine which may extend to twenty thousand rupees and for the second or subsequent offence with imprisonment for a term which may extend to one year and also with fine", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to five lakh rupees and for the subsequent offences the fine shall not be less than ten lakh rupees but may extend to twenty lakh rupees" shall be substituted. (*L*) In section 34, for the words "shall be punished with fine which may extend to twenty-five thousand rupees and for the second offence with fine which may extend to fifty thousand rupees and for the third and subsequent offence, with fine which may extend to one lakh rupees", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to twenty-five thousand rupees and for the subsequent offences the fine shall not be less than fifty thousand rupees but may extend to one lakh rupees" shall be substituted. (*M*) In section 35, for the words "shall be punished with fine which may extend to twenty-five thousand rupees and for the second offence with fine which may extend to fifty thousand rupees and for the third and subsequent offence, with fine which may extend to one lakh rupees", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to twenty-five thousand rupees and for the subsequent offences the fine shall not be less than fifty thousand rupees but may extend to one lakh rupees" shall be substituted. (*N*) In section 36,— (*i*) for sub-section (*1*), the following sub-section shall be substituted, namely:— '(*1*) Whoever manufactures, packs, imports, sells, distributes, delivers or otherwise transfers, offers, exposes or possesses for sale, or causes to be sold, distributed, delivered or otherwise transferred, offered, exposed for sale, including through digital modes of sale such as e-commerce platforms, online market places or any other digital

(1)	(2)	(3)	(4)	(5)
				or electronic means including electronic service providers facilitating such sales, any pre-packaged commodity which does not conform to the declarations on the package as provided in this Act, shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to five lakh rupees and for the subsequent offences the fine shall not be less than twenty-five lakh rupees but may extend to fifty lakh rupees. *Explanation*.— For the purposes of this sub-section, the expressions "e-commerce" and "electronic service provider" shall have the same meaning as assigned to them in clauses (*16*) and (*17*) of section 2 of the Consumer Protection Act, 2019 (35 of 2019).'; (*ii*) in sub-section (*2*), for the words "shall be punished with fine which shall not be less than ten thousand rupees but which may extend to fifty thousand rupees and for the second and subsequent offence, with fine which may extend to one lakh rupees or with imprisonment for a term which may extend to one year or with both", the words "shall be punished with fine which shall not be less than ten thousand rupees but which may extend to one lakh rupees and for the second offence with fine which may extend to five lakh rupees and for the third or subsequent offence, with fine which may extend to fifty lakh rupees or with imprisonment for a term which may extend to one year or with both" shall be substituted. (*O*) In section 37, in sub-section (*1*), for the words "shall be punished with fine which may extend to one lakh rupees", the words "shall be liable to penalty which may extend to one lakh rupees" shall be substituted. (*P*) In section 38, for the words "shall be punished with fine which may extend to twenty-five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to six months, or with fine, or with both", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to twenty-five thousand rupees and for the subsequent offences the fine shall not be less than two lakh rupees but may extend to five lakh rupees" shall be substituted. (*Q*) In section 39, for the words "shall be punished with fine, which may extend to fifty thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to fifty thousand rupees and for the subsequent offences the fine shall not be less than two lakh rupees but may extend to five lakh rupees" shall be substituted.

(1)	(2)	(3)	(4)	(5)
				(*R*) In section 40, for the words "with imprisonment for a term which may extend to two years and for the second or subsequent offence, with imprisonment for a term which may extend to five years", the words "in accordance with the provisions of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023) shall be substituted.". (*S*) In section 41,— (*i*) in sub-section (*1*), for the words "shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence with imprisonment for a term which may extend to six months and also with fine", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to five thousand rupees and for the subsequent offences the fine shall not be less than two lakh rupees but may extend to five lakh rupees" shall be substituted; (*ii*) in sub-section (*2*), for the words "shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to five thousand rupees and for the subsequent offences the fine shall not be less than two lakh rupees but may extend to five lakh rupees" shall be substituted. (*T*) In section 45,— (*i*) for the word "licence" wherever it occurs, the word "registration" shall be substituted; (*ii*) for the words "shall be punished with fine which may extend to twenty thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to twenty thousand rupees and for the subsequent offences the fine shall not be less than two lakh rupees but may extend to five lakh rupees" shall be substituted. (*U*) In section 46,— (*i*) for the word "licence" wherever it occurs, the word "registration" shall be substituted; (*ii*) for the words "shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both", the words "shall be warned with an improvement

(1)	(2)	(3)	(4)	(5)

notice and for the second offence shall be liable to penalty which may extend to five thousand rupees and for the subsequent offences the fine shall not be less than two lakh rupees but may extend to five lakh rupees" shall be substituted.

(*V*) In section 47,—

(*i*) for the word "licence", occurring at both the places, the words "registration certificate" shall be substituted;

(*ii*) for the words "shall be punished with fine which may extend to twenty thousand rupees, or with imprisonment for a term which may extend to one year or with both", the words "shall be warned with an improvement notice and for the second offence shall be liable to penalty which may extend to twenty thousand rupees and for the subsequent offences the fine shall not be less than two lakh rupees but may extend to five lakh rupees" shall be substituted.

(*W*) For section 48, the following section shall be substituted, namely:—

"48. Compounding of offences.—(*1*) Any offence punishable under sections 25 to 39, section 41, sections 45 to 47, any rule made under sub-section (*3*) of section 52 or any rule made under sub-section (*3*) of section 53 may, either before or after the institution of the prosecution, be compounded, on payment for credit to the Government of such sum as may be prescribed.

(*2*) The Director or legal metrology officer as may be specially authorised by him in this behalf, may compound offences punishable under sections 25 to 39, section 41, or any rule made under sub-section (*3*) of section 52.

(*3*) The Controller or legal metrology officer specially authorised by him, may compound offences punishable under sections 25 to 31, sections 33 to 37, section 41, sections 45 to 47, and any rule made under sub-section (*3*) of section 53:

Provided that such sum shall not, in any case, exceed the maximum amount of the fine, which may be imposed under this Act for the offence so compounded.

(1)	(2)	(3)	(4)	(5)

(*4*) Where an offence has been compounded under sub-section (*1*), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded.

(*5*) No offence under this Act shall be compounded except as provided by this section.

(*6*) No court shall take cognizance of an offence punishable under this Act except upon a complaint, in writing, made by—

(*i*) the Director;

(*ii*) the Controller;

(*iii*) any officer authorised by them.

(*7*) If the person does not compound the offence, shall be tried by the Magistrate in accordance with the procedure laid down in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).

(*8*) Where the offender fails to pay the fine imposed by the Magistrate, such fine and costs of prosecution shall be recoverable as provided under the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023):

Provided that in case of failure to pay the fine, such fine shall be recoverable in accordance with the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), and any order of the Magistrate shall be deemed executable as a decree for recovery of money.".

(*X*) In section 50, in sub-section (*1*), in clause (*c*), after the words "the Central Government", the words "or any officer not below the rank of Joint Secretary specially authorised in this behalf by that Government" shall be inserted.

(*Y*) In section 52, in sub-section (*3*), for the words "shall be punishable with fine which may extend to five thousand rupees", the words "shall liable to penalty which may extend to five lakh rupees and suspension, or as the case may be, revocation" shall be substituted.

(*Z*) In section 53,—

(*i*) in sub-section (*2*), in clause (*c*), for the word "licence", the words "registration certificate" shall be substituted;

(*ii*) in sub-section (*3*), for the words "shall be punishable with fine which may extend to five thousand rupees', the words "shall liable to penalty which may extend to one lakh rupees and suspension, or as the case may be, revocation" shall be substituted.

(1)	(2)	(3)	(4)	(5)
67.	2010	23	The Clinical Establishments (Registration and Regulation) Act, 2010	(*A*) In section 40, for the words "punishable for the first offence with fine which may extend to ten thousand rupees, for any second offence with fine which may extend to fifty thousand rupees and for any subsequent offence with fine which may extend to five lakh rupees", the words "liable for the first contravention to penalty which may extend to ten thousand rupees, for any second contravention to penalty which may extend to fifty thousand rupees, and for any subsequent contravention with penalty which may extend to five lakh rupees" shall be substituted. (*B*) In section 41, in sub-section (*3*), for the words, brackets and figures "under sub-sections (*1*) and (*2*)", the words, figures and brackets "under section 40, sub-sections (*1*) and (*2*) of section 41 and section 43 and sub-sections (*1*) and (*2*) of section 44" shall be substituted. (*C*) In section 43, for the words "punishable with fine", the words "liable to penalty" shall be substituted. (*D*) For section 44, the following section shall be substituted, namely:— '44. Contravention by companies.—(*1*) Where a person committing contravention of any of the provisions of this Act or of any rule made thereunder is a company, every person who, at the time the contravention was committed, was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty for the contravention and shall be liable for the first contravention to a penalty may extend to ten thousand rupees, for any second contravention to a penalty which may extend to fifty thousand rupees and for any subsequent contravention with penalty which may extend to five lakh rupees: Provided that nothing contained in this sub-section shall render any such person liable to any penalty if he proves that the contravention was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such contravention. (*2*) Notwithstanding anything contained in sub-section (*1*), where a contravention of any of the provisions of this Act or of any rule made thereunder has been committed by a company and it is proved that the contravention has taken place with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also

(1)	(2)	(3)	(4)	(5)
				be deemed to be guilty of that contravention and shall be liable to penalty which may extend to ten thousand rupees for the first contravention, penalty which may extend to fifty thousand rupees for the second contravention and penalty which may extend to five lakh rupees for any subsequent contravention. *Explanation*.—For the purposes of this section,— (*a*) "company" means a body corporate and includes a firm or other association of individuals; and (*b*) "director", in relation to a firm, means a partner in the firm.'. (*E*) In section 46, for the word "fine" wherever it occurs, the word "penalty" shall be substituted.
68.	2013	23	The Pension Fund Regulatory and Development Authority Act, 2013	(*A*) In section 16, in sub-section (*7*), in the long line, for the words "punishable with imprisonment for a term which may extend to one year, or with fine, which may extend to twenty-five crore rupees, or with both, and also with a further fine which may extend to ten lakh rupees for every day after the first day during which the failure or refusal continues", the words "liable to penalty which may extend to twenty-five crore rupees, and also with a further penalty which may extend to ten lakh rupees, for every day after the first day during which the failure or refusal continues" shall be substituted. (*B*) In section 30, for the word and figures "section 28" wherever they occur, the words, brackets and figures "sub-section (*7*) of section 16 or section 28" shall be substituted.
69.	2015	11	The Coal Mines (Special Provisions) Act, 2015	(*A*) For sections 23 and 24, the following sections shall be substituted, namely:— "23. Punishment for certain offences and non-compliances.—(*1*) If any person,— (*a*) obstructs or causes any impediment in taking possession or in the management and operation of the Schedule I coal mines by the Central Government or the designated custodian; or (*b*) destroys or misuses any mine infrastructure or coal stock; or (*c*) retains any property of such coal mine or removes or destroys it, he and any officer-in-default of the company shall be punishable with imprisonment for a term which may extend to two years, or with fine of one lakh rupees, and in the case of continuing failure, with fine of two lakh rupees for every day during which the offence continues or with both, depending upon the nature of the offence.

(1)	(2)	(3)	(4)	(5)
				(*2*) If any person fails to deliver to the designated custodian any books of account, registers or any other document in his custody relating to Schedule I coal mines and coal mining operations in respect of the management of which the designated custodian has been appointed he and any officer-in-default of the company shall be liable to penalty which may extend to one lakh rupees, and in the case of continuing failure, with penalty of which may extend to two lakh rupees for every day during which the failure continues: Provided that for a subsequent contravention, or for a contravention continuing beyond thirty days, he and any officer-in-default of the company shall, on conviction before a competent court, in addition to the penalty, be punishable with a fine of five lakh rupees or with imprisonment for a term which may extend to two years or with both. 24. Penalty for failure to comply with directions of Central Government.— If any person fails to comply, without reasonable cause, with any of the directions given by the Central Government or nominated authority or the designated custodian in the exercise of its powers provided in this Act or as may be prescribed, he shall be liable to penalty which may extend to one lakh rupees and in the case of continuing failure with penalty which may extend to two lakh rupees for everyday during which the failure continues. 24A. Adjudication of penalties.—(*1*) For the purpose of adjudication of penalties under sub-section (*2*) of section 23 and section 24, the Central Government shall appoint the nominated authority to be the adjudication authority for holding an inquiry and imposing penalties in such form and manner as may be prescribed: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. 24B. Appeal.—(*1*) The Tribunal constituted under the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) shall be authorised to act as an appellate authority. (*2*) Any person aggrieved by an order passed by the adjudicating officer under section 24A, may prefer an appeal within thirty days from the date of receipt of the order before the Tribunal constituted under sub-section (*1*) of section 27. (*3*) The Tribunal may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(1)	(2)	(3)	(4)	(5)
				(*4*) The amount of penalty imposed under section 24A or this section, if not paid, may be recovered as an arrear of land revenue.”. (*B*) In section 31, in sub-section (*2*), after clause (*x*), the following clause shall be inserted, namely:— “(*xa*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 24A;”.
70.	2016	16	The Real Estate (Regulation and Development) Act, 2016	For section 68, the following section shall be substituted, namely:— “68. Penalty for failure to comply with orders of Appellate Tribunal by allottee.—If any allottee, who fails to comply with, or contravenes any of the orders or directions of the Appellate Tribunal, as the case may be, he shall be liable to penalty, which may extend up to ten per cent. of the plot, apartment or building cost, as the case may be.”.
71.	2019	49	The Recycling of Ships Act, 2019	(*A*) In section 31,— (*i*) in the marginal heading, for the word “Penalty”, the word “Punishment” shall be substituted; (*ii*) in sub-section (*1*), for the word “instals”, the word “installs” shall be substituted; (*iii*) sub-section (*2*) shall be omitted; (*iv*) for sub-section (*6*), the following sub-section shall be substituted, namely:— “(*6*) Whoever fails to respond within twenty-four hours of issuance of third notice for taking remedial action for oil spill under sub-section (*2*) of section 22, shall be punishable with imprisonment which may extend to three months or with fine which may extend to ten lakh rupees or with both.”. (*B*) For section 32, the following sections shall be substituted, namely:— “32. Penalty for contravention of provisions of this Act or rules or regulations.—(*1*) Whoever contravenes the provisions of section 12 shall be liable to penalty which may extend to ten lakh rupees. (*2*) Whoever fails to respond to the notice issued for taking remedial action for oil spill under sub-section (*2*) of section 22 shall be liable to a penalty, which may extend to— (*i*) five lakh rupees, in case of no response within twelve hours of issuance of first notice; and (*ii*) ten lakh rupees, in case of no response within twenty-four hours of issuance of second notice.

(1)	(2)	(3)	(4)	(5)
				(*3*) Whoever contravenes any of the provisions of this Act or any rules or regulations made thereunder, for which no specific punishment or penalty has been provided in this Act, shall be liable to penalty which may extend to two lakh rupees. 32A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 32, the Central Government shall appoint an officer not below the rank of Deputy Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed: Provided that the Central Government may appoint as many adjudicating officers as may be required: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (2) Whoever is aggrieved by the order of the adjudicating officer under sub-section (*1*), may within thirty days from the date of receipt of such order, prefer an appeal to an officer at least one rank higher than the adjudicating officer who shall be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed. (*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (6) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.”. (*C*) For section 35, the following section shall be substituted, namely:— “35. Offences to be non-cognizable, bailable, and compoundable.—(*1*) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), every offence under this Act shall be non-cognizable, bailable, and compoundable.

(1)	(2)	(3)	(4)	(5)
				(*2*) Any offence punishable under sub-sections (*1*), (*3*), (*4*) and (*5*) of section 31, may, before or after the institution of prosecution, be compounded by an officer designated by the Central Government by notification in this behalf, on payment for credit to the Central Government of such sum and in such manner as may be prescribed: Provided that such sum shall not, in any case, exceed the maximum amount of the fine which may be imposed under this Act for the offences so compounded: Provided further that in case of subsequent offence, the same shall not be compounded under sub-section (*2*). (*3*) The officer referred to in sub-section (*2*) shall exercise the powers to compound an offence, subject to the direction, control and supervision of the Central Government. (*4*) Every application for the compounding of an offence shall be made in such form and manner as may be prescribed. (*5*) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted against the offender in relation to whom the offence is so compounded. (*6*) Where the compounding of any offence is made after the institution of any prosecution, such composition shall be brought by the officer referred to in sub-section (*2*), in writing, to the notice of the court in which the prosecution is pending and on such notice for compounding the offence being given, the person against whom the offence is so compounded shall be discharged. (*7*) Any person who fails to comply with the order of compounding made by the officer referred to in sub-section (*2*), shall be liable to pay a sum equivalent to twenty per cent. of the maximum fine provided for the offence, in addition to the fine provided for the said offence. (*8*) No offence punishable under this Act shall be compounded except in accordance with the provisions of this section.”. (*D*) In section 42, in sub-section (*2*), after clause (*o*), the following clauses shall be inserted, namely:— “(*oa*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 32A;

(1)	(2)	(3)	(4)	(5)
				(*ob*) the form and manner of preferring an appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 32A; (*oc*) the sum and manner of compounding under sub-section (*2*) of section 35; (*od*) the form and manner of making an application for compounding of an offence under sub-section (*4*) of section 35.".
72.	2021	1	The Major Port Authorities Act, 2021	(*A*) Chapter VII shall be omitted. (*B*) Section 64 shall be omitted.
73.	2021	14	The National Commission for Allied and Healthcare Professions Act, 2021	(*A*) In section 58, for the words "shall be punishable with fine which may extend to fifty thousand rupees and in case of a continuing offence with an additional fine which may extend to five thousand rupees per day after the first day during which the offence continues" the words "shall be liable to penalty which may extend to fifty thousand rupees and in case of a continuing contravention with an additional penalty which may extend to five thousand rupees per day after the first day during which the offence contravention continues" shall be substituted. (*B*) After section 58, the following section shall be inserted, namely:— "58A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 58, the Chairperson of the State Council shall be the adjudicating authority to hold inquiry and imposing penalties in such manner as may be prescribed: Provided that for the States where the State Councils have not been established, the Chairperson of the Commission shall perform the functions of the adjudication authority under sub-section (*1*) till such State Councils are established: Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (*2*) Whoever is aggrieved by an order of the adjudicating authority under sub-section (*1*) except the proviso thereof, may, within a period of thirty days from the date of receipt of such order, prefer an appeal to the Chairperson of the Commission, who shall be the appellate authority, in such form and manner as may be prescribed:

(1)	(2)	(3)	(4)	(5)
				Provided that where the Chairperson of the Commission has performed the functions of the adjudicating authority under the first proviso to sub-section (*1*), the appeal shall lie to the Secretary to the Government of India, as may be appointed by the Central Government in this behalf. (*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.". (*C*) In section 66, in sub-section (*2*),— (*i*) in clause (*u*), the word "and" occurring at the end, shall be omitted; (*ii*) after clause (*u*), the following clauses shall be inserted, namely:— "(*ua*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 58A; (*ub*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 58A;" .
74.	2021	20	The Marine Aids to Navigation Act, 2021	(*A*) In section 41,— (*i*) in sub-section (*1*), for the words "shall be liable to imprisonment for a term which may extend up to six months or with fine which may extend up to one lakh rupees, or with both", the words "shall be liable to penalty which may extend up to one lakh rupees" shall be substituted; (*ii*) in sub-section (*2*), in opening portion, for the words "liable for punishment", the words "liable to penalty" shall be substituted.

(1)	(2)	(3)	(4)	(5)

(*B*) In section 42, for the words "for fine", the words "to penalty" shall be substituted.

(*C*) After section 42, the following section shall be inserted, namely:—

"42A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under sections 41 and 42, the Central Government shall appoint an officer not below the rank of Deputy Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required:

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(2) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to the Director General in such form and manner as may be prescribed.

(*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".

(*D*) In section 46, in sub-section (*2*), after clause (*p*), the following clauses shall be inserted, namely:—

"(*pa*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 42A;

(*pb*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 42A;".

<table>
<tr><th>(1)</th><th>(2)</th><th>(3)</th><th>(4)</th><th>(5)</th></tr>
<tr><td>75.</td><td>2021</td><td>24</td><td>The Inland Vessels Act, 2021</td><td>(A) In section 63, for the words “or an offence under this Chapter”, the words “or an offence or a contravention under this Chapter” shall be substituted.

(B) In Chapter XVI, in the Chapter heading, for the word “PENALTIES”, the word “PUNISHMENTS” shall be substituted;

(C) For section 87, the following section shall be substituted, namely:—

“87. Offences and punishments.—(1) Whoever, contravenes any of the provisions of this Act, shall be liable to punishment or penalty as specified in the Table under sub-sections (2) and (3).

(2) The offences mentioned in column (3) of the Table below, shall be punishable to the extent mentioned in column (4) of the said Table :—

<table>
<tr><th>Sl. No</th><th>Section</th><th>Offence</th><th>Punishment</th></tr>
<tr><td>(1)</td><td>(2)</td><td>(3)</td><td>(4)</td></tr>
<tr><td>1.</td><td>14(1)</td><td>Owner, operator or master of any mechanically propelled inland vessel, using such vessel, without a valid certificate of survey has acted in contravention of sub-section (1) of section 14.</td><td>Fine which may extend to ten thousand rupees for the first offence and twenty-five thousand rupees for subsequent offences.</td></tr>
<tr><td>2.</td><td>18(1)</td><td>Owner, operator or master of any mechanically propelled inland vessel proceeding on any voyage or use a mechanically propelled inland vessel required to be registered, for any service, without a valid certificate of registration and in contravention of sub-section (1) of section 18.</td><td>Fine which may extend to ten thousand rupees for the first offence and fifty thousand rupees for subsequent offences.</td></tr>
</table>
</td></tr>
</table>

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
				3.	30	Owner of any mechanically propelled inland vessel, has acted in contravention of section 30.	Fine which may extend to ten thousand rupees per day or imprisonment which may extend to one year, or with both.
				4.	34(*2*)	Owner or operator on whose vessel, persons under the age of eighteen years are employed, has acted in contravention of sub-section (*2*) of section 34.	Fine which may extend to five thousand rupees for every day of non-compliance or imprisonment not exceeding six months, or with both.
				5.	44	Owner or operator or any person responsible for the operation of special category vessel, which does not comply with the provisions of Chapter VII.	Fine which may extend to ten thousand rupees for every day of non-compliance or imprisonment extending up to six months, or with both.
				6.	49 and 50 (*1*)	Owner, operator or master of any mechanically propelled vessel plying in inland waters abstaining from proceeding to render assistance after answering to the distress signal.	Fine which may extend to ten thousand rupees.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
				7.	51 (*2*)	The owner, operator or master of any mechanically propelled inland vessel proceeding to conduct any voyage without complying with the requirements of navigation aids, life-saving appliances, fire detection and extinguishing appliances and communication appliances as specified under sub-section (*2*) of section 51.	Fine which may extend up to fifty thousand rupees.
				8.	52(*2*) and (*3*)	The owner, operator or master of any mechanically propelled vessel causing pollution by discharging or dumping of pollutants in inland waters.	Fine which may extend to fifty thousand rupees.
				9.	53(*4*)	The owner, operator or master of any mechanically propelled vessel, who are required under this Act to possess a valid prevention of pollution certificate, plying or using the vessel without the said valid certificate.	Fine which may extend to twenty-five thousand rupees.

(1)	(2)	(3)	(4)	(5)

(1)	(2)	(3)	(4)
10.	57	Any owner, operator or any person who intentionally cause wreck within inland waters.	Fine amounting to fifty thousand rupees and imprisonment which may extend to three years.
11.	82	Master or operator of any foreign vessels acting in contravention of sub-section (*1*) of section 82.	Fine which may extend to fifty thousand rupees or imprisonment which may extend to one year, or with both.
12.	83	Owner, operator or master of mechanically propelled inland vessel, who does not comply with the requirement of pilotage in contravention of section 83.	Fine which may extend to fifty thousand rupees or imprisonment which may extend to three years, or with both.

(*3*) The contravention specified in column (3) of the Table below shall be liable to penalties specified in column (4) of the said Table:—

Table

Sl. No	Section to which contravention is referred	Contravention	Penalty
(1)	(2)	(3)	(4)
1.	8	Any owner, operator or construction yard, found guilty of construction, alteration or modification of mechanically	Penalty which may extend to ten thousand rupees for every non-compliance found.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
						propelled inland vessel in contravention of section 8.	
				2.	19(*1*)	Owner or master who does not carry a valid certificate of registration or not making the same available for inspection, has acted in contravention of sub-section (*1*) of section 19.	Penalty which may extend to ten thousand rupees for every non-compliance found.
				3.	24(*3*)	Owner not displaying the official number on the conspicuous part of a vessel has acted in contravention of sub-section (*3*) of section 24.	Penalty which may extend to ten thousand rupees.
				4.	27	Owner, operator or any person responsible for the operation of the vessel, has acted in contravention of section 27.	Penalty which may extend to ten thousand rupees for the first contravention and twenty-five thousand rupees for subsequent contraventions.
				5.	28(*2*)	Owner, operator or master of any mechanically propelled inland vessel not registering the details of	Penalty which may extend to ten thousand rupees for the first contravention

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
						alterations that are mandated to be registered as specified in sub-section (*2*) of section 28.	and twenty-five thousand rupees for subsequent contraventions.
				6.	29	Owner or operator of any mechanically propelled inland vessel, who does not comply with the requirements or has acted in contravention of section 29.	Penalty which may extend to five hundred rupees for every day of non-compliance.
				7.	32(*1*)	Owner of any mechanically propelled inland vessel, has acted in contravention of sub-section (*1*) of section 32.	Penalty which may extend to five thousand rupees for every day of non-compliance.
				8.	35	Owner or operator of any mechanically propelled inland vessel without complying with the specified minimum manning scale has acted in contravention to section 35.	Penalty which may extend to ten thousand rupees for the first contravention and twenty-five thousand rupees for subsequent contraventions.
				9.	40(*1*) and (*4*)	The holders of certificate of competency, has acted in contravention to the provisions of this Act or not surrendered the suspended, cancelled or varied certificate	Penalty which may extend to five thousand rupees per day.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
						issued under non-submission of suspended or cancelled certificates.	
				10.	47	Owner, operator or master of any mechanically propelled vessel registered, recognised or identified under this Act, for not equipping the vessels or exhibiting the lights and signals specified under Chapter VIII.	Penalty which may extend to ten thousand rupees for the first contravention and twenty-five thousand rupees for subsequent contraventions.
				11.	48	Owner, operator or master not ensuring safe navigation or causing damage due to non observance of regulations.	Penalty which may extend to twenty-five thousand rupees.
				12.	54(*2*) and (*5*)	The owner or operator of any reception facility who does not comply with the standards and obligations stipulated.	Penalty which may extend to fifty thousand rupees.
				13.	55(*4*)	The owner or operator of the terminal who operates without complying with the notice issued under sub-section (*4*) of section 55.	Penalty which may extend to fifty thousand rupees.
				14.	58(*2*)	Any person who is guilty of offence committed by contravention of sub-section (*2*) of section 58.	Penalty which may extend to ten thousand rupees.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
				15.	66	Any owner or master plying any mechanically propelled inland vessel without a valid insurance as provided under section 66.	Penalty which may extend to ten thousand rupees and detention of the vessel till certificate of insurance is procured.
				16.	74(*2*)	The owner, operator or master of any mechanically propelled inland vessel not complying with sub-section (*2*) of section 74.	Penalty which may extend to ten thousand rupees.
				17.	79(*2*)	Any person who holds a certificate issued under Chapter VI and fails to surrender suspended or cancelled certificates.	Penalty which may extend to ten thousand rupees for every day of non-submission.
				18.	80	Any person, in the capacity of a service provider or a service user, who acts in contravention of section 80.	Penalty which may extend to fifty thousand rupees.
				19.	97	Any person employed on inland vessel for neglect or refusal to join or desertion of vessel in violation of his obligation as provided under section 97.	Forfeiture of a sum not exceeding two days' pay, and in addition for every twenty-four hours of absence, either a sum not exceeding six days' pay or any expenses

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
							properly incurred in hiring a substitute, from his wages.
				20.	102	Any person found guilty of causing obstruction or has acted in contravention of section 102.	Penalty which may extend to fifty thousand rupees.

(*4*) Where the owner or master of any mechanically propelled inland vessel is convicted of an offence under this Act or any rule made thereunder, committed on board, or in relation to that mechanically propelled vessel, and is sentenced to pay a fine, the Magistrate who passes the sentence may direct the amount of the fine to be levied by distress and sale of the mechanically propelled vessel, or its appurtenance so much thereof as is necessary.

(5) Where an inland vessel has been used in contravention of the provisions of this Act or the rules made thereunder, the details of the offence or contravention, the offender or person liable and the vessel shall be recorded in such form and manner, as may be specified by the Central Government by notification.

(*6*) The State Government shall appoint courts not inferior to that of a Magistrate of the first class, for the purpose of conducting trial of any person who is charged of any offence as provided under this Act or the rules made thereunder.".

(*D*) After section 87, the following sections shall be inserted, namely:—

"87A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 87, the State Government shall appoint an officer not below the rank of Under Secretary to the Government of India or an officer of an equivalent rank in the State Government as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that the State Government may appoint as many adjudicating officers as may be required:

(1)	(2)	(3)	(4)	(5)
				Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard. (2) Whoever is aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer at least one rank higher than the adjudicating officer appointed by the State Government as an appellate authority, in such form and manner as may be prescribed. (*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period. (*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit. (*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing. (*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.”. (*E*) In section 107, in sub-section (*2*), after clause (*z*), the following clauses shall be inserted, namely:— “(*zz*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 87A; (*zzz*) the form and manner of preferring an appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 87A;” .
76.	2022	13	The Indian Antarctic Act, 2022	(*A*) In section 41,— (*i*) in clause (*e*), for the words and figures “or section 32”, the words, brackets and figures “or sub-section (*2*) of section 32” shall be substituted; (*ii*) after clause (*e*), the following clause shall be inserted, namely:— “(*f*) any person who obstructs any inspection team authorised under section 31 in the lawful exercise of any functions of inspection conferred by or under this Act in Antarctica, shall be punishable with imprisonment for a term which may extend to one year, or with fine which shall not be less than five lakh rupees but which may extend to twenty lakh rupees, or with both:

(1)	(2)	(3)	(4)	(5)

Provided that obstruction shall not include any act or omission arising from physical or mental incapacity, unintentional conduct, or circumstances beyond the control of a person.".

(*B*) In section 44, for the words "punishable with fine", the words "liable to penalty" shall be substituted.

(*C*) After section 44, the following section shall be inserted, namely:—

"44A. Adjudication of penalties.—(*1*) For the purpose of adjudicating penalties under section 44, the Central Government shall appoint an officer not below the rank of Joint Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required:

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the Central Government as an appellate authority, in such form and manner as may be prescribed.

(*3*) The appellate authority may admit an appeal after the expiry of the said period of thirty days, if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such an order as he may deem fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.".

(*D*) In section 55, in sub-section (*2*), after clause (*s*), the following clauses shall be inserted, namely:—

"(*sa*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 44A;

<table>
<tr><th>(1)</th><th>(2)</th><th>(3)</th><th>(4)</th><th>(5)</th></tr>
<tr><td></td><td></td><td></td><td></td><td>(sb) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (2) of section 44A;” .</td></tr>
<tr><td>77.</td><td>2023</td><td>18</td><td>The Jan Vishwas (Amendment of Provisions) Act, 2023</td><td>After section 3, the following proviso shall be inserted, namely:—
“Provided that notwithstanding anything contained in this section, if any enactment mentioned in the Schedule provides the manner of revision of fines and penalties therein, only the said provision shall be applicable for increase of fines and penalties for provisions of such enactment.”.</td></tr>
<tr><td>78.</td><td>2025</td><td>20</td><td>The Coastal Shipping Act, 2025</td><td>(A) In section 16, for the words “punishable with imprisonment for a term which may extend to six months, or with fine”, the words “liable to penalty” shall be substituted.
(B) In section 18, in the long line, for the words “punishable with imprisonment for a term which may extend to six months, or with fine which may extend to fifty thousand rupees, or with both”, the words “liable to penalty which may extend to two lakh rupees” shall be substituted.
(C) In section 26, in sub-section (1), for the words and figures “offence punishable under sections 15 to 20 of this Act may”, the words and figures “any offence punishable under sections 15, 17, 19 and 20, may” shall be substituted.
(D) In section 30,—
(i) in sub-section (1), after the word “under”, the words and figures “sections 16, 18 and” shall be inserted;
(ii) in sub-section (5), after the word “under”, the words and figures “sections 16, 18 and” shall be inserted.</td></tr>
<tr><td>79.</td><td>2025</td><td>24</td><td>The Merchant Shipping Act, 2025</td><td>(A) In section 281,—
(i) in sub-section (2), in the Table, after serial no. 96 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—
<table>
<tr><th>Sl. No.</th><th>Contravention</th><th>Sections</th><th>Penalties</th></tr>
<tr><td>(1)</td><td>(2)</td><td>(3)</td><td>(4)</td></tr>
<tr><td>“97.</td><td>If a seafarer on or before being engaged wilfully and</td><td>General</td><td>Penalty which may extend to fifty thousand rupees.”;</td></tr>
</table></td></tr>
</table>

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
					fraudulently makes a false statement of the name of his last vessel or alleged last vessel or wilfully and fraudulently makes a false statement of his own name.		

(*ii*) in sub-section (*3*), in the Table, serial no. 12 and the entries relating thereto shall be omitted.

(*B*) After section 282, the following section shall be inserted, namely:—

"282A. Compounding for certain offences.—(*1*) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the offences under section 38, clause (*d*) of sub-section (*1*) of section 99 and sub-section (*1*) of section 139, which are punishable to the extent of punishment specified at Serial Numbers 3, 9 and 15 respectively may, before or after the institution of prosecution, be compounded by an officer designated by the Central Government by notification in this behalf, on payment for credit to the Central Government of such sum and in such manner as may be prescribed:

Provided that such sum shall not, in any case, exceed the maximum amount of the fine which may be imposed under this Act for the offences so compounded:

Provided further that in case of subsequent offence, the same shall not be compounded.

(*2*) The officer referred to in sub-section (*1*) shall exercise the powers to compound an offence, subject to the direction, control and supervision of the Central Government.

(*3*) Every application for the compounding of an offence shall be made in such form and manner as may be prescribed.

(*4*) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted against the offender in relation to whom the offence is so compounded.

(1)	(2)	(3)	(4)	(5)
				(*5*) Where the compounding of any offence is made after the institution of any prosecution, such composition shall be brought by the officer referred to in sub-section (*1*), in writing, to the notice of the court in which the prosecution is pending and on such notice for compounding the offence being given, the person against whom the offence is so compounded shall be discharged. (*6*) Any person who fails to comply with the order of compounding made by the officer referred to in sub-section (*1*), shall be liable to pay a sum equivalent to twenty per cent. of the maximum fine provided for the offence, in addition to the fine provided for the said offence. (*7*) No offence punishable under this Act shall be compounded except in accordance with the provisions of this section.". (*C*) In section 319, in sub-section (*2*), after clause (*e*), the following clause shall be inserted, namely:— "(*ea*) the application for the compounding of an offence, the form and its manner and the sum payable under sub-sections (*1*) and (*3*) of section 282A;".
80.	2025	27	The Indian Ports Act, 2025	(*A*) After section 53, the following section shall be inserted, namely:— "53A. Compounding of certain offences.—(*1*) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the offences under sub-section (*3*) of section 29, section 30 and section 31, which are punishable to the extent of punishment specified in the First Schedule under sub-section (*2*) of section 53 of this Act may, before or after the institution of prosecution, be compounded by the conservator on payment for credit to the appropriate Government of such sum and in such manner as may be notified by the appropriate Government: Provided that such sum shall not, in any case, exceed the maximum amount of the fine which may be imposed under this Act for the offences so compounded: Provided further that in case of second and subsequent offence, the same shall not be compounded. (*2*) The officer referred to in sub-section (*1*) shall exercise the powers to compound an offence, subject to the direction, control and supervision of the appropriate Government. (*3*) Every application for the compounding of an offence shall be made in such form and manner as may be notified by the appropriate Government.

(1)	(2)	(3)	(4)	(5)

(*4*) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted against the offender in relation to whom the offence is so compounded.

(*5*) Where the compounding of any offence is made after the institution of any prosecution, such composition shall be brought by the officer referred to in sub-section (*1*), in writing, to the notice of the court in which the prosecution is pending and on such notice for compounding the offence being given, the person against whom the offence is so compounded shall be discharged.

(*6*) Any person who fails to comply with an order of compounding made by the officer referred to in sub-section (*1*), shall be liable to pay a sum equivalent to twenty per cent. of the maximum fine provided for the offence, in addition to fine provided for the said offence.

(*7*) No offence punishable under this Act shall be compounded except in accordance with the provisions of this section.".

(*B*) For section 54, the following section shall be substituted, namely:—

"54. Authority for imposition of penalty and procedure therefor.—(*1*) The authority for imposing the penalty under the Second Schedule with regard to contravention listed under sub-section (*3*) of section 15, where the contravention is by port officer, shall be the conservator and where the contravention is by the port, shall be such officer, as may be notified by the State Government.

(*2*) For the purpose of imposition of penalty under this Chapter, where the conservator is a body of persons, the authority for imposition of penalty shall mean, one person appointed from amongst such body of persons, in such manner as may be prescribed by the appropriate Government.

(*3*) The authority for imposing the penalty under the Second Schedule with regard to contraventions listed under section 19, section 20, sub-section (*1*) of section 22, section 23, sub-section (*1*) of section 26, sub-section (*1*) of section 32, section 39, sub-section (*1*) of section 40, section 41, section 43, sub-section (*2*) of section 47, section 49, sub-section (*1*) of section 52, section 57, section 65 shall be the conservator.

(*4*) The authority for imposing the penalty under the Second Schedule with regard to section 36, section 37, sub-section (*1*) of section 38, sub-section

(1)	(2)	(3)	(4)	(5)

(*2*) of section 38, sub-section (*3*) of section 38, sub-section (*1*) of section 44, sub-section (*2*) of section 44, sub-section (*1*) of section 66, sub-section (*4*) of section 66, section 67, section 68, sub-section (*1*) of section 69 and sub-section (*2*) of section 69 shall be the concerned principal officer under the Merchant Shipping Act, 2025 (24 of 2025).

(*5*) Before imposing any penalty specified under the Second Schedule, the parties shall be given an opportunity of being heard.

(*6*) Every order of imposition of penalty under this section shall be in writing.".

(*C*) In section 58, the words "by the conservator" shall be omitted.

(*D*) For the First Schedule and the Second Schedule, the following Schedules shall be substituted, namely:—

"THE FIRST SCHEDULE

[*See* section 53A(*1*)]

Punishment for certain offences

Serial No.	Offences	Section to which offence is referred	Punishment
(1)	(2)	(3)	(4)
1.	If any port commences or carries on operations in contravention of section 10	10	Fine which may extend to one lakh rupees and in addition, a fine which may extend to ten thousand rupees for every day during which the offence continues after conviction.
2.	If any master of a vessel fails to permit warps or hawsers to be made fast or let go of any warps or hawsers in contravention of section 27	27	Imprison ment which may extend to six months or fine which may extend to one lakh rupees or both.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
				3.	If master omits to take order to extinguish the fire or obstructs the conservator or any person in extinguishing or attempting to extinguish the fire, in contravention of section 28	28	Imprison ment which may extend to six months or fine which may extend to one lakh rupees or both.
				4.	If any person does or omits to do any act relating to safety of vessels in contravention of sub-section (*1*) of section 29	29(*1*)	Imprison ment which may extend to six months or fine which may extend to one lakh rupees or both.
				5.	If the master of the vessel causes or suffer any warp or hawser attached to his vessel to be left out in any port in contravention of sub-section (*2*) of section 29	29(*2*)	Imprison ment which may extend to six months or fine which may extend to one lakh rupees or both.
				6.	If any person commits any act in contravention of sub-section (*3*) of section 29	29(*3*)	Imprison ment which may extend to six months or fine which may extend to one lakh rupees or both.
				7.	If any unauthorised person searches for lost stores in contravention of section 30	30	Imprison ment which may extend to six months or fine which may extend to one lakh rupees or both.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
				8.	If any person injures any bank or shore in contravention of section 31	31	Imprisonment which may extend to six months or fine which may extend to one lakh rupees or both.
				9.	If any port fails to obtain prior clearance in contravention of section 71	71	Fine which may extend to fifty thousand rupees.

THE SECOND SCHEDULE

[*See* section 54(*3*)]

Penalty for certain contraventions

Sl. No.	Contravention	Section	Penalties
(1)	(2)	(3)	(4)
1.	If any port other than major port or port officer fails to comply with directions of the State Maritime Board under sub-section (*3*) of section 15	15(*3*)	In case of contravention by a port officer, penalty which may extend to ten thousand rupees and in addition, penalty not exceeding one thousand rupees for every day during which such default continues. In case of contravention by port, penalty which may extend to two lakh rupees and in addition, penalty not exceeding twenty thousand rupees for every day during which such default continues.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
				2.	If any person refuses or neglects to obey any direction of the conservator issued under section 19	19	Penalty which may extend to twenty thousand rupees and in addition, penalty not exceeding five thousand rupees for every day during which such default continues.
				3.	If any owner has without lawful excuse caused any obstruction or impediment under section 20	20	Penalty which may extend to two lakh rupees and in addition, penalty not exceeding twenty thousand rupees for every day during which such default continues.
				4.	If any master of a vessel or any other person lifts the buoys or moorings without assistance of the conservator in contravention of sub-section (*1*) of section 22	22(*1*)	Penalty which may extend to one lakh rupees.
				5.	If the master of the vessel, or any person in possession or occupation of the building or place, without lawful excuse,	23	Penalty which may extend to ten thousand rupees for the first contravention and in

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
					refuses to allow the conservator or any person to board or enter such vessel, building or place in contravention of section 23		addition, penalty not exceeding ten thousand rupees for every day during which such default continues.
				6.	If any person without lawful excuse, removes, destroys or damages any property in contravention of sub-section (*1*) of section 26	26(*1*)	Penalty which may extend to one lakh rupees and in addition, expenses for any loss, destruction or damage suffered by the port, including expenses of any inspection or survey carried out.
				7.	If any owner or master of a vessel enters, leaves or moves in any port in contravention of sub-section (*1*) of section 32	32(*1*)	Penalty which may extend to two lakh rupees.
				8.	If any port fails to provide adequate reception facilities in contravention of section 36	36	Penalty which may extend to two lakh rupees.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
				9.	If any port fails to comply with directions of the Central Government under section 37	37	Penalty which may extend to one lakh rupees and in addition, penalty which may extend to twenty thousand rupees for every day during which such default continues.
				10.	If any port fails to prepare a port waste reception and handling plan in contravention of sub-section (*1*) of section 38	38(*1*)	Penalty which may extend to one lakh rupees.
				11.	If any port fails to implement the approved port waste reception and handling plan in contravention of sub-section (*2*) of section 38	38(*2*)	Penalty which may extend to one lakh rupees.
				12.	If any port fails to communicate any information to vessels in contravention of sub-section (*3*) of section 38	38(*3*)	Penalty which may extend to twenty thousand rupees.
				13.	If any operator, agent or master of a vessel fails to submit an	39	Penalty which may extend to twenty

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
					advance waste notice in contravention of section 39		thousand rupees.
				14.	If any master of a vessel fails to deliver all its vessel-generated waste to a reception facility in contravention of sub-section (*1*) of section 40	40(*1*)	Penalty which may extend to one lakh rupees.
				15.	If the owner or master of any vessel fails to pay the charges payable or fails to comply with the conditions under section 41	41	Penalty which may extend to twenty thousand rupees and in addition, penalty which may extend to two thousand rupees for every day during which such default continues.
				16.	If any person fails to upload information on the portal in contravention of section 43	43	Penalty which may extend to ten thousand rupees.
				17.	If any port fails to report the particulars of any incident	44(*1*)	Penalty which may extend to

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
					in contravention of sub-section (*1*) of section 44		one lakh rupees.
				18.	If any port fails to comply with the directions issued by the Central Government under sub-section (*2*) of section 44	44(*2*)	Penalty which may extend to one lakh rupees and in addition, penalty which may extend to ten thousand rupees for every day during which such default continues.
				19.	If the Authority or concessionaire or person or body of persons fails to publish the port tariff in contravention of sub-section (*2*) of section 47	47(*2*)	Penalty which may extend to fifty thousand rupees and in addition, penalty which may extend to five thousand rupees for every day during which such default continues.
				20.	If any owner, agent or master of a vessel fails to report the arrival of a vessel in contravention of section 49	49	Penalty which may extend to twenty thousand rupees.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
				21.	If any master of a vessel fails to pay any fees or other charges in contravention of sub-section (*1*) of section 52	52(*1*)	Penalty which may extend to twice the amount of fees or other charges due, subject to a minimum of twenty thousand rupees.
				22.	If any person fails to furnish or furnishes information in contravention of section 57	57	Penalty which may extend to two lakh rupees and in addition, penalty which may extend to two thousand rupees for every day during which such default continues.
				23.	If the master of any vessel unlawfully hoists or fails to hoist any flag in contravention of section 65	65	Penalty which may extend to twenty thousand rupees.
				24.	If any port fails to prepare a safety, security, disaster management and pollution incident	66(*1*)	Penalty which may extend to two lakh rupees.

