

5th April, 2025

Bills Introduced in Parliament in the Budget Session, March-April 2025

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Bill No. 111-C of 2024

THE BILLS OF LADING BILL, 2025

A

BILL

to make provisions for the transfer of rights of suit and all liabilities to the consignee named in a bill of lading and every endorsee of a bill of lading, to whom the property in the goods mentioned in the bill of lading shall pass, upon or by reason of a consignment or an endorsement, and for matters connected therewith or related thereto.

WHEREAS by the custom of merchants, a bill of lading of goods being transferable by endorsement, the property in the goods may thereby pass to the endorsee, but nevertheless all rights in respect of the contract contained in the bill of lading continue in the original shipper or owner;

AND WHEREAS it is expedient that such rights should pass with the property;

AND WHEREAS it frequently happens that the goods in respect of which bills of lading purport to be signed have not been laden on board;

AND WHEREAS it is proper that such bills of lading in the hands of a *bona fide* holder for value should not be questioned by the master or other person signing the same, on the ground of the goods not having been laden as aforesaid.

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

Short title and commencement.

1. (1) This Act may be called the Bills of Lading Act, 2025.

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

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Rights under bills of lading to vest in consignee or endorsee.

2. Every consignee of goods named in a bill of lading and every endorsee of a bill of lading, to whom the property in the goods therein mentioned shall pass, upon or by reason of such consignment or endorsement, shall have transferred to and vested in him all rights of suit, and be subject to the same liabilities in respect of such goods as if the contract contained in the bill of lading had been made with such consignee or endorsee.

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Right of stoppage in transit or claims for freight not to be affected.

3. Nothing contained in this Act shall prejudice or affect—

(a) any right of stoppage in transit; or

(b) any right to claim freight against the original shipper or owner; or

(c) any liability of the consignee or endorsee by reason or in consequence of his being such consignee or endorsee, or of his receipt of the goods by reason or in consequence of such consignment or endorsement.

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Bill of lading in hands of consignee, etc., conclusive evidence of shipment as against master etc.

4. (1) Every bill of lading in the hands of a consignee or endorsee for valuable consideration, representing goods to have been shipped on board a vessel, shall be conclusive evidence of such shipment as, against the master or other person signing the same, notwithstanding that such goods or some part thereof may not have been so shipped:

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Provided that the master or other person so signing may exonerate himself in respect of such misrepresentation, by showing that it was caused without any default on his part, and wholly by the fraud of the shipper, or of the holder, or some person under whom the holder claims.

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(2) Nothing in sub-section (1) shall apply where the holder of the bill of lading shall have had actual notice at the time of receiving such bill of lading that the goods had not been laden on board.

Power of Central Government to give directions.

5. The Central Government may give such directions, as it may deem necessary, for carrying out all or any of the provisions of this Act.

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Repeal and savings.

6. (1) The Indian Bills of Lading Act, 1856 is hereby repealed.

9 of 1856.

(2) Notwithstanding the repeal of the Act referred to in sub-section (1), it shall not affect,—

(a) the previous operation of the Act so repealed or anything done or any action taken or purported to have been or taken or suffered thereunder under the Act so repealed; or

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(b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed; or

(c) the operation of any rule, notification, order, notice or direction issued, or exemption granted thereunder, in so far as it is not inconsistent with the provisions of this Act, and shall be in force until it is repealed or superseded under the corresponding provisions of this Act; or

5 (d) any penalty incurred in respect of any contravention under the Act so repealed; or

10 (e) any proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty as aforesaid, and any such proceeding or remedy may be instituted, continued or enforced, and any such penalty may be imposed as if that Act had not been repealed;

 (f) the reference made to the repealed Act under any other legislation, rule, order, or any other legal instrument and any such reference shall, in so far as it is not inconsistent with the provisions of this Act, be construed as a reference to this Act or its corresponding provisions.

15 (3) Without prejudice to the provisions of sub-section (2), the provisions of
10 of 1897. section 6 of the General Clauses Act, 1897 shall apply with regard to the effect of repeal.

LOK SABHA

A
BILL

to make provisions for the transfer of rights of suit and all liabilities to the consignee named in a bill of lading and every endorsee of a bill of lading, to whom the property in the goods mentioned in the bill of lading shall pass, upon or by reason of a consignment or an endorsement, and for matters connected therewith or related thereto.

(As passed by Lok Sabha)

Bill No. 35 of 2025

THE APPROPRIATION (NO. 2) BILL, 2025

A

BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2024-25.

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

1. This Act may be called the Appropriation (No. 2) Act, 2025.

5 2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of six lakh seventy-eight thousand five hundred eight crore and ten lakh rupees only towards defraying the several charges which will come in course of payment during the financial year 2024-25 in respect of the services specified in column 2 of the Schedule.

Short title.

Issue of Rs.
678508,10,00,000
out of the
Consolidated
Fund of India for
the financial year
2024-25.

Appropriation.