(1)	(2)	(3)	(4)	(5)			
				(1)	(2)	(3)	(4)
					emergency preparedness and response plan in contravention of sub-section (*1*) of section 66		
				25.	If any port fails to comply with the directions issued by the conservator in contravention of sub-section (*4*) of section 66	66(*4*)	Penalty which may extend to two lakh rupees.
				26.	If any port fails to report particulars of any incident in contravention of section 67	67	Penalty which may extend to one lakh rupees.
				27.	If any port fails to provide shore based welfare services in contravention of section 68	68	Penalty which may extend to twenty thousand rupees.
				28.	If any port fails to comply with directions of the Central Government issued under sub-section (*1*) of section 69	69(*1*)	Penalty which may extend to fifty thousand rupees.
				29.	If any port fails to develop or maintain a vessel traffic service in contravention of sub-section (*2*) of section 69	69(*2*)	Penalty which may extend to one lakh rupees.”.

STATEMENT OF OBJECTS AND REASONS

The corner stone of democratic governance lies in the Government trusting its own people and institutions. A web of outdated rules and regulations causes trust deficit. It has been the endeavour of the Government to achieve the principle of "Minimum Government Maximum Governance", redefining the regulatory landscape of the country under the Ease of Living and Ease of Doing Business reforms.

2. Reducing compliance burden gives impetus to business process reengineering and improves ease of living of people. Series of measures such as simplifying, digitising and rationalising compliances are being undertaken to achieve these goals.

3. The Government is committed to make India the most preferred global investment destination by boosting investor confidence. The fear of imprisonment for minor offences is a major factor hampering the growth of the business ecosystem and individual confidence. Decriminalisation of large number of minor offences by replacing them with monetary penalties have been identified as a measure that not only makes lives and businesses easier but also to reduce judicial burden. Settlement of large number of issues by compounding method, adjudication and administrative mechanism, without involving courts, will enable persons to get remedy for minor contraventions and defaults, sometimes committed unknowingly by them, and save time, energy and resources.

4. The *Jan Vishwas* (Amendment of Provisions) Bill, 2026 is a continuation of the regulatory reforms started under the *Jan Vishwas* (Amendment of Provisions) Act, 2023 and the *Jan Vishwas* (Amendment of Provisions) Bill, 2025 which was introduced in Lok Sabha on 18th August, 2025 and referred to the Select Committee by the Hon'ble Speaker for examination and report.

5. The Hon'ble Select Committee examined the said Bill and submitted its report to Lok Sabha on 13th March, 2026. In addition to the Bill referred to it, the Hon'ble Committee made recommendations to bring several other enactments within the ambit of the Bill. The Bill, which proposes to amend 79 Central enactments aims to decriminalise minor offences to reduce the compliance burden on businesses, promote ease of doing business and ease of living for citizens by rationalising processes by *inter alia* issuing warnings at the first instance of contraventions and imposing penalties for subsequent contraventions. The goal of proposed Bill is to create a more business-friendly environment and promote ease of living by eliminating unnecessary legal hurdles and simplifying regulatory landscape. The initiative underscores India's commitment to creating a predictable, transparent and fair regulatory environment.

6. Through the *Jan Vishwas* (Amendment of Provisions) Bill, 2026, apart from decriminalising several offences across various enactments, 20 additional provisions of the Motor Vehicles Act, 1988 (59 of 1988) and 47 provisions of the New Delhi Municipal Council Act, 1994 (44 of 1994) are proposed to be amended to facilitate Ease of Living which will serve as a significant step in saving time and cost of all.

7. The Bill seeks to achieve the above objectives.

NEW DELHI; PIYUSH GOYAL.

The 25*th March*, 2026.

FINANCIAL MEMORANDUM

The Bill, if enacted, would not involve any expenditure, either recurring or non-recurring, from and out of the Consolidated Fund of India.

In the Bill, in the Schedule, *inter alia*,—

(*a*) in serial number 2 (the Cattle-trespass Act, 1871), clause (*T*) empowers the Central Government to make rules regarding the manner of holding inquiry and imposing penalty under sub-section (*1*) of section 27A; the form and manner of preferring appeal to appellate authority against the order of adjudicating officer under sub-section (*2*) of section 27A; the manner of utilisation of penalty amount under sub-section (*2*) of section 28;

(*b*) in serial number 33 (the Seamen's Provident Fund Act, 1966), clause (*C*) empowers the Central Government to make rules regarding the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 16A; and the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 16A;

(*c*) in serial number 66 (the Prevention and Control of Infectious and Contagious Diseases in Animals Act, 2009), clause (*N*) empowers the Central Government to make rules regarding the form and manner of reporting the matter to the Veterinary Officer, State Government and Central Government under sub-section (*3*) of section 4; the form, manner and time of submission of report to the State Government and the Central Government regarding vaccinated animals under sub-section (*7*) of section 6; the form and manner of submission of report to the State Government and the Central Government regarding marking and issuing certificate for vaccinated animals under sub- section (*4*) of section 8; the manner of recovery of cost regarding measures under sub-section (*3*) of section 29;the manner of holding inquiry and imposing of penalty under sub-section (*I*) of section 33A; the form and the manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*1*) of section 33B;

(*d*) in serial number 80 (the Merchant Shipping Act, 2025), clause (*C*) empowers the Central Government to make rules regarding the application for the compounding of an offence, the form and its manner and the sum payable under sub-sections (*1*) and (*3*) of section 282A.

2. The matters in respect of which rules may be made in accordance with the provisions of the Bill are generally matters of procedure and administrative detail and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

ANNEXURE

EXTRACT FROM THE COURT-FEES ACT, 1870

(7 OF 1870)

* * * * *

34. (*1*) * * * * * Sale of stamps.

(*3*) Any person appointed to sell stamps who disobeys any rule made under this section, and any person not so appointed who sells or offers for sale any stamp, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

* * * * *

EXTRACTS FROM THE CATTLE-TRESPASS ACT, 1871

(1 OF 1871)

* * * * *

3. In this Act,— Interpretation clause.

"officer of police" includes also village-watchman, and

"cattle" includes also elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids, and

"local authority" means any body of persons for the time being invested by law with the control and administration of any matters within a specified local area, and

"local fund" means any fund under the control or management of a local authority.

* * * * *

6. The State Government shall appoint a pound-keeper for every pound. Appointment of pound-keepers.

Any pound-keeper may hold simultaneously any other office under the Government. Pound-keepers may hold other offices.

Every pound-keeper shall be deemed to be a public servant within the meaning of the Indian Penal Code. Pound-keepers to be public servants.

45 of 1860.

* * * * *

8. When cattle are brought to a pound, the pound-keeper shall enter in his register,— To register seizures.

(*a*) the number and description of the animals,

* * * * *

12. For every head of cattle impounded as aforesaid, the pound-keepers shall levy a fine in accordance with the scale for the time being prescribed by the State Government in this behalf by notification in the Official Gazette. Different scales may be prescribed for different local areas. Fines for cattle impounded.

All fines so levied shall be sent to the Magistrate of the District through such; officer as the State Government may direct.

A list of the fines and of the rates of charge for feeding and watering cattle shall be posted in a conspicuous place on or near to every pound. List of fines and charges for feeding.

* * * * *

CHAPTER IV

DELIVERY OR SALE OF CATTLE

Procedure when owner claims the cattle and pays fines and charges.

13. If the owner of the impounded cattle or his agent appear and claim the cattle, the pound-keeper shall deliver them to him on payment of the fines and charges incurred in respect of such cattle.

The owner or his agent, on taking back the cattle, shall sign a receipt for them in the register kept by the pound-keeper.

* * * * *

Delivery to owner disputing legality of seizure but making deposit.

15. If the owner or his agent appear and refuse to pay the said fines and expenses, on the ground that the seizure was illegal and that the owner is about to make a complaint under section 20, then, upon deposit of the fines and charges incurred in respect of the cattle, the to him.

Procedure when owner refuses or omits to pay the fines and expenses.

16. If the owner or his agent appear and refuse or omit to pay or (in the case mentioned in section 15) to deposit the said fines and expenses, the cattle, or as many of them as may be necessary, shall be sold by public auction by such officer at such place and time, and subject to such conditions, as are referred to in section 14.

Deduction of fines and expenses.

The fines leviable and the expenses of feeding and watering, together with the expenses of sale, if any, shall be deducted from the proceeds of the sale.

Delivery of unsold cattle and balance of proceeds.

The remaining cattle and the balance of the purchase-money, if any, shall be delivered to the owner or his agent, together with an account showing—

(*a*) the number of cattle seized,

(*b*) the time during which they have been impounded,

(*c*) the amount of fines and charges incurred,

(*d*) the number of cattle sold,

(*e*) the proceeds of sale, and

(*f*) the manner in which those proceeds have been disposed of.

Receipts.

The owner or his agent shall give a receipt for the cattle delivered to him and for the balance of the purchase-money (if any) paid to him according to such account.

Disposal of fines, expenses and surplus proceeds of sales.

17. The officer by whom the sale was made shall send to the Magistrate of the District the fines so deducted.

The charges for feeding and watering deducted under section 16 shall be paid over to the pound-keeper, who shall also retain and appropriate all sums received by him on account of such charges under section 13.

The surplus unclaimed proceeds of the sale of cattle shall be sent to the Magistrate of the District, who shall hold them in deposit for three months, and, if no claim thereto be preferred and established within that period, shall, at its expiry, be deemed to hold them as part of the revenues of the State.

* * * * *

Compensation for illegal seizure or detention.

22. If the seizure or detention be adjudged illegal, the Magistrate shall award to the complainant, for the loss caused by the seizure or detention, reasonable compensation, not exceeding one hundred rupees, to be paid by the person who made the seizure or detained the cattle together with all fines paid and expenses incurred by the complainant in procuring the release of the cattle,

and, if the cattle have not been released, the Magistrate shall, besides awarding such compensation, order their release and direct that the fines and expenses leviable under this Act shall be paid by the person who made the seizure or detained the cattle. Release of cattle.

23. The compensation, fines and expenses mentioned in section 22 may be recovered as if they were fines imposed by the Magistrate. Recovery of compensation.

CHAPTER VI

PENALTIES

24. Whoever forcibly opposes the seizure of cattle liable to be seized under this Act, Penalty for forcibly opposing the seizure of cattle or rescuing the same.

and whoever rescues the same after seizure, either from a pound, or from any person taking or about to take them to a pound, such person being near at hand and acting under the powers conferred by this Act,

shall, on conviction before a Magistrate, be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both.

25. Any fine imposed under the next following section or for the offence of mischief by causing cattle to trespass on any land may be recovered by sale of all or any of the cattle by which the trespass was committed, whether they were seized in the act of trespassing or not, and whether they are the property of the person convicted of the offence, or were only in his charge when the trespass was committed. Recovery of penalty for mischief committed by causing cattle to trespass.

26. Any owner or keeper of pigs who, through neglect or otherwise, damages or causes or permits to be damaged any land, or any crop or produce of land, or any public road, by allowing such pigs to trespass thereon, shall, on conviction before a Magistrate, be punished with fine not exceeding ten rupees. Penalty for damage caused to land or crops or public roads by pigs.

The State Government, by notification in the Official Gazette, may from time to time with respect to any local area specified in the notification, direct that the foregoing portion of this section shall be read as if it had reference to cattle generally, or to cattle of a kind described in the notification, instead of to pigs only, or as if the words "fifty rupees" were substituted for the words "ten rupees," or as if there were both such reference and such substitution.

27. Any pound-keeper releasing or purchasing or delivering cattle contrary to the provisions of section 19, or omitting to provide any impounded cattle with sufficient food and water, or failing to perform any of the other duties imposed upon him by this Act, shall, over and above any other penalty to which he may be liable, be punished, on conviction before a Magistrate, with fine not exceeding fifty rupees. Penalty on pound-keeper failing to perform duties.

Such fines may be recovered by deductions from the pound-keeper's salary.

28. All fines recovered under section 25, section 26 or section 27 may be appropriated in whole or in part as compensation for loss or damage proved to the satisfaction of the convicting Magistrate. Application of fines recovered under section 25, 26 or 27.

CHAPTER VII

SUITS FOR COMPENSATION

29. Nothing herein contained prohibits any person whose crops or other produce of land have been damaged by trespass of cattle from suing for compensation in any competent Court. Saving of right to sue for compensation.

30. Any compensation paid to such person under this Act by order of the convicting Magistrate shall be set-off and deducted from any sum claimed by or awarded to him as compensation in such suit. Set-off.

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EXTRACTS FROM THE PRESIDENCY SMALL CAUSE COURTS ACT, 1882

(15 OF 1882)

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Bar of distresses except under this Chapter.

68. No distress shall be levied for arrears of rent except under the provisions of this Chapter;

Penalty for making illegal distresses.

and any person, except a bailiff appointed under section 51, levying or attempting to levy any such distress, shall, on conviction before a Presidency Magistrate, be liable to be punished with fine which may extend to five hundred rupees and with imprisonment for a term which may extend to three months, in addition to any other liability he may have incurred by his proceedings.

* * * * *

Imprisonment or committal of person refusing to answer or produce document.

87. If any witness before the Small Cause Court refuses to answer such questions as are put to him, or to produce any document in his possession or power which the Court requires him to produce, and does not offer any reasonable excuse for such refusal, the Court may sentence him to simple imprisonment, or commit him to the custody of an officer of the Court, for any term not exceeding seven days, unless in the meantime such person consents to answer such questions or to produce such document, as the case may be, after which, in the event of his persisting in his refusal, he may be dealt with according to the provisions of section 480 or section 482 of the Code of Criminal Procedure, 1898. 5 of 1898.

Appeal from orders under section 87.

88. Any person deeming himself aggrieved by an order under section 87 may appeal to the High Court, and the provisions of the Code of Criminal Procedure, 1898, relating to appeals shall, so far as may be, apply to appeals under this section. 5 of 1898.

* * * * *

Place of imprisonment.

95. Any person ordered by the Small Cause Court to be imprisoned may be imprisoned in such place as the State Government, from time to time, appoints in this behalf.

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EXTRACT FROM THE LIVE-STOCK IMPORTATION ACT, 1898

(9 OF 1898)

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Power for State Government to make rules.

4. (*1*) The State Government may make rules for the detention, inspection, disinfection of destruction of imported live-stock, and of fodder, dung, stable-litter, clothing harness or fittings appertaining to imported live-stock or that may have been in contact therewith and for regulating the powers and duties of the officers whom it may appoint in this behalf.

(*2*) In making any rule under this section the State Government may direct that a breach thereof shall be punishable with fine which may extend to one thousand rupees.

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EXTRACT FROM THE WORKS OF DEFENCE ACT, 1903

(7 OF 1903)

* * * * *

Penalties.

36. Whoever wilfully—

(*a*) obstructs any person in doing any of the acts authorised by section 4, section 6 or section 8, or

(*b*) destroys, damages, alters or otherwise interferes with the ground level or any work done under section 6, or

(*c*) contravenes any of the provisions of section 7 or any condition prescribed thereunder,

shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to fifty rupees, or with both, and, in the case of a continuing offence, with an additional fine which may extend to five rupees for every day after the first in regard to which he is convicted of having persisted in the offence; and any expenses incurred in removing the effects of his offence may be recovered from him in the manner provided by the law for the time being in force for the recovery of fines.

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EXTRACTS FROM THE INDIAN SUCCESSION ACT, 1925

(39 OF 1925)

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296. (*1*) * * * * * Surrender of revoked probate or letters of administration.

(*2*) If such person wilfully and without reasonable cause omits so to deliver up the probate or letters, he shall be punishable with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to three months, or with both.

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389. (*1*) * * * * * Surrender of superseded and invalid certificates.

(*2*) If he wilfully and without reasonable cause omits so to deliver it up, he shall be punishable with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to three months or with both.

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EXTRACTS FROM THE RESERVE BANK OF INDIA ACT, 1934

(2 OF 1934)

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CHAPTER V

PENALTIES

58B. (*1*) * * * * * Penalties.

(*4AA*) If any auditor fails to comply with any direction given or order made by the Bank under section 45MA, he shall be punishable with fine which may extend to ten lakh rupees.

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58G. (*1*) * * * * * Power of Bank to impose fine.

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EXTRACTS FROM THE DRUGS AND COSMETICS ACT, 1940

(23 OF 1940)

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27A. Whoever himself or by any other person on his behalf manufactures for sale or for distribution, or sells, or stocks or exhibits or offers for sale— Penalty for manufacture, sale, etc., of cosmetics in contravention of this Chapter.

* * * * *

(*ii*) any cosmetic other than a cosmetic referred to in clause (*i*) in contravention of any provisions of this Chapter or any rule made thereunder shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to twenty thousand rupees, or with both.

* * * * *

Penalty for not keeping documents, etc., and for non-disclosure of information.

28A. Whoever without reasonable cause or excuse, contravenes the provisions of section 18B shall be punishable with imprisonment for a term which may extend to one year or with fine which shall not be less than twenty thousand rupees or with both.

* * * * *

Penalty for use of Government Analyst's report for advertising.

29. Whoever uses any report of a test or analysis made by the Central Drugs Laboratory or by a Government Analyst, or any extract from such report, for the purpose of advertising any drug or cosmetic, shall be punishable with fine which may extend to five thousand rupees.

Penalty for subsequent offences.

30. (*1*) * * * * *

(*1A*) Whoever, having been convicted of an offence under section 27A is again convicted convicted under that section, shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

(*2*) Whoever, having been convicted of an offence under section 29 is again convicted of an offence under the same section shall be punishable with imprisonment which may extend to two years, or with fine which shall not be less than ten thousand rupees or with both.

* * * * *

Compounding of certain offences.

32B. (*1*) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any offence punishable under clause (*b*) of sub-section (*1*) of section 13, clause (*d*) of section 27 and clause (*ii*) of section 27A, section 28 and section 28A of this Act (whether committed by a company or any officer thereof), not being an offence punishable with imprisonment only, or with imprisonment and also with fine, may, either before or after the institution of any prosecution, be compounded by the Central Government or by any State Government or any officer authorised in this behalf by the Central Government or a State Government, on payment for credit to that Government of such sum as that Government may, by rules made in this behalf, specify: 2 of 1974.

Provided that such sum shall not, in any case, exceed the maximum amount of the fine which may be imposed under this Act for the offence so compounded:

Provided further that in cases of subsequent offences, the same shall not be compoundable.

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Power of Central Government to make rules.

33. (*1*) * * * * *

(*2*) Without prejudice to the generality of the foregoing power, such rules may—

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(*o*) prescribe the forms of report to be given by Government Analysts, and the manner of application for test or analysis under section 26 and the fees payable therefor;

* * * * *

33-I. Whoever himself or by any other person on his behalf— Penalty for manufacture, sale, etc., of Ayurvedic, Siddha or Unani drug in contravention of this Chapter.

* * * * *

(*2*) Contravenes any other provisions of this Chapter or of section 24 as applied by section 33H or any rule made under this Chapter, shall be punishable with imprisonment for a term which may extend to six months and with fine which shall not be less than ten thousand rupees.

33J. Whoever having been convicted of an offence,— Penalty for subsequent offences.

* * * * *

(*c*) under sub-section (*2*) of section 33-I is again convicted of an offence under that sub-section, shall be punishable with imprisonment for a term which may extend to one year and with fine which shall not be less than twenty thousand rupees or three times the value of the drugs confiscated, whichever, is more.

* * * * *

36AB. (*1*) The Central Government, or the State Government, in consultation with the Chief Justice of the High Court, shall, for trial of offences relating to adulterated drugs or spurious drugs and punishable under clauses (*a*) and (*b*) of section 13, sub-section (*3*) of section 22, clauses (*a*) and (*c*) of section 27, section 28, section 28A, section 28B and clause (*b*) of sub-section (*1*) of section 30 and other offences relating to adulterated drugs or spurious drugs, by notification, designate one or more Courts of Session as a Special Court or Special Courts for such area or areas or for such case or class or group of cases as may be specified in the notification. Special Courts.

Explanation.—In this sub-section, "High Court" means the High Court of the State in which a Court of Session designated as Special Court was functioning immediately before such designation.

* * * * *

36AC. (*1*) Notwithstanding anything contained in the Code of Criminal Procedure, 1973,— 2 of 1974. Offences to be cognizable and non-bailable in certain cases.

(*a*) every offence, relating to adulterated or spurious drug and punishable under clauses (*a*) and (*c*) of sub-section (*1*) of section 13, clause (*a*) of sub-section (*2*) of section 13, sub-section (*3*) of section 22, clauses (*a*) and (*c*) of section 27, section 28, section 28A, section 28B and sub-sections (*1*) and (*2*) of section 30 and other offences relating to adulterated drugs or spurious drugs, shall be cognizable.

(*b*) no person accused, of an offence punishable under clauses (*a*). and (*c*) of sub-section (*1*) of section 13, clause (*a*) of sub-section (*2*) of section 13, sub-section (*3*) of section 22, clauses (*a*) and (c) of section 27, section 28, section 28A, section 28B and sub-sections (*1*) and (*2*) of section 30 and other offences relating to adulterated drugs or spurious drugs, shall be released on bail or on his own bond unless—

(*i*) the Public Prosecutor has been given an opportunity to oppose the application for such release; and

(*ii*) where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail:

Provided that a person, who, is under the age of sixteen years, or is a woman or is sick or infirm, may be released on bail, if the Special Court so directs.

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EXTRACTS FROM THE PHARMACY ACT, 1948

(8 OF 1948)

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Inspection.

26A. (*1*) * * * * *

(*4*) Every Inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

* * * * *

Failure to surrender certificate of registration.

43. (*1*) If any person whose name has been removed from the register fails without sufficient cause forthwith to surrender his certificate of registration, he shall be punishable with fine which may extend to fifty rupees.

(*2*) Cognizance of an offence punishable under this section shall not be taken except upon complaint made by an order of the Executive Committee.

* * * * *

Adjudication of penalties.

43A. (*1*) For the purposes of adjudging the penalties under section 26A, the Central Government shall authorise the President of the State council, Where the alleged violation is committed, to be the adjudicating officer for holding an inquiry and impose penalty in the manner as may be prescribed under section 18, after giving any person concerned a reasonable opportunity of being heard.

* * * * *

EXTRACTS FROM THE DOCK WORKERS (REGULATION OF EMPLOYMENT) ACT, 1948

(9 OF 1948)

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3. (*1*) * * * * * Scheme for ensuring regular employment of workers.

(*3*) A scheme may further provide that a contravention of any provision thereof shall be punishable with imprisonment for such term as may be specified but in no case exceeding three months in respect of a first contravention or six months in respect of any subsequent contravention, or with fine which may extend to such amount as may be specified but in no case exceeding five hundred rupees in respect of a first contravention or one thousand rupees in respect of any subsequent contravention, or with both imprisonment and fine as aforesaid.

* * * * *

7. (*1*) No Court shall take cognizance of any offence made punishable by a scheme or of any abetment thereof, except on a report in writing of the facts constituting such offence or abetment made by an Inspector or by a person specially authorised in this behalf by the Government. Cognizance of offences.

(*2*) Notwithstanding anything contained in the Code of Criminal Procedure 1898, an offence made punishable by a scheme or an abetment thereof shall be triable only by a Presidency Magistrate or a Magistrate of the first class.

5 of 1898.

7A. (*1*) If the person committing an offence made punishable by a scheme or any abetment thereof is a company, every person who, at the time the offence or abetment was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence or abetment and shall be liable to be proceeded against and punished accordingly: Offences by companies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence or abetment was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence or abetment.

(*2*) Notwithstanding anything contained in sub-section (*1*), where an offence made punishable by a scheme or any abetment thereof has been committed by a company and it is proved that the offence or abetment has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence or abetment and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means any body corporate and includes a firm and other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

8. (*1*) * * * * * Power to make rules.

(*2*) In particular and without prejudice to the generality of the forgoing power, such rules may provide for—

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(*g*) the form in which a Board shall prepare its annual statement of accounts and the balance-sheet.

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EXTRACTS FROM THE DAMODAR VALLEY CORPORATION ACT, 1948

(14 OF 1948)

* * * * *

Supply and generation of electrical energy.

18. Notwithstanding anything contained in the Indian Electricity Act, 1910, or any licence granted thereunder— 9 of 1910.

(*i*) No person shall without the permission of the Corporation—

(*a*) sell electrical energy to any consumer in the Damodar Valley where the energy is taken by the consumer at a pressure of 30,000 volts or more;

(*b*) transmit electrical energy in the Damodar Valley at a pressure of 30,000 volts or more;

(*c*) generate any electrical energy at an installation having an aggregate capacity of more than 10,000 kilowatts in any part of the Damodar Valley lying to the north of a straight line drawn east to west passing through a point at latitude twenty-two degrees, fourteen minutes and forty-seven seconds and longitude eighty-seven degrees, fifty-one minutes and forty-two seconds except such portion of the municipal area of Burdwan as may lie to the north of such straight line:

Provided that nothing in sub-clause (*c*) shall apply to any person who was, at the commencement of this Act, generating electrical energy at an installation having an aggregate capacity of more than 10,000 kilowatts, so long as the capacity of such installation is not increased:

Provided further that nothing in sub-clause (*c*) shall apply to the power station installation of the fertiliser factory at Sindri having an aggregate capacity of 80,000 kilowatts so long as the capacity of such installation is not increased beyond 80,000 kilowatts.

(*ii*) The Corporation may sell electrical energy to any consumer in the Damodar Valley but no such sale shall, except with the permission of the State Government concerned, be made to any consumer requiring supply at a pressure of less than 30,000 volts.

(*iii*) The Corporation may, with the permission of the State Government concerned, extend its transmission system to any area beyond the Damodar Valley and sell electrical energy in such area.

Effect on existing licences.

19. (*1*) Where any licence granted under the Indian Electricity Act, 1910, becomes inoperative wholly or partly by virtue of the provisions of section 18, the licence shall be deemed to have been revoked or modified so as to be consistent with those provisions. 9 of 1910.

(*2*) Where a licence is deemed to have been revoked under sub-section (*1*) the Corporation shall purchase the undertaking of the licencee, and where a licence is modified under that sub-section, the Corporation shall, at the option of the licensee, either purchase the undertaking or pay fair compensation to the licensee.

(*3*) The purchase price or the amount of compensation payable by the corporation under sub-section (*2*) shall be such as may be agreed to between the Corporation and the licensee or, in the event of disagreement, as may be determined by arbitration.

* * * * *

Penalty.

53. Whoever contravenes the provisions of sections 17 and 18 of this Act or any rule made, thereunder shall be punished with imprisonment for a term which may extend to six months or with fine or with both.

* * * * *

56. All members, officers and servants of the Corporation, whether appointed by the Central Government or the Corporation, shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act to be public servants within the meaning of section 21 of the Indian Penal Code. Members, officers and servants of the Corporation to be public servants.

45 of 1860.

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EXTRACT FROM THE COAL MINES PROVIDENT FUND AND MISCELLANEOUS PROVISIONS ACT, 1948

(46 OF 1948)

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9. (*1*) If any person— Penalty.

(*a*) contravenes any provisions of this Act or of any scheme framed thereunder, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees or with both;

(*b*) who has been convicted of any offence punishable is aforesaid, is again guilty of any such offence within a period of two years from the date of the previous conviction, he shall be punishable on conviction with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

(*2*) No Court shall take cognizance of any offence punishable under sub-section (*1*) except on a report in writing of the facts constituting such offence made by an Inspector with the previous sanction of such authority as may be specified in this behalf by the Central Government.

(*3*) No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence punishable under sub-section (*1*).

* * * * *

EXTRACTS FROM THE CENTRAL SILK BOARD ACT, 1948

(61 OF 1948)

* * * * *

13. (*1*) * * * * * Power of Central Government to make rules.

(*2*) In particular, and without prejudice to the generality of the foregoing power, rules made under this section may provide for all or any of the following matters, namely:—

* * * * *

(*xvc*) manner of registration of a producer or dealer by the Registration Committee under subsection (*1*) and form for making application and fees to be paid under sub-section (*4*) of section 8E;

* * * * *

14. (*1*) If any person— Penalties.

* * * * *

(*b*) obstructs any officer of the Board Committee and Registration Committee in the exercise of any power, conferred, or the discharge of any duty imposed on him by or under this Act, or

(*c*) having the control or custody of any account book or other record, fails to produce such book or record when required so to do under this Act,

he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

* * * * *

Penalty for contravention of sections 8C and 8E.

14A. If any person contravenes the provisions of sections 8C and 8E of this Act or regulations made thereunder or any notification relating to silk-worm seed he shall be punishable with a fine of five thousand rupees which may extend to twenty-five thousand rupees besides suspension or cancellation of the registration to produce silk-worm seeds.

* * * * *

EXTRACT FROM THE ROAD TRANSPORT CORPORATIONS ACT, 1950

(64 OF 1950)

* * * * *

Penalty for breach of rules.

46. The State Government may, by rule, provide that the breach of any rules made by it under section 44 or any regulations made by a Corporation under section 45 shall be punishable with fine which may extend to five hundred rupees, and when the breach is a continuing one, with a further fine not exceeding twenty rupees for every day after the date of the first conviction during which the offender is proved to have persisted in the offence.

* * * * *

EXTRACTS FROM THE REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY ACT, 1952

(30 OF 1952)

* * * * *

Penalty for offences.

20. Whoever contravenes any provision of this Act, or any rule made thereunder, or any order made or direction given under this Act, or obstructs the lawful exercise of any power conferred by or under this Act, shall be punishable with fine which may extend to one thousand rupees.

Certain persons to be public servants.

21. The competent authority, every arbitrator and every officer empowered by the Central Government or the competent authority, while exercising any power or performing any duty under this Act, shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Power to make rules.

22. (*1*) * * * * *

(*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:—

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(*e*) the manner of service of notices and orders;

* * * * *

EXTRACTS FROM THE RESERVE AND AUXILIARY AIR FORCES ACT, 1952

(62 OF 1952)

* * * * *

30. (*1*) If any person refuses or without lawful excuse (the burden of proving which shall lie upon such person) neglects to comply fully with the requirements of sub-section (*1*) of section 11 or of any order made under sub-section (*2*) of that section or with the requirements of section 14, he shall be punishable with fine which may extend to five hundred rupees. Penalties.

(*2*) If any person wilfully fails to comply with any notice issued under section 13 or section 16, he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

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34. (*1*) * * * * * Power to make rules.

(*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:—

* * * * *

(*m*) the authority to which an application under sub-section (*3*) of section 29 may be made and the manner in which the difference in the pay and allowances may be recovered under that sub-section;

* * * * *

(*3*) Any rule made under this section may provide that a contravention thereof shall be punishable with fine which may extend to fifty rupees.

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EXTRACTS FROM THE TEA ACT, 1953

(29 OF 1953)

* * * * *

37. Any person who being required by or under this Act to furnish any return fails to furnish such return or furnishes a return containing any particular which is false and which he knows to be false or does not believe to be true shall be punishable with fine which may extend to one thousand rupees. Penalty for making false return.

* * * * *

42A. (*1*) For the purposes of adjudging the penalties under sub-section (*1*) of section 41 and section 42, the Deputy Chairman of the Board shall appoint the Secretary to the Board or any other officer authorised by the Central Government, as the case may be, to be an adjudicating officer for holding an inquiry and imposing penalty in the manner as may be prescribed, after giving a reasonable opportunity of being heard. Adjudication of penalties.

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EXTRACTS FROM THE COIR INDUSTRY ACT, 1953

(45 OF 1953)

* * * * *

CHPTER VI

MISCELLANOUS

20. (*1*) If any person contravenes the provisions of section 12, he shall be punishable with fine which may extend to five hundred rupees. Penalties.

(*2*) Any person who attempts to contravene or abets the contravention of the provisions of section 12 shall be deemed to have contravened those provisions.

Offences by companies.

21. (*1*) If the person committing an offence under section 12 is a company, every person who at the time the contravention was committed was incharge of, and was responsible to, the company for the conduct of the business of the company, as well as the company shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, 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.

(*2*) Notwithstanding anything contained in sub-section (*1*) where an offence under section 12 has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director" in relation to a firm means a partner in the firm.

Previous sanction of Central Government for prosecution.

22. No prosecution for any offence punishable under this Act shall be instituted except with the previous approval of the Central Government.

* * * * *

EXTRACTS FROM THE DELIVERY OF BOOKS AND NEWSPAPERS (PUBLIC LIBRARIES) ACT, 1954

(27 OF 1953)

* * * * *

Penalty.

5. Any publisher who contravenes any provision of this Act or of any rule made thereunder shall be punishable with fine which may extend to fifty rupees and, if the contravention is in respect of a book, shall also be punishable with fine which shall be equivalent to the value of the book, and the court trying the offence may direct that the whole or any part of the fine realised from him shall be paid, by way of compensation, to the public library to which the book or newspaper, as the case may be ought to have been delivered.

Cognizance of offences.

6. (*1*) No court shall take cognizance of any offence punishable under this Act save on complaint made by an officer empowered in this behalf by the Central Government by a General or special order.

(*2*) No court inferior to that of a presidency magistrate or a magistrate of the first class shall try any offence punishable under this Act.

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EXTRACTS FROM THE LIFE INSURANCE CORPORATION ACT, 1956

(31 OF 1956)

* * * * *

4D. (*1*) * * * * * Adjudication of penalties.

(*2*) The adjudicating officer may, on a complaint made in writing by a person authorised by the Corporation, and after giving a reasonable opportunity of being heard, by an order impose penalty on a director or employee liable to penalty under any provision of this Act on account of any contravention or violation on his part.

* * * * *

(*4*) A director or employee aggrieved by any order made by the adjudicating officer may prefer an appeal to such officer to the Central Government of a rank higher than that of the adjudicating officer as the Central Government may appoint as appellate authority, within thirty days from the date on which a copy of the order made by the adjudicating officer is received by the aggrieved individual, and the officer so appointed may, after giving the individual an opportunity of being heard, pass such order as he may deem fit, confirming, modifying or setting aside the order appealed against, or remanding the case to the adjudicating officer for disposal, with such directions as he may deem fit.

(*5*) Where a director or employee of the Corporation having already been subjected to penalty under this Act for any contravention or violation of any provision of this Act, again commits such contravention or violation within a period of three years from the date of order imposing such penalty passed by the adjudicating officer, he shall be liable for the second or subsequent contravention or violation for twice the amount of penalty provided therefor.

* * * * *

40. If any person wilfully withholds or fails to deliver to the Corporation as required by section 13, any property or any books, documents or other papers which may be in his possession or unlawfully retains possession of any property of an insurer which has been transferred to and vested in the Corporation under this Act or wilfully applies any such property to purposes other than those expressed in or authorised by this Act, he shall, on the complaint of the Corporation, be punishable with imprisonment which may extent to one year, or with fine which may extend to one thousand rupees, or with both. Penalty for withholding property, etc.

* * * * *

EXTRACT FROM THE NATIONAL HIGHWAYS ACT, 1956

(48 OF 1956)

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8B. Whoever commits mischief by doing any act which renders or which he knows to be likely to render any national highway referred to in sub-section (*1*) of section 8A impassable or less safe for traveling or conveying property, shall be punished with imprisonment of either description for a term which may extend to five years, or with a fine, or with both. Punishment for mischief by injury to national highway.

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EXTRACTS FROM THE SLUM AREAS (IMPROVEMENT AND CLEARANCE) ACT, 1956

(96 OF 1956)

* * * * *

Penalties.

32. (*1*) Whoever fails to comply with any notice, order or direction issued or given under this Act shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(*2*) Whoever commences or causes to be commenced any work in contravention of any restriction or condition imposed under sub-section (*7*) of section 10 or any plan for the re-development of a clearance area shall be punishable with imprisonment which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(*3*) Whoever obstructs the entry of any person authorised under this Act to enter into or upon any building or land or molests such person after such entry shall be punishable with fine which may extend to one thousand rupees.

* * * * *

Competent authority, etc., to be public servants.

38. The competent authority and any person authorised by it under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

* * * * *

Power to make rules.

40. (*1*) * * * * *

(*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:—

* * * * *

(*eeeeee*) the matters in respect of which provision may be made under sub-section (*5*) of section 20B;

* * * * *

EXTRACT FROM THE COPYRIGHT ACT, 1957

(14 OF 1957)

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Penalty for making false entries in register, etc., for producing or tendering false entries.

67. Any person who,—

(*a*) makes or causes to be made a false entry in the Register of Copyrights kept under this Act, or

(*b*) makes or causes to be made a writing falsely purporting to be a copy of any entry in such register, or

(*c*) produces or tenders or causes to be produced or tendered as evidence any such entry or writing, knowing the same to be false,

shall be punishable with imprisonment which may extend to one year, or with fine, or with both.

* * * * *

EXTRACT FROM THE COAL BEARING AREAS (ACQUISITION AND DEVELOPMENT) ACT, 1957

(20 OF 1957)

* * * * *

Penalties.

23. Whoever wilfully obstructs any person in doing any of the acts authorised by sub-section (*3*) of section 4 or wilfully fills up, destroys, damages or displaces any mark

made under section 4, or wilfully obstructs the lawful exercise of any other power conferred by or under this Act, or fails to comply with any order made or direction given under this Act, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

* * * * *

EXTRACTS FROM THE DELHI DEVELOPMENT ACT, 1957

(61 OF 1957)

* * * * *

Penalties.

29. (*1*) Any person who whether at his own instance or at the instance of any other person or anybody (including a department of Government) undertakes or carries out development of any land in contravention of the master plan or zonal development plan or without the permission, approval or sanction referred to in section 12 or in contravention of any condition subject to which such permission, approval or sanction has been granted, shall be punishable,—

(*a*) with rigorous imprisonment which may extend to three years, if such development relates to utilising, selling or otherwise dealing with any land with a view to the setting up of a colony without a lay out plan; and

(*b*) with simple imprisonment which may extend to six months, or with fine which may extend to five thousand rupees, or with both, in any case, other than those referred to in clause (*a*).

(*2*) Any person who uses any land or building in contravention of the provisions of section 14 or in contravention of any terms and conditions prescribed by regulations under the proviso to that section shall be punishable with fine which may extend to five thousand rupees and in the case of a continuing offence, with further fine which may extend to two hundred and fifty rupees for every day during which such offence continues after conviction for the first commission of the offence.

(*3*) Any person who obstructs the entry of a person authorised under section 28 to enter into or upon any land or building or molests such person after such entry shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

* * * * *

Power to stop development.

31. (*1*) * * * * *

(*5*) Any person failing to comply with an order under sub-section (*1*) or, as the case may be, under sub-section (*3*), shall be punishable with fine which may extend to two hundred rupees for every day during which the non-compliance continues after the service of the order.

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2 of 1974.

Certain offences to be cognizable.

34A. The Code of Criminal Procedure, 1973, shall apply to an offence under sub-section (*1*) of section 29 as if it were a cognizable offence,—

* * * * *

(*ii*) for the purposes of all matters other than—

(*1*) matters referred to in section 42 of that Code, and

* * * * *

Members and officers to be public servants.

47. Every member and every officer and other employee of the Authority shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

* * * * *

Sanction of prosecution.

49. (*1*) No prosecution for any offence punishable under this Act other than an offence referred to in sub-section (*2*) shall be instituted except with the previous sanction of the Authority or as the case may be, the local authority concerned or any officer authorised by the Authority or such local authority in this behalf.

(*2*) No prosecution for any offence for failure to comply with the order of the officer referred to in sub-section (*3*) of section 31 and punishable under sub-section (*5*) of that section shall be instituted except with the previous sanction of the Lieutenant Governor or any officer authorised by him in this behalf.

* * * * *

Power to make rules.

56. (*1*) * * * * *

(*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:—

* * * * *

(*ja*) the manner in which the sealing of any development under sub-section (*1*) of section 31A shall be made;

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EXTRACTS FROM THE DELHI MUNICIPAL CORPORATION ACT, 1957

(66 OF 1957)

* * * * *

Power of Commissioner regarding assessment.

123D. The Commissioner may, at any time—

(*a*) make, *suo motu*, an assessment in any case where a return on the basis of self assessment has not been filed;

(*b*) revise any assessment where the information furnished in the return of self assessment is found to be incorrect;

(*c*) reopen any assessment even after the period of one year in any case where it has been detected that there is wilful suppression of information; and

(*d*) impose a penalty not exceeding thirty per cent of the difference in tax arising from non-filing of a return in time, giving wrong information or wilful suppression of facts.

* * * * *

Punishment for wilful default in payment of property tax, furnishing wrong information in return of assessment, etc.

152A. Whoever wilfully makes default in the payment of, or wilfully attempts in any manner whatsoever to evade, any tax, including amount of interest due and penalty levied under this Act, or furnishes any wrong information in the return of assessment, or wilfully fails to furnish in due time the return of property tax, or does not furnish information as asked for under any provision of this Act, he shall, without prejudice to any other penal provision under this Act to which he may be subject, be punishable,—

(*a*) in the case where the amount of tax sought to be evaded exceeds ten lakh rupees, with rigorous imprisonment for a term which shall not be less than three months but which may extend up to seven years, and with fine of not less than fifty percent of the amount of tax evaded; and

(*b*) in any other case, with rigorous imprisonment for a term which shall not be less than one month but which may extend up to three years, and with fine of not less than fifty percent of the amount of tax evaded:

Provided that the penalties so imposed shall be in addition to, and not in derogation of, any liability in respect of the payment of tax which the defaulter may have incurred.

Presentation of bill.

153. (*1*) When any tax has become due, the Commissioner shall cause to be presented to the person liable for the payment thereof, a bill for the amount due:

Provided that no such bill shall be necessary in the case of—

(*a*) property tax payable on self-assessment of vacant land or covered space in any building;

(*aa*) a tax on vehicles and animals;

(*b*) a theatre-tax; and

* * * * *

Defining the regular line of streets.

305. (*1*) * * * * *

(*3*) No person shall construct or reconstruct any building or a portion thereof or any boundary wall or other structure whatsoever within the regular line of a street except with the written permission of the Commissioner:

Provided that if within sixty days after the receipt of application from any person for permission to construct or reconstruct a boundary wall or a portion thereof, the Commissioner fails to take steps to acquire the land within the regular line of the street in accordance with section 308, then, that person may, subject to any other provisions of this Act and the bye-laws made thereunder, proceed with the work of construction or reconstruction of such boundary wall or portion thereof.

(*4*) When the Commissioner grants permission for the construction or reconstruction of any building or any boundary wall or other structure within the regular line of a street, he may require the owner of the building to execute an agreement binding himself and his successors-in-interest not to claim compensation in the event of the Commissioner at any time thereafter calling upon him or any of his successors by written notice to remove any work carried out in pursuance of such permission and to pay the expenses of such removal if, in default, such removal is carried out by the Commissioner and may for that purpose require such owner to deposit in the Municipal Fund such sum as may be determined by him.

(*5*) The Commissioner shall maintain—

(*a*) a register containing such particulars as may be specified by him in this behalf with plans attached thereto showing all public streets in respect of which the regular line of the street has been defined or redefined and containing any other particulars which the Commissioner may deem necessary;

(*b*) a register of all agreements executed under sub-section (*4*) and of all deposits made thereunder.

(*6*) All such registers shall be open to inspection by any person on payment of such fee as may be prescribed by the Commissioner with the sanction of the Standing Committee.

(*7*) Any agreement entered into in pursuance of sub-section (*4*) shall be in writing, shall be registered under the Indian Registration Act, 1908, and shall be deemed to be an agreement in respect of the land to which it relates and any condition contained in such agreement shall be deemed to be an obligation annexed to the ownership of the said land and enforceable against the successors-in-interest of the owner of such land. 16 of 1908.

* * * * *

Acquisition of the remaining part of a building and land after their portions within a regular line of street have been acquired.

309. (*1*) * * * * *

(*2*) Such surplus land may thereafter be utilised for the purpose of setting forward a building under section 310.

Setting forward of buildings to the regular line of street.

310. The Commissioner may, upon such terms as he thinks fit, allow any building to be set forward for the purpose of improving the regular line of a public street and may, with the sanction of the Standing Committee, by notice required any building to be so set forward in the case of reconstruction thereof or of a new construction.

Explanation:—For the purpose of this section a wall separating any premises from a public street shall be deemed to be a building; and it shall be deemed a sufficient compliance with permission or requisition to set forward a building to the regular line of a street if a wall of such material and dimensions as are approved by the Commissioner is erected along the said line.

* * * * *

Encroachments on streets

Prohibition of projections upon streets, etc.

317. (*1*) Except as provided in section 318, no person shall erect, set up, add to, or place against or in front of any premises any structure or fixture which will—

(*a*) overhang, jut or project into, or in any way encroach upon, and obstruct in any way the safe or convenient passage of the public along, any street, or

(*b*) jut or project into or encroach upon any drain or open channel in any street so as in any way to interfere with the use or proper working of such drain or channel or to impede the inspection or cleansing thereof.

* * * * *

Projections over streets may be permitted in certain cases.

318. (*1*) The Commissioner may give a written permission, on such terms and on payment of such fee as he in each case thinks fit, to the owner or occupier of the building abutting on any street—

(*a*) to erect an arcade over such street or any portion thereof; or

(*b*) to put up a verandah, balcony, arch, connecting passage, sun-shade, weather frame, canopy, awning or other such structure or thing projecting from any storey over or across any street or portion thereof:

Provided that no permission shall be given by the Commissioner for the erection of an arcade in any public street in which construction of an arcade has not been generally sanctioned by the Corporation.

(*2*) The Commissioner may at any time by notice require the owner or occupier of any building to remove a verandah, balcony, sun-shade, weather frame or the like put up in accordance with the provisions of any law and such owner or occupier shall be bound to take action accordingly but shall be entitled to compensation for the loss caused to him by such removal and the cost incurred thereon.

* * * * *

Prohibition of removal, etc., of lamps.

330. (*1*) No person shall, without lawful authority, take away or wilfully or negligently break or throw down or damage—

(*a*) any lamp or any appurtenance of any lamp or lamp post or lamp iron set up in any public street or any public place;

(*b*) any electric wire for lighting such lamp;

(*c*) any post, pole, standard, stay, strut, bracket or other contrivance for carrying, suspending or supporting any electric wire or lamp.

(*2*) No person shall wilfully or negligently extinguish the light of any lamp set up in any public street or any public place.

(*3*) If any person wilfully or through negligence or accident breaks, or causes any damage to, any of the things described in sub-section (*1*), he shall in addition to any penalty to which he may be subjected under this Act, pay the expenses of repairing the damage so done by him.

* * * * *

Sanction or refusal of building or work.

336. (*1*) The Commissioner shall sanction the erection of a building or the execution of a work unless such building or work would contravene any of the provisions of sub-section (*2*) of this section or the provisions of section 340.

* * * * *

(*3*) The Commissioner shall communicate the sanction to the person who has given the notice; and where he refuses sanction on any of the grounds specified in sub-section (*2*) or under section 340 he shall record a brief statement of his reasons for such refusal and communicate the refusal along with the reasons therefor to the person who has given the notice.

* * * * *

Provisions as to buildings and works on either side of new streets.

340. (*1*) The erection of any building on either side of a new street may be refused by the Commissioner unless and until such new street has been levelled, and wherever in the opinion of the Commissioner practicable, metalled or paved, drained, lighted and laid with a water main to his satisfaction.

(*2*) The erection of any such building or the execution of any such work may be refused by the Commissioner if such building or any portion thereof or such work comes within the regular line of any street, the position and direction of which has been laid down by the Commissioner but which has not been actually constructed or if such building or any portion thereof or such work is in contravention of any building or any other scheme or plan prepared under this Act or any other law for the time being in force.

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Order of demolition and stoppage of buildings and works in certain cases and appeal.

343. (*1*) * * * * *

(*5*) Subject to an order made by the Administrator on appeal under section 347D, every order made by the Appellate Tribunal on appeal under this section, and subject to the orders of the Administrator and the Appellate Tribunal on appeal the order of demolition made by the Commissioner shall be final and conclusive.

(*6*) Where no appeal has been preferred against an order of demolition made by the Commissioner under sub-section (*1*) or where an order of demolition made by the Commissioner under that subsection has been confirmed on appeal, whether with or without variation, by the Appellate Tribunal in a case where no appeal has been preferred against the order of the Appellate Tribunal, and by the Administrator in a case where an appeal has been preferred against the order of the Appellate Tribunal the person against whom the order has been made shall comply with the order within the period specified therein, or as the case may be, within the period, if any, fixed by the Appellate Tribunal or the Administrator on appeal and on the failure of the person to comply with the order within such period, the Commissioner may himself cause the erection or the work to which the order relates to be demolished and the expenses of such demolition shall be recoverable from such person as an arrear of tax under this Act.

* * * * *

Power to seal unauthorised constructions.

345A. (*1*) * * * * *

(*3*) No person shall remove such seal except—

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(*b*) under an order of an Appellate Tribunal or the Administrator, made in an appeal under this Act.

* * * * *

Appeals against certain orders or notices issued under the Act.

347B. (*1*) Any person aggrieved by any of the following orders made or notices issued under this Act, may prefer an appeal against such order or notice to the Appellate Tribunal, namely:—

* * * * *

(*j*) an order disallowing the erection of any building or the execution of any work under section 340;

* * * * *

Appeal against orders of Appellate Tribunal.

347D. (*1*) An appeal shall lie to the Administrator against an order of the Appellate Tribunal, made in an appeal under section 343 or section 347B, confirming, modifying or annulling an order made or notice issued under this Act.

* * * * *

(*3*) An order of the Administrator on an appeal under this section, and subject only to such order, an order of the Appellate Tribunal under section 347B, and subject to such orders of the Administrator or an Appellate Tribunal, an order or notice referred to in sub-section (*1*) of that section, shall be final.

* * * * *

Rubbish, etc., to be the property of the Corporation.

351. All matters deposited in public receptacles, depots and places provided or appointed under section 352 and all matters collected by municipal employees or contractors in pursuance of section 350 and section 355 shall be the property of the Corporation.

* * * * *

Collection and removal of filth and polluted matter through municipal agency.

355. (*1*) It shall be lawful for the Commissioner to take or cause to be taken measures for the daily collection, removal and disposal of all filth and polluted and obnoxious matter from latrines, urinals and cesspools not connected by a drain with a municipal drain from all premises situate in any portion of Delhi.

(*2*) In such portion of Delhi and in any premises wherever situate in which there is a latrine, or urinal connected with a municipal drain, it shall not be lawful, except with the written permission of the Commissioner, for any person who is not employed by or on behalf of the Commissioner, to discharge any of the duties of scavengers.

* * * * *

Prohibition against accumulation of rubbish, etc.

357. (*1*) * * * * *

(*3*) No person shall, after due provision has been made in this respect under the foregoing provisions of this Chapter for the deposit and removal of the same—

(*a*) deposit any rubbish, filth and other polluted and obnoxious matter in any street or on the verandah of any building or on any unoccupied ground alongside any street or on the bank of a water course; or

(*b*) deposit any filth or other polluted and obnoxious matter in any dustbin or in any vehicle not intended for the removal of the same; or

(*c*) deposit rubbish in any vehicle or vessel intended for the removal of filth and other polluted and obnoxious matter.

* * * * *

Latrines and urinals

Construction of latrines and urinals.

360. (*1*) It shall not be lawful to construct any latrine or urinal for any premises except with the written permission of the Commissioner and in accordance with such terms not inconsistent with the provisions of this Act or any bye-laws made thereunder as he may prescribe.

(*2*) In prescribing any such terms the Commissioner may determine in each case—

(*a*) whether the premises shall be served by the service system or by the flush system or partly by the one and partly by the other; and

(*b*) what shall be the site or position of each latrine or urinal.

(*3*) If any latrine or urinal is constructed on any premises in contravention of the foregoing provisions, the Commissioner may, after giving not less than ten days' notice to the owner or occupier of such premises, alter, reconstruct, close or demolish such latrine or urinal and the expenditure incurred by the Commissioner in so doing shall be recoverable from the owner or occupier as an arrear of tax under this Act.

Latrines and urinals, etc., in new buildings.

361. (*1*) It shall not be lawful to erect any building or execute any work on or in relation to such building without providing such latrine accommodation and urinal accommodation and accommodation for bathing or for washing clothes and utensils on each floor of such building as the Commissioner may prescribe.

(*2*) In prescribing any such accommodation the Commissioner may determine in each case—

(*a*) whether such building shall be served by the service system or by the flush system or partly by the one and partly by the other;

(*b*) what shall be the site or position of each latrine, urinal, bathing or washing place or site and their number of each floor and their clear internal dimensions.

(*3*) It shall not be lawful to erect a residential building composed of separate tenements on the flat system without providing at least one latrine and one bathing or washing place for servants on the ground floor of such building or at any other suitable place in the same premises.

(*4*) In this section the expression "to erect a building" has the same meaning as in section 331.

* * * * *

Other provisions as to private latrines.

364. The Commissioner may, by written notice—

(*a*) require the owner or other person having the control of any private latrine or urinal not to put the same to public use; or

(*b*) require the owner or other person having the control of such private latrine or urinal which in the opinion of the Commissioner constitutes a nuisance, to remove the latrine or the urinal; or

(*c*) require any person having the control whether as owner, lessee or occupier of any land or building—

(*i*) to have any latrines provided for the same shut out by a sufficient roof, wall or fence from the view of persons passing by or dwelling in the neighbourhood; or

(*ii*) to cleans in such manner as the Commissioner may prescribe in the notice any latrine or urinal belonging to the land or building; or

(*d*) where any premises intended or used for human habitation are without any latrine or urinal accommodation or are provided with insufficient latrine or urinal accommodation, require the owner, lessee or occupier of such premises to provide such or such additional latrine or urinal accommodation as he may prescribe, if necessary by causing any part of such premises to be vacated and demolished in accordance with bye-laws made in this behalf.

* * * * *

Insanitary huts and sheds.

369. Where the Commissioner upon any information in his possession is satisfied that any hut or shed used as a dwelling house or as a stable or for any other purpose, is likely, by reason of its being constructed without a plinth or upon a plinth of insufficient height or without proper means of drainage or on account of the impracticability of scavenging and cleansing it or owing to the manner in which it and other huts of sheds are crowded together, to cause risk of disease to the inmates thereof or to the inhabitants of the neighbourhood, or is for any reason likely to endanger public health or safety, he may by notice in writing require the owner or occupier of the hut of shed or the owner or occupier of the land on which the hut or shed stands to remove or alter the hut or shed or carry out such improvement thereof as the Commissioner may deem necessary within such time as may be specified in the notice.

Regulation of washing by washermen

Prohibition against washing by washermen.

370. (*1*) The Commissioner may by public notice prohibit the washing of clothes by washermen in the exercise of their callings except at such places as he may appoint for the purpose.

(*2*) When any such prohibition has been made, no person who is by calling a washerman shall in contravention of such prohibition wash clothes except for himself or for personal and family service or for hire on or within the premises of the hirer, at any place other than a place appointed under sub-section (*1*).

* * * * *

Disinfection of buildings and articles.

373. Where the Commissioner is of opinion that the cleansing and disinfection of any building or part of a building or of any articles in such building or part which are likely to retain infection, or the renewal of flooring of any building or part of such building, and the renewal of plastering of the walls thereof, would tend to prevent or check the spread of any dangerous disease; he may, by notice in writing, require the owner or occupier to cleanse and disinfect the said building, part or articles, as the case may be, or to renew the said flooring and if necessary, the said plastering also within such time as may be specified in the notice:

Provided that where in the opinion of the Commissioner the owner or occupier is from poverty or any other cause unable effectually, to carry out any such requisition, the Commissioner may at the expense of the Municipal Fund cleanse and disinfect the building, part or articles, or, as the case may be, renew the flooring and if necessary, the plastering also.

Destruction of infectious huts or sheds.

374. (*1*) Where the destruction of any hut or shed is in the opinion of the Commissioner necessary to prevent the spread of any dangerous disease, the Commissioner may by notice in writing require the owner to destroy the hut or shed and the materials thereof within such time as may be specified in the notice.

(*2*) Where the Commissioner is satisfied that the destruction of any hut or shed is immediately necessary for the purpose of preventing the spread of any dangerous disease, he may order the owner or occupier of the hut or shed to destroy the same forthwith or may himself cause it to be destroyed after giving not less than six hours' notice to the owner or occupier.

* * * * *

Infected clothes not to be sent to washerman or to laundry.

377. (*1*) A person shall not send or take to any washerman or to any laundry or place set a part for the exercise by washermen of their calling, for the purpose of being washed or to anyplace for the purpose of being cleansed, any cloth or other article which he knows to have been exposed to infection from a dangerous disease unless that cloth or article has been disinfected by or to the satisfaction of the Municipal Health Officer.

(*2*) The occupier of any building in which a person is suffering from a dangerous disease shall, if required by the Municipal Health Officer, furnish to him the address of any washerman to whom or any laundry or other place to which clothes and other articles from the building have been, or will be, sent during the continuance of the disease, for the purpose of being washed or cleaned.

Contamination and disinfection of public conveyance.

378. (*1*) Whoever—

(*a*) uses a public conveyance while suffering from a dangerous disease, or

(*b*) uses a public conveyance for the carriage of a person who is suffering from any disease, or

(*c*) uses a public conveyance for the carriage of the corpse of a person who has died from any such disease, shall be bound to take proper precautions against the communication of the disease to other persons using or who may thereafter use the conveyance and to notify such use of the owner, driver or person incharge of the conveyance, and further report without delay to the Commissioner the number of the conveyance and the name of the person so notified.

(*2*) Where any person suffering from, or the corpse of any person who has died from, a dangerous disease has been carried in public conveyance which ordinarily plies in Delhi or any part thereof, the driver thereof shall forthwith report the fact to the Commissioner who shall forthwith cause the conveyance to be disinfected if that has not already been done.

(*3*) No such conveyance shall be again brought into use until the Municipal Health Officer has granted a certificate stating that it can be used without causing risk of infection.

(*4*) Whoever fails to make to the Commissioner any report which he is required to make under this section shall be guilty of an offence.

* * * * *

Disinfection of buildings before letting the same.

380. (*1*) Where any building or part of a building is intended to be let in which any person has, within six weeks immediately preceding, been suffering from a dangerous disease, the person letting the building or part shall, before doing so, disinfect the same in such manner as the Commissioner may by general or special notice direct together with all articles therein liable to retain infection.

(*2*) For the purposes of this section the keeper of a hostel, lodging house or sarai shall be deemed to let to any person who is admitted as a guest therein that part of the building in which such person is permitted to reside.

* * * * *

Prohibition of making or selling of food, etc., or washing of clothes by infected persons.

382. No person while suffering from or in circumstances in which he is likely to spread, any dangerous disease, shall—

(*a*) make, carry or offer for sale or take any part in the business of making, carrying or offering for sale, any article of food or drink or any medicine or drug for human consumption, or any article of clothing or bedding for personal use or wear, or

(*b*) take any part in the business of the washing or carrying of clothes.

* * * * *

Duty of persons suffering from dangerous disease.

385. No person shall,—

(*a*) knowing that he is suffering from a dangerous disease, expose other persons to the risk of infection by his presence or conduct in any public street or public place;

(*b*) having the care of a person whom he knows to be suffering from a dangerous disease, cause or permit that person to expose other persons to the risk of infection by his presence or conduct in any such street or place as aforesaid;

(*c*) place or cause to be placed in a dustbin or other receptacle for the deposit of rubbish, any matter which he knows to have been exposed to infection from a dangerous disease and which has not been disinfected properly;

(*d*) throw or cause to be thrown into any latrine or urinal any matter which he knows to have been exposed to infection from a dangerous disease and which has not been disinfected properly.

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Special conditions regarding essential services

Conditions of service of sweepers and certain other class of persons employed in municipal service.

387. (*1*) No person being a sweeper employed by the Corporation shall in the absence of any contract authorising him so to do and without reasonable cause, resign his employment or absent himself from his duty without having given one month's notice to the Commissioner or shall neglect or without reasonable cause refuse to perform his duties.

(*2*) The Corporation may by resolution direct that on or from such date as may be specified in the resolution, the provisions of this section shall apply in the case of any specified class of persons employed by the Corporation whose functions are intimately concerned with public health or safety.

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Information of births and deaths.

396. (*1*) It shall be the duty of the father or mother of every child born in Delhi and in default of the father or mother, of any relation of the child living in the same premises, and in default of such relation, of the person having charge of the child, to give to the best of his knowledge and belief to the registrar of the area concerned within eight days after such birth, information containing such particulars as may be prescribed by bye-laws made in this behalf.

(*2*) It shall be the duty of the nearest relation present at the time of the death or in attendance during the last illness of any person dying in Delhi and in default of such relation, of any person present or in attendance at the time of the death, and of the occupier of the premises in which to his knowledge the death took place and in default of the person hereinbefore mentioned, of each inmate of such premises and of the undertaker or other person causing the corpse of the deceased person to be disposed of, to give to the best of his knowledge and belief to the registrar of the area within which the death took place information containing such particulars as may be prescribed by bye-laws made in this behalf.

(*3*) If a birth or death occurs in the hospital, none of the persons mentioned in sub-section (*1*) or, as the case may be, in sub-section (*2*) shall be bound to give information required by that sub-section, but it shall be the duty of the medical officer in charge of the hospital within twenty-four hours after the birth or death, to send to the Municipal Health Officer a notice containing such particulars as may be prescribed by byelaws made in this behalf.

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Prevention of fire, etc.

Stacking or collecting inflammable materials.

400. The Commissioner may, by public notice, prohibit in any case where such prohibition appears to him to be necessary for the prevention of danger to life or property, the stacking or collecting of wood, dry grass, straw or other inflammable materials, or the placing of mats or thatched huts or the lighting of fires in any place which may be specified in the notice.

Care of naked lights.

401. No person shall set a naked light on or near any building in any public street or other public place in such manner as to cause danger of fire:

Provided that nothing in this section shall be deemed to prohibit the use of lights for the purposes of illumination on the occasion of a festival or public or private entertainment.

Discharging fireworks, fire-arms, etc.

402. No one shall discharge any fire-arm or let of fire-works or fire-baloons, or engage in any game in such manner as to cause or to be likely to cause danger to persons passing by or dwelling or working in the neighbourhood or risk of injury to property.

* * * * *

Prohibition of keeping market open without licence, etc.

409. (*1*) No person shall keep open for public use any market in respect of which a licence is required by or under this Act without obtaining a licence therefor, or while the licence therefor is suspended or after the same has been cancelled.

(*2*) When a licence to open a private market is granted or refused or is suspended or cancelled the Commissioner shall cause a notice of the grant, refusal, suspension or cancellation to be posted in such language or languages as he thinks necessary in some conspicuous place by or near the entrance to the place to which the notice relates.

Prohibition of use of unlicenced markets.

410. No person knowing that any market has been opened to the public without a licence having been obtained therefor when such licence is required by or under this Act or that the licence granted therefor is for the time being suspended or that it has been cancelled, shall sell or expose for sale any animal or article in such market.

Prohibition of business and trade near a market.

411. (*1*) No animal or article shall be sold or exposed for sale within a distance of one hundred yards of any municipal market or licensed private market without the permission of the Commissioner.

(*2*) Any person contravening the provisions of sub-section (*1*) and any animal or article exposed for sale by such person may be summarily removed by or under the orders of the Commissioner or any officer or employee of the Corporation appointed by him in this behalf.

* * * * *

Power to expel lepers and disturbers, etc. from markets.

414. The person in charge of a market shall prevent the entry therein of, and shall expel therefrom, any person suffering from leprosy in whom the process of ulceration has commenced or from any dangerous disease, who sells or exposes for sale therein any article or who, not having purchased the same handles any articles exposed for sale therein; and he may expel therefrom any person whom is creating a disturbance therein.

* * * * *

Prohibition of obstruction or molestation in execution of work.

437. No person shall obstract or molest any person authorised or empowered by or under this Act or any person with whom the Corporation or any of the municipal authorities specified in section 44 has lawfully contracted, in the execution of his duty or of anything which he is authorised or empowered or required to do by virtue or inconsequence of any of the provisions of this Act or any bye-law made thereunder, or in fulfilment of his contract, as the case may be.

* * * * *

Offences and Penalties

Punishment for certain offences.

461. Whoever—

(*a*) contravenes any provision of any of the sections, sub-sections, clauses, provisos or other provisions of this Act mentioned in the first column of the Table in the Twelfth Schedule; or

(*b*) fails to comply with any order or direction lawfully given to him or any requisition lawfully made upon him under any of the said sections, sub-sections, clauses, provisos or other provisions, shall be punishable—

* * * * *

General penalty.

465. Whoever, in any case in which a penalty is not expressly provided by this Act, fails to comply with any notice, order or requisition issued under any provision thereof, or otherwise contravenes any of the provisions of this Act, shall be punishable with fine which may extend to one hundred rupees, and in the case of a continuing failure or contravention, with an additional fine which may extend to twenty rupees for every day after the first during which he has persisted in the failure or contravention.

* * * * *

Certain offences to be cognizable.

2 of 1974

466A. The Code of Criminal Procedure, 1973, shall apply to,—

(*a*) an offence under sub-section (*5*) of section 313 or section 332 or sub-section (*1*) of section 333 or sub-section (*1*) of section 334 or section 343 or section 344 or section 345 or section 347;

(*b*) an offence under sub-section (*1*) of section 317 or sub-section (*1*) of section 320 or sub-section (*1*) of section 321 or sub-section (*1*) of section 325 or section 339 in relation to any street which is a public street,

as if it were a cognizable offence—

(*i*) for the purposes of investigation of such offence; and

(*ii*) for the purposes of all matters other than—

(*1*) matters referred to in section 42 of that Code, and

(*2*) arrest of a person, except on the complaint of, or upon information received from, such officer of the Corporation, not being below the rank of a Deputy Commissioner, as may be appointed by the Administrator:

Provided that no offence of the contravention of any condition subject of which sanction was accorded for the erection of any building or the execution of any work shall be cognizable, if such contravention relates to any deviation from any plan of such erection or execution sanctioned by the Commissioner which is compoundable on payment of an amount under the bye-laws relating to buildings made under this Act.

Powers and duties of police officers

Arrest of offenders.

474. (*1*) Any police officer may arrest any person who commits in his view any offence against this Act or against any rule, regulation or bye-law made thereunder, if—

(*a*) the name and address of such person be unknown to him, and

(*b*) such person on demand declines to give his name and address or gives a name and address which such officer has reason to believe to be false.

(*2*) No person so arrested shall be detained in custody after his true name and address are ascertained or, without the order of the nearest magistrate, for a period longer than twenty-four hours from the time of arrest exclusive of the time necessary for the journey from the place of arrest to the court of such magistrate.

Duties of police officers.

475. It shall be the duty of all police officers to give immediate information to the Commissioner of the commission of, or the attempt to commit any offence against this Act or any rule, regulation or bye-law made thereunder and to assist all municipal officers and other municipal employees in the exercise of their lawful authority.

* * * * *

Penalty for breaches of bye-laws.

482. (*1*) Any bye-law made under this Act may provide that a contravention thereof shall be punishable—

(*a*) with fine which may extend to five hundred rupees; or

(*b*) with fine which may extend to five hundred rupees and in the case of a continuing contravention, with an additional fine which may extend to twenty rupees for every day during which such contravention continues after conviction for the first such contravention; or

(*c*) with fine which may extend to twenty rupees for every day during which the contravention continues, after the receipt of a notice from the Commissioner or any municipal officer duly authorised in that behalf, by the person contravening the bye-law requiring such person to discontinue such contravention:

Provided that a contravention of any bye-law relating to the road transport services may be punishable with imprisonment which may extend to three months, or with fine which may extend to fifteen hundred rupees, or with both.

(*2*) Any such bye-law may also provide that a person contravening the same shall be required to remedy so far as lies in his power, the mischief, if any, caused by such contravention.

* * * * *

THE TWELFTH SCHEDULE

[*See* section 461]

PENALTIES

Explanation.—The entries in the second column of the following table headed "Subject" are not intended as definitions of the offences prescribed in the provisions mentioned in the first column or even as abstracts of those provisions, but are inserted merely as reference to the subject thereof.

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
Section 128, sub-sections (*1*)& (*2*).	Failure to give notice of transfer or devolution of land or building.	Rs. 50	...
Section 128 sub-section (*3*).	Failure to produce instrument of transfer.	Rs. 50	...

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
Section 128, sub-sections (*1*) & (*2*).	Failure to give notice of transfer or devolution of land or building.	Rs. 50	...
Section 128 sub-section (*3*).	Failure to produce instrument of transfer.	Rs. 50	...
Section 129	Failure to give notice of erection of new building, etc.	Rs. 50	...
Section 130	Failure to give notice of demolition or removal of building.	Rs. 50	...
Section 131	Failure to comply with requisition to furnish information, etc.	Rs. 50	
Section 135, sub-section (*2*).	Wilful delay or obstruction of valuers.	Rs. 50	...
Section 143	Prohibition of advertisement without permission.	Rs. 200	Rs. 50
Section 168	Failure to give notice of vacant land or building.	Rs. 50	Rs. 5
Section 172, sub-section (*2*).	Non-compliance with the requisition of attendance before the Commissioner.	Rs. 50	...
Section 175	Failure to disclose liability.	Rs. 100	...
Section 305, sub-section (*3*).	Construction of building within the regular line of street without permission.	Rs. 1,000	Rs. 100
Section 307	Failure to comply with requisition to set back buildings to regular line of street.	Rs. 200	Rs. 50
Section 310.	Failure to comply with requisition to set forward buildings to regular line of street.	Rs. 200	Rs. 10
Section 313, sub-section (*5*).	Utilising, selling or otherwise dealing with any land or laying out a private street otherwise than in conformity with orders of the Standing Committee.	Rigorous imprisonment which may extend to three years.	
Section 314, sub-section (*1*), clauses (*a*) and (*b*).	Failure to comply with requisition to show cause for alteration of street or for appearance before the Commissioner.	Rs. 50	Rs. 5

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
Section 315, sub-section (*1*).	Failure to comply with requisition on owner of private street or owner of adjoining land or building to level, etc., such street.	Rs. 100	Rs. 10
Section 317, sub-section (*1*).	Prohibition of projections upon streets, etc.	Rs. 200	
Section 317, sub-section (*2*).	Failure to comply with requisition to remove projections from streets.	Rs. 200	
Section 318, sub-section (*2*).	Failure to comply with requisition to remove a verandah, balcony, etc., put up in accordance with section 317 (*1*).	Rs. 200	
Section 319	Failure to comply with requisition to have ground floor doors, etc., so altered as not to open outwards.	Rs. 50	
Section 320, sub-section (*1*).	Erection, etc., of structures of fixtures which cause obstruction in streets.	Rs. 200	Rs. 10
Section 321	Deposit, etc., of things in streets.	Rs. 100	
Section 323, sub-sections (*1*) & (*2*).	Tethering of animals and milking of cattle in public streets.	Rs. 100	Rs. 5
Section 324, sub-section (*4*).	Unlawful removal of bar or shoring timber, etc., or removal or extinction of light.	Rs. 50	
Section 325, sub-section (*1*).	Streets not to be opened or broken up and building materials not to be deposited thereon without permission.	Rs. 200	Rs. 10
Section 327, sub-section (*2*).	Name of street and number of house not to be destroyed or defaced, etc	Rs. 50	
Section 328, sub-section (*1*).	Failure to comply with requisition to repair, protect or enclose a dangerous place.	Rs. 100	25
Section 330, sub-section (*1*).	Removal, etc., of lamps.	Rs. 100	

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
Section 330, sub-section (*2*).	Wilfully and negligently extinguishing lights in public streets, etc.	Rs. 50	
Section 332	Erection of a building without the sanction of the Commissioner.	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5,000 or with both.	
Section 333, sub-section (*1*).	Failure to give notice of intention to erect a building.	Simple imprisonment which may extend to six months, or with fine which may extend to Rs. 5,000 or with both.	
Section 334, sub-section (*1*).	Failure to give notice of intention to make additions, etc., to building.	Simple imprisonment which may extend to six months, or with fine which may extend to Rs. 5,000 or with both.	
Section 337, sub-section (*4*).	Commencement of work without notice, etc.	Rs. 10,000	Rs. 500
Section 339	Failure to comply with requisition to round off buildings at corners of streets.	Rs. 100	Rs. 5
Section 340, sub-section (*1*).	Erection of buildings on new streets without leveling.	Rs. 1,000	
Section 340, sub-section (*2*).	Erection of buildings or execution of work within regular line of street or in contravention of any scheme or plan.	Rs. 1,000	
Section 342	Use of inflammable materials without permission.	Rs. 100	
Section 343	Failure to demolish buildings erected without sanction or erection of buildings in contravention of order.	Simple imprisonment which may extend to six months, or with fine which may extend to Rs. 5,000 or with both.	
Section 344	Erection of buildings in contravention of conditions of sanction, etc.	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5,000 or with both.	

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
Section 345	Failure to carry out alterations.	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5,000 or with both.	
Section 346, sub-sections (*1*) & (*2*).	Non-compliance with provision as to completion certificates, occupation or use, etc., without permission.	Rs. 200	Rs. 10
Section 347	Non-compliance with restrictions on user of buildings.	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5,000 or with both.	
Section 348, sub-sections (*1*) & (*2*).	Failure to comply with requisition to remove structures which are in ruins or likely to fall.	Rs. 500	Rs. 20
Section 349, sub-section (*1*).	Failure to comply with requisition to vacate buildings in dangerous condition, etc.	Rs. 200	
Section 353	Failure to provide for collection, removal and deposit of refuse and provision of receptacles.	Rs. 50	
Section 354	Failure to collect and remove filth and polluted matter.	Rs. 50	
Section 355, sub-section (*2*).	Scavenger's duties in certain cases not to be discharged by any person without permission.	Rs. 25	
Section 356	Failure to comply with requisition for removal of rubbish, etc., from premises used as market, etc.	Rs. 100	
Section 357, sub-section (*1*).	Keeping rubbish and filth for more than twenty-four hours, etc.	Rs. 50	Rs. 10
Section 357, sub-section (2).	Allowing filth to flow in streets.	Rs. 50	
Section 357, sub-section (*3*).	Depositing rubbish or filth, etc., in street, etc.	Rs. 50	
Section 360, sub-section (*1*).	Latrines and urinals not to be constructed without permission or in contravention of terms prescribed.	Rs. 200	

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
Section 361, sub-section (*1*).	Failure to provide buildings newly erected or re-erected with latrine, urinal and other accommodation.	Rs. 500	
Section 361, sub-section (*3*).	Failure to provide residential buildings composed of separate tenements with latrine, bathing or washing place for servants on the ground floor.	Rs. 500	
Section 362	Failure to provide latrines for premises used by large number of people and to keep them clean and in proper order.	Rs. 100	Rs. 20
Section 363	Failure to comply with requisition to provide latrines for market, cattle shed, cart stand, etc., and to keep them clean and in proper order.	Rs. 100	Rs. 20
Section 364, clauses (*a*), (*b*), (*c*) & (*d*).	Failure to comply with requisition to enforce provision of latrine or urinal accommodation, etc.	Rs. 100	Rs. 10
Section 365, sub-section (*2*).	Failure to comply with requisition for removal of congested buildings.	Rs. 1,000	
Section 366	Failure to comply with requisition to improve buildings unfit for human habitation.	Rs. 1,000	
Section 368, sub-sections (*1*), (*2*), (*3*) & (*4*).	Failure to comply with order of demolition of buildings unfit for human habitation.	Rs. 1,000	
Section 369	Failure to comply with requisition of the Commissioner to remove insanitary huts and sheds, etc.	Rs. 100	
Section 370, sub-section (*1*).	Prohibition against washing by washerman.	Rs. 25	
Section 371	Failure to give information of dangerous disease.	Rs. 100	
Section 373	Failure to comply with requisition to cleanse and disinfect buildings or articles.	Rs. 50	
Section 374	Failure to comply with requisition to destroy infectious huts or sheds.	Rs. 50	
Section 375	Washing of clothing, bedding, etc., at any place not notified by the Commissioner.	Rs. 25	
Section 377, sub-section (*1*).	Sending infected clothes to washerman or laundry.	Rs. 25	
Section 377, sub-section (*2*).	Failure to furnish address of washerman or laundry to which clothes have been sent.	Rs. 25	

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
Section 378, sub-sections(*1*), (*2*) and (*3*).	Use of Public conveyances by persons suffering from a dangerous disease, etc.	Rs. 50	
Section 380	Failure to disinfect buildings before letting the same.	Rs. 100	
Section 381	Disposal of infected articles without disinfection.	Rs. 50	
Section 382	Making or selling of food, etc., or washing of clothes by infected persons.	Rs. 50	
Section 383	Sale of food or drink in contravention of restriction or prohibition of the Commissioner.	Rs. 50	
Section 384	Removal or use of water from wells and tanks in contravention of prohibition of commissioner.	Rs. 50	
Section 385	Exposure of persons to risk of infection by the presence or conduct of a person suffering from a dangerous disease, etc.	Rs. 100	
Section 386	Removal of infectious corpses in contravention of the provisions of the section.	Rs. 50	
Section 387, sub-sections (*1*) & (*2*).	Absence of sweepers, etc., from duty without notice.	Imprisonment which may extend to one month.	
Section 388	A sweeper employed for doing house scavenging not to discontinue work without notice	Rs. 10	
Section 389	Failure to supply information by persons in charge of burning or burial grounds.	Rs. 50	
Section 390	Use of new burning or burial ground without permission.	Rs. 50	
Section 391, sub-section (*1*).	Failure to comply with requisition to close a burning or burial ground.	Rs. 50	
Section 391, sub-section (*2*).	Burning or burial of corpses in a burning or burial ground after it has been closed.	Rs. 50	
Section 392	Removal of corpses by other than prescribed routes.	Rs. 25	
Section 393, sub-section (*1*), clause (*b*).	Failure to give notice for removal of carcasses of dead animals.	Rs. 10	

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
Section 396, sub-sections (*1*) & (*2*).	Failure to give information of births and deaths.	Rs. 50	
Section 397, sub-sections (*1*), (*2*) & (*3*).	Commission of nuisances.	Rs. 50	
Section 398	Failure to comply with requisition for removal or abatement of nuisance	Rs. 500	
Section 399, sub-section (*5*).	Ferocious dogs at large without being muzzled, etc.	Rs. 100	
Section 400	Stacking inflammable material in contravention of prohibition.	Rs. 50	
Section 401	Setting a naked light.	Rs. 50	
Section 402	Discharging fireworks, firearms, etc., likely to cause danger.	Rs. 50	
Section 403	Failure to comply with requisition to render buildings, wells, etc., safe.	Rs. 50	
Section 404	Failure to comply with requisition to enclose land used for improper purposes.	Rs. 50	
Section 406, sub-section (*1*).	Sale in municipal markets without permission.	Rs. 200	
Section 407, sub-sections (*1*) & (*2*).	Use of places as private markets without a licence and use of places other than a municipal slaughter house as slaughter houses.	Rs. 500	
Section 407, sub-section (*2*) Proviso (*a*).	Non-compliance with conditions imposed by Commissioner.	Rs. 50	
Section 409	Keeping market open without licence, etc.	Rs. 2,000	
Section 410	Sale in unlicensed market.	Rs. 50	
Section 411	Carrying on business or trade near a market.	Rs. 50	
Section 414	Failure of person in charge of markets to expel lepers and disturbers from the market.	Rs. 50	
Section 415	Carrying on butcher’s, fish-monger's or poulterer’s trade without licence etc.	Rs. 100	
Section 416	Establishment of factory, etc.,without permission.	Rs. 5,000	
Section 417	Certain things not to be kept and certain trades and operations not to be carried on without a licence.	Rs. 1,000	

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
Section 418, sub-section (*3*).	Keeping, abandonment or tethering of animals, etc.	Rs. 100	
Section 419, sub-section (*5*).	Use of premises in contravention of declaration.	Rs. 500	
Section 420	Hawking articles for sale without a licence, etc.	Rs. 100	
Section 421	Keeping a lodging house, eating house, tea shop, etc., without licence or contrary to licence.	Rs. 100	
Section 422	Keeping open theatre, circus or other place of public amusement without licence or contrary to terms of licence.	Rs. 500	
Section 430, sub-section (*5*).	Failure to produce licence or written permission.	Rs. 50	
Section 431	Preventing the commissioner or any person authorised in this behalf from exercising his powers of entry, etc.	Rs. 50	
Section 432	Preventing the Commissioner or any person authorised in this behalf from exercising his power of entry upon any adjoining land.	Rs. 50	
Section 437	Obstruction or molestation in execution of work.	Rs. 200	
Section 444, sub-section (*4*).	Failure to comply with requisition to state the name and address of owners of premises.	Rs. 50	
Section 456, sub-section (*3*).	Failure of occupier of land or building to afford owner facilities for complying with provisions of the Act etc., after eight days from issue of order by district judge.	Rs. 200	
Section 495	Obstruction of Mayor or any municipal authority, etc.	Rs. 200	
Section 496	Removal of any mark set up for indicating level, etc.	Rs. 100	
Section 497	Removal etc., of notice exhibited by or under orders of the Corporation, Commissioner, etc.	Rs. 50	
Section 498	Unlawful removal of earth, sand or other material or deposit of any matter or making of any encroachment from any land vested in the Corporation.	Rs. 50	

EXTRACT FROM THE MINES AND MINERALS (DEVELOPMENT AND REGULATION) ACT, 1956

(67 OF 1957)

Penalties.

21. (*1*) * * * * *

(*2*) Any rule made under any provision of this Act may provide that any contravention thereof shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to fifty thousand rupees for every day during which such contravention continues after conviction for the first such contravention.

* * * * *

(*6*) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 , an offence under sub-section (*1*) shall be cognizable. 2 of 1974.

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EXTRACTS FROM THE DELHI LAND HOLDINGS (CEILING) ACT, 1960

(24 OF 1960)

* * * * *

Offences and penalties.

23. (*1*) Whoever being bound to submit a return under section 4 fails without reasonable cause to do so, within the prescribed time, or submits a return which he knows or has reason to believe to be false, shall be punishable with imprisonment for a term which may extend to six months and with fine which may extend to one thousand rupees.

(*2*) Whoever contravenes any lawful order made under this Act or otherwise obstructs any person from lawfully taking possession of any land shall be punishable with fine which may extend to one thousand rupees.

Power to make rules.

27. (*1*). * * * * *

(*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:—

* * * * *

(*l*) the purposes for which land may be reserved under section 15;

* * * * *

EXTRACTS FROM THE APPRENTICES ACT, 1961

(52 OF 1961)

* * * * *

Definitions.

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

* * * * *

(*aaa*) "apprenticeship training" means a course of training in any industry or establishment undergone in pursuance of a contract of apprenticeship and under prescribed terms and conditions which may be different for different categories of apprentices;

* * * * *

(*q*) "trade apprentice" means an apprentice who undergoes apprenticeship training in any designated trade;

* * * * *

Offences and penalties.

30. (*1*) If any employer contravenes the provisions of this Act relating to the number of apprentices which he is required to engage under those provisions, he shall be given a month's notice in writing, by an officer duly authorised in this behalf by the appropriate Government, for explaining the reasons for such contravention.

(*1A*) In case the employer fails to reply the notice within the period specified under sub-section (*1*), or the authorised officer, after giving him an opportunity of being heard, is not satisfied with the reasons given by the employer, he shall be punishable with fine of five hundred rupees per shortfall of apprenticeship month for first three months and thereafter one thousand rupees per month till such number of seats are filled up.

(*2*) If any employer or any other person—

(*a*) required to furnish any information or return—

(*i*) refuses or neglects to furnish such information or return, or

(*ii*) furnishes or causes to be furnished any information or return which is false and which he either knows or believes to be false or does not believe to be true, or

(*iii*) refuses to answer, or gives a false answer to any question necessary for obtaining any information required to be furnished by him, or

(*b*) refuses or wilfully neglects to afford the Central or the State Apprenticeship Adviser or such other person, not below the rank of an Assistant Apprenticeship Adviser, as may be authorised by the Central or the State Apprenticeship Adviser in writing in this behalf], any reasonable facility for making any entry, inspection, examination or inquiry authorised by or under this Act, or

(*c*) requires an apprentice to work overtime without the approval of the Apprenticeship Adviser, or

(*d*) employs an apprentice on any work which is not connected with his training, or

(*e*) makes payment to an apprentice on the basis of piecework, or

(*f*) requires an apprentice to take part in any output bonus or incentive scheme,

(*g*) engages as an apprentice a person who is not qualified for being so engaged, or

(*h*) fails to carry out the terms and conditions of a contract of apprenticeship,

he shall be punishable with fine of one thousand rupees for every occurrence.

(*2A*) The provisions of this section shall not apply to any establishment or industry which is under the Board for Industrial and Financial Reconstruction established under the Sick Industrial Companies (Special Provisions) Act, 1985

1 of 1986.

* * * * *

Penalty where no specific penalty is provided.

31. If any employer or any other person contravenes any provision of this Act for which no punishment is provided in section 30, he shall be punishable with fine which shall not be less than one thousand rupees but may extend to three thousand rupees.

* * * * *

Power to make rules.

37. * * * * *

(*2*) Rules made under this Act may provide that a contravention of any such rule shall be punishable with fine which may extend to fifty rupees.

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EXTRACTS FROM THE PETROLEUM AND MINERALS PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) ACT, 1962

(50 OF 1962)

* * * * *

Penalty.

15. (*1*) Whoever wilfully obstructs any person in doing any of the acts authorised by section 4 or section 7 or section 8 or wilfully fills up, destroys, damages or displaces any trench or mark made under section 4 or wilfully does any act prohibited under section 9, shall be punishable with imprisonment for a term which may extend to six months or with fine or with both.

(*2*) Whoever wilfully makes or causes to make any unauthorised connection with or removes, destroys, damages or displaces any pipeline laid under section 7, or wilfully inserts any device to extract petroleum product or minerals from such pipeline, or wilfully disrupts supplies being made through the pipeline, shall be punishable with rigorous imprisonment for a term which may extend to ten years and shall also be liable to fine.

* * * * *

(*4*) Whoever, with the intent to cause or knowing that he is likely to cause damage to or destruction of any pipeline laid under section 7, causes by fire, explosive substance or otherwise damage to the pipeline being used for transportation of petroleum products, crude oil or gas with the intent to commit sabotage or with the knowledge that such act is so imminently dangerous that it may in all probability cause death of any person or such bodily injury likely to cause death of any person, shall be punishable with rigorous imprisonment which shall not be less than ten years but may extend to imprisonment for life or death.

* * * * *

Power to make rules.

17. (*1*) * * * * *

(*2*) In particulars and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

* * * * *

(*b*) the time within which and the manner in which the amount of compensation may be deposited under sub-section (*1*) of section 11.

* * * * *

EXTRACTS FROM THE TEXTILES COMMITTEE ACT, 1963

(41 OF 1963)

* * * * *

17. (*1*) * * * * * Power to prohibit exports and internal marketing of textiles and textile machinery.

(*2*) If any person contravenes any order issued under sub-section (*1*) prohibiting—

(*a*) the export of any textiles or textile machinery, or

(*b*) the sale of any textiles or textile machinery for internal consumption,

he shall, on conviction, be punishable,—

(*i*) for the first offence with imprisonment for a term which may extend to one year or with fine or with both;

(*ii*) for the second or a subsequent offence with imprisonment for a term which may extend to one year and also with fine and in the absence of special and adequate reasons to be mentioned in the judgment of the court, such imprisonment shall not be less than three months.

18. (*1*) If the person committing any offence under this Act is a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Offences by companies.

Provided that nothing contained in this sub-section shall render any such person liable to such punishment provided in this Act 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.

(*2*) Notwithstanding anything contained in sub-section (*1*), where an offence under this Act has been committed by a company, and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any negligence on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(*a*) "company" means a body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

19. No prosecution for any offence punishable under this Act shall be instituted except by or with the consent of the Central Government. Procedure for prosecution. Jurisdiction of courts.

20. No court inferior to that of a Presidency Magistrate or a Magistrate of the first class, shall try any offence punishable under this Act. Power to make rules.

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22.(*1*). * * * * *

(*2*) In particular and without prejudice to the generality of the foregoing power such rules provide for—

(*e*) the scale of fees that may be levied under section 12;

* * * * *

EXTRACT FROM THE ADMINISTRATORS-GENERAL ACT, 1963

(45 OF 1963)

* * * * *

Surrender of revoked certificate.

34. (*1*) * * * * *

(*2*) If such person wilfully and without reasonable cause omits to deliver up the certificate, he shall be punishable with imprisonment which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

* * * * *

EXTRACTS FROM THE SEAMEN'S PROVIDENT FUND ACT, 1966

(4 OF 1966)

Penalties.

16. (*1*) Whoever, for the purpose of avoiding any payment to be made by himself under this Act or under the Scheme or of enabling any other person to avoid such payment, knowingly makes or causes to be made any false statement or false representation shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to fifty thousand rupees, or with both.

(*2*) The Scheme may provide that any person who contravenes, or makes default in complying with any of the provisions thereof shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(*3*) Whoever contravenes or makes default in complying with any provision of this Act shall, if no other penalty is elsewhere provided by or under this Act for such contravention or non-compliance, be punishable with imprisonment which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

(*4*) No court shall take cognizance of any offence punishable under this Act or under the Scheme except on a report in writing of the facts constituting such offence made by the Seamen's Provident Fund Commissioner or by an Inspector appointed under sub-section (*1*) of section 15, with the previous sanction of such authority as may be specified in this behalf by the Government.

* * * * *

EXTRACTS FROM THE CIVIL DEFENCE ACT, 1968

(27 OF 1968)

Penalties.

11. (*1*) If any member of the Corps on being called out by an order under sub-section (*2*) of section 8 neglects or refuses without sufficient excuse to obey such order or to discharge his functions as such member or to obey any lawful order or direction given to him for the performance of his functions, he shall be punishable with fine which may extend to five hundred rupees, and where such neglect or refusal is a continuing one, with a further fine which may extend to fifty rupees for every day, after the first, during which such contravention continues.

(*2*) If any person neglects or fails without any reasonable excuse to obey any order made or direction given to him under this act or rules made thereunder, he shall be punishable with fine which may extend to five hundred rupees, and where such negligence or failure is a continuing one, with a further fine which may extend to fifty rupees for every day, after the first, during which such negligence or failure continues.

* * * * *

EXTRACTS FROM THE PATENTS ACT, 1970

(39 OF 1970)

* * * * *

CHAPTER XX

PENALTIES

Contravention of Secrecy provisions relating to certain inventions.

118. If any person fails to comply with any direction given under section 35 or makes or causes to be made an application for the grant of a patent in contravention of section 39, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Falsification of entries in register, etc.

119. If any person makes, or causes to be made, a false entry in any register kept under this Act, or a writing falsely purporting to be a copy of an entry in such a register, or produces or tenders, or causes to be produced or tendered, in evidence any such writing knowing the entry or writing to be false, he shall be punishable with imprisonment for a term which may extend to two years, or with fine or with both.

* * * * *

EXTRACTS FROM THE PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) ACT, 1971

(40 OF 1971)

* * * * *

Offences and penalty.

11. (*1*) If any person unlawfully occupies any public premises, he shall be punishable with simple imprisonment for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both:

Provided that a person who, having been lawfully in occupation of any public premises by virtue of any authority (whether by way of grant, allotment or by any other mode whatsoever) continues to be in occupation of such premises after such authority has ceased to be valid, shall not be guilty of such offence.

(*2*) If any person who has been evicted from any public premises under this Act again occupies the premises without authority for such occupation, he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to five thousand rupees, or with both.

(*3*) Any magistrate convicting a person under sub-section (*2*) may make an order for evicting that person summarily and he shall be liable to such eviction without prejudice to any other action that may be taken against him under this Act.

Offences under section 11 to be cognizable.

2 of 1974.

11A. The Code of Criminal Procedure, 1973, shall apply to an offence under section 11 as if it were a cognizable offence—

* * * * *

(*ii*) for the purposes of matters, other than—

(*1*) matters referred to in section 42 of that code, and

* * * * *

Power to make rules.

18. (*1*) * * * * *

(*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:—

* * * * *

(*ea*) the rate at which interest shall be payable on arrears of rent specified in any order made under sub-section (*1*) of section 7, or damages assessed under sub-section (*2*) of that section;

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EXTRACTS FROM THE MARINE PRODUCTS EXPORT DEVELOPMENT AUTHORITY ACT, 1972

(13 OF 1972)

* * * * *

CHAPTER V

CONTROL BY CENTRAL GOVERNMENT

Power to prohibit or control imports and exports of marine products.

20. (*1*) * * * * *

(*3*) If any person contravenes any order made under sub-section (*1*), he shall, without prejudice to any confiscation or penalty to which he may be liable under the provisions of the Customs Act, 1962, as applied by sub-section (*2*), be liable to penalty not less than ten thousand rupees or not exceeding twice the value of goods, whichever is higher, in respect of which such order has been made. 52 of 1962.

* * * * *

Penalties for obstructing a member or officer of Authority in discharge of his duties and for failure to produce books and records.

24. Any person who—

(*a*) obstructs any member authorised by the Chairman in writing or any officer or other employee of the Authority authorised by it in this behalf or any person authorised in this behalf by the Central Government or by the Authority, in the exercise of any power conferred, or in the discharge of any duty imposed, on him by or under this Act, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both;

(*b*) having control over or custody of any account book or other record, fails to produce such book or record when required to do so by or under this Act, shall be liable to penalty which may extend to ten thousand rupees.

* * * * *

Adjudication of penalties.

25A. (*1*) For the purposes of adjudging penalties under sub-section (*3*) of section 20, section 23, clause (*b*) of section 24 and section 25, the Chairman shall appoint the Secretary to the Authority or any other officer authorised by the Central Government, as the case may be, to be an adjudicating officer for holding an inquiry and imposing penalty under the provisions of this Act, in the manner as may be prescribed, after giving the person concerned a reasonable opportunity of being heard.

* * * * *

Jurisdiction of court.

27. No court inferior to that of a Presidency magistrate or a Magistrate of the first class shall try any offence punishable under this Act.

* * * * *

EXTRACTS FROM THE GENERAL INSURANCE BUSINESS (NATIONALISATION) ACT, 1972

(57 OF 1972)

* * * * *

Penalty for withholding property, etc.

30. If any person wilfully withholds or fails to deliver to an Indian insurance company as required by section 29 any property or any books, documents or other papers which may be in his possession or unlawfully retains possession of any property of an existing insurer which has been transferred to and vested in an Indian insurance company under section 5 or wilfully applies any such property to purposes other than those expressed in or authorised by this Act, he shall, on the complaint of the Indian insurance company, be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

* * * * *

39. (*1*) * * * * * Power to make rules.

(*2*) In particular, and without prejudice to the generality of the foregoing power, rules made under this section may provide for—

* * * * *

(*e*) the reports which may be called for by the Central Government from the Corporation and the acquiring companies;

* * * * *

EXTRACTS FROM THE RICHARDSON AND CRUDDAS LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKING) ACT, 1972

(78 OF 1972)

* * * * *

PART III

OFFENCES AND THEIR TRIAL

24. (*1*) Any person who,— Penalties.

* * * * *

(*g*) fails to comply with any order or direction made under this Act,

shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten thousand rupees, or with both:

Provided that the court trying any offence under clause (*a*), clause (*b*) or clause (*c*) of this sub-section may, at the time of convicting the accused person, order him to deliver up or refund, within a period to be fixed by the court, any property or money wrongfully withheld or wrongfully obtained or any document wilfully withheld or not furnished.

(*2*) No court shall take cognizance of an offence punishable under this section except with the previous sanction of the Central Government or an officer authorised by that Government in this behalf.

25. **(***1*) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Offences by companies.

Provided that nothing contained in this sub-section shall render any such person liable to punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed by a company and it is proved that the offence was committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means anybody corporate and includes a firm or other association of individuals; and

(*b*) "director" in relation to a firm, means a partner in the firm.

26. Notwithstanding anything contained in the Code of Criminal Procedure, 1898,— Offences to be triable by a Magistrate of the first class and not to be compoundable.

5 of 1898.

(*a*) every offence against this Act shall be triable by a Magistrate of the first class, and

(*b*) no offence against this Act shall be compoundable.

* * * * *

Power to make rules.

31. (*1*) * * * * *

(*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:—

* * * * *

(*b*) the form in which fresh shares shall be issued by the Custodian;

* * * * *

EXTRACTS FROM THE OIL INDUSTRY (DEVELOPMENT) ACT, 1974

(47 OF 1974)

* * * * *

CHAPTER V

MISCELLANEOUS

Penalties.

23. Any person who,—

(*a*) being required under this Act to produce any books, accounts or records or furnish any information, fails to produce such books, accounts or records or fails to furnish such information or furnishes information which is false, and which he either knows or believes to be false, or does not believe to be true; or

(*b*) obstructs any member or any officer or other employee of the Board or any person authorized in this behalf by the Central Government or by the Board in the exercise of any power conferred or in the discharge of any duty imposed on him by or under this Act, shall be punishable with imprisonment which may extend to one year, or with fine which may extend to five thousand rupees, or with both.

Other penalties.

24. Whoever contravenes or attempts to contravene or abets the contravention of any of the provisions of this Act or of any rule made thereunder (other than the provisions for the contravention of which section 23 applies), shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

Offences by companies.

25. (*1*) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, 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.

(*2*) Notwithstanding anything contained in sub-section (*1*), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

* * * * *

31. (*1*) * * * * * Power to make rules.

(*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:—

* * * * *

(*o*) the additional measures for the promotion of which the Board may render assistance;

* * * * *

EXTRACTS FROM THE DELHI POLICE ACT, 1978

(34 OF 1978)

* * * * *

CHAPTER VI

EXECUTIVE DUTIES AND POWERS OF POLICE OFFICERS

59. (*1*) * * * * * Duty of police officer to enforce provisions of the Act.

(*2*) A police officer shall not arrest any person under clause (*c*) of sub-section (*1*) without a warrant issued by a Metropolitan Magistrate, unless such person—

* * * * *

(*c*) commits in the presence of such police officer an offence punishable under section 97, sub-section (*1*) of section 108, clause (*a*), (*b*) or (*c*) of section 110 or sub-section (*2*) of section 113 in respect of the contravention of any order made under section 33 or section 34;

* * * * *

(*e*) has committed, or is reasonably suspected to have committed an offence punishable under section 101, section 102 or clause (*c*) of sub-section (*2*) of section 113;

* * * * *

85. No person shall, in contravention of any regulation made by the Commissioner of Police,— Causing obstruction and annoyance by performances, etc.

(*a*) exhibit any mimetic, musical or other performances of such a nature as may attract crowds; or

(*b*) carry or place bulky advertisements, pictures, figures or emblems in any street or public place, whereby any obstruction to passengers or annoyance to the residents in the vicinity may be occasioned.

* * * * *

88. No person shall bathe or wash in, or by the side of, a public well, tank or reservoir not set apart for such purpose by order of the competent authority, or in, or by the side of, any pond, pool, aqueduct, part of a river, stream, nullah or other source or means of water supply in which such bathing or washing is forbidden by order of the competent authority. Bathing or washing in places not set apart for those purposes.

89. No person shall defile or cause to be defiled the water in any public well, tank, reservoir, pond, pool, aqueduct or part of a river, stream, nullah or other source or means of water supply, so as to render the same less fit for any purpose for which it is set apart by the order of the competent authority. Defiling water in public wells, etc.

90. No person shall obstruct or incommode a person bathing at a place set apart for the purpose by the order of the competent authority under section 88 by wilful intrusion or by using such place for any purpose for which it is not so set apart. Obstructing bathers.

* * * * *

Committing nuisance in or near street, etc.

95. No person shall in or near to any street, public place or place of public resort—

(*a*) commit a nuisance by easing himself; or

(*b*) having the care or custody of any child under seven years of age, suffer such child to commit a nuisance as aforesaid; or

(*c*) spit or throw any dust, ashes, refuse or rubbish so as to cause annoyance to any passer-by.

* * * * *

Penalties for offences under sections 80 to 96.

97. Any person who contravenes any of the provisions of sections 80 to 96 (both inclusive) shall, on conviction, be punished with fine which may extend to one hundred rupees, or, in default of payment of such fine, with imprisonment for a term not exceeding eight days.

Penalty for failure to keep in confinement cattle, etc.

98. (*1*) Whoever allows any cattle which are his property or in his charge to stray in any street or to trespass upon any public or private property shall on conviction be punished—

(*a*) for the first offence, with imprisonment for a term which may extend to one month, or with fine which may extend to three hundred rupees, or with both; and

(*b*) for the second or subsequent offence, with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

(*2*) The Metropolitan Magistrate trying an offence under sub-section (*1*) may order—

(*a*) that the accused shall pay such compensation not exceeding two hundred and fifty rupees as such Magistrate considers reasonable to any person for any damage proved to have been caused to his property or the produce of his land by the cattle under the control of the accused trespassing on his land; and

(*b*) that the cattle in respect of which the offence has been committed shall be forfeited to the Government.

(*3*) Any compensation awarded under sub-section (*2*) may be recovered as if it were a fine imposed under this section.

(*4*) It shall be the duty of every police officer and it shall be lawful for any other person to seize and take to any cattle pound for confinement therein any cattle found straying in any street or trespassing upon any private or public property.

(*5*) Any fine imposed under this section may, without prejudice to any other means of recovery provided by law, be recovered by sale of all or any of the cattle in respect of which the offence was committed, whether they are the property of the person convicted of the offence or were only in his charge when the offence was committed.

(*6*) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the offence punishable under this section shall be cognizable. 2 of 1974.

Punishment for cruelty to animals.

99. Whoever in any place cruelly beats, goads, overworks, ill-treats or tortures or causes, or procures to be cruelly beaten, goaded, overworked, ill-treated or tortured, any animal shall, on conviction, be punished with imprisonment which may extend to one month, or with fine which may extend to one hundred rupees, or with both.

* * * * *

False alarm of fire or damage to fire alarm.

101. Whoever knowingly gives or causes to be given a false alarm of fire to the fire brigade of the Government or the Corporation or a municipality or to any officer or fireman thereof, whether by means of a street fire alarm, statement, message or otherwise, or with intent to give such false alarm wilfully breaks the glass of, or otherwise damages, a street fire alarm, shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees, or with both.

Being found under suspicious circumstances between sunset and sunrise.

102. Whoever is found between sunset and sunrise—

(*a*) armed with any dangerous instrument with intent to commit an offence; or

(*b*) having his face covered, or otherwise disguised with intent to commit an offence; or

(*c*) in any dwelling-house or other building, or on any vehicle, without being able satisfactorily to account for his presence there; or

(*d*) lying or loitering in any street, yard or other place, being a reputed thief and without being able to give a satisfactory account of himself; or

(*e*) having in his possession without lawful excuse (the burden of proving which excuse shall be on such person) any implement of house breaking,

shall, on conviction, be punished with imprisonment for a term which may extend to three months.

Possession of property of which no satisfactory account can be given.

103. Whoever has in his possession or conveys in any manner, or offers for sale or pawn, anything which there is reason to believe is stolen property or property fraudulently obtained, shall, if he fails to account for such possession or act to the satisfaction of the Metropolitan Magistrate, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to one hundred rupees, or with both.

Omission by pawn-brokers, etc., to report to police possession or tender of property suspected to be stolen.

104. Whoever being a pawn-broker, dealer in second hand property, or worker in metals, or reasonably believed by the Commissioner of Police to be such a person, and having received from a police officer written or printed information in relation to any property suspected to have been transferred by any offence mentioned in section 410 of the Indian Penal Code or by any offence punishable under section 417, section 418, section 419 or section 420 of the said Code, is found in possession, or, after the receipt of such information, comes into possession or has an offer, either by way of sale, pawn, exchange, or for custody, alteration or otherwise, howsoever, made to him, of property answering the description contained in such information, shall, unless— 45 of 1860.

(*i*) he forthwith gives information to the Commissioner of Police, or at a police station of such possession or offers and takes all reasonable means to ascertain and to give information as aforesaid of the name and address of the person from whom the possession or offer was received, or

(*ii*) the property, being an article of common wearing apparel or otherwise, is incapable of identification from the written or printed information given and has been in no way concealed after the receipt of such information,

on conviction, be punished with fine which may extend to fifty rupees in respect of each such article of property so in his possession or offered to him.

Melting, etc., of property referred to in section 104.

105. Whoever having received such information as is referred to in section 104 alters, melts, defaces or puts away or causes or suffers to be altered, melted, defaced or put away, without the previous permission of the police, any such property as is referred to in that section shall, on proof that the same was stolen property within the meaning of section 410 of the Indian Penal Code or property in respect of which any offence punishable under section 417, section 418, section 419 or section 420 of the said Code has been committed, be punished with imprisonment for a term which may extend to three years or with fine, or with both. 45 of 1860.

Taking pledge from child.

106. Whoever takes from any child, not appearing to be above the age of fourteen years, any article whatsoever as a pawn, pledge or security for any sum of money lent, advanced or delivered to such child or without the knowledge and consent of the owner of the article buys from such child any article whatsoever, shall, on conviction, be punished with fine which may extend to one hundred rupees.

* * * * *

Cheating at games and gambling in street.

108. (*1*) Whoever by any fraud or unlawful device or malpractice in playing at or with cards, dice or other game or in taking part in the stakes or wagers, or in betting on the sides or hands of the players, or in wagering on the event of any game, sports, pastime or exercise, wins from any other person, for himself or any other or others, any sum of money or valuable thing, shall be deemed to have committed the offence of cheating within the meaning of section 415 of the Indian Penal Code, and be liable to punishment accordingly. 45 of 1960.

(*2*) Whoever assembles with others, or joins any assembly, in a street assembled for the purpose of gambling or wagering shall, on conviction, be punished with fine which may extend to fifty rupees or may be released after a due admonition.

* * * * *

Penalty for contravening regulations, etc., under section 28.

110. Save as provided in section 112, whoever contravenes, or abets the contravention of, any regulation made under section 28 or any of the conditions of a licence issued under such regulation shall, on conviction, be punished—

* * * * *

(*b*) if the regulation was made under clause (*d*), (*h*), (*i*), or (*j*), sub-clause (*i*) or (*ii*) of clause (*s*) or clause (*v*) of sub-section (*1*) of section 28, with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees, or with both;

* * * * *

Penalty for not obtaining licence in respect of place of public entertainment or certificate of registration in respect of eating house or for not renewing such licence or certificate within prescribed period.

112. (*1*) Whoever fails to obtain a licence under this Act in respect of a place of public entertainment or a certificate of registration thereunder in respect of any eating house, or to renew the licence or the certificate, as the case may be, within the prescribed period shall, on conviction, be punished with fine which may extend to fifty rupees.

(*2*) Any court trying any such offence shall in addition direct that the person keeping the place of public entertainment, or the eating house, in respect of which the offence has been committed shall close such place, or eating house until he obtains a licence or fresh licence, or a certificate of registration or fresh certificate of registration, as the case may be, in respect thereof and thereupon such person shall forthwith comply with such direction.

(*3*) If the person fails to comply with any such direction, he shall, on conviction, be punished with imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees or with both.

(*4*) Without prejudice to any action taken under sub-section (*3*), on the failure of such person to comply with the direction of the court, any police officer authorised by the Commissioner of Police, by an order in writing, may take or cause to be taken such steps and use or cause to be used such force as may, in the opinion of such officer, be reasonably necessary for securing compliance with the court's direction.

* * * * *

Penalty for making false statement, etc., and for misconduct of police officers

122. (*a*) * * * * *

(*b*) any police officer who—

* * * * *

(*iii*) is guilty of any wilful breach or neglect of any provision of law or of any rule or regulation or any order which he is bound to observe or obey, or

(*iv*) is guilty of any violation of duty for which no punishment is expressly provided by any other law in force, shall, on conviction, be punished with imprisonment for a term which may extend to three months, or with fine which may extend to one hundred rupees, or with both.

* * * * *

EXTRACTS FROM THE HIND CYCLES LIMITED AND SEN-RALEIGH LIMITED (NATIONALISATION) ACT, 1980

(70 OF 1980)

* * * * *

27. Any person who,— Penalties.

* * * * *

(*e*) wrongfully removes or destroys any property forming part of any undertaking of either of the two companies or prefers any claim which he knows or has reason to believe to be false or grossly inaccurate,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

28. (*1*) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence. Offences by companies.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

* * * * *

31. (*1*) * * * * * Power to make rules.

(*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,—

* * * * *

(*c*) the manner in which the moneys in any provident fund or other fund, referred to in section 14, shall be dealt with;

* * * * *

EXTRACTS FROM THE DALMIA DADRI CEMENT LIMITED (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ACT, 1981

(31 OF 1981)

* * * * *

Penalties.

28. Any person who,—

* * * * *

(*f*) prefers any claim under this Act which he knows or has reasonable cause to believe to be false or grossly inaccurate,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

Offences by companies.

29. (*1*) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means any body corporate and includes a firm or other association of individuals;

(*b*) "director", in relation to a firm, means a partner in the firm.

Power to make rules.

30. (*1*) * * * * *

(*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:—

* * * * *

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

* * * * *

EXTRACTS FROM THE BRITISH INDIA CORPORATION LIMITED (ACQUISITION OF SHARES) ACT, 1981

* * * * *

Penalties.

17. If any person,—

(*a*) makes any claim for any payment under this Act, knowing or having reason to believe that such claim is false or without any basis; or

(*b*) when required under this Act so to do,—

(*i*) omits or fails to produce any register or record of the Company; or

(*ii*) makes any statement of furnishes any information which is false in any material particular and which he knows or believes to be false or does not believe to be true; or

(*c*) makes any such statement as aforesaid in any book, account, record, register, return or other document,

he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

Offences by companies.

18. (*1*) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against the punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

Limitation of cognizance of offences.

19. No court shall take cognizance of an offence punishable under this Act, except with the previous sanction of the Central Government or of an officer authorised by that Government in this behalf.

* * * * *

EXTRACTS FROM THE MARITIME ZONES OF INDIA (REGULATION OF FISHING BY FOREIGN VESSELS) ACT, 1981

(42 OF 1981)

* * * * *

Penalty for contravention of licence.

11. Whoever contravenes the provisions of any licence shall be punishable with fine not exceeding rupees ten lakhs.

Penalty for contravention of permit.

12. Whoever contravenes the provisions of any permit shall be punishable,—

(*a*) where such contravention relates to the area of operation or method of fishing specified in such permit, with fine not exceeding rupees five lakhs; and

(*b*) in any other case, with fine not exceeding rupees fifty thousand.

Confiscation of vessels, etc.

13. (*1*) Where any person is convicted of an offence under section 10 or section 11 or section 12, the foreign vessel used in or in connection with the commission of the said offence, together with its fishing gear, equipment, stores and cargo and any fish on board such ship or the proceeds of the sale of any fish ordered to be sold under the second proviso to clause (*a*) of sub-section (*4*) of section 9 shall also be liable to confiscation.

* * * * *

Penalty for obstruction of authorised officers.

15. If any person—

* * * * *

(*c*) fails to stop the vessel or produce the licence, permit, log book or other document or any fish, net, fishing gear or other equipment on board such vessel, when required to do so by the authorised officer,

he shall be punishable with imprisonment for a term which may extend to one year or with fine not exceeding rupees fifty thousand or with both.

* * * * *

EXTRACTS FROM THE INCHEK TYRES LIMITED AND NATIONAL RUBBER MANUFACTURERS LIMITED (NATIONALISATION) ACT, 1984

(17 OF 1984)

* * * * *

Penalties.

27. Any person who,—

* * * * *

(*e*) wrongfully removes or destroys any property forming part of any undertaking of either of the two companies or prefers any claim which he knows or has reasonable cause to believe to be false or grossly inaccurate,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

Offences by companies.

28. (*1*) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

* * * * *

Power to make rules.

31. (*1*) * * * * *

(*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:—

* * * * *

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

* * * * *

EXTRACTS FROM THE CALCUTTA METRO RAILWAY (OPERATION AND MAINTENANCE) TEMPORARY PROVISIONS ACT, 1985

(10 OF 1985)

* * * * *

Smoking in compartments, etc.

9. (*1*) No person shall smoke in any compartment or carriage of the metro railway or in any underground metro railway station.

(*2*) Whoever contravenes the provisions of sub-section (*1*) shall be punishable with fine which may extend to two hundred and fifty rupees.

(*3*) If any person persists in so smoking after being warned by any metro railway official to desist, he may, in addition to incurring the liability mentioned in sub-section (*2*), be removed from the compartment or carriage in which he is travelling or from the underground station at which he may be found smoking by any metro railway official authorised by the metro railway administration in this behalf.

Drunkenness or nuisance upon the metro railway.

10. (*1*) If any person,—

(*a*) is in a state of intoxication; or

(*b*) commits any nuisance or act of indecency, or uses obscene or abusive language; or

(*c*) wilfully or without excuse interferes in any way with the comfort of any passenger,

in any carriage or upon any part of the metro railway, he shall be punishable with fine which may extend to two hundred and fifty rupees and shall also be liable to forfeiture of the fare which he may have paid or any pass or ticket which he may have obtained or purchased, or be removed from such carriage or part by any metro railway official authorised by the metro railway administration in this behalf.

(*2*) If any metro railway official is in a state of intoxication while on duty, he shall be punishable with fine which may extend to two hundred and fifty rupees, or, where the improper performance of the duty would be likely to endanger the safety of any passenger travelling or being upon the metro railway, with imprisonment for a term which may extend to two years, or with fine which may extend to five hundred rupees, or with both.

* * * * *

Penalty for unlawfully entering or remaining upon the metro railway or walking on the metro railway line.

13. (*1*) If a person enters into or upon the metro railway without any lawful authority or having entered with lawful authority remains there unlawfully and refuses to leave on being requested to do so by any metro railway official, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred and fifty rupees, or with both.

* * * * *

EXTRACTS FROM THE HANDLOOMS (RESERVATION OF ARTICLES FOR PRODUCTION) ACT, 1985

(22 OF 1985)

* * * * *

Penalty for contravention of orders made under section 3.

10. Whoever produces any article or class of articles in contravention of an order made under section 3,—

(*a*) shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees per loom by which the said article or class of articles is produced, or with both, and in the case of a continuing contravention, with an additional fine which may extend to five hundred rupees per loom for every day during which such contravention continues after conviction for the first such contravention; and

* * * * *

False statement.

11. If any person,—

* * * * *

(*b*) when required by the authorised officer under section 7 to produce any books of account, registers, records or other documents, fails to produce, or damages or destroys any such books, registers or other documents,

he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both.

* * * * *

EXTRACTS FROM THE INLAND WATERWAYS AUTHORITY OF INDIA ACT, 1985

(82 OF 1985)

* * * * *

Power to make rules.

34. (*1*) * * * * *

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

* * * * *

(*h*) the conditions and restrictions with respect to exercise of the power to enter under section 28 and the matters referred to in clause (*f*) of that section; and

* * * * *

Power to make regulations.

35. (*1*) * * * * *

(*3*) Any regulation made under any of the clauses (*c*) to (*j*) of sub-section (*2*) may provide that a contravention thereof shall be punishable with fine which may extend to five hundred rupees and in the case of a continuing contravention with an additional fine which may extend to twenty rupees for every day during which such contravention continues after conviction for the first such contravention.

* * * * *

EXTRACTS FROM THE AGRICULTURAL AND PROCESSED FOOD PRODUCTS EXPORT DEVELOPMENT AUTHORITY ACT, 1985

(2 OF 1986)

* * * * *

CHAPTER V

CONTROL BY THE CENTRAL GOVERNMENT

Power to prohibit or control imports and exports of Scheduled products.

19. (*1*) * * * * *

(*3*) If any person contravenes any order made under sub-section (*1*), he shall, without prejudice to any confiscation or penalty to which he may be liable under the provisions of the Customs Act, 1962, as applied by sub-section (*2*), be punishable with imprisonment for a term which may extend to one year, or with fine, or with both. 52 of 1962.

* * * * *

CHAPTER VI

MISCELLANEOUS

Penalty for making false reports.

22. Any person who, being required by or under this Act to furnish any return, fails to furnish such return or furnishes a return containing any particular which is false and which he knows to be false or does not believe to be true shall be punishable with fine which may extend to five hundred rupees.

Penalties for obstructing a member or officer of the Authority in the discharge of his duty and for failure to produce books and records.

23. Any person who—

(*a*) obstructs any member authorised by the Chairman in writing or any officer or other employee of the Authority authorised in this behalf by the Central Government or by the Authority, in the exercise of any power conferred, or in the discharge of any duty imposed on him by or under this Act; or

(*b*) having control over or custody of any account book or other record fails to produce such book or record when required to do so by or under this Act,

shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Other penalties.

24. Whoever contravenes or attempts to contravene or abets the contravention of the provisions of this Act or of any rules made hereunder other than the provisions, the punishment for the contravention whereof has been provided for in sections 19, 22 and 23, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both and in the case of a continuing contravention with an additional fine which may extend to fifty rupees for every day during which such contravention continues after conviction for the first such contravention.

* * * * *

Jurisdiction of court.

26. No court inferior to that of a Metropolitan Magistrate or a Magistrate of the first class shall try any offence punishable under this Act.

* * * * *

Power to make rules.

32. (*1*) * * * * *

(*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:—

* * * * *

(*m*) the form in which and the date before which the Authority shall furnish to the Central Government the report of its activities and programme under sub-section (*2*) of section 21;

* * * * *

EXTRACTS FROM THE MOTOR VEHICLES ACT, 1988

(59 OF 1988)

* * * * *

Grant of learner's licence.

8. (*1*) * * * * *

(*8*) Any learner's licence for driving a motor cycle in force immediately before the commencement of this Act shall, after such commencement, be deemed to be effective for driving a motor cycle with or without gear.

Grant of driving licence.

9. (*1*) * * * * *

(*9*) Any driving licence for driving a motor cycle in force immediately before the commencement of this Act shall, after such commencement, be deemed to be effective for driving a motor cycle with or without gear.

* * * * *

Licensing and regulation of schools or establishments for imparting instruction in driving of motor vehicles.

12. (*1*) * * * * *

(*4*) A school or establishment imparting instruction in driving of motor vehicles or matters connected therewith immediately before the commencement of this Act whether under a licence or not, may continue to impart such instruction without a licence issued under this Act for a period of one month from such commencement, and if it has made an application for such licence under this Act within the said period of one month and such application is in the prescribed form, contains the prescribed particulars and is accompanied by the prescribed fee, till the disposal of such application by the licensing authority.

* * * * *

Currency of licences to drive motor vehicles.

14. (*1*) * * * * *

(*2*) A driving licence issued or renewed under this Act shall,—

* * * * *

(*b*) in the case of any other licence, subject to such conditions as the Central Government may prescribe, if the person obtaining the licence, either originally or on renewal thereof,—

* * * * *

(*iv*) has attained the age of fifty-five years on the date of issue or as the case may be, renewal thereof, be effective for a period of five years from the date of such issue or renewal.

Renewal of driving licences.

15. (*1*) Any licensing authority may, on application made to it, renew a driving licence issued under the provisions of this Act with effect from the date of its expiry:

Provided that in any case where the application for the renewal of a licence is made more than thirty days after the date of its expiry, the driving licence shall be renewed with effect from the date of its renewal:

Provided further that where the application is for the renewal of a licence to drive a transport vehicle or where in any other case the applicant has attained the age of forty years, the same shall be accompanied by a medical certificate in the same form and in the same manner as is referred to in sub-section (*3*) of section 8, and the provisions of sub-section (*4*) of section 8 shall, so far as may be, apply in relation to every such case as they apply in relation to a learner's licence.

* * * * *

Power of Court to disqualify.

20. (*1*) * * * * *

(*2*) Where a person is convicted of an offence under clause (*c*) of sub-section (*1*) of section 132, section 134 or section 185, the Court convicting any person of any such offence shall order the disqualification under sub-section (*1*), and if the offence is relatable to clause (*c*) of sub-section (*1*) of section 132 or section 134, such disqualification shall be for a period of not less than one month, and if the offence is relatable to section 185, such disqualification shall be for a period of not less than six months.

* * * * *

Registration, where to be made.

40. Subject to the provisions of section 42, section 43 and section 60, every owner of a motor vehicle shall cause the vehicle to be registered by a registering authority in whose jurisdiction he has the residence or place of business where the vehicle is normally kept.

* * * * *

55. (*1*) If a motor vehicle has been destroyed or has been rendered permanently incapable of use, the owner shall, within fourteen days or as soon as may be, report the fact to the registering authority within whose jurisdiction he has the residence or place of business where the vehicle is normally kept, as the case may be, and shall forward to that authority the certificate of registration of the vehicle. Cancellation of registration.

* * * * *

65. (*1*) * * * * * Power of State Government to make rules.

(*2*) Without prejudice to the generality of the foregoing power, such rules may provide for—

* * * * *

(*k*) the amount or amounts under sub-section (*13*) of section 41 or sub-section (*7*) of section 47 or sub-section (*4*) of section 49 or sub-section (*5*) of section 50;

* * * * *

75. (*1*) * * * * * Scheme for renting of motor cabs.

(*2*) A scheme made under sub-section (*1*) may provide for all or any of the following matters, namely:—

* * * * *

(*g*) conditions subject to which motor cabs may be rented;

* * * * *

84. The following shall be conditions of every permit— General conditions attaching to all permits.

* * * * *

(*f*) that the provisions of Chapters X, XI and XII so far as they apply to the holder of the permit are observed; and

* * * * *

96. (*1*) * * * * * Power of State Government to make rules for the purposes of this Chapter.

(*2*) Without prejudice to the generality of the foregoing power, rules under this section may be made with respect to all or any of the following matters, namely:—

* * * * *

(*xii*) the conditions to be attached to permits for the purpose of giving effect to any agreement such as is referred to in clause (*iii*) of sub-section (*1*) of section 67;

* * * * *

157. (*1*) * * * * * Transfer of certificate of insurance.

(*2*) The transferee shall apply within fourteen days from the date of transfer in the prescribed form to the insurer for making necessary changes in regard to the fact of transfer in the certificate of insurance and the policy described in the certificate in his favour and the insurer shall make the necessary changes in the certificate and the policy of insurance in regard to the transfer of insurance.

* * * * *

161. (*1*) * * * * * Special provisions as to compensation in case of hit and run motor accident.

(*4*) A scheme made under sub-section (*3*) may provide that,—

* * * * *

(*b*) a contravention of any provision thereof shall be punishable with imprisonment which may extend to two years, or with fine which shall not be less than twenty-five thousand rupees but may extend to five lakh rupees or with both;

* * * * *

Application for compensation.

166. (*1*) * * * * *

(*3*) No application for compensation shall be entertained unless it is made within six months of the occurrence of the accident.

* * * * *

Option regarding claims for compensation in certain cases.

167. Notwithstanding anything contained in the Workmen's Compensation Act, 1923 where the death of, or bodily injury to, any person gives rise to a claim for compensation under this Act and also under the Workmen's Compensation Act, 1923, the person entitled to compensation may without prejudice to the provisions of Chapter X claim such compensation under either of those Acts but not under both. 8 of 1923.

* * * * *

CHAPTER XIII

OFFENCES, PENALTIES AND PROCEDURE

General provision for punishment of offences.

177. Whoever contravenes any provision of this Act or of any rule, regulation or notification made thereunder shall, if no penalty is provided for the offence be punishable for the first offence with fine which may extend to five hundred rupees, and for any second or subsequent offence with fine which may extend to one thousand and five hundred rupees.

Penalty for contravention of regulations under section 118.

177A. Whoever contravenes the regulations made under section 118, shall be punishable with fine which shall not be less than five hundred rupees, but may extend to one thousand rupees.

Penalty for travelling without pass or ticket and for dereliction of duty on the part of conductor and refusal to ply contract carriage, etc.

178. (*1*) Whoever travels in a stage carriage without having a proper pass or ticket with him or being in or having alighted from a stage carriage fails or refuses to present for examination or to deliver up his pass or ticket immediately on a requisition being made therefor, shall be punishable with fine which may extend to five hundred rupees.

Explanation.—In this section, "pass" and "ticket" have the meanings respectively assigned to them in section 124.

(*2*) If the conductor of a stage carriage, or the driver of a stage carriage performing the functions of a conductor in such stage carriage, whose duty is—

* * * * *

(*b*) to check any pass or ticket, either wilfully or negligently fails or refuses to do so,

he shall be punishable with fine which may extend to five hundred rupees.

(*3*) If the holder of a permit or the driver of a contract carriage refuses, in contravention of the provisions of this Act or rules made thereunder, to ply the contract carriage or to carry the passengers, he shall,—

* * * * *

Disobedience of orders, obstruction and refusal of information.

179. (*1*) Whoever wilfully disobeys any direction lawfully given by any person or authority empowered under this Act to give such direction, or obstructs any person or authority in the discharge of any functions which such person or authority is required or empowered under this Act to discharge, shall, if no other penalty is provided for the offence be punishable with fine which may extend to five hundred rupees.

(*2*) Whoever, being required by or under this Act to supply any information, wilfully withholds such information or gives information which he knows to be false or which he does not believe to be true, shall, if no other penalty is provided for the offence, be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to five hundred rupees, or with both.

* * * * *

182. (*1*) * * * * * Offences relating to licences.

(*2*) Whoever, being disqualified under this Act for holding or obtaining a conductor's licence, acts as a conductor of a stage carriage in a public place or applies for or obtains a conductor's licence or, not being entitled to have a conductor's licence issued to him free of endorsement, applies for or obtains a conductor's licence without disclosing the endorsements made on a conductor's licence previously held by him, shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to one hundred rupees, or with both, and any conductor's licence so obtained by him shall be of no effect.

* * * * *

182B. Whoever contravenes the provisions of section 62A, shall be punishable with fine which shall not be less than five thousand rupees, but may extend to ten thousand rupees. Punishment for contravention of section 62A.

* * * * *

186. Whoever drives a motor vehicle in any public place when he is to his knowledge suffering from any disease or disability calculated to cause his driving of the vehicle to be a source of danger to the public, shall be punishable for the first offence with fine which may extend to two hundred rupees and for a second or subsequent offence with fine which may extend to five hundred rupees. Driving when mentally or physically unfit to drive.

* * * * *

190. (*1*) Any person who drives or causes or allows to be driven in any public place a motor vehicle or trailer while the vehicle or trailer has any defect, which such person knows of or could have discovered by the exercise of ordinary care and which is calculated to render the driving of the vehicle a source of danger to persons and vehicles using such place, shall be punishable with fine which may extend to two hundred and fifty rupees or, if as a result of such defect an accident is caused causing bodily injury or damage to property, with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees, or with both. Using vehicle in unsafe condition.

(*2*) Any person who drives or causes or allows to be driven, in any public place a motor vehicle, which violates the standards prescribed in relation to road safety, control of noise and air-pollution, shall be punishable for the first offence with a fine of one thousand rupees and for any second or subsequent offence with a fine of two thousand rupees.

* * * * *

192. (*1*) Whoever drives a motor vehicle or causes or allows a motor vehicle to be used in contravention of the provisions of section 39 shall be punishable for the first offence with a fine which may extend to five thousand rupees but shall not be less than two thousand rupees for a second or subsequent offence with imprisonment which may extend to one year or with fine which may extend to ten thousand rupees but shall not be less than five thousand rupees or with both: Using vehicle without registration.

Provided that the court may, for reasons to be recorded, impose a lesser punishment.

* * * * *

Using vehicle without permit.

192A. (*1*) Whoever drives a motor vehicle or causes or allows a motor vehicle to be used in contravention of the provisions of sub-section (*1*) of section 66 or in contravention of any condition of a permit relating to the route on which or the area in which or the purpose for which the vehicle may be used, shall be punishable for the first offence with a fine which may extend to five thousand rupees but shall not be less than two thousand rupees and for any subsequent offence with imprisonment which may extend to one year but shall not be less than three months or with fine which may extend to ten thousand rupees but shall not be less than five thousand rupees or with both:

Provided that the court may for reasons to be recorded, impose a lesser punishment.

* * * * *

Offences relating to registration.

192B. (*1*) Whoever, being the owner of a motor vehicle, fails to make an application for registration of such motor vehicle under sub-section (*1*) of section 41 shall be punishable with fine of five times the annual road tax or one-third of the lifetime tax of the motor vehicle whichever is higher.

(*2*) Whoever, being a dealer, fails to make an application for the registration of a new motor vehicle under the second proviso to sub-section (*1*) of section 41 shall be punishable with fine of fifteen times the annual road tax or the lifetime tax of the motor vehicle whichever is higher.

* * * * *

Punishment of agents, canvassers and aggregators without proper authority.

193. (*1*) Whoever engages himself as an agent or canvasser in contravention of the provisions of section 93 or of any rules made thereunder shall be punishable for the first offence with fine of one thousand rupees and for any second or subsequent offence with imprisonment which may extend to six months, or with fine of two thousand rupees, or with both.

(*2*) Whoever engages himself as an aggregator in contravention of the provisions of section 93 or of any rules made thereunder shall be punishable with fine up to one lakh rupees but shall not be less than twenty-five thousand rupees.

(*3*) Whoever, while operating as an aggregator contravenes a condition of the licence granted under sub-section (*1*) of section 93, not designated by the State Government as a material condition, shall be punishable with fine of five thousand rupees.

Driving vehicle exceeding permissible weight.

194. (*1*) Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven in contravention of the provisions of section 113 or section 114 or section 115 shall be punishable with fine of twenty thousand rupees and an additional amount of two thousand rupees per tonne of excess load, together with the liability to pay charges for off-loading of the excess load:

Provided that such motor vehicle shall not be allowed to move before such excess load is removed or is caused or allowed to be removed by the person in control of such motor vehicle.

(*1A*) Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven when such motor vehicle is loaded in such a manner that the load or any part thereof or anything extends laterally beyond the side of the body or to the front or to the rear or in height beyond the permissible limit shall be punishable with a fine of twenty thousand rupees, together with the liability to pay charges for off-loading of such load:

Provided that such motor vehicle shall not be allowed to move before such load is arranged in a manner such that there is no extension of the load laterally beyond the side of the body or to the front or to the rear or in height beyond the permissible limit:

Provided further that nothing in this sub-section shall apply when such motor vehicle has been given an exemption by the competent authority authorised in this behalf, by the State Government or the Central Government, allowing the carriage of a particular load.

(*2*) Any driver of a vehicle who refuses to stop and submit his vehicle to weighing after being directed to do so by an officer authorised in this behalf under section 114 or removes or causes the removal of the load or part of it prior to weighing shall be punishable with fine of forty thousand rupees.

Carriage of excess passengers.

194A. Whoever drives a transport vehicle or causes or allows a transport vehicle to be driven while carrying more passengers than is authorised in the registration certificate of such transport vehicle or the permit conditions applicable to such transport vehicle shall be punishable with a fine of two hundred rupees per excess passenger:

Provided that such transport vehicle shall not be allowed to move before the excess passengers are off-loaded and an alternative transport is arranged for such passengers.

Use of safety belts and the seating of children.

194B. (*1*) Whoever drives a motor vehicle without wearing a safety belt or carries passengers not wearing seat belts shall be punishable with a fine of one thousand rupees:

Provided that the State Government, may by notification in the Official Gazette, exclude the application of this sub-section to transport vehicles to carry standing passengers or other specified classes of transport vehicles.

(*2*) Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven with a child who, not having attained the age of fourteen years, is not secured by a safety belt or a child restraint system shall be punishable with a fine of one thousand rupees.

Penalty for violation of safety measures for motor cycle drivers and pillion riders.

194C. Whoever drives a motor cycle or causes or allows a motor cycle to be driven in contravention of the provisions of section 128 or the rules or regulations made thereunder shall be punishable with a fine of one thousand rupees and he shall be disqualified for holding licence for a period of three months.

Penalty for not wearing protective headgear.

194D. Whoever drives a motor cycle or causes or allows a motor cycle to be driven in contravention of the provisions of section 129 or the rules or regulations made thereunder shall be punishable with a fine of one thousand rupees and he shall be disqualified for holding licence for a period of three months.

Failure to allow free passage to emergency vehicles.

194E. Whoever while driving a motor vehicle fails to draw to the side of the road, on the approach of a fire service vehicle or of an ambulance or other emergency vehicle as may be specified by the State Government, shall be punishable with imprisonment for a term which may extend to six months, or with a fine of ten thousand rupees or with both.

Use of horns and silence zones.

194F. Whoever—

(*a*) while driving a motor vehicle—

(*i*) sounds the horn needlessly or continuously or more than necessary to ensure safety, or

(*ii*) sounds the horn in an area with a traffic sign prohibiting the use of a horn, or

(*b*) drives a motor vehicle which makes use of a cut-out by which exhaust gases are released other than through the silencer,

shall be punishable with a fine of one thousand rupees and for a second or subsequent offence with a fine of two thousand rupees.

* * * * *

Driving uninsured vehicle.

196. Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven in contravention of the provisions of section 146 shall be punishable for the first offence with imprisonment which may extend to three months, or with fine of two thousand rupees, or with both, and for a subsequent offence shall be punishable with imprisonment for a term which may extend to three months, or with fine of four thousand rupees, or with both.

* * * * *

Unauthorised interference with vehicle.

198. Whoever otherwise than with lawful or reasonable excuse enters or moves any stationary motor vehicle or tampers with the brake or any part of the mechanism of a motor vehicle shall be punishable with fine of one thousand rupees.

Failure to comply with standards for road design, construction and maintenance.

198A. (*1*) Any designated authority, contractor, consultant or concessionaire responsible for the design or construction or maintenance of the safety standards of the road shall follow such design, construction and maintenance standards, as may be prescribed by the Central Government from time to time.

(*2*) Where failure on the part of the designated authority, contractor, consultant or concessionaire responsible under sub-section (*1*) to comply with standards for road design, construction and maintenance, results in death or disability, such authority or contractor or concessionaire shall be punishable with a fine which may extend to one lakh rupees and the same shall be paid to the Fund constituted under section 164B.

(*3*) For the purposes of sub-section (*2*), the court shall in particular have regard to the following matters, namely:—

* * * * *

(*g*) such other matters as may be prescribed by the Central Government.

Explanation.— For the purposes of this section, the term contractor shall include sub-contractors and all such person who are responsible for any stage in the design, construction and maintenance of a stretch of road.

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Revision of fines.

199B. The fines as provided in this Act shall be increased by such amount not exceeding ten per cent. in value of the existing fines, on an annual basis on 1st day of April of each year from the date of commencement of the Motor Vehicles (Amendment) Act, 2019, as may be notified by the Central Government. 32 of 2019.

Composition of certain offences.

200. (*1*) Any offence whether committed before or after the commencement of this Act punishable under section 177, section 177A, section 178, section 179, section 180, section 181, section 182, sub-section (*1*) or sub-section (*3*) or sub-section (*4*) of section 182A, section 182B, sub-section (*1*) or sub-section (*2*) of section 183, clause (*c*) of the Explanation to section 184, section 186, section 189, sub-section (*2*) of section 190, section 192, section 192A, sub-section (*3*) of section 1928, section 194, section 194A, section 194B, section 194C, section 194D, section 194E, section 194F, section 196, section 198 and section 201, may, either before or after the institution of the prosecution, be compounded by such officers or authorities and for such amount as the State Government may, by notification in the Official Gazette, specify in this behalf.

* * * * *

210A. Subject to conditions made by the Central Government, a State Government, shall, by notification in the Official Gazette, specify a multiplier, not less than one and not greater than ten, to be applied to each fine under this Act and such modified fine, shall be in force in such State and different multipliers may be applied to different classes of motor vehicles as may be classified by the State Government for the purpose of this section. Power of State Government to increase penalties.

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210C. The Central Government may make rules for— Power of Central Government to make rules.

* * * * *

(*b*) such other factors as may be taken into account by the Court under sub-section (*3*) of section 198A;

212. (*1*) * * * * * Publication, commencement and laying of rules and notification

(*4*) Every rule made by the Central Government under this Act, every scheme made by the Central Government under sub-section (*1*) of section 75 and sub-section (*1*) of section 163 and every notification issued by the Central Government under sub-section (*4*) of section 41, sub-section (*1*) of section 58, sub-section (*1*) of section 59, the proviso to sub-section (*1*) of section 112, section 118, sub-section (*4*) of section 163A, section 164, section 177A and sub-section (*4*) of section 213 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, scheme or notification or both Houses agree that the rule or scheme should not be made or the notification should not be issued, the rule, scheme or 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 rule, scheme or notification.

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EXTRACTS FROM THE RAILWAYS ACT, 1989

(24 OF 1989)

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60. (*1*) * * * * * Power to make rules in respect of matters in this Chapter.

(*3*) Any rule made under this section may provide that a contravention thereof shall be punishable with fine which shall not exceed five hundred rupees.

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87. (*1*) * * * * * Power to make rules in respect of matters in this Chapter.

(*3*) Any rule made under this section may provide that a contravention thereof shall be punishable with fine which may extend to one hundred and fifty rupees.

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CHAPTER XV

PENALTIES AND OFFENCES

137. (*1*) If any person, with intent to defraud a railway administration,— Fraudulently travelling or attempting to travel without proper pass or ticket.

(*a*) enters or remains in any carriage on a railway or travels in a train in contravention of section 55, or

(*b*) uses or attempts to use a single pass or a single ticket which has already been used on a previous journey, or in the case of a return ticket, a half thereof which has already been so used,

he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of five hundred rupees.

(*2*) The person referred to in sub-section (*1*) shall also be liable to pay the excess charge mentioned in sub-section (*3*) in addition to the ordinary single fare for the distance which he has travelled, or where there is any doubt as to the station from which he started, the ordinary single fare from the station from which the train originally started, or if the tickets of passengers travelling in the train have been examined since the original starting of the train, the ordinary single fare from the place where the tickets were so examined or, in case of their having been examined more than once, were last examined.

(*3*) The excess charge referred to in sub-section (*2*) shall be a sum equal to the ordinary single fare referred to in that sub-section or two hundred and fifty rupees, whichever is more.

(*4*) Notwithstanding anything contained in section 65 of the Indian Penal Code, the court convicting an offender may direct that the person in default of payment of any fine inflicted by the court shall suffer imprisonment for a term which may extend to six months. 45 of 1960.

Levy of excess charge and fare for travelling without proper pass or ticket or beyond authorised distance.

138. (*1*) * * * * *

(*3*) The excess charge shall be a sum equal to the amount payable under sub-section (*1*) or sub-section (*2*), as the case may be, or two hundred and fifty rupees, whichever is more:

Provided that if the passenger has with him a certificate granted under sub-section (*2*) of section 55, no excess charge shall be payable.

(*4*) If any passenger liable to pay the excess charge and the fare mentioned in sub-section (*1*), or the excess charge and any difference of fare mentioned in sub-section (*2*), fails or refuses to pay the same on a demand being made therefor under one or other of these sub-sections, as the case may be, any railway servant authorised by the railway administration in this behalf may apply to any Metropolitan Magistrate or a Judicial Magistrate of the first or second class, as the case may be, for the recovery of the sum payable as if it were a fine, and the Magistrate if satisfied that the sum is payable shall order it to be so recovered, and may order that the person liable for the payment shall in default of payment suffer imprisonment of either description for a term which may extend to one month but not less than ten days.

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Penalty for transfer of tickets.

142. (*1*) If any person not being a railway servant or an agent authorised in this behalf—

(*a*) sells or attempts to sell any ticket or any half of a return ticket; or

(*b*) parts or attempts to part with the possession of a ticket against which reservation of a seat or berth has been made or any half of a return ticket or a season ticket,

in order to enable any other person to travel therewith, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both, and shall also forfeit the ticket which he sells or attempts to sell or parts or attempts to part.

(*2*) If any person purchases any ticket referred to in clause (*a*) of sub-section (*1*) or obtains the possession of any ticket referred to in clause (*b*) of that sub-section from any person other than a railway servant or an agent authorised in this behalf, he shall be punishable with imprisonment for a term which may extend to three months and with fine which may extend to five hundred rupees and if the purchaser or holder of any ticket aforesaid travels or attempts to travel therewith, he shall forfeit the ticket which he so purchased or obtained and shall be deemed to be travelling without a proper ticket and shall be liable to be dealt with under section 138:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, the punishment under sub-section (*1*) or sub-section (*2*) shall not be less than a fine of two hundred and fifty rupees.

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Prohibition on hawking, etc., and begging.

144. (*1*) If any person canvasses for any custom or hawks or exposes for sale any article whatsoever in any railway carriage or upon any part of a railway, except under and in accordance with the terms and conditions of a licence granted by the railway administration in this behalf, he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both:

Provided that, in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of one thousand rupees.

(*2*) If any person begs in any railway carriage or upon a railway station, he shall be liable for punishment as provided under sub-section (*1*).

(*3*) Any person referred to in sub-section (*1*) or sub-section (*2*) may be removed from the railway carriage or any part of the railway or railway station, as the case may be, by any railway servant authorised in this behalf or by any other person whom such railway servant may call to his aid.

Drunkenness or nuisance.

145. If any person in any railway carriage or upon any part of a railway—

(*a*) is in a state of intoxication; or

(*b*) commits any nuisance or act of indecency or uses abusive or obscene language; or

(*c*) wilfully or without excuse interferes with any amenity provided by the railway administration so as to affect the comfortable travel of any passenger,

he may be removed from the railway by any railway servant and shall, in addition to the forfeiture of his pass or ticket, be punishable with imprisonment which may extend to six months and with fine which may extend to five hundred rupees:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than—

(*a*) a fine of one hundred rupees in the case of conviction for the first offence; and

(*b*) imprisonment of one month and a fine of two hundred and fifty rupees, in the case of conviction for second or subsequent offence.

Obstructing railway servant in his duties.

146. If any person wilfully obstructs or prevents any railway servant in the discharge of his duties, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Trespass and refusal to desist from trespass.

147. (*1*) If any person enters upon or into any part of a railway without lawful authority, or having lawfully entered upon or into such part misuses such property or refuses to leave, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both:

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such punishment shall not be less than a fine of five hundred rupees.

(*2*) Any person referred to in sub-section (*1*) may be removed from the railway by any railway servant or by any other person whom such railway servant may call to his aid.

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Entering into a compartment reserved or resisting entry into a compartment not reserved.

155. (*1*) If any passenger—

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(*b*) having unauthorisedly occupied a berth or seat reserved by a railway administration for the use of another passenger,

refuses to leave it when required to do so by any railway servant authorised in this behalf, such railway servant may remove him or cause him to be removed, with the aid of any other person, from the compartment, berth or seat, as the case may be, and he shall also be punishable with fine which may extend to five hundred rupees.

(*2*) If any passenger resists the lawful entry of another passenger into a compartment not reserved for the use of the passenger resisting, he shall be punishable with fine which may extend to two hundred rupees.

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Penalty for contravention of any of the provisions of Chapter XIV.

158. Any person under whose authority any railway servant is employed in contravention of any of the provisions of Chapter XIV or of the rules made thereunder, shall be punishable with fine which may extend to five hundred rupees.

Disobedience of drivers or conductors of vehicles to directions of railway servant, etc.

159. If any driver or conductor of any vehicle while upon the premises of a railway disobeys the reasonable directions of any railway servant or police officer, he shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to five hundred rupees, or with both.

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Entering carriage or other place reserved for females.

162. If a male person knowing or having reason to believe that a carriage, compartment, berth or seat in a train or room or other place is reserved by a railway administration for the exclusive use of females, without lawful excuse,—

(*a*) enters such carriage, compartment, room or other place, or having entered such carriage, compartment, room or place, remains therein; or

(*b*) occupies any such berth or seat having been required by any railway servant to vacate it, he shall,

in addition to being liable to forfeiture of his pass or ticket, be punishable with fine which may extend to five hundred rupees and may also be removed by any railway servant.

Giving false account of goods.

163. If any person required to furnish an account of goods under section 66, gives an account which is materially false, he and, if he is not the owner of the goods, the owner also shall, without prejudice to his liability to pay any freight or other charge under any provision of this Act, be punishable with fine which may extend to five hundred rupees for every quintal or part thereof of such goods.

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Unlawfully bringing offensive goods on a railway.

165. If any person, in contravention of section 67, takes with him any offensive goods or entrusts such goods for carriage to the railway administration, he shall be punishable with fine which may extend to five hundred rupees and shall also be liable for any loss, injury or damage which may be caused by reason of bringing such goods on the railway.

Defacing public notices.

166. If any person without lawful authority—

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(*b*) obliterates or alters any letters or figures upon any such board or document or upon any rolling stock,

he shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to five hundred rupees, or with both.

167. (*1*) * * * * * Smoking.

(*3*) Whosoever contravenes the provisions of sub-section (*1*) or sub-section (*2*) shall be punishable with fine which may extend to one hundred rupees.

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172. If any railway servant is in a state of intoxication while on duty, he shall be punishable with fine which may extend to five hundred rupees and when the performance of any duty in such state is likely to endanger the safety of any person travelling on or being upon a railway, such railway servant shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both. Penalty for intoxication.

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176. If any railway servant unnecessarily— Obstructing level crossing.

(*a*) allows any rolling stock to stand across a place where the railway crosses a public road on the level; or

(*b*) keeps a level crossing closed against the public, he shall be punishable with fine which may extend to one hundred rupees.

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179. (*1*) * * * * * Arrest for offences under certain sections.

(*2*) If any person commits any offence mentioned in sections 137 to 139, 141 to 147, 153 to 157, 159 to 167 and 172 to 176, he may be arrested, without warrant or other written authority, by the officer authorised by a notified order of the Central Government.

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EXTRACTS FROM THE NEW DELHI MUNICIPAL COUNCIL ACT, 1994

(44 OF 1994)

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

(*1*) "Administrator" means the Administrator of the National Capital Territory of Delhi;

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(*25*) "municipal market" means a market vested in or managed by the Council;

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(*39*) "public street" means any street which vests in the Council as a public street or the soil below the surface of which vests in the Council or which under the provisions of this Act becomes, or is declared to be, a public street;

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(*54*) "trade refuse" means the refuse of any trade or industry;

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Property tax

Rates of property tax.

61. (*1*) Save as otherwise provided in this Act, the property tax shall be levied on lands and buildings in New Delhi and shall consist of not less than ten and not more than thirty per cent. of the rateable value of lands and buildings:

Provided that the Council may, when fixing the rate at which the property tax shall be levied during any year, determine that the rate leviable in respect of lands and buildings or portions of lands and buildings in which any particular class of trade or business is carried on shall be higher than the rate determined in respect of other lands and buildings or portions of other lands and buildings by an amount not exceeding one-half of the rate so fixed: Provided further that the tax may be levied on graduated scale, if the Council so determines.

Explanation.—Where any portion of a land or building is liable to a higher rate of the tax such portion shall be deemed to be a separate property for the purpose of municipal taxation.

(*2*) The Council may exempt from the tax lands and buildings of which the rateable value does not exceed one thousand rupees.

Premises in respect of which property tax is to be levied.

62. (*1*) Save as otherwise provided in this Act, the property tax shall be levied in respect of all lands and buildings in New Delhi except—

(*a*) lands and buildings or portions of lands and buildings exclusively occupied and used for public worship or by a society or body for a charitable purpose:

Provided that such society or body is supported wholly or in part by voluntary contributions, applies its profits, if any, or other income in promoting its objects and does not pay any dividend or bonus to its members.

Explanation.—"Charitable purpose" includes relief of the poor, education and medical relief but does not include a purpose which relates exclusively to religious teaching;

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Determination of rateable value of lands and buildings assessable to property tax.

63. (*1*) The rateable value of any lands or building assessable to any property taxes shall be the annual rent at which such land or building might reasonably be expected to let from year to year less a sum equal to ten per cent. of the said annual rent which shall be in lieu of all allowances for cost of repairs and insurance, and other expenses, if any, necessary to maintain the land or building in a state to command that rent:

Provided that in respect of any land or building the standard rent of which has been fixed under the Delhi Rent Control Act, 1958 the rateable value thereof shall not exceed the annual amount of the standard rent so fixed. 59 of 1958.

(*2*) The rateable value of any land which is not built upon but is capable of being built upon and of any land on which a building is in process of erection shall be fixed at five per cent. of estimated capital value of such land.

(*3*) All plant and machinery contained or situate in or upon any land or building and belonging to any of the classes specified from time to time by public notice by the Chairperson with the approval of the Council, shall be deemed to form part of such land or building for the purpose of determining the rateable value thereof under sub-section (*1*) but save as aforesaid no account shall be taken of the value of any plant or machinery contained or situated in or upon any such land or building.

EXTRACTS FROM THE NEW DELHI MUNICIPAL COUNCIL ACT, 1994

(44 OF 1994)

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Incidence of property tax.

66.(*1*) The property tax shall be primarily leviable as follows:—

(*a*) if the land or building is let, upon the lessor;

(*b*) if the land or building is sub-let, upon the superior lessor;

(*c*) if the land or building is unlet, upon the person in whom the right to let the same vests:

Provided that the property tax in respect of land and building, being property of the Union, possession of which has been delivered in pursuance of section 20 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 shall be primarily leviable upon the transferee.

44 of 1954.

(*2*) If any land has been let for a term exceeding one year to a tenant and such tenant has built upon the land, the property tax assessed in respect of that land and the building erected thereon shall be primarily leviable upon the said tenant, whether the land and building are in the occupation of such tenant or a sub-tenant of such tenant.

Explanation.—The term "tenant" includes any person deriving title to the land or the building erected upon such land from the tenant whether by operation of law or by transfer inter vivos.

(*3*) The liability of the several owners of any buildings which is, or purports to be, severally owned in parts or flats or rooms, for payment of property tax or any instalment thereof payable during the period of such ownership shall be joint and several.

Apportionment of liability for property tax when the premises are let or sub-let.

67. (*1*) If any land or building assessed to property tax is let, and its rateable value exceeds the amount of rent payable in respect thereof to the person upon whom under the provision of section 66 the said tax is leviable, that person shall be entitled to receive from his tenant the difference between the amount of the property tax levied upon him and the amount which would be leviable upon him if the said tax was calculated on the amount of rent payable to him.

(*2*) If the land or building is sub-let and its rateable value exceeds the amount of rent payable in respect thereof to the tenant by his sub-tenant, or the amount of rent payable in respect thereof to a sub-tenant by the person holding under the sub-tenant, the tenant shall be entitled to receive from his sub-tenant or the sub-tenant shall be entitled to receive from the person holding under him, as the case may be, the difference between any sum recovered under this section from such tenant or sub-tenant and the amount of property tax which would be liable in respect of the said land or building if the rateable value thereof were equal to the difference between the amount of rent which such tenant or sub-tenant receives and the amount of rent which he pays.

(*3*) Any person entitled to receive any sum under this section shall have, for the recovery thereof, the same rights and remedies as if such sum were rent payable to him by the person from whom he is entitled to receive the same.

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Property tax a first charge on premises on which it is assessed.

69. (*1*) * * * * *

(*a*) in the case of any land or building held immediately from the Council or Government or Central Government, upon the interest in such land or building of the person liable for such tax and upon the goods and other movable properties, if any, found within or upon such land or building and belonging to such person; and

(*b*) in the case of any other land or building, upon such land or building and upon the goods and other movable properties, if any, found within or upon such land or building and belonging to the person liable for such tax.

Explanation.—The term "property tax" in this section shall be deemed to include the costs on recovery of property tax and the penalty, if any, payable as specified in the bye-laws.

Assessment list.

70. (*1*) Save as otherwise provided in this Act, the Council shall cause an assessment list of all lands and buildings in New Delhi to be prepared in such form and manner and containing such particulars with respect to each land and building as may be prescribed by bye-laws.

(*2*) When the assessment list has been prepared the Chairperson shall give public notice thereof and of the place where the list or a copy thereof may be inspected, and every person claiming to be the owner, lessee or occupier of any land or building included in the list and any authorised agent of such person, shall be at liberty to inspect the list and to take extracts therefrom free of charge.

(*3*) The Chairperson shall, at the same time, give public notice of a date, not less than one month thereafter, when he will proceed to consider the rateable values of lands and buildings entered in the assessment list; and in all cases in which any land or building is for the first time assessed, or the rateable value of any land or building is increased, he shall also give written notice thereof to the owner or to any lessee or occupier of the land or building.

(*4*) Any objection to a rateable value or any other matter as entered in the assessment list shall be made in writing to the Chairperson before the date fixed in the notice and shall state in what respect the rateable value, or other matter is disputed, and all objections so made shall be recorded in a register to be kept for the purpose.

(*5*) The objections shall be inquired into and investigated, and the persons making them shall be allowed an opportunity of being heard either in person or by authorised agent, by the Chairperson or by any officer of the Council authorised in this behalf by the Chairperson.

(*6*) When all objections have been disposed of, and the revision of the rateable value has been completed, the assessment list shall be authenticated by signature of the Chairperson or, as the case may be, the officer authorised by him in this behalf, who shall certify that except in the case, if any in which amendments have been made as shown therein, no valid objection has been made to the rateable value or any other matter entered in said list.

(*7*) The assessment list so authenticated shall be deposited in the office of the Council and shall be open, free of charge during office hours to all owners, lessees and occupiers of lands and buildings comprised therein or the authorised agents of such persons, and a public notice that it is so open shall forthwith be published.

Evidential value of assessment list.

71. Subject to such alterations as may thereafter be made in the assessment list under section 72 and to the result of any appeal made under the provisions of this Act, the entries in the assessment list authenticated and deposited as provided in section 70 shall be accepted as conclusive evidence for the purpose of assessing any tax levied under this Act, of the rateable value of all lands and buildings to which such entries respectively relate.

Amendment of assessment list.

72. (*1*) The Chairperson may, at any time, amend the assessment list—

(*a*) by inserting therein the name of any person whose name ought to be inserted; or

(*b*) by inserting therein any land or building previously omitted; or

(*c*) by striking out the name of any person not liable for the payment of property tax; or

(*d*) by increasing or reducing for adequate reasons the amount of any rateable value and of the assessment thereupon; or

(*e*) by making or cancelling any entry exempting any land or building from liability to property tax; or

(*f*) by altering the assessment on the land or building which has been erroneously valued or assessed through fraud, mistake or accident; or

(*g*) by inserting or altering an entry in respect of any building erected, re-erected, altered or added to, after the preparation of the assessment list:

Provided that no person shall by reason of any such amendment become liable to pay any tax or increase of tax in respect of any period prior to the commencement of the year in which the notice under sub-section (*2*) is given.

(*2*) Before making any amendment under sub-section (*1*) the Chairperson shall give to any person affected by the amendment, notice of not less than one month that he proposes to make the amendment and consider any objection which may be made by such person.

Preparation of new assessment list.

73. It shall be in the discretion of the Chairperson to prepare for the whole or any part of New Delhi, a new assessment list every year or to adopt the rateable value contained in the list for any year, with such alterations as may in particular cases be deemed necessary, as the rateable value for the year following, giving the same public notice as well as individual notices, to persons affected by such alterations, of the rateable value as if a new assessment list had been prepared.

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Power of Chairperson to call for information and returns and to enter and inspect premises.

77. (*1*) To enable him to determine the rateable value of any land or building and the person primarily liable for the payment of property tax leviable in respect thereof, the Chairperson may require the owner or occupier of such land or building, or of any portion thereof to furnish him within such reasonable period as the Chairperson fixes in this behalf, with information or with a written return signed by such owner or occupier—

(*a*) as to the name and place of residence of the owner or occupier, or of both the owner and occupier of such land or buildings;

(*b*) as to the measurements or dimensions of such land or building or of any portion thereof and the rent, if any, obtained for such land or building or any portion thereof; and

(*c*) as to the actual cost or other specified details connected with the determination of the value of such land or building.

(*2*) Every owner or occupier on whom any such requisition is made shall be bound to comply with the same and to give true information or to make a true return to the best of his knowledge or belief.

(*3*) Whoever omits to comply with any such requisition or fails to give true information or to make a true return to the best of his knowledge or belief, shall, in addition to any penalty to which he may be liable, be precluded from objecting to any assessment made by the Chairperson in respect of such land or building of which he is the owner or occupier.

Premises owned by, or let to two or more persons in severalty to be ordinarily assessed as one property.

78. Notwithstanding that any land or building is owned by, or let to, two or more persons in severalty, the Chairperson shall for the purpose of assessing such land or building to property tax treat the whole of it as one property:

Provided that the Chairperson may, in respect of any land or building which was originally treated as one property but which subsequently passes on by transfer, succession or in any other manner to two or more persons who divide the same into several parts and occupy them in severalty, treat, subject to any bye-law made in this behalf, each such several part, or two or more of such several parts together, as a separate property and assess such part or parts to property tax accordingly.

Assessment in case of amalgamation of premises.

79. If any land or building, bearing two or more municipal numbers, or portions thereof, be amalgamated into one or more new premises, the Chairperson shall on such amalgamation assign to them one or more number and assess them to property tax accordingly:

Provided that the total assessment on amalgamation shall not be greater than the sum of the previous assessments of the several premises except when there is any re-valuation of any of the said premises.

Power of Chairperson to assess separately outhouses and portions of buildings.

80. The Chairperson may in his discretion assess any outhouse appurtenant to a building, or any portion of a land or building separately from such building or as the case may be, from the rest of such land or building.

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Tax on advertisements other than advertisements published in the newspapers

Tax on advertisements.

88. (*1*) Every person, who erects, exhibits, fixes or retains upon or over any land, building, wall, hoarding, frame, post or structure or upon or in any vehicle any advertisement or, who displays any advertisement to public view in any manner whatsoever, visible from a public street or public place (including any advertisement exhibited by means of cinematographs), shall pay for every advertisement which is so erected, exhibited, fixed or retained or so displayed to public view, a tax calculated at such rates not exceeding those specified in the Fourth Schedule as the Council may determine:

Provided that no tax shall be levied under this section on any advertisement which—

(*a*) relates to a public meeting, or to an election to Parliament or the Legislative Assembly of Delhi; or

(*b*) is exhibited within the window of any building if the advertisement relates to the trade, profession or business carried on in that building; or

(*c*) relates to the trade, profession or business carried on within the land or building upon or over which such advertisement is exhibited or to any sale or letting of such land or building or any effects therein or to any sale, entertainment or meeting to be held on or upon or in the same; or

(*d*) relates to the name of the land or building upon or over which the advertisement is exhibited, or to the name of the owner or occupier of such land or building; or

(*e*) relates to the business of a railway administration and is exhibited within any railway station or upon any wall or other property of a railway administration; or

(*f*) relates to any activity of the Central Government or the Government or the Council.

(*2*) The tax on any advertisement leviable under this section shall be payable in advance in such number of instalments and in such manner as may be determined by bye-law made in this behalf.

Explanation 1.—The word "structure" in this section includes any movable board on wheels used as an advertisement or an advertisement medium.

Explanation 2.—The word "advertisement" in relation to a tax on advertisement under this Act means any word, letter, model, sign, placard, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction.

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Payment and recovery of taxes

Time and manner of payment of taxes.

98. Save as otherwise provided in this Act, any tax levied under this Act shall be payable on such dates, in such number of instalments and in such manner as may be determined by bye-laws made in this behalf.

Presentation of bill.

99. (*1*) When any tax has become due, the Chairperson shall cause to be presented to the person liable for the payment thereof, a bill for the amount due:

Provided that no such bill shall be necessary in the case of—

(*a*) a tax on vehicles and animals;

(*b*) a theatre-tax; and

(*c*) a tax on advertisements.

* * * * *

Penalty in case of default of payment of taxes.

101(*1*) * * * * *

(*2*) When the person liable for the payment of any tax is deemed to be in default under sub-section (*1*), such sum not exceeding twenty per cent. of the amount of the tax as may be determined by the Chairperson, may be recovered from him by way of penalty, in addition to the amount of the tax and the notice fee, payable under sub-section (*2*) of section 100.

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Remission or refund of tax.

110. (*1*) If any building together with land appurtenant thereto has remained vacant and unproductive of rent for sixty or more consecutive days, the Chairperson shall remit or refund, as the case may be, two-thirds of such portion of the property tax assessed on the rateable value thereof, as may be proportionate to the number of days during which the said building together with the land appurtenant thereto has remained vacant and unproductive of rent.

(*2*) If any land, not being land appurtenant to a building, has remained vacant and unproductive of rent for sixty or more consecutive days, the Chairperson shall remit or refund, as the case may be, one half of such portion of the property tax assessed on the rateable value thereof, as may be, proportionate to the number of days during which the said land has remained vacant and unproductive of rent.

Power to require entry in assessment list of details of buildings.

111.(*1*) For the purpose of obtaining a partial remission or refund of tax, the owner of a building composed of separate tenements may request the Chairperson, at the time of the assessment of the building, to enter in the assessment list, in addition to the rateable value of the whole building, a note regarding any detail of the rateable value of each separate tenement.

(*2*) When any tenement, the rateable value of which has been thus separately recorded has remained vacant and unproductive of rent for sixty or more consecutive days, such portion of any tax assessed on the rateable value of the whole building shall be remitted or refunded as would have been remitted or refunded if the tenement had been separately assessed.

Notice to be given of the circumstances in which remission or refund is claimed.

112. No remission or refund under section 110 or section 111 shall be made unless notice in writing of the fact that land, building or tenement has become vacant and unproductive of rent has been given to the Chairperson, and no remission or refund shall take effect in respect of any period commencing more than fifteen days before delivery of such notice.

What buildings are to be deemed vacant.

113. (*1*) For the purposes of sections 110 and 111 no land, building or tenement shall be deemed vacant if maintained as a pleasure resort or town or country house or be deemed unproductive of rent if let to a tenant who has a continuing right of occupation thereof, whether he is in actual occupation or not.

(*2*) The burden of proving the facts entitling any person to claim relief under sections 109, 110 or section 111, shall be upon him.

Notice to be given of every occupation of vacant land or building.

114. The owner of any land, building or tenement in respect of which a remission or refund of tax has been given under section 110 or section 111, shall give notice of the re-occupation of such land, building or tenement within fifteen days of such re-occupation.

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Conditions of right to appeal.

116. No appeal shall be heard or determined under section 115 unless—

(*a*) the appeal is, in the case of a property tax, brought within thirty days next after the date of authentication of the assessment list under section 70 (exclusive of the time requisite for obtaining a copy of the relevant entries therein) or, as the case may be, within thirty days of the date on which an amendment is finally made under section 72 and, in the case of any other tax, within thirty days next after the date of the receipt of the notice of assessment or of alteration of assessment or, if no notice has been given, within thirty days after the date of the presentation of the first bill or, as the case may be, the first notice of demand in respect thereof;

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Taxes on entertainment and betting

Payment of proceeds of entertainment and betting taxes to Council.

125. The proceeds of the entertainment and betting taxes collected in New Delhi under the provisions of the U. P. Entertainment and Betting Tax Act, 1937, as extended to the National Capital Territory of Delhi (which shall form part of the Consolidated Fund of the National Capital Territory of Delhi)

U.P. Act 18 of 1937.

reduced by the cost of collection as determined by the Government shall, if the Legislative Assembly of the National Capital Territory of Delhi by appropriation made by law in this behalf so provides, be paid to the Council for the performance of its functions under this Act.

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Power to require water supply to be taken.

152. (*1*) If it appears to the Chairperson that any premises in New Delhi are without supply of wholesome water for domestic purposes or that the existing supply of water for domestic purposes available for the persons usually occupying or employed in such premises is inadequate or on any sanitary grounds objectionable, the Chairperson may by notice in writing require the owner of the premises or the persons primarily liable for the payment of the property tax in respect of the same—

(*a*) to take a connection from the municipal water works adequate for the requirements of the persons occupying or employed in the premises, or to take such additional or enlarged connection or connections from the municipal water works; and

(*b*) to provide, supply pipes and water fittings, install and work a pump and do all such works and take all such measures as may, in the opinion of the Chairperson be necessary for the above purposes.

(*2*) The Chairperson may in the notice issued under sub-section (*1*) specify—

(*a*) the size, material and quality of the pipes and water fittings to be provided;

(*b*) the position of the pipes and water fittings to be provided;

(*c*) the means of access for the inspection of the pipes and water fittings;

(*d*) the type of pump that should be installed and the period or periods of the day for which it should be kept working;

(*e*) the period within which any or all the requisitions specified in the notice should be carried out.

New premises not to be occupied without arrangement for water supply.

153. It shall not be lawful for the owner of any premises which may be newly constructed or reconstructed within any portion of New Delhi to occupy it or cause or permit it to be occupied until he has obtained a certificate from the Chairperson that there is provided within, or within a reasonable distance of, the premises such supply of wholesome water as appears to the Chairperson to be adequate for the persons who may occupy, or be employed in, such premises for their domestic purposes.

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New premises not to be erected without drains.

176. (*1*) It shall not be lawful to erect or to re-erect any premises in New Delhi or to occupy any such premises unless—

(*a*) a drain be constructed of such size, materials and description, at such level and with such fall as shall appear to the Chairperson to be necessary for the effectual drainage of such premises;

(*b*) there have been provided and set up on such premises such appliances and fittings as may appear to the Chairperson to be necessary for

the purposes of gathering or receiving the filth and other polluted and obnoxious matter from, and conveying the same off, the said premises and of effectually flushing the drain of the said premises and every fixture connected therewith.

(*2*) The drain so constructed shall empty into a municipal drain situated at a distance of not exceeding thirty meters from the premises; but if no municipal drain is situated within that distance then such drain shall empty into a cesspool situated within that distance to be specified by the Chairperson for the purpose.

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Use of drain by a person other than the owner.

179. (*1*) Where the Chairperson either on receipt of an application from the owner of any premises or otherwise is of the opinion that the only, or the most convenient means of effectual drainage of the premises into a municipal drain is through a drain belonging to another person, the Chairperson may by notice in writing require the owner of such drain to show cause within a period specified in the notice as to why an order under this section should not be made.

(*2*) Where no cause is shown within the specified period or the cause shown appears to the Chairperson invalid or insufficient, the Chairperson may by order in writing either authorise the owner of the premises to use the drain or declare him to be a joint owner thereof.

(*3*) An order made under sub-section (*2*) may contain directions as to—

(*a*) the payment of rent or compensation by the owner of the premises;

(*b*) the construction of a drain for the premises for the purpose of connecting it with the aforesaid drain;

(*c*) the entry upon the land in which the aforesaid drain is situate with assistants and workmen at all reasonable hours;

(*d*) the respective responsibilities of the parties for maintaining, repairing, flushing, cleaning and emptying the aforesaid drain.

Sewage and rain water drains to be distinct.

180. Whenever it is provided in this Chapter that steps shall or may be taken for the effectual drainage of any premises, it shall be competent to the Chairperson to require that there shall be one drain for filth and polluted water and an entirely distinct drain for rain water and unpolluted sub-soil water or both rain water and unpolluted sub-soil water, each emptying into separate municipal drains or other suitable places.

Power of Chairperson to require owner to carry out certain works for satisfactory drainage.

181. For the purpose of efficient drainage of any premises, the Chairperson may, by notice in writing—

(*a*) require any courtyard, alley or passage between two or more buildings to be paved by the owner or owners of such buildings with such materials and in such manner as may be approved by the Chairperson; and

(*b*) require such paving to be kept in proper repair.

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Work to be done by licensed plumber.

193. (*1*) * * * * *

(*6*) No licensed plumber shall, for any work referred to in sub-section (*5*), demand or receive more than the charges prescribed therefor, under that sub-section.

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209. (*1*) * * * * * Defining the regular line of streets.

(*3*) No person shall construct or reconstruct any building or a portion thereof or any boundary wall or other structure whatsoever within the regular line of a street except with the written permission of the Chairperson:

Provided that if within sixty days after the receipt of application from any person for permission to construct or reconstruct a boundary wall or portion thereof, the Chairperson fails to take steps to acquire the land within the regular line of the street in the accordance with section 212, then that person may, subject to any other provisions of this Act and the bye-laws made thereunder, proceed with the work of construction or reconstruction of such boundary wall or portion thereof.

(*4*) When the Chairperson grants permission for the construction or reconstruction of any building or any boundary wall or other structure within the regular line of a street, he may require the owner of the building to execute an agreement binding himself and his successors-in-interest not to claim compensation in the event of the Chairperson at any time thereafter calling upon him or any of his successors by written notice to remove any work carried out in pursuance of such permission and to pay the expenses of such removal if, in default, such removal is carried out by the Chairperson and may for that purpose require such owner to deposit in the New Delhi Municipal Fund such sum as may be determined by him.

(*5*) The Chairperson shall maintain—

(*a*) a register containing such particulars as may be specified by him in this behalf with plans attached thereto showing all public streets in respect of which the regular line of the street has been defined or redefined and containing any other particulars which the Chairperson may deem necessary;

(*b*) a register of all agreements executed under sub-section (*4*) and of all deposits made thereunder.

(*6*) All such registers shall be open to inspection by any person on payment of such fee as may be prescribed by the Chairperson with the sanction of Council.

(*7*) Any agreement entered into in pursuance of sub-section (*4*) shall be in writing, shall be registered under the Registration Act, 1908, and shall be deemed to be an agreement in respect of the land to which it relates and any condition contained in such agreement shall be deemed to be an obligation annexed to the ownership of the said land and enforceable against the successors-in-interest of the owner of such land. 16 of 1908.

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213. (*1*) * * * * * Acquisition of the remaining part of a building and land after their portions within a regular line of street have been acquired.

(*2*) Such surplus land may thereafter, be utilised for the purpose of setting forward a building under section 214.

214. The Chairperson may, upon such terms as he thinks fit, allow any building to be set forward for the purpose of improving the regular line of a public street and may, with the approval of the Council, by notice require any building to be set forward in the case of reconstruction thereof or of a new construction. Setting forward of buildings to the regular line of street.

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Encroachments on streets

Prohibition of projections upon streets, etc.

221. (*1*) Except as provided in section 222, no person shall erect, set up, add to, or place against or in front of any premises any structure or fixture which will—

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Projections over streets may be permitted in certain cases.

222. (*1*) The Chairperson may give a written permission, on such terms and on payment of such fee as he in each case thinks fit, to the owner or occupier of the building abutting on any street—

(*i*) to erect an arcade over such street or any portion thereof; or

(*ii*) to put up a verandah, balcony, arch, connecting passage, sun-shade, weather frame, canopy, owning or other such structure or thing projecting from any storey over or across any street or portion thereof: Provided that no permission shall be given by the Chairperson for the erection of an arcade in any public street in which construction of an arcade has not been generally sanctioned by the Council.

(*2*) The Chairperson may at any time by notice require the owner or occupier of any building to remove a verandah, balcony, sun-shade, weather frame or the like put up in accordance with the provisions of any law and such owner or occupier shall be bound to take action accordingly but shall be entitled to compensation for the loss caused to him by such removal and the cost incurred thereon.

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Prohibition of removal, etc., of lamps.

234. (*1*) No person shall, without lawful authority, take away or wilfully or negligently break or throw down or damage—

(*a*) any lamp or any appurtenance of any lamp or lamp post or lamp iron set up; in any public street or any public place;

(*b*) any electric wire for lighting such lamp;

(*c*) any post, pole, standard, stay, strut, bracket or other contrivance for carrying, suspending or supporting any electric wire or lamp.

(*2*) No person shall wilfully or negligently extinguish the light of any lamp set up in any public street or any public place.

(*3*) If any person wilfully or through negligence or accident breaks, or causes any damage to any of the things described in sub-section (*1*), he shall in addition to any penalty to which he may be subjected under this Act, pay the expenses of repairing the damage so done by him.

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Sanction or refusal of building or work.

241. (*1*) The Chairperson shall sanction the erection of a building or the execution of a work unless such building or work would contravene any of the provisions of sub-section (*2*) of this section or the provisions of section 245.

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(*3*) The Chairperson shall communicate the sanction to the person who has given the notice; and where he refuses sanction on any of the grounds specified in sub-section (*2*) or under section 245 he shall record a brief statement of his reasons for such refusal and the Chairperson shall communicate the refusal along with the reasons therefor to the person who has given the notice.

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254. (*1*) Any person aggrieved by any of the following orders made or notices issued under this Act, may prefer an appeal against such order or notice to the Appellate Tribunal, namely:— Appeals against certain orders or notices issued under the Act.

* * * * *

(*i*) an order requiring the rounding off, splaying or cutting off the height of a building intended to be erected, or for the acquisition of any portion of a site, under section 244;

(*j*) an order disallowing the erection of any building or the execution of any work under section 245;

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265. (*1*) ***** ***** ***** ***** ***** Collection and removal of filth and polluted matter.

(*3*) In such portion of New Delhi and in any premises where situate in which there is a latrine or urinal connected with a municipal drain, it shall not be lawful, except with the written permission of the Chairperson, for any person who is not employed by or on behalf of the Chairperson to discharge any of the duties of scavengers.

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267. (*1*) ***** ***** ***** ***** ***** Prohibition against accumulation of rubbish, etc.

(*3*) No person shall, after due provision has been made in this respect under the foregoing provisions of this Chapter for the deposit and removal of the same—

(*a*) deposit any rubbish, filth and other polluted and obnoxious matter in any street or on the verandah of any building or on any unoccupied ground alongside any street or on the bank of a water course; or

(*b*) deposit any filth or other polluted and obnoxious matter in any dustbin or in any vehicle not intended for the removal of the same; or

(*c*) deposit rubbish in any vehicle or vessel intended for the removal of filth and other polluted and obnoxious matter.

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Latrines and urinals

271. (*1*) It shall not be lawful to construct any latrine or urinal for any premises except with the written permission of the Chairperson and in accordance with such terms not inconsistent with the provisions of this Act or any bye-laws made thereunder as he may prescribe. Construction of latrines and urinals.

(*2*) In prescribing any such terms the Chairperson may determine in such case—

(*a*) whether the premises shall be served by the service system or by the flush system or partly by the one and partly by the other; and

(*b*) what shall be the site or position of each latrine or urinal.

(*3*) If any latrine or urinal is constructed on any premises in contravention of the foregoing provisions, the Chairperson may, after giving not less than ten days‟ notice to the owner or occupier of such premises, alter, reconstruct, close or demolish such latrine or urinal and the expenditure incurred by the Chairperson in so doing shall be recoverable from the owner or occupier as an arrear of tax under this Act.

Latrines and urinals, etc., in new buildings.

272. (*1*) It shall not be lawful to erect any building or execute any work on or in relation to such building without providing such latrine accommodation and urinal accommodation and accommodation for bathing or for washing clothes and utensils on each floor of such building as the Chairperson may prescribe.

(*2*) In prescribing any such accommodation, the Chairperson may determine in each case—

(*a*) that such building shall be served by the flush system only;

(*b*) what shall be the site or position of each latrine, urinal, bathing or washing place or site and their number on each floor and their clear internal dimensions.

(*3*) It shall not be lawful to erect a residential building composed of separate tenements on the flat system without providing at least one latrine and one bathing or washing place for servants on the ground floor of such building or at any other suitable place in the same premises.

(*4*) In this section, the expression "to erect a building" has the same meaning as in section 236.

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Other provisions as to private latrines.

275. The Chairperson may, by written notice—

(*a*) require the owner or other person having the control of any private latrine or urinal not to put the same to public use; or

(*b*) require the owner or other person having the control of such private latrine or urinal which in the opinion of the Chairperson constitutes a nuisance, to remove the latrine or the urinal; or

(*c*) require any person having the control whether as owner, lessee or occupier of any land or building—

(*i*) to have any latrine provided for the same shut out by a sufficient roof, wall or fence from the view of persons passing by or dwelling in the neighbourhood; or

(*ii*) to clean in such manner as the Chairperson may prescribe in the notice any latrine or urinal belonging to the land or building; or

(*d*) where any premises intended or used for human habitation are without any latrine or urinal accommodation or are provided with insufficient latrine or urinal accommodation, require the owner, lessee or occupier of such premises to provide such or such additional latrine or urinal accommodation as he may prescribe, if necessary by causing any part of such premises to be vacated and demolished in accordance with bye-laws made in this behalf.

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Insanitary huts and sheds.

280. Where the Chairperson upon any information in his possession is satisfied that any hut or shed used as a dwelling house or as a stable or for any other purpose, is likely, by reason of its being constructed without a plinth or upon a plinth of insufficient height or without proper means of drainage or on account of the impracticability of scavenging and cleansing it or owing to the manner in which it and other huts or sheds are crowded together, to cause risk of disease to the inmates thereof or to the inhabitants of the neighbourhood, or is for any reason likely to endanger public health or safety, he may by notice in writing require the owner or occupier of the hut or shed or the owner or occupier of the land on which the hut or shed stands to remove or alter the hut or shed or carry out such improvement thereof as the Chairperson may deem necessary within such time as may be specified in the notice.

Regulation of washing by washermen

Prohibition against washing by washerman.

281. (*1*) The Chairperson may by public notice prohibit the washing of clothes by washermen in the exercise of their callings except at such places as he may appoint for the purpose.

(*2*) When any such prohibition has been made, no person who is by calling a washerman shall in contravention of such prohibition wash clothes except for himself or for personal and family service or for hire on or within the premises of the hirer, at any place other than a place appointed under sub-section (*1*).

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Disinfection of buildings and articles.

284. Where the Chairperson is of opinion that the cleansing and disinfection of any building or part of a building or of any articles in such building or part which are likely to retain infection, or the renewal of flooring of any building or part of such building, and the renewal of plastering of the walls thereof, would tend to prevent or check the spread of any dangerous disease; he may, by notice in writing, require the owner or occupier to cleanse and disinfect the said building, part or articles, as the case may be, or to renew the said flooring and if necessary, the said plastering also within such time as may be specified in the notice:

Provided that where in the opinion of the Chairperson the owner or occupier is from poverty or any other cause unable effectually to carry out any such requisition, the Chairperson may at the expense of the New Delhi Municipal Fund cleanse and disinfect the building, part or articles, or, as the case may be, renew the flooring and if necessary, the plastering also.

Destruction of infectious huts or sheds.

285. (*1*) Where the destruction of any hut or shed is in the opinion of the Chairperson necessary to prevent the spread of any dangerous disease, the Chairperson may by notice in writing require the owner to destroy the hut or shed and the materials thereof within such time as may be specified in the notice.

(*2*) Where the Chairperson is satisfied that the destruction of any hut or shed is immediately necessary for the purpose of preventing the spread of any dangerous disease, he may order the owner or occupier of the hut or shed to destroy the same forthwith or may himself cause it to be destroyed after giving not less than six hours' notice to the owner or occupier.

(*3*) Compensation may be paid by the Chairperson, in any case which he thinks fit, to any person who sustains substantial loss by the destruction of any such hut or shed, but, except as so allowed by the Chairperson, no claim for compensation shall lie for any loss or damage caused by any exercise of the power conferred by this section.

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Infected clothes not to be sent to washerman or to laundry.

288. (*1*) A person shall not send or take to any washerman or to any laundry or place set apart for the exercise by washerman of their calling, for the purpose of being washed or to any place for the purpose of being cleansed, any cloth or other article which he knows to have been exposed to infection from a dangerous disease unless that cloth or article has been disinfected by or to the satisfaction of the officer authorised in this behalf.

(*2*) The occupier of any building in which a person is suffering from a dangerous disease shall, if required by the officer authorised by the Chairperson, furnish to him the address of any washerman to whom or any laundry or other place to which clothes and other articles from the building have been, or will be, sent during the continuance of the disease, for the purpose of being washed or cleaned.

Contamination and disinfection of public conveyance.

289. (*1*) Whoever—

(*a*) uses a public conveyance while suffering from a dangerous disease; or

(*b*) uses a public conveyance for the carriage of a person who is suffering from any dangerous disease; or

(*c*) uses a public conveyance for the carriage of the corpse of a person who has died from any such disease, shall be bound to take proper precautions against the communication of the disease to other persons using or who may thereafter use the conveyance and to notify such use to the owner, driver, or person in charge of the conveyance, and further report without delay to the Chairperson the number of the conveyance and the name of the person so notified.

(*2*) Where any person suffering from, or the corpse of any person who has died from, a dangerous disease has been carried in public conveyance which ordinarily plies in New Delhi or any part thereof, the driver thereof shall forthwith report the fact to the Chairperson who shall forthwith cause the conveyance to be disinfected if that has not already been done.

(*3*) No such conveyance shall be again brought into use until the officer authorised by the Chairperson has granted a certificate stating that it can be used without causing risk of infection.

(*4*) Whoever fails to make to the Chairperson any report which he is required to make under this section shall be guilty of an offence.

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Disinfection of buildings before letting the same.

291. (*1*) Where any building or part of a building is intended to be let in which any person has, within six weeks immediately preceding, been suffering from a dangerous disease, the person letting the building or part shall, before doing so, disinfect the same in such manner as the Chairperson may by general or special notice direct together with all articles therein liable to retain infection.

(*2*) For the purposes of this section the keeper of a hostel, lodging house, dharamshala, sarai, boarding house, guest house, hotel or club shall be deemed to have let to any person who is admitted as a guest therein that part of the building in which such person is permitted to reside.

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Prohibition of making or selling of food, etc., or washing of clothes by infected persons

293. No person while suffering from, or in circumstances in which he is likely to spread, any dangerous disease, shall—

(*a*) make, carry or offer for sale or take any part in the business of making, carrying or offering for sale, any article of food or drink or any medicine or drug for human consumption, or any article of clothing or bedding for personal use or wear; or

(*b*) take any part in the business of the washing or carrying of clothes.

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Duty of persons suffering from dangerous disease.
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296. No person shall—

(*a*) knowing that he is suffering from a dangerous disease expose other persons to the risk of infection by his presence or conduct in any public street or public place;

(*b*) having the care of a person whom he knows to be suffering from a dangerous disease, cause or permit that person to expose other persons to the risk of infection by his presence or conduct in any such street or place as aforesaid;

(*c*) place or cause to be placed in a dustbin or other receptacle for the deposit of rubbish, any matter which he knows to have been exposed to infection from a dangerous disease and which has not been disinfected properly;

(*d*) throw or cause to be thrown into any latrine or urinal any matter which he knows to have been exposed to infection from a dangerous disease and which has not been disinfected properly.

* * * * *

Special conditions regarding essential services

Conditions of service of sweepers and certain other class of persons employed in municipal service.

298. (*1*) No person being a sweeper employed by the Council shall in the absence of any contract authorising him so to do and without reasonable cause, resign his employment or absent himself from his duty without having given one month‟s notice to the Chairperson or shall neglect or without reasonable cause refuse to perform his duties.

(*2*) The Council may by resolution direct that on or from such date as may be specified in the resolution, the provisions of this section shall apply in the case of any specified class of persons employed by the Council whose functions are intimately concerned with public health or safety.

Conditions of service of sweepers employed for doing house scavenging.

299. No sweeper, being employed for doing house scavenging of any building shall discontinue to do such house scavenging without reasonable cause or without having fourteen days‟ notice to his employer.

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Disposal of dead animals

Disposal of dead animals.

304. Whenever any animal in the charge of any person dies, the person in charge thereof shall within twenty-four hours either—

(*a*) convey the carcass to a place provided or appointed under section 263 for the final disposal of the carcasses of dead animals; or

(*b*) give notice of the death to the Chairperson whereupon he shall cause the carcass to be disposed of on such fee as may be prescribed by the Council.

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Information of births and deaths.

307. (*1*) It shall be the duty of the father or mother of every child born in New Delhi and in default of the father or mother, of any relation of the child living in the same premises, and in default of such relation, of the person having charge of the child, to give to the best of his knowledge and belief to the registrar of the area concerned within eight days after such birth, information containing such particulars as may be prescribed by bye-laws made in this behalf.

(*2*) It shall be the duty of the nearest relation present at the time of the death or in attendance during the last illness of any person dying in New Delhi and in default of such relation, of any person present or in attendance at the time of the death and of the occupier of the premises in which to his knowledge the death took place and in default of the person hereinbefore mentioned, of each inmate of such premises and of the undertaker or other person causing the corpse of the deceased person to be disposed of, to give to the best of his knowledge and belief to the registrar of the area within which the death place information containing such particulars as may be prescribed by bye-laws made in this behalf.

(*3*) If a birth or death occurs in the hospital, none of the persons mentioned in sub-section (*1*) or, as the case may be, in sub-section (*2*) shall be bound to give information required by that sub-section, but it shall be the duty of the medical officer in charge of the hospital within twenty-four hours after the birth or death, to send to the officer authorised by the Chairperson, a notice containing such particulars as may be prescribed by bye-laws made in this behalf.

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Prevention of fire, etc.

Stacking or collecting inflammable materials.

311. The Chairperson may, by public notice, prohibit in any case where such prohibition appears to him to be necessary for the prevention of danger to life or property, the stacking or collecting of wood, dry grass, straw or other inflammable materials, or the placing of mats or thatched huts or the lighting of fires in any place which may be specified in the notice.

Care of naked lights.

312. No person shall set a naked light on or near any building in any public street or other public place in such manner as to cause danger of fire:

Provided that nothing in this section shall be deemed to prohibit the use of lights for the purposes of illumination on the occasion of a festival or public or private entertainment.

Discharging fireworks, fire-arms, etc.

313. No one shall discharge any fire-arm or let off fire-works or fire-balloons, or engage in any game in such manner as to cause or to be likely to cause danger to persons passing by or dwelling or working in the neighbourhood or risk of injury to property.

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Prohibition of keeping market open without licence, etc.

320. (*1*) No person shall keep open for public use any market in respect of which a licence is required by or under this Act without obtaining a licence therefor, or while the licence therefor is suspended or after the same has been cancelled.

(*2*) When a licence to open a private market is granted or refused or is suspended or cancelled the Chairperson shall cause a notice of the grant, refusal, suspension or cancellation to be posted in such language or languages as he thinks necessary in some conspicuous place by or near the entrance to the place to which the notice relates.

Prohibition of use of unlicensed markets.

321. No person knowing that market has been opened to the public without a licence having been obtained therefor when such licence is required by or under this Act or that the licence granted therefor is for the time being suspended or that it has been cancelled, shall sell or expose for sale any animal or article in such market.

322. (*1*) No animal or article shall be sold or exposed for sale within a distance of one hundred metres of any municipal market or licensed private market without the permission of the Chairperson. Prohibition of business and trade near a market.

(*2*) Any person contravening the provisions of sub-section (*1*) and any animal or article exposed for sale by such person may be summarily removed by or under the orders of the Chairperson or any officer or employee of the Council appointed by him in this behalf.

* * * * *

324. The Chairperson may prevent the entry in any market and shall expel therefrom, any person suffering from any dangerous disease, who sells or exposes for sale therein any article or who, not having purchased the same handles any article exposed for sale therein; and he may expel therefrom any person who is creating a disturbance therein. Power to expel disturbers, etc., from markets.

* * * * *

346. No person shall obstruct or molest any person authorised or empowered by or under this Act or any person with whom the Council has lawfully contracted, in the execution of his duty or of anything which he is authorised or empowered or required to do by virtue or in consequence of any of the provisions of this Act, rules, regulations or any bye-law made thereunder, or in fulfilment of his contract, as the case may be. Prohibition of obstruction or molestation in execution of work.

* * * * *

Recovery of certain dues

363. In any case not expressly provided for in this Act or any bye-law made thereunder any sum due to the Council on account of any charge, costs, expenses, fees, rates or rent or on any other account under this Act or any such bye-law may be recoverable from any person from whom such sum is due as an arrear of tax under this Act: Mode of recovery of certain dues.

* * * * *

Offences and penalties

369. (*1*) Whoever— Punishment for certain offences.

(*a*) contravenes any provision of any of the sections, sub-sections, clauses, provisos or other provisions of this Act mentioned in the first column of the Table in the Tenth Schedule; or

(*b*) fails to comply with any order or direction lawfully given to him or any requisition lawfully made upon him under any of the said sections, sub-sections, clauses, provisos or other provisions, shall be punishable—

(*i*) with fine which may extend to the amount or with imprisonment for a term which may extend to the period, specified in that behalf in third column of the said Table or with both; and

(*ii*) in the case of a continuing contravention or failure, with an additional fine which may extend to the amount specified in the fourth column of that Table for every day during which such contravention or failure continues after conviction for the first such contravention or failure.

(*2*) Notwithstanding anything contained in sub-section (*1*), whoever contravenes the provisions of sub-section (*1*) of section 221, or sub-section (*1*) of section 224, or sub-section (*1*) of section 225 or sub-section (*1*) of section 229 or section 244, in relation to any street which is a public street, shall be punishable with simple imprisonment which may extend to six months or with fine which may extend to five thousand rupees or with both.

(*3*) Any member, referred to in clauses (*b*) and (*d*) of sub-section (*1*) of section 4, who knowingly acquires, directly or indirectly, any share or interest in any contract made with, or any work done for the Council, shall be deemed to have committed offence made punishable under section 168 of the Indian Penal Code . 45 of 1860.

General penalty.

370. Whoever, in any case in which a penalty is not expressly provided by this Act, fails to comply with any notice, order or requisition issued under any provision thereof, or otherwise contravenes any of the provisions of this Act, shall be punishable with fine which may extend to one hundred rupees, and in the case of a continuing failure or contravention, with an additional fine which may extend to twenty rupees for every day after the first during which he has persisted in the failure or contravention.

* * * * *

Certain offences to be cognizable.

372. The Code of Criminal Procedure, 1973 shall apply to,— 2 of 1974.

(*a*) an offence under sub-section (*5*) of section 217 or section 237 or sub-section (*1*) of section 238 or sub-section (*1*) of section 239 or section 247 or section 248 or section 249 or section 252;

(*b*) an offence under sub-section (1) of section 221 or sub-section (*1*) of section 224 or sub-section (*1*) of section 225 or sub-section (*1*) of section 229 or section 244 in relation to any street which is a public street,

as if it were a cognizable offence—

(*i*) for the purposes of investigation of such offence; and

(*ii*) for the purposes of all matters other than—

(*1*) matters referred to in section 42 of that Code; and

(*2*) arrest of a person, except on the complaint of, or upon information received from, such officer of the Council, not being below the rank of a Secretary as may be appointed by the Chairperson:

Provided that no offence of the contravention of any condition subject to which sanction was accorded for the erection of any building or the execution of any work shall be cognizable, if such contravention relates to any deviation from any plan of such erection or execution sanctioned by the Chairperson which is compoundable on payment of any amount under the bye-laws relating to buildings made under this Act.

* * * * *

Duties of police officers.

382. It shall be the duty of all police officers, to give immediate information to the Chairperson of the commission of, or the attempt to commit any offence against this Act or any rule, regulation or bye-law made thereunder and to assist all municipal officers and other municipal employees in the exercise of their lawful authority.

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Penalty for breaches of bye-laws.

390. (*1*) Any bye-law made under this Act may provide that a contravention thereof shall be punishable—

(*a*) with fine which may extend to five hundred rupees; and

(*b*) with fine which may extend to five hundred rupees and in the case of a continuing contravention, with an additional fine which may extend to twenty rupees for every day during which such contravention continues after conviction for the first such contravention;

(*c*) with fine which may extend to twenty rupees for every day during which the contravention continues, after the receipt of a notice from the Chairperson or any municipal officer duly authorised in that behalf, by the person contravening the bye-law requiring such person to discontinue such contravention:

Provided that a contravention of any bye-law relating to the road transport services may be punishable with imprisonment which may extend to three months, or with fine which may extend to fifteen hundred rupees, or with both.

(*2*) Any such bye-law may also provide that a person contravening the same shall be required to remedy so far as lies in his power, the mischief, if any, caused by such contravention.

* * * * *

THE FOURTH SCHEDULE

[*See* section 88(*1*)]

TAX ON ADVERTISEMENTS OTHER THAN ADVERTISEMENTS PUBLISHED IN THE NEWSPAPERS

S. No.	Particulars	Maximum amount of tax per annum
		Rs.
1.	Non-illuminated advertisements on land, building, wall, hoardings, frame post, structures, etc.:—	
	(*a*) For a space upto 10 sq. ft.	18
	(*b*) For a space over 10 sq. ft. and upto 25 sq. ft.	30
	(*c*) For every additional 25 sq. ft. or less	30
2.	Non-illuminated advertisements carried on vehicles, drawn by bullocks, horses or other animal, human beings, cycle or any other device, carried on any vehicle or tramcar—	
	(*a*) For space upto 50 sq. ft.	120
	(*b*) For every additional 50 sq. ft. or less	120
3.	Illuminated advertisement boards carried on vehicles—	
	(*a*) For a space upto 50 sq. ft.	240
	(*b*) For every additional 50 sq. ft. or less	240
4.	Non-illuminated advertisement boards, carried by sandwich boardmen—	
	(*a*) For each board not exceeding 10 sq. ft.	24
	(*b*) For each board exceeding 10 sq. ft. and upto 35 sq. ft.	48
	(*c*) For each additional 10 sq. ft. in area or less	24

S. No.	Particulars	Maximum amount of tax per annum
		Rs.
5.	Illuminated advertisement boards, carried by sandwich boardmen—	
	(*a*) For each board not exceeding 10 sq. ft.	48
	(*b*) For each board exceeding 10 sq. ft. and upto 25 sq. ft.	96
	(*c*) For each additional 10 sq. ft. or less.	48
6.	Illuminated advertisements on land, building, wall or hoarding, frame, post, structures, etc.—	
	(*a*) For a space over 2 sq. ft.	24
	(*b*) For a space over 2 sq. ft. and upto 5 sq. ft.	48
	(*c*) For a space over 5 sq. ft. and upto 25 sq. ft.	60
	(*d*) For every additional 25 sq. ft. or less.	60
7.	Advertisements exhibited on screen in cinema houses and other public places by means of lantern slides or similar devices—	
	(*a*) For a space upto 5 sq. ft.	96
	(*b*) For a space over 5 sq. ft. and upto 25 sq. ft.	120
	(*c*) For every additional 25 sq. ft. or less	120
8.	Non-illuminated advertisements suspended across streets—	
	(*a*) For a space upto 10 sq. ft.	18
	(*b*) For a space over 10 sq. ft. and upto 25 sq. ft.	30
	(*c*) For every additional 25 sq. ft. or less	30
N.B. The tax for item 8 will be in addition to the space will be chargeable according to the scale to be determined by the Chairperson.		
9.	Non-illuminated advertisements hoarding standing blank but bearing the name of the advertiser or with the announcement "To be let" displayed thereon—	
	(*a*) For a space upto 10 sq. ft.	9
	(*b*) For a space over 10 sq. ft. and upto 25 sq. ft.	15
	(*c*) For every additional 25 sq. ft. or less	15
10.	Permission to auctioneers to put up not more than two boards or reasonable size advertising each auction sale, other than those in premises where the auction is held, one on a prominent site in the locality and one on municipal lamp post.	200 including the rent for exhibiting the board on a municipal lamp post.

THE TENTH SCHEDULE

[*See* section 369 (*1*)]

PENALTIES

Explanation.—The entries in the second column of the following table headed "Subject" are not intended as definitions of the offences prescribed in the provisions mentioned in the first column or even as abstracts of those provisions, but are inserted merely as reference to the subject thereof:—

Table

Section, sub-section, clause or proviso	Subject	Fine or imprisonment which may be imposed	Daily fine which may be imposed
1	2	3	4
		Rs.	Rs.
Section 74, sub-sections (*1*) and (*2*)	Failure to give notice of transfer or devolution of land or building	50	—
Section 74, sub-section (*3*)	Failure to produce instrument of transfer	50	—
Section 75	Failure to give notice of erection of new building, etc.	50	—
Section 76	Failure to give notice of demolition or removal of building	50	—
Section 77	Failure to comply with requisition to furnish information, etc.	50	—
Section 81, sub-section (*2*)	Wilful delay or obstruction of valuers	50	—
Section 89	Prohibition of advertisement without permission	200	5
Section 114	Failure to give notice of vacant land or building	50	5
Section 119, sub-section (*2*)	Non-compliance with the requisition of attendance before the Chairperson	50	—
Section 122	Failure to disclose liability	100	—
Section 148	Use for non-domestic purposes of water supplied for domestic purposes	100	5
Section 152, sub-section (*1*)	Non-compliance with the requisition to take water supply	200	20
Section 153	Prohibition to occupy new premises without arrangement for water supply	200	20
Section 164	Waste or misuse of water	50	—
Section 165	Refusal of admittance, etc.	100	—
Section 168, sub-section (*1*)	Laying of water pipes, etc., in a position where pipes may be injured or water therein polluted	100	10

1	2	3	4
Section 168, sub-section (*2*)	Construction of latrines, etc., in a position where pipes may be injured or water therein polluted	100	—
Section 173	Injury to, or interference with free flow of contents of municipal drain of drains communicating with municipal drain	50	—
Section 174, sub-section (*2*)	Private drain not to be connected with municipal drain without notice	50	—
Section 175	Non-compliance with requisition for drainage of undrained premises	100	25
Section 176	Erection of new premises without drain	1000	—
Section 177	Non-compliance with requisition of maintenance of drainage works for any group or block of premises	50	5
Section 178	Non-compliance with directions to close or limit the use of private drains in certain cases	50	5
Section 179	Non-compliance with Chairperson's orders regarding the use of a drain by a person other than the owner thereof	50	—
Section 180	Non-compliance with requisition for keeping sewage and rain water drains distinct	50	—
Section 181	Non-compliance with requisition for the pavement of courtyard, etc.	50	—
Section 183	Connection with municipal water works or drains without written permission	200	50
Section 186, sub-section (*4*)	Non-compliance with requisition to close, remove or divert a pipe or drain	50	5
Section 193, sub-section (*1*)	Execution of work by a person other than a licensed plumber	200	—
Section 193, sub-section (*2*)	Failure to furnish when required, name of licensed plumber employed	100	—
Section 193, sub-section (*6*)	Licensed plumbers not to demand more than the charges prescribed	100	—
Section 193, sub-section (*8*)	Licensed plumbers not to contravene bye-laws or execute work carelessly or negligently, etc.	100	—
Section 194	Prohibition of wilful or neglectful acts relating to water or sewage works	100	—
Section 209, sub-section (3)	Construction of building within the regular line of street without permission	1000	10

1	2	3	4
Section 211	Failure to comply with requisition to set back buildings to regular line of street	200	50
Section 214	Failure to comply with requisition to set forward buildings to regular line of street	200	10
Section 217, sub-sections (*5*)	Utilising, selling or otherwise dealing with any land or laying out a private street otherwise than in conformity with orders of the Council	Rigorous imprisonment which may extend to three years	—
Section 218, sub-section (*1*), clauses (a) and (*b*)	Failure to comply with requisition to show cause for alteration of street or for a appearance before the Chairperson	50	5
Section 219, sub-section (*1*)	Failure to comply with requisition on owner of private street or owner of adjoining land or building to level, etc., such street	100	10
Section 221, sub-section (*1*)	Prohibition of projections upon streets, etc.	200	—
Section 221, sub-section (*2*)	Failure to comply with requisition to remove projections from streets	200	—
Section 222, sub-section (*2*)	Failure to comply with requisition to remove a verandah, balcony, etc., put up in accordance with section 221(1)	200	—
Section 223	Failure to comply with requisition to have ground floor doors, etc., so altered as not to open outwards	50	—
Section 224, sub-section (*1*)	Erection, etc., of structures of fixtures which cause obstruction in streets	200	10
Section 225	Deposit, etc., of things in streets	100	—
Section 227, sub-sections (*1*) and (*2*)	Tethering of animals and milking of cattle in public streets	100	5
Section 228, sub-section (*4*)	Unlawful removal of bar or shorting timber, etc., or removal or extinction of light	50	—
Section 229, sub-section (*1*)	Streets not to be opened or broken and building materials not to be deposited thereon without permission	200	10
Section 231, sub-section (*2*)	Name of street and number of house not to be destroyed or defaced, etc.	50	—
Section 232, sub-section (*1*)	Failure to comply with requisition to repair, protect or enclose a dangerous place	100	25
Section 234, sub-section (*1*)	Removal, etc., of lamps	100	—

1	2	3	4
Section 234, sub-section (*2*)	Wilfully and negligently extinguishing lights in public streets, etc.	50	—
Section 237, sub-section (*1*)	Erection of a building without the sanction of the Chairperson	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5000 or with both	—
Section 237, sub-section (*2*)	Use of inflammable materials without permission	100	—
Section 238, sub-section (*1*)	Failure to give notice of intention to erect a building	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5000 or with both	—
Section 239, sub-section (*1*)	Failure to give notice of intention to make additions, etc., to buildings	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5000 or with both	—
Section 242, sub-section (*4*)	Commencement to work without notice, etc.	10000	500
Section 244	Failure to comply with requisition to round off buildings at corners of streets	100	5
Section 245, sub-section (*1*)	Erection of buildings on new streets without levelling	1000	—
Section 245, sub-section (*1*)	Erection of buildings or execution of work within regular line of street or in contravention of any scheme or plan	1000	—
Section 247	Failure to demolish buildings erected without sanction or erection of buildings in contravention of order	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5000 or with both	—

1	2	3	4
Section 248	Erection of buildings in contravention of conditions of sanction, etc.	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5000 or with both	—
Section 249	Failure to carry out a alterations	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5000 or with both	—
Section 251, sub-sections (*1*) and (*2*)	Non-compliance with provision as to completion certificates, occupation or use, etc., without permission	200	10
Section 252	Non-compliance with restrictions on user of buildings	Simple imprisonment which may extend to six months or with fine which may extend to Rs. 5000 or with both	—
Section 258, sub-sections (*1*) and (*2*)	Failure to comply with requisition to remove structures which are in ruins or likely to fall	500	20
Section 259, sub-section (*1*)	Failure to comply with requisition to vacate buildings in dangerous conditions, etc.	200	—
Section 264	Failure to provide for collection, removal and deposit of refuse and provision of receptacles	50	—
Section 265, sub-section (*1*)	Failure to collect and remove filth and polluted matter	50	—
Section 265, sub-section (*3*)	Scavenger‟s duties in certain cases not to be discharged by any person without permission	25	—
Section 266	Failure to comply with requisition for removal of rubbish, etc., from premises used as market, etc.	100	—
Section 267, sub-section (*1*)	Keeping rubbish and filth for more than twenty-four hours, etc.	50	10
Section 267, sub-section (*2*)	Allowing filth to flow in streets	50	—
Section 267, sub-section (*3*)	Depositing rubbish or filth, etc., in street, etc.	50	—

1	2	3	4
Section 271, sub-section (*1*)	Latrines and urinals not to be constructed without permission or in contravention of terms prescribed	200	—
Section 272, sub-section (*1*)	Failure to provide buildings newly erected or re-erected with latrine, urinal and other accommodation	500	—
Section 272, sub-section (*3*)	Failure to provide residential buildings composed of separate tenements with latrine, bathing or washing place for servants on the ground floor	500	—
Section 273	Failure to provide latrines for premises used by large number of people and to keep them clean and in proper order	100	20
Section 274	Failure to comply with requisition to provide latrines for market, cattle shed, cart stand, etc., and to keep them clean and in proper order	100	20
Section 275, clauses (*a*), (*b*), (*c*) and (*d*)	Failure to comply with requisition to enforce provision of latrine or urinal accommodation, etc.	100	10
Section 276, sub-section (*2*)	Failure to comply with requisition for removal of congested buildings	1000	—
Section 277	Failure to comply with requisition to improve buildings unfit for human habitation	1000	—
Section 279, sub-sections (*1*), (*2*), (*3*) and (*4*)	Failure to comply with order of demolition of buildings unfit for human habitation	1000	—
Section 280	Failure to comply with requisition of the Chairperson to remove insanitary huts and sheds, etc.	100	15
Section 281, sub-section (*1*)	Prohibition against washing by washerman	25	—
Section 282	Failure to give information of dangerous disease	100	—
Section 284	Failure to comply with requisition to cleanse and disinfect buildings or articles	50	—
Section 285	Failure to comply with requisition to destroy infectious huts or sheds	50	—
Section 286	Washing of clothing, bedding, etc., at any place not notified by the Chairperson	25	—

1	2	3	4
Section 288, sub-section (*1*)	Sending infected clothes to washerman or laundry	25	—
Section 288, sub-section (*2*)	Failure to furnish address of washerman or laundry to which clothes have been sent	25	—
Section 289, sub-sections (*1*), (*2*) and (*3*)	Use of public conveyances by persons suffering from a dangerous disease, etc.	50	—
Section 291	Failure to disinfect buildings before letting the same	100	—
Section 292	Disposal of infected articles without disinfection	50	—
Section 293	Making or selling of food, etc., or washing of clothes by infected persons	50	—
Section 294	Sale of food or drink in contravention of restriction or prohibition of Chairperson	50	—
Section 295	Removal or use of water from wells and tanks in contravention of prohibition of Chairperson	50	—
Section 296	Exposure of persons to risk of infection by the presence or conduct of a person suffering from a dangerous disease, etc.	100	—
Section 297	Removal of infectious corpses in contravention of the provisions of the section	50	—
Section 298, sub-sections (*1*) and (*2*)	Absence of sweepers, etc., from duty without notice	Imprisonment which may extend to one month	—
Section 299	A sweeper employed for doing house scavenging not to discontinue work without notice	10	—
Section 300	Failure to supply information by persons incharge of burning or burial grounds	50	—
Section 301	Use of new burning or burial ground without permission	50	—
Section 302, sub-section (*1*)	Failure to comply with requisition to close a burning or burial ground	50	—
Section 302, sub-section (*2*)	Burning or burial of corpses in a burning or burial ground after it has been closed	50	—
Section 303	Removal of corpses by other than prescribed routes	25	—
Section 304, clause (*b*)	Failure to give notice for removal of carcasses of dead animals	10	—

1	2	3	4
Section 307, sub-sections (*1*) and (*2*)	Failure to give information of births and deaths	50	—
Section 308, sub-sections (*1*), (*2*) and (*3*)	Commission of nuisances	50	—
Section 309	Failure to comply with requisition for removal or abatement of nuisance	500	25
Section 310, sub-section (*4*)	Dogs not to be at large in a street without being secured by a chain lead	50	—
Section 310, sub-section (*5*)	Ferocious dogs at large without being muzzled, etc.	100	—
Section 311	Staking inflammable material in contravention of prohibition	50	—
Section 312	Setting a naked light	50	—
Section 313	Discharging fireworks, firearms, etc., likely to cause danger	50	—
Section 314	Failure to comply with requisition to render buildings, wells, etc., safe	50	—
Section 315	Failure to comply with requisition to enclose land used for improper purposes	50	—
Section 317, sub-section (*1*)	Sale in municipal markets without permission	200	—
Section 318, sub-sections (*1*) and (*2*)	Use of places as private markets without a licence and use of places other than a municipal slaughter house as slaughter houses	500	25
Section 318, sub-section (*2*) proviso (*a*)	Non-compliance with conditions imposed by Chairperson	50	—
Section 320	Keeping market open without licence, etc.	2000	—
Section 321	Sale in unlicensed market	50	—
Section 322	Carrying on business or trade near a market	50	—
Section 324	Failure of person in charge of markets to expel lepers and disturbers from the market	50	—
Section 325	Carrying on butcher‟s, fishmonger‟s or poluterer‟s trade without licence, etc.	100	10
Section 326	Establishment of factory, etc., without permission	5000	50

1	2	3	4
Section 327	Certain things not to be kept and certain trades and operations not to be carried on without a licence	1000	100
Section 328, sub-section (*3*)	Keeping, abandonment or tethering of animals, etc.	100	—
Section 329, sub-section (*5*)	Use of premises in contravention of declaration	500	—
Section 330	Hawking articles for sale without a licence, etc.	100	—
Section 331	Keeping a lodging house, eating house, tea shop, etc., without licence or contrary to licence	100	—
Section 332	Keeping open theatre, circus or other place of public amusement without licence or contrary to terms of licence	500	50
Section 339, sub-section (*5*)	Failure to produce licence or written permission	50	5
Section 340	Preventing the Chairperson or any person authorised in this behalf from exercising his powers of entry, etc.	50	—
Section 341	Preventing the Chairperson or any person authorised in this behalf from exercising his power of entry upon any adjoining land	50	—
Section 346	Obstruction or molestation in execution of work	200	—
Section 353, sub-section (*4*)	Failure to comply with requisition to state the name and address of owner of premises	50	—
Section 364, sub-section (*3*)	Failure of occupier of land or building to afford owner facilities for complying with provisions of the Act, etc., after eight days from issue of order by district judge	200	50
Section 404	Obstruction of Chairperson or a member, etc.	200	—
Section 405	Removal of any mark set up for indicating level, etc.	100	—
Section 406	Removal, etc., of notice exhibited by or under orders of the Council, Chairperson, etc.	50	—
Section 407	Unlawful removal of earth, sand or other material or deposit of any matter or making of any encroachment from any land vested in the Council.	50	—

EXTRACTS FROM THE LALIT KALA AKADAMI (TAKING OVER OF MANAGEMENT) ACT, 1997

(17 OF 1997)

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CHAPTER III

MISCELLANEOUS

Penalties.

8. Any person who,—

(*a*) having in his possession or custody or under his control any property forming part of the society, wrongfully withholds such property from the Administrator or any person authorised under this Act; or

(*b*) wrongfully obtains possession of any such propert; or

(*c*) wilfully retains, or fails to deliver, any property forming part of the society or removes or destroys it; or

(*d*) wilfully withholds or fails to account for any books, papers, works of art or other documents which may be in his possession or custody or under his control to the Administrator or any person authorised under this Act; or

(*e*) fails, without any reasonable cause, to furnish information or particulars as provided in sub-section (*6*) of section 4,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

Offences by companies.

9. (*1*) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

EXTRACTS FROM THE METRO RAILWAYS (OPERATION AND MAINTENANCE) ACT, 2002

(60 OF 2002)

* * * * *

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

* * * * *

(*b*) "Commissioner" means the Commissioner of the Metro Railway Safety appointed under section 7;

* * * * *

(*s*) "telegraph line" shall have the meaning assigned to it in clause (4) of section 3 of the Indian Telegraph Act, 1885 13 of 1885

* * * * *

10. The Commissioner shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. 45 of 1860. Commissioner to be public servant.

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CHAPTER XI

OFFENCES AND PENALTIES

59. (*1*) If any person, in any carriage or upon any part of the metro railway,— Drunkenness or nuisance on metro railway.

(*a*) is in a state of intoxication; or

(*b*) commits any nuisance or vandalism or act of indecency, or uses abusive or obscene language; or

(*c*) wilfully or without excuse interferes in any way with the comfort of any passenger,

he shall be punishable with fine which may extend to five hundred rupees and shall also be liable to forfeiture of the fare which he may have paid or any pass or ticket which he may have obtained or purchased, or be removed from such carriage or part by any metro railway official authorised by the metro railway administration in this behalf.

* * * * *

60. (*1*) If, in contravention of sub-section (*1*) of section 30, a person takes or causes to be taken any offensive material upon the metro railway, he shall be punishable with fine which may extend to five hundred rupees. Penalty for taking or causing to take offensive material upon metro railway.

* * * * *

62. (*1*) * * * * * Prohibition of demonstrations upon metro railway.

(*3*) Whoever contravenes any of the provisions of sub-section (*1*) or sub-section (*2*), or on being asked by any metro railway official to leave any compartment, carriage or premises refuses to do so, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

* * * * *

64. (*1*) If a person enters into or upon the metro railway without any lawful authority or having entered with lawful authority remains there unlawfully and refuses to leave on being requested to do so by any metro railway official, he shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred and fifty rupees, or with both. Penalty for unlawfully entering or remaining upon metro railway or walking on metro track.

(*2*) If any person walks on the metro track without any lawful authority, he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

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Altering or defacing or counterfeiting pass or ticket.

71. If any person wilfully breaks the security code of any pass or ticket, or defaces or alters or counterfeits or duplicates it or acts in any way to cause revenue loss to metro railway, he shall be punishable with imprisonment for a term which may extend to six months.

Defacing public notices.

72. If any person without lawful authority—

(*a*) in this behalf pulls down or wilfully damages any board or documents set up or posted by the order of the metro railway administration on the metro railway, or any rolling stock; or

(*b*) obliterates or alters any letters or figures upon any such board or document or upon any rolling stock,

he shall be punishable with imprisonment which may extend to two months or with fine up to two hundred and fifty rupees, or with both.

Any sale of articles on metro railway.

73. If any person sells or exposes for sale, any article whatsoever in any metro railway carriage or upon any part of the metro premises not authorised by metro railway administration for such purpose, he shall be punishable with fine which may extend to five hundred rupees, and in default of payment of fine, he shall be punishable with imprisonment which may extend to six months:

Provided that, in the absence of special and adequate reasons to the contrary to be mentioned in the judgment of the court, such fine shall not be less than one hundred rupees.

* * * * *

Penalty for unauthorised sale of tickets.

75. If any person not being a metro railway official, or an agent authorised in this behalf under sub-section (*2*) of section 23 sells or attempts to sell any ticket in order to enable any other person to travel therewith, he shall be punishable for a term which may extend to three months, or fine which may extend to five hundred rupees, or with both, and shall also forfeit the ticket which he sells or attempts to sell.

Maliciously hurting or attempting to hurt persons travelling by metro railway.

76. If any person unlawfully throws or causes to fall or strike at, against, into or upon any rolling stock forming part of a train, any wood, stone or other matter or thing with intent, or with knowledge that it is likely to endanger the safety of any person being in or upon such rolling stock or in or upon any other rolling stock forming part of the same train, he shall be punishable with imprisonment for life or with imprisonment for a term which may extend to ten years.

* * * * *

Power of arrest without warrant.

82. (*1*) If a person commits any offence mentioned in sections 59, 61, sections 65 to 68 and sections 71 to 79, he may be arrested without warrant or other written authority by any metro railway official or by a police officer not below the rank of a head constable or by any other person whom such metro railway official or police officer may call to his aid:

* * * * *

Officials of metro railway administration to be public servants.

90. All persons in the employment of the metro railway administration shall, when acting or purporting to act in pursuance of the provisions of this Act, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

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EXTRACTS FROM THE CONTROL OF NATIONAL HIGHWAYS (LAND AND TRAFFIC) ACT, 2002

(13 OF 2002)

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Recovery of cost of removal of unauthorised occupation and fine imposed.

27. (*1*) Where a Highway Administration or the officer authorised by such Administration in this behalf has removed any unauthorised occupation or made any construction including alteration of construction in respect of any unauthorised occupation or repaired any damage under sub-section (*2*) of section 36, the expenditure incurred in such removal or repair together with fifteen per cent. of additional charges or any fine imposed under this Act shall be recoverable in the manner hereinafter provided in this section.

(*2*) The Highway Administration or the officer authorised in this behalf by such Administration shall serve a copy of the bill in the prescribed form indicating therein the expenditure, additional charges or fine recoverable under sub-section (*1*) on the person from whom such expenditure, additional charges or fine is recoverable and the provisions of section 26 relating to the service of notice shall apply for the service of copy of the bill under this sub-section as if for the word "notice" the word "bill" has been substituted in that section.

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Prohibition to leave vehicles or animals in dangerous position.

37. (*1*) * * * * *

(*4*) Any person who has unauthorised occupation on a highway land shall be summarily evicted by the Highway Administration in the manner specified in section 26 for removal of unauthorised occupation and shall be liable to fine imposed by the Highway Administration which shall not be less than five hundred rupees per square metre of the unauthorisedly occupied land by him but which may be extended to the cost of such land.

CHAPTER VI

REGULATION OF CONSTRUCTION ON HIGHWAY LAND FOR PUBLIC UTILITIES, DRAINS, ETC.

Construction on highway land.

38. (*1*) * * * * *

(*4*) If any person, in contravention of sub-section (1), makes any construction or carries out any other work, the Highway Administration may, at its own expenses, cause such construction or other work to be removed from the Highway and restore the Highway in the condition as it was immediately before giving permission for such construction or other work under sub-section (*3*) and such expenses together with fifteen per cent. thereof as additional charges and fine imposed by the Highway Administration taking into account the nature of the damages caused by such construction or other work, which shall not be less than five hundred rupees per square metre of land used for such construction or other work, but shall not exceed the cost of such land, shall be recovered from such person in accordance with the provisions contained in section 27 as if such expenses, additional charges and fine were the expenses, additional charges and fine recoverable under that section.

CHAPTER VII

OFFENCE AND PENALTY

Offence and penalty.

39. (*1*) If any person, who has been evicted from any unauthorised occupation on a highway land under this Act, again occupies any highway land without permission for such occupation under this Act, he shall be punishable with imprisonment for a term which may extend to one year, or with fine which shall not be less than one thousand rupees per square metre of so occupied highway land but which shall not exceed two times the cost of such highway land, or with both.

(*2*) Any court, convicting a person under sub-section (*1*), may make an order for evicting that person from such occupied highway land summarily and he shall be liable to such eviction without prejudice to any other action that may be taken against him.

(*3*) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the offence punishable under sub-section (*1*) shall be cognizable. 2 of 1974.

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EXTRACTS FROM THE OFFSHORE AREAS MINERAL (DEVELOPMENT AND REGULATION) ACT, 2002

(17 OF 2003)

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CHAPTER IV

OFFENCES

Offences. **23**. (*1*) * * * * *

(*b*) any permittee or licensee or lessee, who fails to furnish the required data, or information, or document under sub-section (*2*) of section 5 in the manner provided therein, shall be punishable with imprisonment which may extend to three years, or with fine of five lakh rupees, which may extend to ten lakh rupees, or with both.

Explanation.—For the purposes of clauses (*a*) and (*b*), the amount of fine provided shall be in respect of each standard block of such part of the offshore area where such reconnaissance operation, or exploration operation, or production operation is undertaken.

* * * * *

(*3*) Whoever contravenes any other provision of this Act, other than those specified in sub-sections (*1*) and (*2*) shall be punishable with imprisonment for a term which may extend to five years, or with fine of fifty lakh rupees, which may extend to one crore rupees, or with both, and in the case of continuing contravention, with an additional fine which may extend to five lakh rupees for every day during which such contravention continues.

(*4*) Any rule made under any provision of this Act may provide that any contravention thereof shall be punishable with imprisonment for a term which may extend to five years or with fine of fifty lakh rupees, which may extend to one crore rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to five lakh rupees for every day during which such contravention continues after conviction for the first such contravention.

* * * * *

CHAPTER V

CIVIL LIABILITY AND ADJUDICATION

Civil liability and adjudication. **28**. (*1*) A person to whom a permit, licence or lease is granted under this Act,—

(*a*) contravenes the general terms and conditions imposed by the rules made under this Act shall be liable to pay to the Central Government an amount which shall not be less than five lakh rupees and which may extend to one crore rupees;

(*b*) contravenes any particular terms and conditions applicable only in case of such permittee, licensee or lessee as the case may be, shall also be liable, apart from the liability under clause (*a*), to pay additional amount to the Central Government which shall not be less than five lakh rupees and which may extend to fifty lakh rupees.

(*2*) No court or other authority except the authorised officer designated by the Central Government for this purpose, shall have jurisdiction to hear and decide the cases relating to clauses (*a*) and (*b*) of sub-section (*1*).

(*3*) An officer of the Central Government who has been authorised by that Government to file an application before the authorised officer designated under sub-section (*2*), shall file an application against licensee, lessee or permittee, as the case may be, indicating the civil wrong committed by him under clause (*a*) or clause (*b*) of sub-section (*1*) in such manner as may be prescribed.

(*4*) When an application is filed under sub-section (*3*), before an authorised officer designated under sub-section (*2*), he shall serve notice along with the copy of such application to the person, against whom the application is made, to provide him an opportunity to file reply to the application in the prescribed manner and the authorised officer shall dispose of the case after considering the evidence produced either in support or in opposition to the application and after providing the opportunity of hearing.

(*5*) For the purposes of this section, the authorised officer designated under sub-section (*2*), shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely:— 5 of 1908.

(*a*) summoning and enforcing the attendance of any person and examining him on oath;

(*b*) requiring the discovery and production of documents;

(*c*) receiving evidence on affidavits;

(*d*) issuing commissions for the examination of witnesses or documents;

(*e*) reviewing its decisions; and

(*f*) any other matter which may be prescribed.

* * * * *

34. (*1*) Subject to the provisions of sub-section (*2*), any person aggrieved by an order made by the administering authority or any officer under this Act or the rules made thereunder may prefer an appeal against such order to the Central Government. Appeals.

(*2*) Every such appeal shall be preferred within prescribed period from the date on which the impugned order was made:

Provided that the Central Government may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within such prescribed period, permit the appellant to prefer the appeal within a further period as may be prescribed.

(*3*) On receipt of any such appeal, the Central Government shall, after giving the parties to the appeal a reasonable opportunity of being heard and after making such inquiry as it deems proper, make such order, as it may think fit, confirming, modifying or reversing the order appealed against, or may send back the case with such direction as it may think fit for a fresh order after taking additional evidence, if necessary.

* * * * *

Power to make rules.

35. (*1*) * * * *

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

* * * * *

(*m*) the manner of filing application under sub-section (*3*) of section 28;

(*n*) the manner of filing reply under sub-section (*4*) of section 28;

(*o*) any other matter under clause (*f*) of sub-section (*5*) of section 28;

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EXTRACTS FROM THE ELECTRICITY ACT, 2003

(36 OF 2003)

* * * * *

Negligently breaking or damaging works.

139. Whoever, negligently breaks, injures, throws down or damages any material connected with the supply of electricity, shall be punishable with fine which may extend to ten thousand rupees.

Penalty for intentionally injuring works.

140. Whoever, with intent to cut off the supply of electricity, cuts or injures, or attempts to cut or injure, any electric supply line or works, shall be punishable with fine which may extend to ten thousand rupees.

Extinguishing public lamps.

141. Whoever, maliciously extinguishes any public lamp shall be punishable with fine which may extend to two thousand rupees.

Punishment for non-compliance of directions by Appropriate Commission.

142. In case any complaint is filed before the Appropriate Commission by any person or if that Commission is satisfied that any person has contravened any of the provisions of this Act or the rules or regulations made thereunder, or any direction issued by the Commission, the Appropriate Commission may after giving such person an opportunity of being heard in the matter, by order in writing, direct that, without prejudice to any other penalty to which he may be liable under this Act, such person shall pay, by way of penalty, which shall not exceed one lakh rupees for each contravention and in case of a continuing failure with an additional penalty which may extend to six thousand rupees for every day during which the failure continues after contravention of the first such direction.

* * * * *

Punishment for non-compliance of orders or directions.

146. Whoever, fails to comply with any order or direction given under this Act, within such time as may be specified in the said order or direction or contravenes or attempts or abets the contravention of any of the provisions of this Act or any rules or regulations made thereunder, shall be punishable with imprisonment for a term which may extend to three months or with fine, which may extend to one lakh rupees, or with both in respect of each offence and in the case of a continuing failure, with an additional fine which may extend to five thousand rupees for every day during which the failure continues after conviction of the first such offence:

* * * * *

152. (*1*) Notwithstanding anything contained in the Code of Criminal Procedure 1973, the Appropriate Government or any officer authorized by it in this behalf may accept from any consumer or person who committed or who is reasonably suspected of having committed an offence of theft of electricity punishable under this Act, a sum of money by way of compounding of the offence as specified in the Table below: Compounding of offences.

TABLE

Nature of Service	Rate at which the sum of money for Compounding to be collected per Kilowatt(KW)/Horse Power(HP) or part thereof for Low Tension (LT) supply and per Kilo Volt Ampere(KVA) of contracted demand for High Tension (HT)
(1)	(2)
1. Industrial Service	twenty thousand rupees;
2. Commercial Service	ten thousand rupees;
3. Agricultural Service	two thousand rupees;
4. Other Services	four thousand rupees:

Provided that the Appropriate Government may, by notification in the Official Gazette, amend the rates specified in the Table above.

* * * * *

(*3*) The acceptance of the sum of money for compounding an offence in accordance with sub-section (*1*) by the Appropriate Government or an officer empowered in this behalf empowered in this behalf shall be deemed to amount to an acquittal within the meaning of section 300 of the Code of Criminal Procedure, 1973.

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EXTRACTS FROM THE PRIVATE SECURITY AGENCIES (REGULATION) ACT, 2005

(29 OF 2005)

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12. Every private security agency shall exhibit its licence or copy thereof in a conspicuous place of its business. Licence to be exhibited.

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20. (*1*) * * * * Punishment for contravention of certain provisions.

(*2*) Any person or private security agency who contravenes, the provisions of sections 9, 10 and 12 of the Act, shall be punishable with a fine which may extend to twenty-five thousand rupees, in addition to suspension or cancellation of the licence.

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EXTRACTS FROM THE DISASTER MANAGEMENT ACT, 2005

(53 OF 2005)

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CHAPTER X

OFFENCES AND PENALTIES

Punishment for obstruction, etc.

51. Whoever, without reasonable cause—

(*a*) obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority or Urban Authority in the discharge of his functions under this Act; or

(*b*) refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority or the Urban Authority under this Act,

shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.

Punishment for false claim.

52. Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority, the District Authority or the Urban Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

Punishment for misappropriation of money or materials, etc.

53. Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or wilfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

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EXTRACTS FROM THE PETROLEUM AND NATURAL GAS REGULATORY BOARD ACT, 2006

(19 OF 2006)

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CHAPTER IX

OFFENCES AND PUNISHMENT

Punishment for contravention of directions of the Board.

44. If a person contravenes the directions of the Board, such person shall be punishable with fine which may extend to twenty-five crore rupees and in case of continuing contravention with additional fine which may extend to ten lakh rupees for every day during which the contravention continues.

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EXTRACTS FROM THE FOOD SAFETY AND STANDARDS ACT, 2006

(34 OF 2006)

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38. (*1*) * * * * Powers of Food Safety Officer.

(*5*) The Food Safety Officer shall, in exercising the powers of entry upon, and inspection of any place under this section, follow, as far as may be, the provisions of the Code of Criminal Procedure, 1973 relating to the search or inspection of a place by a police officer executing a search warrant issued under that Code.

2 of 1974.

39. Any Food Safety Officer exercising powers under this Act or the rules and regulations made thereunder who— Liability of Food Safety Officer in certain cases.

(*a*) vexatiously and without any reasonable ground seizes any article of food or adulterant; or

(*b*) commits any other act to the injury of any person without having reason to believe that such act is necessary for the execution of his duty, shall be guilty of an offence under this Act and shall be liable to a penalty which may extend to one lakh rupees:

Provided that in case any false complaint is made against a Food Safety Officer and it is proved so, the complainant shall be guilty of an offence under this Act and shall be punishable with fine which shall not be less than fifty thousand rupees but may extend to one lakh rupees.

* * * * *

41. (*1*) * * * * Power of search, seizure, investigation, prosecution and procedure thereof.

(*2*) Save as in this Act otherwise expressly provided, provisions of the Code of Criminal Procedure, 1973 relating to search, seizure, summon, investigation and prosecution, shall apply, as far as may be, to all action taken by the Food Safety Officer under this Act.

2 of 1974.

* * * * *

60. If a person without the permission of the Food Safety Officer, retains, removes or tampers with any food, vehicle, equipment, package or labelling or advertising material or other thing that has been seized under this Act, he shall be punishable with imprisonment for a term which may extend to six months and also with fine which may extend to two lakh rupees. Punishment for interfering with seized items.

* * * * *

62. If a person without reasonable excuse, resists, obstructs, or attempts to obstruct, impersonate, threaten, intimidate or assault a Food Safety Officer in exercising his functions under this Act, he shall be punishable with imprisonment for a term which may extend to three months and also with fine which may extend to one lakh rupees. Punishment for obstructing or impersonating a Food Safety Officer.

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CHAPTER X

ADJUDICATION AND FOOD SAFETY APPELLATE TRIBUNAL

68. (*1*) * * * * * Adjudication.

(*3*) The Adjudicating Officer shall have the powers of a civil court and—

(*a*) all proceedings before him shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of the Indian Penal Code;

45 of 1860.

(*b*) shall be deemed to be a court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973 2 of 1974.

* * * * *

Procedure and powers of Tribunal.

71. (*1*) * * * *

(*3*) Every proceeding before the Tribunal shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purposes of section 196 of the Indian Penal Code, it shall be deemed to be a civil court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973. 45 of 1860. 2 of 1974.

* * * * *

Power of court to try cases summarily.

73. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences not triable by a Special Court, shall be tried in a summary way by a Judicial Magistrate of the first class or by a Metropolitan Magistrate and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be, apply to such a trial: 2 of 1974.

Provided that in the case of any conviction in a summary trial under this section, it shall be lawful for the Magistrate to pass a sentence of imprisonment for a term not exceeding one year:

Provided further that when at the commencement of, or in the course of, a summary trial under this section, it appears to the Magistrate that the nature of the case is such that a sentence of imprisonment for a term exceeding one year may have to be passed or that it is, for any other reason, undesirable to try the case summarily, the Magistrate shall after hearing the parties, record an order to that effect and thereafter recall any witness who may have been examined and proceed to hear or rehear the case in the manner provided by the said Code

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Special courts and Public Prosecutor.

74. (*1*) Notwithstanding anything contained in this Act or in the Code of Criminal Procedure, 1973, the Central Government or the State Government in their respective jurisdictions may, if consider expedient and necessary in the public interest, for the purposes of the trial of offences relating to grievous injury or death of the consumer for which punishment of imprisonment for more than three years has been prescribed under this Act, constitute, by notification in the Official Gazette, as many Special Courts with the concurrence of the Chief Justice of the High Court as may be necessary for such area or areas and for exercising such jurisdiction, as may be specified in the notification. 2 of 1974.

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Power to transfer cases to regular courts.

75. Where, after taking cognizance of any offence, a Special Court is of the opinion that the offence is not triable by it, it shall, notwithstanding that it has no jurisdiction to try such offence, transfer the case for the trial of such offence to any court having jurisdiction under the Code of Criminal Procedure, 1973 and the court to which the case is transferred may proceed with the trial of the offence as if it had taken cognizance of the offence. 2 of 1974.

* * * * *

Power of court to implead manufacturer, etc.

78. Where at any time during the trial of any offence under this Act alleged to have been committed by any person, not being the importer, manufacturer, distributor or dealer of any article of food, the court, is satisfied, on the evidence adduced before it, that such importer, manufacturer, distributor or dealer is also concerned with that offence, then the court may, notwithstanding anything contained in sub-section (*3*) of section 319 of the Code of Criminal Procedure, 1973, or in section 71 of this Act, proceed against him as though a prosecution has been instituted under this Act. 2 of 1974.

79. Notwithstanding anything contained in section 29 of the Code of Criminal Procedure, 1973, it shall be lawful for the court of ordinary jurisdiction to pass any sentence authorised by this Act, except a sentence of imprisonment for a term exceeding six years in excess of his powers under the said section. Magistrate's power to impose enhanced punishment.

2 of 1974.

* * * * *

87. The Members, officers of the Food Authority and the Commissioners of Food Safety and their officers shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning section 21 of the Indian Penal Code. Members, officers of Food Authority and Commissioner of Food Safety to be public servants.

45 of 1860.

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EXTRACTS FROM THE CANTONMENTS ACT, 2006

(41 OF 2006)

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49. (*1*) A Board may— Joint action with other local authority.

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(*b*) with the previous sanction of the General Officer Commanding-in-Chief, the Command, and the State Government concerned, enter into an agreement with any other local authority regarding the levy of any tax or toll whereby the said tax or toll respectively leviable by the Board and by such other local authority may be levied together instead of separately within the limits of the area hereafter in this section referred to as the aggregate area subject to the control of the Board and such other local authority.

* * * * *

(*3*) When any agreement such as is referred to in clause (b) of sub-section (1) has been entered into, then—

(*a*) where the agreement relates to octroi or terminal tax or toll, the party to the agreement (the Board, or as the case may be, such other local authority) which is specified in this behalf in the agreement,—

(*i*) shall have the same powers to establish octroi limits and octroi stations and places for the collection of octroi, terminal tax and toll within the aggregate area as it has within the area ordinarily subject to its control;

(*ii*) shall have the same powers of collecting such octroi, terminal tax or toll in the aggregate area and the provisions of any enactment in force relating to the levy of such octroi, terminal tax or toll by it shall apply in the same manner as if the aggregate area were comprised within the area ordinarily subject to its control;

(*b*) the total of the collection of such octroi, tax or toll made in the aggregate area and the costs thereby incurred shall be divided between the cantonment fund and the fund subject to the control of such other local authority, in such proportion, as may have been determined by the agreement.

* * * * *

81. (*1*) * * * * Notice of transfers.

(*6*) Any failure to comply with the provisions contained in sub-sections (*1*) to (*3*) shall be punishable with fine which may extend to ten thousand rupees.

* * * * *

Notice of erection of buildings.

82. (*1*) * * * *

(*2*) Any person failing to give the notice required by sub-section (*1*) shall be punishable with fine which may extend to five thousand or ten times the amount of the tax payable on the said building, as erected or re-erected, as the case may be, in respect of a period of three months, whichever is greater.

* * * * *

Notice to be given of every occupation of vacant building or house.

88. (*1*) * * * *

(*2*) Any owner failing to give the notice required by sub-section (*1*) shall be punishable with fine which shall not be less than twice the amount of the tax payable on such building, tenement or land in respect of the period during which it has been re-occupied and which may extend to two thousand five hundred rupees, or to ten times the amount of the said tax, whichever sum is greater.

* * * * *

Octroi, terminal tax and toll

Inspection of imported goods, octroi, terminal tax and toll, etc.

90. Every person bringing or receiving any goods, vehicles or animals within the limits of any cantonment in which octroi or terminal tax or toll is leviable shall, when so required by an officer duly authorised by the Chief Executive Officer in this behalf, so far as may be necessary for ascertaining the amount of tax chargeable—

(*a*) permit that officer to inspect, examine or weigh such goods, vehicles or animals; and

(*b*) communicate to that officer any information, and exhibit to him any bill, in voice or document of a like nature, which such person may possess relating to such goods, vehicles or animals.

Power to seize, etc.

91. (*1*) Any person who takes or attempts to take past any octroi station or any other place appointed within a cantonment for the collection of octroi, terminal tax or toll any goods, vehicles or animals, on account of which octroi, terminal tax or toll is leviable and thereby evades, or attempts to evade, the payment of such octroi, terminal tax or toll and any person who abets any such evasion or attempt at evasion, shall be punishable with fine which may extend either to ten times the value of such octroi, terminal tax or toll, or to two thousand five hundred rupees, whichever is greater, and which shall not be less than twice the value of such octroi, terminal tax or toll, as the case may be.

(*2*) In case of non-payment of any octroi or terminal tax or toll on demand, the officer empowered to collect the same may seize any goods, vehicles or animals on which the octroi, terminal tax or toll is chargeable or any part or number thereof which is of sufficient value to satisfy the demand and shall give a receipt specifying the items seized.

(*3*) The Chief Executive Officer, or an officer of the Board authorised by him, after the lapse of five days from the seizure, and after the issue of a notice in writing to the person in whose possession the goods, vehicles or animals were at the time of seizure, fixing the time and place of sale, may cause the property so seized, or so much thereof as may be necessary, to be sold by auction to satisfy the demand and meet expenses occasioned by the seizure, custody and safe thereof, unless the demand and expenses are in the meantime paid:

Provided that the Chief Executive Officer may, in any case, order that any article of a perishable nature which cannot be kept for five days without serious risk of damage, or which cannot be kept safe at a cost which, together with the amount of octroi, terminal tax or toll, is likely to exceed its value, shall be sold after the lapse of such shorter times as he may, having regard to the nature of the article, think proper.

(*4*) If, at any time before the sale has begun, the person whose property has been seized tenders to the Chief Executive Officer the amount of all expenses incurred and of the octroi, terminal tax or toll, the Chief Executive Officer shall release the property seized.

(*5*) The surplus, if any, of the sale proceeds shall be credited to the cantonment fund, and shall, on application made to the Chief Executive Officer within six months after the sale, be paid to the person in whose possession the property was at the time of seizure, and, if no such application is made, shall become the property of the Board.

Lease of octroi, terminal tax or toll.

92. It shall be lawful for the Chief Executive Officer, with the previous sanction of the Board to lease the collection of any octroi, terminal tax or toll for any period not exceeding one year; and the lessee and all persons employed by him in the management and collection of the octroi, terminal tax or toll shall, in respect thereof,—

(*a*) be bound by any orders made by the Chief Executive Officer for their guidance;

(*b*) have such powers exercisable by officers or employees of the Board under this Act as the Board may confer upon them; and

(*c*) be entitled to the same remedies and be subject to the same responsibilities as if they were employed by the Board for the management and collection of the octroi, terminal tax or toll, as the case may be:

Provided that no article distrained may be sold except under the orders of the Chief Executive Officer.

* * * * *

Obligation to disclose liability.

116. (*1*) * * * *

(*2*) If any person, when called upon under sub-section (*1*) to furnish information, neglects to furnish it within the period specified in this behalf by the Chief Executive Officer or furnishes information which is not true to the best of his knowledge or belief, he shall be punishable with fine which may extend to five thousand rupees and shall also be liable to be assessed at such amount on account of tax as the Chief Executive Officer may deem proper, and the assessment so made shall, subject to the provisions of this Act, be final.

* * * * *

Overcrowding of dwelling houses.

143. (*1*) * * * *

(*2*) Any person who fails, without reasonable cause, to comply with a requisition made upon him under sub-section (*1*) shall be punishable with fine which may extend to two thousand five hundred rupees, and, in the case of a continuing offence, to an additional fine which may extend to two hundred fifty rupees for every day after the first during which the failure has continued.

* * * * *

Power to require land or building to be cleansed.

145. (*1*) * * * *

(*2*) Any person who fails to comply with the notice issued under sub-section (*1*) shall be punishable with fine which may extend to five thousand rupees, and, in the case of a continuing offence, with an additional fine which may extend to two hundred fifty rupees for each day after the first during which the offence continues.

* * * * *

Prevention of infectious, contagious or communicable diseases

Obligation concerning infectious, contagious or communicable diseases.

155. (*1*) * * * *

(*4*) Whoever—

* * * * *

(*b*) contravenes the provisions of sub-section (*2*), shall be punishable with fine which may extend to one thousand rupees:

Provided that no person shall be punishable for failure to give information if he had reasonable cause to believe that the information had already been duly given.

* * * * *

Penalty for failure to report.

166. Whoever fails to make to the Chief Executive Officer any report which he is required to make by section 164 or section 165 shall be punishable with fine which may extend to one thousand rupees.

* * * * *

Making or selling of food, etc., or washing clothes by infected person.

174. Whoever, while suffering from, or in circumstances in which he is likely to spread, any infectious or contagious disease,—

(*a*) makes, carries or offers for sale in a cantonment or takes any part in the business of making, carrying or offering for sale therein any article of food or drink or any medicine or drug for human consumption, or any article of clothing or bedding for personal use or wear, or

(*b*) takes any part in the business of the washing or carrying of clothes,

shall be punishable with fine which may extend to five thousand rupees.

* * * * *

Penalty.

197. Whoever—

* * * * *

(*b*) where water is supplied by agreement with a Board for a specified purpose, uses that water for any other purposes shall be punishable with fine which may extend to two thousand five hundred rupees, and in addition, the Board shall be entitled to recover from him the cost of the water misused.

* * * * *

Restrictions on use of buildings.

244. (*1*) * * * * *

(*2*) Any person who contravenes the provisions of sub-section (*1*) shall on conviction be punishable with a fine which may extend to one lakh rupees and in the case of continuing contravention with an additional fine of rupees ten thousand for every day during which the contravention continues after the date it comes to the notice.

* * * * *

Illegal erection and re-erection.

247. Whoever begins, continues or completes the erection or re-erection of a building—

(*a*) without having given a valid notice as required by sections 235 and 236, or before the building has been sanctioned or is deemed to have been sanctioned; or

(*b*) without complying with any direction made under sub-section (*1*) of section 238; or

(*c*) when sanction has been refused, or has ceased to be available or has been suspended by the General Officer Commanding-in-Chief, the Command, under clause (*b*) of sub-section (*1*) of section 58,

shall be punishable with fine which may extend to fifty thousand rupees and the cost of sealing the illegal construction and its demolition.

* * * * *

259. (*1*) * * * * * Names of streets and numbers of buildings.

(*2*) Whoever destroys, pulls down, defaces or alters any such name or number or puts up any name or number differing from that put up by the order of the Board shall be punishable with fine which may extend to one thousand rupees.

* * * * *

263. Whoever, without the permission in writing of the Chief Executive Officer, digs up the surface of any open space in the cantonment, which is not private property, shall be punishable with fine which may extend to two thousand five hundred rupees and in the case of a continuing offence, with an additional fine which may extend to five hundred rupees for every day after the first during which the offence continues. Digging of public land.

* * * * *

269. (*1*) * * * * * Private markets and slaughter-houses.

(*3*) Whoever omits to comply with any condition imposed by the Chief Executive Officer under clause (*a*) of sub-section (*2*) shall be punishable with fine which may extend to five thousand rupees and, in the case of continuing offence, with an additional fine which may extend to one thousand rupees for every day after the first during which the offence is continued.

* * * * *

271. (*1*) Any person who keeps open for public use any market or slaughter-house in respect of which a licence is required by or under this Act, without obtaining licence therefor, or while the licence therefor is suspended, or after the same has been cancelled, shall be punishable with fine which may extend to five thousand rupees and, in the case of a continuing offence, with an additional fine which may extend to five hundred rupees for every day after the first during which the offence is continued. Penalty for keeping market or slaughter-house open without licence, etc.

* * * * *

272. Whoever, knowing that any market or slaughter-house has been opened to the public without a licence having been obtained therefor when such licence is required by or under this Act, or that the licence granted therefor is for the time being suspended or that it has been cancelled, sells or exposes for sale any article in such market, or slaughters any animal in such slaughter-house, shall be punishable with fine which may extend to five thousand rupees and, in the case of a continuing offence, with an additional fine which may extend to five hundred rupees for every day after the first during which the offence is continued. Penalty for using unlicensed market or slaughter-house.

* * * * *

Trade and occupations

276. (*1*) * * * * * Provision of washing places.

(*3*) Whoever contravenes any prohibition contained in a notice is sued under sub-section (*2*) shall be punishable with fine which may extend to five hundred rupees.

* * * * *

Carrying on trade, etc., without licence or in contravention of section 280.

281. Whoever carries any trade, calling or occupation for which a licence is required without obtaining a licence therefor or while the licence therefor is suspended or after the same has been cancelled, and whoever, after receiving a notice under section 280, uses or allows to be used any building or place in contravention thereof, shall be punishable with fine which may extend to five thousand rupees and, in the case of a continuing offence, with an additional fine which may extend to five hundred rupees for every day after the first during which the offence is continued.

Feeding animals on dirt, etc.

282. Whoever feeds or allows to be fed on filthy or deleterious substances any animal, which is kept for the purpose of supplying milk to, or which is intended to be used as food for, the inhabitants of a cantonment or allows it to graze in any place in which grazing has, for sanitary reasons, been prohibited by public notice by the Board shall be punishable with fine which may extend to one thousand rupees.

Entry, inspection and seizure

Powers of entry and seizure.

283. (*1*) * * * * *

(*4*) The owner or person in possession, at the time of seizure under sub-section (*1*), of any animal or carcass which is diseased or of any article or thing which is unwholesome or unfit for human food, drink or medicine, as the case may be, or is adulterated or is not what it is represented to be, or of any utensil or vessel which is of such kind or in such state as is described in clause (*b*) of sub-section (*1*), shall be punishable with fine which may extend to five thousand rupees, and the animal, article, utensil, vessel or other thing shall be liable to be forfeited to the Board or to be destroyed or to be so disposed of as to prevent it being exposed for sale or used for the preparation of food, drink or medicine, as the case may be.

Explanation I.—If any such article, having been exposed or stored in, or brought to, any place mentioned in sub-section (*1*) for sale as ghee, contains any substance not exclusively derived from milk, it shall be deemed, for the purposes of this section, to be an article which is not what it is represented to be.

Explanation II.—Meat subjected to the process of blowing shall be deemed to be unfit for human food.

Explanation III.—The article of food or drink shall not be deemed to be other than what it is represented to be merely by reason of the fact that there has been added to it some substance not injurious to health:

Provided that—

(*a*) such substance has been added to the article because the same is required for the preparation or production thereof as an article of commerce in a state fit for carriage or consumption and not fraudulently to increase the bulk, weight or measure of the food or drink or conceal the inferior quality thereof; or

(*b*) in the process of production, preparation or conveyance of such article of food or drink, the extraneous substance has unavoidably become intermixed therewith; or

(*c*) the owner or person in possession of the article has given sufficient notice by means of a label distinctly and legibly written or printed thereon or therewith, or by other means of a public description, that such substance has been added; or

(*d*) such owner or person has purchased the article with a written warranty that it was of a certain nature, substance and quality and had no reason to believe that it was not of such nature, substance and quality, and has exposed it or hawked it about or brought it for sale in the same state and by the same description as that in and by which he purchased it.

Import of cattle and flesh

284. (*1*) * * * * * Import of cattle and flesh.

(*3*) Whoever contravenes the provisions of sub-section (*1*) shall be punishable with fine which may extend to two thousand five hundred rupees.

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CHAPTER XIII

PUBLIC SAFETY AND SUPPRESSION OF NUISANCES

General Nuisances

289. (*1*) Whoever— Penalty for causing nuisances.

(*a*) in any street or other public place within a cantonment,—

(*i*) is drunk and disorderly or drunk and incapable of taking care of himself; or

(*ii*) uses any threatening, abusive or insulting words, or behaves in a threatening or insulting manner with intent to provoke a breach of the peace, or whereby a breach of the peace is likely to be occasioned; or

(*iii*) eases himself, or wilfully or indecently exposes his person; or

(*iv*) loiters, or begs importunately, for alms; or

(*v*) exposes or exhibits, with the object of exciting charity, any deformity or disease or any offensive sore or wound; or

(*vi*) carries meat exposed to public view; or

(*vii*) is found gaming; or

(*viii*) pickets animals, or collects vehicles; or

(*ix*) being engaged in the removal of night-soil or other offensive matter or rubbish, willfully or negligently permits any portion thereof to spill or fall, or neglects to sweep away or otherwise effectually to remove any portion thereof which may spill or fall in such street or place; or

(*x*) without proper authority affixes upon any building, monument, post, wall, fence, tree or other thing, any bill, notice or other document; or

(*xi*) without proper authority defaces or writes upon or otherwise marks any building, monument, post, wall, fence, tree or other thing; or

(*xii*) without proper authority removes, destroys, defaces or otherwise obliterates any notice or other document put up or exhibited under this Act; or

(*xiii*) without proper authority displaces, damages, or makes any alteration in, or otherwise interferes with the pavement, gutter, storm water-drain, flags or other materials of any such street, or any lamp, bracket, direction-post, hydrant or water-pipe maintained by the Board in any such street or public place, or extinguishes a public light; or

(*xiv*) carries any corpse not decently covered or without taking due precautions to prevent risk of infection or injury to the public health or annoyance to passers-by or to persons dwelling in the neighbourhood; or

(*xv*) carries night-soil or other offensive matter or rubbish at any hour prohibited by the Chief Executive Officer by public notice, or in any pattern of vehicle or receptacle which has not been approved for the purpose by the Chief Executive Officer, or fails to close such vehicle or receptacle when in use; or

(*b*) carries night-soil or other offensive matter or rubbish along any route in contravention of any prohibition made in this behalf by the Chief Executive Officer by public notice; or

(*c*) deposits, or causes or permits to be deposited, earth or materials of any description, or any offensive matter or rubbish, in any place not intended for the purpose in any street or other public place or waste or unoccupied land under the management of the Board; or

(*d*) having charge of a corpse fails to bury, burn or otherwise lawfully dispose of the same within twenty-four hours after death; or

(*e*) makes any grave or buries or burns any corpse in any place not set apart for such purpose; or

(*f*) keeps or uses, or knowingly permits to be kept or used, any place as a common gaming house, or assists in conducting the business of any common gaming house; or

(*g*) at any time or place at which the same has been prohibited by the Chief Executive Officer public or special notice, beats a drum or tom-tom, or blows a horn or trumpet, or beats any utensil, or sounds any brass or other instrument, or plays any music; or

(*h*) disturbs the public peace or order by singing, screaming or shouting or by using megaphone or loud-speaker; or

(*i*) lets loose any animal so as to cause, or negligently allows any animal to cause, injury, danger, alarm or annoyance to any person; or

(*j*) being the occupier of any building or land in or upon which an animal dies, neglects within three hours of the death of the animal, or, if the death occurs at night, within three hours after sunrise, either—

(*i*) to report the occurrence to the Chief Executive Officer or to an officer, if any, appointed by him in this behalf with a view to securing the removal and disposal of the carcass by the public conservancy establishment; or

(*ii*) to remove and dispose of the carcass in accordance with any general directions given by the Board by public notice or any special direction given by the Chief Executive Officer on receipt of such report as aforesaid; or

(*k*) save with the written permission of the Chief Executive Officer and in such manner as he may authorise, stores or uses night-soil, manure, rubbish or any other substance emitting an offensive smell; or

(*l*) uses or permits to be used as a latrine any place not intended for the purpose; or

(*m*) uses or permits to be used without previous permission of the Chief Executive Officer any premises for any trade involving offensive smell or smoke,

shall be punishable with fine which may extend to two thousand five hundred rupees.

(*2*) Whoever does not take reasonable means to prevent any child under the age of twelve years being in his charge from easing himself in any street or other public place within the cantonment shall be punishable with fine which may extend to two hundred-fifty rupees.

(*3*) The owner or keeper of any animal found picketed or staying without a keeper in a street or other public place in a cantonment shall be punishable with fine which may extend to one thousand rupees.

* * * * *

Dogs

290. (*1*) * * * * * Registration and control of dogs.

(5) Whoever, being the owner or person in charge of any dog, neglects to restrain it so that it shall not be at large in any street without being muzzled and without being secured by a chain lead in any case in which—

(*a*) he knows that the dog is likely to annoy or intimidate any person; or

(*b*) the Board has, by public notice during the prevalence of rabies, directed thatdogs shall not be at large without muzzles and chain leads,

shall be punishable with fine which may extend to one thousand rupees.

(*6*) Whoever in a cantonment—

(*a*) allows any ferocious dog which belongs to him or is in his charge to be at large without being muzzled; or

(*b*) sets on or urges any dog or other animal to attack, worry or intimidate any person; or

(*c*) knowing or having reason to believe that any dog or animal belonging to him or in his charge has been bitten by an animal suffering or reasonably suspected to be suffering from rabies, neglects to give immediate information of the fact to the Chief Executive Officer or gives information which is false,

shall be punishable with fine which may extend to two thousand rupees.

Traffic

291. Whoever in driving, leading or propelling a vehicle along a street fails, except in a case of actual necessity,— Traffic rule of the road.

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(*b*) to keep to the right when passing a vehicle going in the same direction as himself, shall be punishable with fine which may extend to five hundred rupees.

* * * * *

295. (*1*) * * * * * Regulation of cinematographic and dramatic performances.

(*2*) If the owner of a cinematograph or other apparatus uses the apparatus or allows it to be used, or if any person takes any part in any public dramatic performance, pantomime, circus, carnival, exhibition, dance or other similar show for public recreation or amusement, in contravention of the provisions of this section, or if the occupier of any premises allows them to be used in contravention of the provisions of this section or of any condition of any licence granted under this section, he shall be punishable with fine which may extend to five thousand rupees, and, in the case of continuing offence, with an additional fine which may extend to two thousand rupees for each day after the first during which the offence continues.

* * * * *

Discharging fire-works, fire-arms, etc.

296. Whoever in a cantonment discharges any fire-arm or lets off fire-works or fire-balloons, or detonates or engages in any game or carries on works such as quarries, blasts, timber cutting or building operation in such manner as to cause or to be likely to cause danger to persons passing by or dwelling or working in the neighbourhood or risk of injury to property shall be liable to fine which may extend to two thousand five hundred rupees.

* * * * *

Penalty for obstruction.

313. Whoever obstructs or molests any person acting on behalf of the Board, who is not a public servant within the meaning of section 21 of the Indian Penal Code or any person with whom the Board has lawfully contracted, in the execution of his duty or of anything which he is empowered or required to do by virtue or in consequence of any of the provisions of this Act or any rule, bye-law or order made thereunder, or in fulfilment of his contract, as the case may be, shall be punishable with fine which may extend to five thousand rupees. 45 of 1860.

* * * * *

General Penalty Provisions

General penalty.

333. Whoever, in any case in which a penalty is not expressly provided by this Act, fails to comply with any notice, order or requisition issued under any provision thereof, or otherwise contravenes any of the provisions of this Act, shall be punishable with fine which may extend to five thousand rupees, and, in the case of a continuing failure or contravention, with an additional fine which may extend to five hundred rupees for every day after the first during which he has persisted in the failure or contravention.

* * * * *

Power to make bye-laws.

348. Subject to the provisions of this Act and of the rules made thereunder, a Board may, in addition to any bye-laws which it is empowered to make by any other provision of this Act, make bye-laws to provide for all or any of the following matters in the cantonment, namely:—

* * * * *

(*3*) the regulation of the collection and recovery of taxes, tolls and fees under this Act and the refund of taxes;

Penalty for breach of bye-laws.

349. (*1*) Any bye-law made by a Board under this Act may provide that a contravention thereof shall be punishable—

(*a*) with fine which may extend to five thousand rupees; or

(*b*) with fine which may extend to five thousand rupees and, in the case of a continuing contravention, with an additional fine which may extend to five hundred rupees for every day during which such contravention continues after conviction for the first such contravention; or

(*c*) with fine which may extend to one hundred fifty rupees for every day during which the contravention continues after the receipt of a notice from the Board or Chief Executive Officer by the person contravening the bye-law requiring such person to discontinue such contravention.

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EXTRACTS FROM THE CARRIAGE BY ROAD ACT, 2007

(41 OF 2007)

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18. (*1*) Whoever contravenes the provisions of section 3, section 13 or a notification issued under section 14 shall be punishable for the first offence with fine which may extend to five thousand rupees, and for the second or subsequent offence with fine which may extend to ten thousand rupees. Punishment for contravention in relation to non-registration, carrying goods of dangerous or hazardous nature, or prohibited goods.

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EXTRACTS FROM THE PREVENTION AND CONTROL OF INFECTIOUS AND CONTAGIOUS DISEASES IN ANIMALS ACT, 2009

(27 OF 2009)

* * * * *

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

(*a*) "animal" means,—

(*i*) cattle, buffalo, sheep, goat, yak, mithun;

(*ii*) dog, cat, pig, horse, camel, ass, mule, poultry, bees; and

(*iii*) any other animal or bird as the Central Government may, by notification, specify;

* * * * *

(*g*) "Director", in relation to a State, means any officer in charge of the Department of Animal Husbandry or Veterinary Services, or both, notified by the State Government as such for the purpose of this Act;

* * * * *

(*k*) "notification" means notification published in the Official Gazette;

* * * * *

(*o*) "scheduled disease" means any disease included in the Schedule;

(*p*) "Veterinarian" means a person having a recognised veterinary qualification who, under the law for the time being in force, is allowed to treat animal diseases;

(*q*) "Veterinary Officer" means any officer, appointed as such by the State Government under clause (*b*) of section 3;

(*r*) "Village Officer", in relation to a village, means any person who is authorised or designated as such in accordance with the qualifications prescribed by the State Government.

* * * * *

4. (*1*) Every owner, or any other person, non-governmental organisation, public bodies or the village panchayat, in charge of any animal which he or it has reason to believe to be infective of a scheduled disease shall report the fact to the Village Officer or village panchayat in-charge, who may report the same in writing to the nearest available Veterinarian. Reporting scheduled diseases obligatory.

* * * * *

(*3*) Every Veterinarian shall, on receipt of a report under sub-section (*1*), or otherwise, if he has reason to believe that any animal is infected with a scheduled disease, report the matter to the Veterinary Officer.

* * * * *

Duty to segregate infected animals.

5. (*1*) * * * * *

(*3*) All other infected animals shall be segregated by the Municipality, Panchayat or other local administration.

Notification of controlled areas and free areas.

6. (*1*) * * * * *

(*3*) Where a notification has been issued under sub-section (*1*), all animals of the species in the controlled area shall be subjected to compulsory vaccination against that disease, and be subjected to such other measures against the disease, in such manner and within such time as the State Government, may, by public notice, direct.

(*4*) The State Government shall make available necessary vaccine and it shall be obligatory on the part of every owner, or the person in charge of an animal which is required to be vaccinated under sub-section (*3*), to get the animal compulsorily vaccinated.

* * * * *

(*6*) Where a notification has been issued under sub-section (*5*), no animal of the species or of any other susceptible species with regard to which it is a free area shall be allowed to enter the free area unless duly immunized by vaccination against that particular disease.

Prohibition of movement of animals from controlled area.

7. (*1*) * * * * *

(*3*) Nothing contained in sub-sections (*1*) and (*2*) shall be deemed to prohibit—

* * * * *

(*b*) the movement of any such animal, so long as it is accompanied by a valid certificate of vaccination to indicate that the animal is duly immunized against the particular disease and it bears proper mark of such vaccination.

Vaccination, marking and issue of vaccination certificate.

8. (*1*) * * * * *

(*3*) The authority issuing a certificate of vaccination shall specify the date of vaccination, dates of manufacture and expiry of the vaccine and the date up to which the vaccination of the animal with the particular vaccine shall be valid.

* * * * *

Prohibition of bringing of infected animals into market and other places.

13. No person shall bring or attempt to bring into market, fair, exhibition or other congregation of animals or to any public place, any animal which is known to be infected with a scheduled disease.

* * * * *

Disposal of carcass.

26. Every person in possession of carcass (or any part thereof) of any animal, which, at the time of its death, was infected with any scheduled disease or was suspected to have been infected, shall dispose it of in such manner as may be prescribed.

Powers of Veterinary Officer and Veterinarian to hold post-mortem examination.

27. (*1*) * * * * *

(*2*) Every examination and post-mortem referred to in sub-section (*1*) shall be conducted in such manner, and the report of post-mortem shall be in such form, as may be prescribed.

* * * * *

CHAPTER V

ENFORCEMENT AND PENALTIES

Enforcement of orders and recovery of expenses.

29. (*1*) * * * * *

(*3*) The costs of any measures taken under sub-section (*2*), shall be recoverable from the person or the municipality or Panchayat, as the case may be, concerned in the manner provided by the Code of Criminal Procedure, 1973 for the recovery of fines imposed by a Court, as if such costs were a fine imposed by a Court.

2 of 1974.

Village Officers, etc., to assist.

30. All Municipal, Panchayat or Village Officers and all officers of the rural and dairy development, revenue, agriculture, animal husbandry and veterinary departments of the State Government, shall be bound—

(*a*) to give immediate information to the Veterinary Officer and to the Veterinarian having jurisdiction in the area regarding the prevalence of a scheduled disease amongst any animal or species of animals, in the area;

(*b*) to take all necessary measures to prevent the outbreak or spread of any scheduled disease; and

(*c*) to assist the Veterinary Officer and the Veterinarian in the discharge of their duties or in the exercise of their powers under this Act.

Penalties.

32. Any person who contravenes the provisions of this Act or obstructs the Competent Officer in performing his duties shall be guilty of an offence punishable with fine which may extend to one thousand rupees, and in case of failure to pay the penalty with imprisonment for a term which may extend to one month; and in the case of any subsequent offence (whether under the same provision or any other provision of this Act except in case of sections 31 and 33) with a fine of two thousand rupees, or with imprisonment for a term which may extend to two months in case of non-payment of the penalty.

Penalty for placing infected animal or carcass in river, etc.

33. Whoever places or causes or permits to be placed in any river, lake, canal or any other water body, the carcass or any part of the carcass of any animal which at the time of its death was known to be infected, shall be guilty of an offence and, on conviction, be punished, in the case of a first offence with fine of two thousand rupees or with imprisonment of one month in case of non-payment of fine and in the case of subsequent conviction with a fine of five thousand rupees or imprisonment for a term which may extend to three months or with both.

Power to issue directions.

39. The Central Government may, with the object of prevention, control and eradication of any infectious or contagious disease of animals, issue such directions to the State Government or other authorities under this Act, from time to time, including directions for furnishing such returns and statistics on scheduled diseases, and vaccination, as it may deem fit and every such direction shall be complied with.

* * * * *

Power of Central Government to make rules.

42. (*1*) * * * * *

(*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 form of vaccination certificate and the particulars which such certificate shall contain, under section 9;

* * * * *

(*c*) the manner of conducting examination and post-mortem under sub-section (*1*) and the form of report of post-mortem under sub-section (*2*) of section 27;

THE SCHEDULE

[*See* sections 2(*o*) and 38]

(a) Multiple species diseases

1. Anthrax.
2. Aujeszky's disease.
3. Bluetongue.
4. Brucellosis.
5. Crimean Congo haemorrhagic fever.
6. Echinococcosis/hydatidosis.
7. Foot and mouth disesase.
8. Heartwater.
9. Japanese encephalitis.
10. Leptospirosis.
11. New world screwworm (*Cochliomyia hominivorax*).
12. Old world screwworm (*Chrysomya bezziana*).
13. Paratuberculosis.
14. Q fever.
15. Rabies.
16. Rift Valley fever.
17. Rinderpest.
18. Trichinellosis.
19. Tularemia.
20. Vesicular stomatitis.
21. West Nile fever.

(*b*) Cattle diseases

1. Bovine anaplasmosis.
2. Bovine babesiosis.
3. Bovine genital campylobacteriosis.
4. Bovine spongiform encephalopathy.
5. Bovine tuberculosis.
6. Bovine viral diarrhoea.
7. Contagious bovine pleuropneumonia.
8. Enzootic bovine leucosis.
9. Haemorrhagic septicaemia.
10. Infectious bovine rhinotracheitis/infectious pustular vulvovaginitis.
11. Lumpy skin disease.
12. Malignant catarrhal fever.
13. Theileriosis.

14. Trichomonosis.

15. Trypanosomosis.

(*c*) Sheep and goat diseases

1. Caprine arthritis/encephalitis.

2. Contagious agalactia.

3. Contagious caprine pleuropneumonia.

4. Enzootic abortion of ewes (ovine chlamydiosis).

5. Maedi-visna.

6. Nairobi sheep disease.

7. Ovine epididymitis (*Brucella ovis*).

8. Peste des petits ruminants.

9. Salmonellosis (S. abortusovis).

10. Scrapie.

11. Sheep pox and goat pox.

(*d*) Equine diseases

1. African horse sickness.

2. Contagious equine metritis.

3. Dourine.

4. Equine encephalomyelitis (Eastern).

5. Equine encephalomyelitis (Western).

6. Equine infectious anaemia.

7. Equine Influenza.

8. Equine piroplasmosis.

9. Equine rhinopneumonitis.

10. Equine viral arteritis.

11. Glanders.

12. Surra (*Trypanosoma evansi*).

13. Venezuelan equine encephalomyelitis.

(e) Swine diseases

1. African swine fever.

2. Classical swine fever.

3. Nipah virus encephalitis.

4. Porcine cysticercosis.

5. Porcine reproductive and respiratory syndrome.

6. Swine vesicular disease.

7. Transmissible gastroenteritis.

(*f*) Avian diseases

1. Avian chlamydiosis.

2. Avian infectious bronchitis.

3. Avian infectious laryngotracheitis.

4. Avian mycoplasmosis (*M. gallisepticum*).

5. Avian mycoplasmosis (*M. synoviae*).

6. Duck virus hepatitis. 1

7. Fowl cholera.

8. Fowl typhoid.

9. Highly pathogenic avian influenza and low pathogenic avian influenza in poultry.

10. Infectious bursal disease (Gumboro disease).

11. Marek's disease.

12. Newcastle disease.

13. Pullorum disease.

14. Turkey rhinotracheitis.

(*g*) Lagomorph diseases

1. Myxomatosis.

2. Rabbit haemorrhagic disease.

(*h*) Bee diseases

1. Acarapisosis of honey bees.

2. American foulbrood of honey bees.

3. European foulbrood of honey bees.

4. Small hive bettle infestation (*Aethina tumida*).

5. *Tropilaelaps* infestation of honey bees.

6. Varroosis of honey bees.

(*i*) Fish diseases

1. Epizootic haematopoietic necrosis

2. Infectious haematopoietic necrosis

3. Spring viraemia of carp (SVC)

4. Viral haemorrhagic septicaemia (VHS)

5. Epizootic ulcerative syndrome (EUS)

6. Red seabream iridoviral disease (RSID)

7. Koi herpesvirus disease (KHV)

8. Grouper iridoviral disease

9. Viral encephalopathy and retinopathy

10. Enteric septicaemia of catfish

11. Infection with *Aeromonas hydrophila*

12. Infection with *Edwardsiella tarda*
13. Infection with *Vibrio anguillarum*
14. Infection with *Flavobacterium columnare*
15. Infection with Streptococus iniae in Tilapia
16. Infectious pancreatic necrosis (cold water)
17. Infection with *Myxobolus* spp.
18. Infection with *Ichthyophthirius multifilis*
19. Infection with *Saprolegnia parasitica*
20. Infestation with *Argulus* spp.
21. Infestation with *Dactylogyrus* spp.
22. Infestation with *Lernaea* spp
23. Infestation with *Caligus* spp.

(*j*) Mollusc diseases

1. Infection with *Bonamia exitiosa*
2. Infection with *Perkinsus olseni*
3. Infection with abalone herpesvirus
4. Infection with *Xenohaliotis californiensis*
5. Infection with *Marteilioides chungmuensis*
6. Acute viral necrosis (in scallops)
7. Akoya oyster disease
8. Infection with *Bomania ostreae*
9. Infection with *Marteilia regringens*
10. Infection with *Perkinsus marinus*
11. Infection with ostreid herpes virus

(*k*) Crustacean diseases

1. Taura syndrome (TS).
2. White spot disease (WSD).
3. Yellowhead disease (YHD).
4. Infectious hypodermal and haematopoietic necrosis (IHHN).
5. Infectious myonecrosis (IMN).
6. White tail disease (MrNV).
7. Necrotising hepatopancreatitis (NHP)
8. Milky haemolymph disease of spiny lobster (Panulirus spp.)
9. Monodon slow growth syndrome
10. Acute hepatopancreatic necrosis syndrome (AHPNS)
11. Hepatopancreatic parvovirus
12. Monodon baculovirus
13. Loose shell syndrome

14. Soft shell syndrome

15. Gaffkemia

(*l*) Amphibian disease

1. Infection with Ranavirus.

2. Infection with Batrachochytrium dendrobatidis

(*m*) Other disease

1. Camel pox.

2. Leishmaniosis.

EXTRACTS FROM THE LEGAL METROLOGY ACT, 2009

(1 OF 2010)

* * * * *

Definitions.

2. * * * * *

(*e*) "import" with its grammatical variations and cognate expressions, means bringing into India from a place outside India;

* * * * *

Prohibition on manufacture, repair or sale of weight or measure without licence.

23. (*1*) No person shall manufacture, repair or sell, or offer, expose or possess for repair or sale, any weight or measure unless he holds a licence issued by the Controller under sub-section (*2*):

Provided that no licence to repair shall be required by a manufacturer for repair of his own weight or measure in a State other than the State of manufacture of the same.

(*2*) For the purpose of sub-section (*1*), the Controller shall issue a licence in such form and manner, on such conditions, for such period and such area of jurisdiction and on payment of such fee as may be prescribed.

* * * * *

CHAPTER V

OFFENCES AND PENALTIES

Penalty for use of non-standard weight or measure.

25. Whoever uses or keeps for use any weight or measure or makes use of any numeration otherwise than in accordance with the standards of weight or measure or the standard of numeration, as the case may be, specified by or under this Act, shall be punished with fine which may extend to one lakh rupees and for the second offence with fine which may extend to two lakh rupees and for the third and subsequent offence, with fine which may extend to five lakh rupees.

Penalty for alteration of weight and measure.

26. Whoever tampers with, or alters in any way, any reference standard, secondary standard or working standard or increases or decreases or alters any weight or measure with a view to deceiving any person or knowing or having reason to believe that any person is likely to be deceived thereby, except where such alteration is made for the correction of any error noticed therein on verification, shall be punished with fine which may extend to fifty thousand rupees and for the second and subsequent offence with imprisonment for a term which shall not be less than six months but which may extend to one year or with fine or with both.

Penalty for manufacture or sale of nonstandard weight or measure.

27. Every person who manufactures or causes to be manufactured or sells or offers, exposes or possesses for sale, any weight or measure which,—

(*a*) does not conform to the standards of weight or measure specified by or under this Act; or

(*b*) which bears thereon any inscription of weight, measure or number which does not conform to the standards of weight, measure or numeration specified by or under this Act, except where he is permitted to do so under this Act, shall be punished with a fine which may extend to 1[one lakh rupees and for the second offence with fine which may extend to two lakh rupees and for the third and subsequent offence, with fine which may extend to four lakh rupees.

Penalty for making any transaction, deal or contract in contravention of the prescribed standards.

28. Whoever makes any transaction, deal or contract in contravention of the standards of weights and measures specified under section 10 shall be punished with fine which may extend to fifty thousand rupees and for the second offence with fine which may extend to one lakh rupees and for the third and subsequent offence with fine which may extend to two lakh rupees.

Penalty for quoting or publishing, etc., of non-standard units.

29. Whoever violates section 11 shall be punished with fine which may extend to fifty thousand rupees for the second offence with fine which may extend to one lakh rupees and for the third and subsequent offence with a fine which may extend to two lakh rupees.

Penalty for transactions in contravention of standard weight or measure.

30. Whoever—

(*a*) in selling any article or thing by weight, measure or number, delivers or causes to be delivered to the purchaser any quantity or number of that article or thing less than the quantity or number contracted for or paid for; or

(*b*) in rendering any service by weight, measure or number, renders that service less than the service contracted for or paid for; or

(*c*) in buying any article or thing by weight, measure or number, fraudulently receives, or causes to be received any quantity or number of that article or thing in excess of the quantity or number contracted for or paid for; or

(*d*) in obtaining any service by weight, measure or number, obtains that service in excess of the service contracted for or paid for,

shall be punished with fine which may extend to ten thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both.

Penalty for non-production of documents, etc.

31. Whoever, being required by or under this Act or the rules made thereunder to submit returns, maintain any record or register, or being required by the Director or the Controller or any legal metrology officer to produce before him for inspection any weight or measure or any document, register or other record relating thereto, omits or fails without any reasonable excuse, so to do, shall be punished with fine which may extend to twenty-five thousand rupees and for the second offence with fine which may extend to fifty thousand rupees and for the third and subsequent offence, with fine which may extend to one lakh rupees.

Penalty for failure to get model approved.

32. Whoever fails or omits to submit model of any weight or measure for approval, shall be punished with fine which may extend to twenty thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

* * * * *

Penalty for sale or delivery of commodities, etc, by non-standard weight or measure.

34. Whoever sells, or causes to be sold, delivers, or causes to be delivered, any commodity, article or thing by any means other than the standard weight or measure or number, shall be punished with fine which may extend to twenty-five thousand rupees and for the second offence with fine which may extend to fifty thousand rupees and for the third and subsequent offence, with fine which may extend to one lakh rupees.

Penalty for rendering services by non-standard weight, measure or number.

35. Whoever renders or causes to be rendered, any service through means other than the weight or measure or numeration or in terms of any weight, measure or number other than the standard weight or measure, shall be punished with fine which may extend to twenty-five thousand rupees and for the second offence with fine which may extend to fifty thousand rupees and for the third and subsequent offence, with fine which may extend to one lakh rupees.

Penalty for selling, etc., of non-standard packages.

36. (*1*) Whoever manufactures, packs, imports, sells, distributes, delivers or otherwise transfers, offers, exposes or possesses for sale, or causes to be sold, distributed, delivered or otherwise transferred, offered, exposed for sale any pre-packaged commodity which does not conform to the declarations on the package as provided in this Act, shall be punished with fine which may extend to twenty-five thousand rupees, for the second offence, with fine which may extend to fifty thousand rupees and for the subsequent offence, with fine which shall not be less than fifty thousand rupees but which may extend to one lakh rupees or with imprisonment for a term which may extend to one year or with both.

(*2*) Whoever manufactures or packs or imports or causes to be manufactured or packed or imported, any pre-packaged commodity, with error in net quantity as may be prescribed shall be punished with fine which shall not be less than ten thousand rupees but which may extend to fifty thousand rupees and for the second and subsequent offence, with fine which may extend to one lakh rupees or with imprisonment for a term which may extend to one year or with both.

Penalty for contravention by Government approved Test Centre.

37. (*1*) Where any Government approved Test Center contravenes any of the provisions of this Act or the rules made thereunder, or the conditions of the licence, it shall be punished with fine which may extend to one lakh rupees.

* * * * *

Penalty for non-registration by importer of weight or measure.

38. Whoever imports any weight or measure without being registered under this Act shall be punished with fine which may extend to twenty-five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to six months, or with fine, or with both.

Penalty for import of non-standard weight or measure.

39. Whoever imports any non-standard weight or measure shall be punished with fine, which may extend to fifty thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

Penalty for obstructing Director, Controller or legal metrology officer.

40. Whoever obstructs the Director, the Controller or any legal metrology officer with intent to prevent or deter the Director or the Controller or any legal metrology officer from exercising his powers or discharging his functions, or in consequence of anything done or attempted to be done by the Director or the Controller or any legal metrology officer in the lawful exercise of his powers or discharge of his functions as such, or whoever obstructs the entry of the Director or the Controller or any legal metrology officer into any premises for inspection and verification of any weight or measure or any document or record relating thereto or the net contents of any packaged commodity or for any other purpose shall be punished with imprisonment for a term which may extend to two years and for the second or subsequent offence, with imprisonment for a term which may extend to five years.

Penalty for giving false information or false return.

41. (*1*) Whoever gives any information to the Director, the Controller or any legal metrology officer, which he may require or ask for in the course of his duty, and which such person either knows or has reason to believe to be false, shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence with imprisonment for a term which may extend to six months and also with fine.

(*2*) Whoever, being required by or under this Act so to do, submits a return or maintains any record or register which is false in material particulars, shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

* * * * *

Penalty for manufacture of weight and measure without licence.

45. Whoever, being required to obtain a licence under this Act or the rules made thereunder, manufactures, without being in possession of a valid licence, any weight or measure, shall be punished with fine which may extend to twenty thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both.

Penalty for repair, sale, etc., of weight and measure without licence.

46. Whoever, being required to obtain a licence under this Act or the rules made thereunder repairs or sells or offers, exposes or possesses for repair or sale, any weight or measure, without being in possession of a valid licence, shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both.

Penalty for tampering with licence.

47. Whoever alters or otherwise tampers, with any licence issued or renewed under this Act or rules made thereunder, otherwise than in accordance with any authorisation made by the Controller in this behalf, shall be punished with fine which may extend to twenty thousand rupees, or with imprisonment for a term which may extend to one year or with both.

Compounding of offences.

48. (*1*) Any offence punishable under section 25, sections 27 to 39, sections 45 to 47, or any rule made under sub-section (*3*) of section 52 may, either before or after the institution of the prosecution, be compounded, on payment for credit to the Government of such sum as may be prescribed.

(*2*) The Director or legal metrology officer as may be specially authorised by him in this behalf, may compound offences punishable under section 25, sections 27 to 39, or any rule made under sub-section (*3*) of section 52.

(*3*) The Controller or legal metrology officer specially authorised by him, may compound offences punishable under section 25, sections 27 to 31, sections 33 to 37, sections 45 to 47, and any rule made under sub-section (*3*) of section 52:

Provided that such sum shall not, in any case, exceed the maximum amount of the fine, which may be imposed under this Act for the offence so compounded.

(*4*) Nothing in sub-section (*1*) shall apply to person who commits the same or similar offence, within a period of three years from the date on which the first offence, committed by him, was compounded.

Explanation.—For the purposes of this sub-section, any second or subsequent offence committed after the expiry of a period of three years from the date on which the offence was previously compounded, shall be deemed to be a first offence.

(*5*) Where an offence has been compounded under sub-section (*1*), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded.

(*6*) No offence under this Act shall be compounded except as provided by this section.

* * * * *

Appeals.

50. (*1*) Subject to the provisions of sub-section (*2*), an appeal shall lie,—

* * * * *

(*c*) from every decision given by the Controller of Legal Metrology under delegated powers of Director Legal Metrology to the Central Government;

* * * * *

Power of the Central Government to make rules.

52. (*1*) * * * * *

(*3*) In making any rule under this section, the Central Government may provide that a breach thereof shall be punishable with fine which may extend to five thousand rupees.

* * * * *

Power of State Government to make rules.

53. (*1*) * * * * *

(*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:—

* * * * *

(*c*) the form, manner, conditions, period, area of jurisdiction and fees for issuance of licence under sub-section (*2*) of section 23;

* * * * *

(*3*) In making any rule under this section, the State Government may provide that a breach thereof shall be punishable with fine which may extend to five thousand rupees.

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EXTRACTS FROM THE CLINICAL ESTABLISHMENTS (REGISTRATION AND REGULATION) ACT, 2010

(23 OF 2010)

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CHAPTER VI

PENALTIES

Penalty.

40. Whoever contravenes any provision of this Act shall, if no penalty is provided elsewhere, be punishable for the first offence with fine which may extend to ten thousand rupees, for any second offence with fine which may extend to fifty thousand rupees and for any subsequent offence with fine which may extend to five lakh rupees.

Monetary penalty for non-registration.

41.(*1*) * * * * *

(*3*) For the purpose of adjudging under sub-sections (*1*) and (*2*), the authority shall hold an inquiry in the prescribed manner after giving any person concerned a reasonable opportunity of being heard for the purpose of imposing any monetary penalty.

* * * * *

Penalty for minor deficiencies.

43. Whoever contravenes any provision of this Act or any rule made thereunder resulting in deficiencies that do not pose any imminent danger to the health and safety of any patient and can be rectified within a reasonable time, shall be punishable with fine which may extend to ten thousand rupees.

Contravention by companies.

44. (*1*) Where a person committing contravention of any of the provisions of this Act or of any rule made thereunder is a company, every person who, at the time the contravention was committed, was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to fine:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the contravention was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such contravention.

(*2*) Notwithstanding anything contained in sub-section (*1*), where a contravention of any of the provisions of this Act or of any rule made thereunder has been committed by a company and it is proved that the contravention has taken place with the consent or connivance of, or is attributable to any neglect on the part

of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that contravention and shall be liable to fine.

Explanation.—For the purpose of this section,—

(*a*) "company" means a body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

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Recovery of fine.

46. Whoever fails to pay the fine, the State Council of clinical establishment may prepare a certificate signed by an officer authorised by it specifying the fine due from such person and send it to the Collector of the District in which such person owns any property or resides or carries on his business and the said Collector, on receipt of such certificate, shall proceed to recover from such person the amount specified thereunder, as if it were an arrear of land revenue.

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EXTRACTS FROM THE PENSION FUND REGULATORY AND DEVELOPMENT AUTHORITY ACT, 2013

(23 OF 2013)

* * * * *

Power of investigation.

16. (*1*) * * * * *

(*7*) If any person fails without reasonable cause or refuses—

(*a*) to produce to an Investigating Authority or any person authorised by him in this behalf any book, register, other document or record which it is his duty under sub-section (*2*) or sub-section (*3*) to furnish; or

(*b*) to furnish any information which it is his duty under sub-section (*3*) to furnish; or

(*c*) to appear before the Investigating Authority personally when required to do so under subsection (*5*) or to answer any question which is put to him by the Investigating Authority in pursuance of that sub-section; or

(*d*) to sign the notes of any examination referred to in sub-section (*6*),

he shall be punishable with imprisonment for a term which may extend to one year, or with fine, which may extend to twenty-five crore rupees, or with both, and also with a further fine which may extend to ten lakh rupees for every day after the first day during which the failure or refusal continues.

* * * * *

Power to adjudicate.

30.(*1*) For the purposes of adjudging under section 28, the Authority shall appoint any of its officers not below the rank specified by regulations to be an adjudicating officer for holding an inquiry as may be determined by regulations, after giving the person concerned a reasonable opportunity of being heard for the purpose of imposing any penalty.

(*2*) While holding an inquiry, the adjudicating officer shall 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 and if, on such inquiry, he is satisfied that the person has failed to comply with the provisions of section 28, he may recommend such penalty as he thinks fit in accordance with the provisions of that section, to the member in charge of investigation and surveillance.

(*3*) The penalty shall be imposed by a member other than the member in charge of investigation and surveillance: Provided that while adjudging the quantum of penalty under section 28, the member shall have due regard to the following factors, namely:—

(*a*) amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of the default;

(*b*) amount of loss caused to a subscriber or group of subscribers; and

(*c*) the repetitive nature of the default.

* * * * *

EXTRACTS FROM THE COAL MINES (SPECIAL PROVISIONS) ACT, 2015

(11 OF 2015)

* * * * *

Penalties for certain offences.

23. If any person—

(*a*) obstructs or causes any impediment in taking possession or in the management and operation of the Schedule I coal mines by the Central Government or the designated custodian; or

(*b*) fails to deliver to the designated custodian any books of account, registers or any other document in his custody relating to Schedule I coal mines and coal mining operations in respect of the management of which the designated custodian has been appointed; or

(*c*) destroys or misuses any mine infrastructure or coal stock; or

(*d*) retains any property of such coal mine or removes or destroys it,

he and any officer-in-default of the company shall be punishable with imprisonment for a term which may extend to two years, or with the minimum fine of one lakh rupees per day and in the case of continuing failure, with a maximum fine of two lakh rupees for every day during which the failure continues or with both, depending upon the nature of the offence.

Penalty for failure to comply with directions of Central Government.

24. If any person fails to comply, without reasonable cause, with a direction given by the Central Government or nominated authority or the designated custodian, he shall be punishable with a fine of one lakh rupees and in the case of continuing failure with a maximum fine of two lakh rupees for every day during which the failure continues, depending upon the nature of the offence.

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EXTRACTS FROM THE REAL ESTATE (REGULATION AND DEVELOPMENT) ACT, 2016

(16 OF 2016)

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Penalty for failure to comply with orders of Appellate Tribunal by allottee.

68. If any allottee, who fails to comply with, or contravenes any of the orders or directions of the Appellate Tribunal, as the case may be, he shall be punishable with imprisonment for a term which may extend up to one year or with fine for every day during which such default continues, which may cumulatively extend up to ten per cent. of the plot, apartment or building cost, as the case may be, or with both.

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EXTRACTS FROM THE RECYCLING OF SHIPS ACT, 2019

(49 OF 2019)

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CHAPTER IX

OFFENCES, PENALTIES AND COMPENSATION

Penalty for contravention of provisions of Act or rules or regulations.

31. (*1*) Whoever instals or uses any prohibited hazardous material in a ship in contravention of the provisions of this Act or rules or regulations made thereunder shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five lakh rupees or with both.

(*2*) Whoever contravenes the provisions of section 12 shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to ten lakh rupees or with both.

* * * * *

(*6*) Whoever fails to respond to the notice issued for oil spill under sub-section (*2*) of section 22 shall be punishable—

(*i*) with a fine which may extend to five lakh rupees in case of non response within twelve hours of issuance of first notice;

(*ii*) with a fine which may extend to ten lakh rupees in case of non response within twenty-four hours of issue of second notice; and

(*iii*) with an imprisonment which may extend to three months and with a fine which may extend to ten lakh rupees in case of non response beyond twenty-four hours of issue of third notice.

Penalty for contravention of provisions of this Act or rules or regulations for which no specific punishment is provided.

32. Whoever contravenes any of the provisions of this Act or any rules or regulations made thereunder, for which no specific punishment has been provided in this Act, shall be punishable with imprisonment for a term which may extend to three months or with fine, which may extend to two lakh rupees or with both and, in the case of a continuing contravention, with an additional fine which may extend to five thousand rupees for every day during which such contravention continues after the conviction for the first such contravention.

* * * * *

Offences to be non cognizable, bailable and compoundable.

2 of 1974.

35. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 every offence under this Act shall be noncognizable, bailable and compoundable.

* * * * *

Power to make rules.

42. (*1*) * * * * *

(*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:—

* * * * *

(*o*) the manner in which the ships are required to act for non-application of the provisions of the Act under the proviso to section 30;

* * * * *

———

EXTRACTS FROM THE MAJOR PORT AUTHORITIES ACT, 2021

(1 OF 2021)

* * * * *

CHAPTER VII

PENALTIES

General provision for punishment of offences.

62. Any person who contravenes any of the provisions of this Act or any rule, regulation or order made thereunder, shall be punishable with fine which may extend to one lakh rupees.

Offences by companies.

63. (*1*) If the person committing an offence under this Act is a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to such punishment provided in this Act 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.

(*2*) Notwithstanding anything contained in sub-section (*1*), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any negligence on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary, 25 or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

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

(*a*) "company" means a body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

CHAPTER VIII

MISCELLANEOUS

Cognizance of offences.

64. No court inferior to that of a Metropolitan Magistrate or Judicial Magistrate of the first class shall try any offence punishable under this Act or any rule or regulation made thereunder.

* * * * *

EXTRACTS FROM THE NATIONAL COMMISSION FOR ALLIED AND HEALTHCARE PROFESSIONS ACT, 2021

(14 OF 2021)

* * * * *

Failure to surrender certificate of registration.

58. If any person whose name has been removed from the Central Register or a State Register, he shall surrender forthwith his certificate of registration or certificate of renewal, as the case may be, or both, failing which he shall be punishable with fine which may extend to fifty thousand rupees and in case of a continuing offence with an additional fine which may extend to five thousand rupees per day after the first day during which the offence continues.

* * * * *

Power to make regulations.

66. (*1*) * * * * *

(*2*) In particular, and without prejudice to the generality of the foregoing provisions, such regulations may provide for all or any of the following matters, namely:—

* * * * *

(*u*) the manner of verification of standards of education in allied and healthcare institutions by the State Council under sub-section (*1*) of section 42; and

* * * * *

EXTRACTS FROM THE MARINE AIDS TO NAVIGATION ACT, 2021

(20 OF 2021)

* * * * *

Causing damage to heritage lighthouse.

41. (*1*) Whoever, commits any act or omits to do any act, which results in damage to or destruction of any heritage lighthouse, shall be liable to imprisonment for a term which may extend up to six months or with fine which may extend up to one lakh rupees, or with both.

(*2*) Notwithstanding anything contained in sub-section (*1*), no person shall be liable for punishment, if that—

(*a*) act or omission was necessary to save a life or a vessel; and

(*b*) such person took all reasonable steps to avoid the destruction, fouling, damage, reduction or limitation.

Evading payment of marine aids to navigation dues.

42. Every owner or master of a ship, who evades or attempts to evade the payment of marine aids to navigation dues, expenses or costs payable in respect of the ship under this Act, shall be liable for fine, which may extend up to five times the amount of the sum so payable.

* * * * *

CHAPTER XIV

MISCELLANEOUS

Power of Central Government to make rules.

46. (*1*) * * * * *

(*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:—

* * * * *

(*p*) form and manner of statement of estimated receipts and expenditure to be prepared in consultation with the Comptroller and Auditor-General of India under sub-section (*2*) of section 36;

* * * * *

EXTRACTS FROM THE INLAND VESSELS ACT, 2021

(24 OF 2021)

* * * * *

Detention of mechanically propelled inland vessel.

63. The State Government may appoint or authorise any officer under this Chapter, for the purpose of detaining any mechanically propelled inland vessel in connection with a claim, or an offence under this Chapter, and the procedure thereof shall be such as may be prescribed by that Government.

* * * * *

CHAPTER XVI

OFFENCES AND PENALTIES

Offences and penalties.

87. (*1*) Whoever, contravenes any of the provisions of this Act, shall be punishable with penalty as mentioned in the third column of the Table provided in sub-section (*2*).

(*2*) The classification of offences for contravention of the provisions of this Act and the corresponding penalties therefor shall be as provided in the following Table, namely:—

Section	Offence	Penalty
(*1*)	(*2*)	(*3*)
8	Any owner, operator or construction yard, found guilty of construction, alteration or modification of mechanically propelled inland vessel in contravention of section 8.	Fine which may extend to ten thousand rupees for every non-compliance found.
14 (*1*)	Owner, operator or master of any mechanically propelled inland vessel, using such vessel, without a valid certificate of survey has acted in contravention of sub-section (*1*) of section 14.	Fine which may extend to ten thousand rupees for the first offence and twenty-five thousand rupees for subsequent offences.
18 (*1*)	Owner, operator or master of any mechanically propelled inland vessel proceeding on any voyage or use a mechanically propelled inland vessel required to be registered, for any service, without a valid certificate of registration and in contravention of sub-section (*1*) of section 18.	Fine which may extend to ten thousand rupees for the first offence and fifty thousand rupees for subsequent offences.
19 (*1*)	Owner or master who does not carry a valid certificate of registration or not making the same available for inspection, has acted in contravention of sub-section (*1*) of section 19.	Fine which may extend to ten thousand rupees for every non-compliance found.
24 (*3*)	Owner not displaying the official number on the conspicuous part of a vessel has acted in contravention of sub-section (*3*) of section 24.	Fine which may extend to ten thousand rupees.
27	Owner, operator or any person responsible for the operation of the vessel, has acted in contravention of section 27.	Fine which may extend to ten thousand rupees for the first offence and twenty-five thousand rupees for subsequent offences.
28 (*2*)	Owner, operator or master of any mechanically propelled inland vessel not registering the details of alterations that are mandated to be registered as specified in sub-section (*2*) of section 28.	Fine which may extend to ten thousand rupees for the first offence and twenty-five thousand rupees for subsequent offences.
29	Owner or operator of any mechanically propelled inland vessel, who does not comply with the requirements or has acted in contravention of section 29.	Fine which may extend to five hundred rupees for every day of non-compliance.
30	Owner of any mechanically propelled inland vessel, has acted in contravention of section 30.	Fine which may extend to ten thousand rupees per day or imprisonment which may extend to one year, or with both.

Section	Offence	Penalty
(*1*)	(*2*)	(*3*)
32 (*1*)	Owner of any mechanically propelled inland vessel, has acted in contravention of subsection (*1*) of section 32.	Fine which may extend to five thousand rupees for every day of non-compliance.
34 (*2*)	Owner or operator on whose vessel, persons under the age of eighteen years are employed, has acted in contravention of sub-section (*2*) of section 34.	Fine which may extend to five thousand rupees for every day of non-compliance or imprisonment not exceeding six months, or with both.
35	Owner or operator of any mechanically propelled inland vessel without complying with the specified minimum manning scale has acted in contravention to section 35.	Fine which may extend to ten thousand rupees for the first offence and twenty-five thousand rupees for subsequent offences.
40 (*1*) and (*4*)	The holders of certificate of competency, has acted in contravention to the provisions of this Act or not surrendered the suspended, cancelled or varied certificate issued under non-submission of suspended or cancelled certificates.	Fine up to five thousand rupees per day or imprisonment extending up to six months, or with both.
44	Owner or operator or any person responsible for the operation of special category vessel, which does not comply with the provisions of Chapter VII.	Fine which may extend to ten thousand rupees for every day of non-compliance or imprisonment extending up to six months, or with both.
47	Owner, operator or master of any mechanically propelled vessel registered, recognised or identified under this Act, for not equipping the vessels or exhibiting the lights and signals specified under Chapter VIII.	Fine which may extend to ten thousand rupees for the first offence and twenty-five thousand rupees for subsequent offences.
48	Owner, operator or master not ensuring safe navigation or causing damage due to non-observance of regulations.	Fine which may extend to twenty-five thousand rupees.
49 and 50 (*1*)	Owner, operator or master of any mechanically propelled vessel plying in inland waters abstaining from proceeding to render assistance after answering to the distress signal.	Fine which may extend to ten thousand rupees.
51 (*2*)	The owner, operator or master of any mechanically propelled inland vessel proceeding to conduct any voyage without complying with the requirements of navigation aids, life-saving appliances, fire detection and extinguishing appliances and communication appliances as specified under sub-section (*2*) of section 51.	Fine which may extend up to fifty thousand rupees.

Section	Offence	Penalty
(*1*)	(*2*)	(*3*)
52 (*2*) and (*3*)	The owner, operator or master of any mechanically propelled vessel causing pollution by discharging or dumping of pollutants in inland waters.	Fine which may extend to fifty thousand rupees.
53 (*4*)	The owner, operator or master of any mechanically propelled vessel, who are required under this Act to possess a valid prevention of pollution certificate, plying or using the vessel without the said valid certificate.	Fine which may extend to twenty-five thousand rupees.
54 (*2*) and (*5*)	The owner or operator of any reception facility who does not comply with the standards and obligations stipulated.	Fine which may extend to fifty thousand rupees.
55 (*4*)	The owner or operator of the terminal who operates without complying with the notice issued under sub-section (*4*) of section 55.	Fine which may extend to ten thousand rupees per day of non-compliance beyond period of notice.
57	Any owner, operator or any person who intentionally cause wreck within inland waters.	Fine amounting to fifty thousand rupees and imprisonment which may extend to three years.
58 (*2*)	Any person who is guilty of offence committed by contravention of sub-section (*2*) of section 58.	Fine which may extend to ten thousand rupees.
66	Any owner or master plying any mechanically propelled inland vessel without a valid insurance as provided under section 66.	Fine which may extend to ten thousand rupees and detention of the vessel till certificate of insurance is procured.
74 (*2*)	The owner, operator or master of any mechanically propelled inland vessel not complying with sub-section (*2*) of section 74.	Fine which may extend to ten thousand rupees.
79 (*2*)	Any person who holds a certificate issued under Chapter VI and fails to surrender suspended or cancelled certificates.	Fine which may extend to ten thousand rupees for every day of non-submission.
80	Any person, in the capacity of a service provider or a service user, who acts in contravention of section 80.	Fine which may extend to fifty thousand rupees.
82	Master or operator of any foreign vessels acting in contravention of sub-section (*1*) of section 82.	Fine which may extend to fifty thousand rupees or imprisonment which may extend to one year, or with both.
83	Owner, operator or master of mechanically propelled inland vessel, who does not comply with the requirement of pilotage in contravention of section 83.	Fine which may extend to fifty thousand rupees or imprisonment which may extend to three years, or with both.

Section	Offence	Penalty
(*1*)	(*2*)	(*3*)
97	Any person employed on inland vessel for neglect or refusal to join or desertion of vessel in violation of his obligation as provided under section 97.	Forfeiture of a sum not exceeding two days' pay, and in addition for every twenty-four hours of absence, either a sum not exceeding six days' pay or any expenses properly incurred in hiring a substitute, from his wages and also to imprisonment which may extend to two months.
102	Any person found guilty of causing obstruction or has acted in contravention of section 102.	Fine which may extend to fifty thousand rupees or imprisonment which may extend to three years, or with both.

(*3*) Any person who acts in contravention of the provisions of this Act or the rules made thereunder, but for which an offence is not specifically provided in this Act, shall be punishable with fine not exceeding three lakh rupees or with imprisonment up to a term which may extend to three years, or with both.

(*4*) Where the owner or master of any mechanically propelled inland vessel is convicted of an offence under this Act or any rule made thereunder, committed on board, or in relation to that mechanically propelled vessel, and is sentenced to pay a fine, the Magistrate who passes the sentence may direct the amount of the fine to be levied by distress and sale of the mechanically propelled vessel, or its appurtenance so much thereof as is necessary.

(5) Where an inland vessel has been used in contravention of the provisions of this Act or the rules made thereunder, the details of the offence, the offender and the vessel shall be recorded in such form and manner, as may be specified by the Central Government by notification.

(*6*) The State Government shall appoint courts not inferior to that of a Magistrate of the first class, for the purpose of conducting trial of any person who is charged of any offence as provided under this Act or the rules made thereunder.

* * * * *

107. (*1*) * * * * *

Power of State Government to make rules.

(*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:—

* * * * *

(*z*) the procedures for detention, formality, fees and conditions, if not specified in this Act, to be followed and observed by the concerned officer or authority or court, appointed or authorised or constituted under this Act, for the purpose of detaining a vessel, under sub-section (*4*) of section 85;

* * * * *

———

EXTRACTS FROM THE INDIAN ANTARCTIC ACT, 2022

(13 OF 2022)

* * * * *

CHAPTER IX

OFFENCES AND PENALTIES

41. Any person who contravenes the provisions of,—

Penalty for contravention of certain provisions of Act by person.

* * * * *

(*e*) section 14 or section 32, shall be punishable with imprisonment for a term which may extend to one year, or with fine which shall not be less than five lakh rupees but which may extend to twenty lakh rupees, or with both.

* * * * *

44. Any person who contravenes the provisions of this Act or fails to comply with any provision thereof which it was his duty to comply with, and in respect of which no penalty is specifically provided in this Act, shall be punishable with fine which may extend to ten lakh rupees.

Penalty where no provision made in Act.

* * * * *

55. (*1*) * * * * *

Power to make rules.

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

* * * * *

(*s*) the cost of response action under sub-section (*2*) and the amount of penalty to be paid by the Operator under sub-section (*3*), of section 39;

* * * * *

EXTRACTS FROM THE *JAN VISHWAS* (AMENDMENT OF PROVISIONS) ACT, 2023

(18 OF 2023)

* * * * *

Revision of fines and penalties.

3. The fines and penalties provided under various provisions in the enactments mentioned in the Schedule shall be increased by ten per cent. of the minimum amount of fine or penalty, as the case may be, prescribed therefor, after the expiry of every three years from the date of commencement of this Act.

* * * * *

EXTRACTS FROM THE COASTAL SHIPPING ACT, 2025

(20 OF 2025)

* * * * *

Punishment for participating in coasting trade after licence ceases to be valid.

16. Whoever engages in coasting trade in contravention of the provisions of clause (*b*) of sub-section (*4*) of section 5, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to ten lakh rupees, or two times the value of all fees or commission or payments received by the licensee of the vessel for all voyages conducted in contravention, whichever is greater, or with both, and the vessel shall also be liable for detention under section 29.

* * * * *

Punishment for failure to furnish information or furnishing false information after notice.

18. If any licensee or agent on whom a notice has been served under sub-section (*2*) of section 35—

(*a*) fails to furnish the information required within the time specified; or

(*b*) furnishes any information or makes any statement which the licensee or agent knows to be false on any material particular,

he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to fifty thousand rupees, or with both, and the vessel shall also be liable for detention under section 29.

* * * * *

Compounding of certain offences.

26. (*1*) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, any offence punishable under sections 15 to 20 of this Act may, before or after the institution of prosecution, be compounded by an officer designated by the Central Government by notification in this behalf, on payment for credit to the Central Government of such sum and in such manner as may be prescribed:

46 of 2023.

Provided that such sum shall not, in any case, exceed the maximum amount of the fine which may be imposed under this Act for the offences so compounded:

Provided further that in case of subsequent offence, the same shall not be compounded.

* * * * *

Adjudicating officer for imposition of penalty, appeal and procedure therefor.

30. (*1*) The principal officer shall be the adjudicating officer for the purposes of imposing penalty under sections 21 to 25.

* * * * *

(*5*) Any penalty imposed under sections 21 to 25 may be compounded for the first contravention by an officer designated by the Central Government by notification in this behalf.

* * * * *

EXTRACTS FROM THE MERCHANT SHIPPING ACT, 2025

(24 OF 2025)

* * * * *

PART XIV

PENALTIES AND PROCEDURES

Offences and penalties.

281. (*1*) * * * * *

(*3*) The offences mentioned in column (2) of the table below, shall be punishable to the extent mentioned in column (4) of the said table, with reference to such offences, respectively.

Table

Sl. No.	Offences	Section to which offence is referred	Imprisonment or fine or both
(1)	(2)	(3)	(4)
*	* *	*	*
12.	If a seafarer on or before being engaged wilfully and fraudulently makes a false statement of the name of his last vessel or alleged last vessel or wilfully and fraudulently makes a false statement of his own name.	General	Fine which may extend to fifty thousand rupees.
*	* *	*	*

EXTRACTS FROM THE INDIAN PORTS ACT, 2025

(27 OF 2025)

* * * * *

Authority for imposition of penalty and procedure therefor.

54.(*1*) The authority for imposing the penalty under the Second Schedule shall be the conservator.

(*2*) For the purposes of imposition of penalty under this Chapter, where the conservator is a body of persons, the authority for imposition of penalty shall mean, one person appointed from amongst such body of persons, in such manner as may be prescribed by the appropriate Government.

(*3*) The conservator shall, before imposing any penalty specified under the Second Schedule, give the parties an opportunity of being heard.

(*4*) Every order of imposition of penalty under this section shall be in writing.

(*5*) Any contravention of the provisions of this Act for which penalty has been provided may be compounded for the first contravention by such officer as may be notified by the Central Government in this behalf.

* * * * *

Recovery of fine or penalty.

58. Any fine imposed by the Magistrate under the First Schedule, or, penalty imposed by the conservator under the Second Schedule, may be recovered by distress and sale of the vessel or part thereof, as may be deemed necessary.

* * * * *

THE FIRST SCHEDULE

[*See* section 53(*2*)]

Punishment for certain offences

Sl. No.	Offences	Section to which offence is referred	Punishment
(1)	(2)	(3)	(4)
1.	If any port commences or carries on operations in contravention of section 10	10	Fine which may extend to one lakh rupees and in addition, a fine which may extend to ten thousand rupees for every day during which the offence continues after conviction.
2.	If any port other than major port or port officer fails to comply with directions of the State Maritime Board under sub-section (*3*) of section 15	15(*3*)	In case of contravention by port officer, fine which may extend to ten thousand rupees and in addition, fine not exceeding one thousand rupees for every day during which the offence continues after conviction. In case of contravention by port, fine which may extend to two lakh rupees and in addition, fine not exceeding twenty thousand rupees for every day during which the offence continues after conviction.

(1)	(2)	(3)	(4)
3.	If any master of a vessel fails to permit warps or hawsers to be made fast or let go of any warps or hawsers in contravention of section 27	27	Imprisonment which may extend to six months or fine which may extend to one lakh rupees or both.
4.	If master omits to take order to extinguish the fire or obstructs the conservator or any person in extinguishing or attempting to extinguish the fire, in contravention of section 28	28	Imprisonment which may extend to six months or fine which may extend to one lakh rupees or both.
5.	If any person does or omits to do any act relating to safety of vessels in contravention of sub-section (*1*) of section 29	29(*1*)	Imprisonment which may extend to six months or fine which may extend to one lakh rupees or both.
6.	If the master of the vessel causes or suffer any warp or hawser attached to his vessel to be left out in any port in contravention of sub-section (*2*) of section 29	29(*2*)	Imprisonment which may extend to six months or fine which may extend to one lakh rupees or both.
7.	If any person commits any act in contravention of sub-section (*3*) of section 29	29(*3*)	Imprisonment which may extend to six months or fine which may extend to one lakh rupees or both.
8.	If any unauthorised person searches for lost stores in contravention of section 30	30	Imprisonment which may extend to six months or fine which may extend to one lakh rupees or both.
9.	If any person injures any bank or shore in contravention of section 31	31	Imprisonment which may extend to six months or fine which may extend to one lakh rupees or both.
10.	If any port fails to provide adequate reception facilities in contravention of section 36	36	Fine which may extend to two lakh rupees.
11.	If any port fails to comply with directions of the Central Government under section 37	37	Fine which may extend to one lakh rupees and in addition, fine which may extend to twenty thousand rupees for every day during which the offence continues after conviction.
12.	If any port fails to prepare a port waste reception and handling plan in contravention of sub-section (*1*) of section 38	38(*1*)	Fine which may extend to one lakh rupees.

(1)	(2)	(3)	(4)
13.	If any port fails to implement the approved port waste reception and handling plan in contravention of sub-section (*2*) of section 38	38(*2*)	Fine which may extend to one lakh rupees.
14.	If any port fails to communicate any information to vessels in contravention of sub-section (*3*) of section 38	38(*3*)	Fine which may extend to twenty thousand rupees.
15.	If any port fails to report the particulars of any incident in contravention of sub-section (*1*) of section 44	44(*1*)	Fine which may extend to one lakh rupees.
16.	If any port fails to comply with the directions issued by the Central Government under sub-section (*2*) of section 44	44(*2*)	Fine which may extend to one lakh rupees and in addition, fine which may extend to ten thousand rupees for every day during which the offence continues after conviction.
17.	If any port fails to prepare a safety, security, disaster management and pollution incident emergency preparedness and response plan in contravention of sub-section (*1*) of section 66	66(*1*)	Fine which may extend to two lakh rupees.
18.	If any port fails to comply with the directions issued by the conservator in contravention of sub-section (*4*) of section 66	66(*4*)	Fine which may extend to two lakh rupees.
19.	If any port fails to report particulars of any incident in contravention of section 67	67	Fine which may extend to one lakh rupees.
20.	If any port fails to provide shore based welfare services in contravention of section 68	68	Fine which may extend to twenty thousand rupees.
21.	If any port fails to comply with directions of the Central Government issued under sub-section (*1*) of section 69	69(*1*)	Fine which may extend to fifty thousand rupees.
22.	If any port fails to develop or maintain a vessel traffic service in contravention of sub-section (*2*) of section 69	69(*2*)	Fine which may extend to one lakh rupees.

(1)	(2)	(3)	(4)
23.	If any port fails to obtain prior clearance in contravention of section 71	71	Fine which may extend to fifty thousand rupees.

THE SECOND SCHEDULE

[*See* section 53(*3*)]

Penalty for certain contraventions

Sl. No.	Contravention	Section	Penalties
(1)	(2)	(3)	(4)
1.	If any person refuses or neglects to obey any direction of the conservator issued under section 19	19	Penalty which may extend to fifty thousand rupees and in addition, penalty not exceeding five thousand rupees for every day during which the contravention continues after conviction.
2.	If any owner has without lawful excuse caused any obstruction or impediment under section 20	20	Penalty which may extend to two lakh rupees and in addition, penalty not exceeding twenty thousand rupees for every day during which the contravention continues after conviction.
3.	If any master of a vessel or any other person lifts the buoys or moorings without assistance of the conservator in contravention of sub-section (*1*) of section 22	22(*1*)	Penalty which may extend to one lakh rupees.
4.	If the master of the vessel, or any person in possession or occupation of the building or place, without lawful excuse, refuses to allow the conservator or any person to board or enter such vessel, building or place in contravention of section 23	23	Penalty which may extend to ten thousand rupees for the first offence and in addition, penalty not exceeding ten thousand rupees for every day during which the contravention continues.
5.	If any person without lawful excuse, removes, destroys or damages any property in contravention of sub-section (*1*) of section 26	26(*1*)	Penalty which may extend to one lakh rupees and in addition, expenses for any loss, destruction or damage suffered by the port, including expenses of any inspection or survey carried out.
6.	If any owner or master of a vessel enters, leaves or moves in any port in contravention of sub-section (*1*) of section 32	32(*1*)	Penalty which may extend to two lakh rupees.

(1)	(2)	(3)	(4)
7.	If any operator, agent or master of a vessel fails to submit an advance waste notice in contravention of section 39	39	Penalty which may extend to twenty thousand rupees.
8.	If any master of a vessel fails to deliver all its vessel-generated waste to a reception facility in contravention of sub-section (*1*) of section 40	40(*1*)	Penalty which may extend to one lakh rupees.
9.	If the owner or master of any vessel fails to pay the charges payable or fails to comply with the conditions under section 41	41	Penalty which may extend to twenty thousand rupees and in addition, penalty which may extend to two thousand rupees for every day during which the contravention continues.
10.	If any person fails to upload information on the portal in contravention of section 43	43	Penalty which may extend to ten thousand rupees.
11.	If the Authority or concessionaire or person or body of persons fails to publish the port tariff in contravention of sub-section (*2*) of section 47	47(*2*)	Penalty which may extend to fifty thousand rupees and in addition, penalty which may extend to five thousand rupees for every day during which the contravention continues.
12.	If any owner, agent or master of a vessel fails to report the arrival of a vessel in contravention of section 49	49	Penalty which may extend to twenty thousand rupees.
13.	If any master of a vessel fails to pay any fees or other charges in contravention of sub-section (*1*) of section 52	52(*2*)	Penalty which may extend to twice the amount of fees or other charges due, subject to a minimum of twenty thousand rupees.
14.	If any person fails to furnish or furnishes information in contravention of section 57	57	Penalty which may extend to two lakh rupees and in addition, penalty which may extend to two thousand rupees for every day during which such default continues.
15.	If the master of any vessel unlawfully hoists or fails to hoist any flag in contravention of section 65	65	Penalty which may extend to twenty thousand rupees.
*	*	*	*	*

LOK SABHA

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BILL

to amend certain enactments for decriminalising and rationalising offences to further enhance trust-based governance for ease of living and doing business.

(*Shri Piyush Goyal, Minister of Commerce and Industry*)