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

THE SCHEDULE
(See sections 2 and 3)

1 No. of Vote	2 Services and purposes		3 Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
1	Department of Agriculture and Farmers Welfare.....	Revenue	2185,66,00,000	..	2185,66,00,000
		Capital	22,69,00,000	..	22,69,00,000
2	Department of Agricultural Research and Education....	Revenue	2,00,00,000	..	2,00,00,000
3	Atomic Energy.....	Revenue	637,25,00,000	..	637,25,00,000
4	Ministry of AYUSH.....	Capital	4,90,00,000	..	4,90,00,000
5	Department of Chemicals and Petrochemicals.....	Revenue	1351,38,00,000	..	1351,38,00,000
6	Department of Fertilizers.....	Revenue	17100,00,00,000	..	17100,00,00,000
8	Ministry of Civil Aviation.....	Revenue	68,10,00,000	..	68,10,00,000
		Capital	2,39,00,000	..	2,39,00,000
10	Department of Commerce.....	Revenue	1,00,000	61,19,00,000	61,20,00,000
		Capital	27,00,000	..	27,00,000
11	Department for Promotion of Industry and Internal Trade..	Revenue	5,52,00,000	..	5,52,00,000
12	Department of Posts.....	Revenue	482,41,00,000	..	482,41,00,000
		Capital	1,00,000	..	1,00,000
13	Department of Telecommunications.....	Revenue	10822,16,00,000	..	10822,16,00,000
		Capital	235,96,00,000	..	235,96,00,000
15	Department of Food and Public Distribution.....	Revenue	2,00,000	1,34,00,000	1,36,00,000
		Capital	1,00,000	..	1,00,000
17	Ministry of Corporate Affairs.....	Revenue	5,00,00,000	..	5,00,00,000
18	Ministry of Culture.....	Revenue	65,00,00,000	..	65,00,00,000
		Capital	2,00,000	..	2,00,000
19	Ministry of Defence (Civil).....	Revenue	177,66,00,000	..	177,66,00,000
		Capital	793,62,00,000	..	793,62,00,000
20	Defence Services (Revenue).....	Revenue	7278,66,00,000	13,80,00,000	7292,46,00,000
21	Capital Outlay on Defence Services.....	Capital	1,00,000	5,11,00,000	5,12,00,000
22	Defence Pensions.....	Revenue	8476,00,00,000	..	8476,00,00,000
25	Department of School Education and Literacy.....	Revenue	2,00,000	..	2,00,000
26	Department of Higher Education.....	Revenue	3,00,000	..	3,00,000
29	Ministry of External Affairs.....	Revenue	379,50,00,000	..	379,50,00,000
30	Department of Economic Affairs.....	Revenue	30750,00,00,000	..	30750,00,00,000
		Capital	683,79,00,000	..	683,79,00,000
31	Department of Expenditure.....	Revenue	41,22,00,000	..	41,22,00,000
32	Department of Financial Services.....	Capital	1,00,000	..	1,00,000
35	Department of Revenue.....	Revenue	1,00,000	..	1,00,000
		Capital	1,00,000	..	1,00,000
	CHARGED.— <i>Repayment of Debt</i>	Capital	..	554349,00,00,000	554349,00,00,000
41	Pensions.....	Revenue	13449,00,00,000	30,00,00,000	13479,00,00,000
44	Department of Animal Husbandry and Dairying.....	Revenue	2,00,000	..	2,00,000
45	Ministry of Food Processing Industries.....	Revenue	2,00,000	..	2,00,000
51	Police.....	Revenue	315,01,00,000	..	315,01,00,000
		Capital	1,00,000	..	1,00,000
52	Andaman and Nicobar Islands.....	Revenue	7,00,000	..	7,00,000
		Capital	5,00,000	..	5,00,000
54	Dadra and Nagar Haveli and Daman and Diu.....	Capital	2,00,000	..	2,00,000
55	Ladakh.....	Revenue	3,00,000	..	3,00,000
		Capital	1,00,000	..	1,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
58	Transfers to Jammu and Kashmir..... Revenue	3722,33,00,000	..	3722,33,00,000
59	Transfers to Puducherry..... Revenue	61,00,00,000	..	61,00,00,000
60	Ministry of Housing and Urban Affairs..... Revenue	11,01,00,000	..	11,01,00,000
	Capital	588,50,00,000	..	588,50,00,000
62	Department of Water Resources, River Development and Ganga Rejuvenation..... Revenue	4,00,000	..	4,00,000
	Capital	1,00,000	..	1,00,000
63	Department of Drinking Water and Sanitation..... Revenue	2,00,000	..	2,00,000
65	Law and Justice..... Revenue	723,11,00,000	..	723,11,00,000
	Capital	8,69,00,000	..	8,69,00,000
66	Election Commission..... Revenue	6,00,00,000	..	6,00,00,000
	CHARGED.— <i>Supreme Court of India</i> Revenue	..	17,50,00,000	17,50,00,000
68	Ministry of Micro, Small and Medium Enterprises..... Revenue	1,00,000	..	1,00,000
70	Ministry of Minority Affairs..... Revenue	1,00,000	..	1,00,000
71	Ministry of New and Renewable Energy..... Revenue	3,00,000	..	3,00,000
72	Ministry of Panchayati Raj..... Revenue	1,00,000	..	1,00,000
74	Ministry of Personnel, Public Grievances and Pensions Revenue	7,00,00,000	..	7,00,00,000
76	Ministry of Petroleum and Natural Gas..... Revenue	3100,00,00,000	..	3100,00,00,000
	Capital	30,01,00,000	..	30,01,00,000
78	Ministry of Ports, Shipping and Waterways..... Revenue	95,80,00,000	..	95,80,00,000
79	Ministry of Power..... Capital	48,06,00,000	..	48,06,00,000
85	Ministry of Railways..... Revenue	1,00,000	6,82,00,000	6,83,00,000
	Capital	1,00,000	..	1,00,000
86	Ministry of Road Transport and Highways..... Revenue	2,63,00,000	..	2,63,00,000
	Capital	13500,00,00,000	..	13500,00,00,000
89	Department of Science and Technology..... Revenue	1,00,000	..	1,00,000
	Capital	1,00,000	..	1,00,000
91	Department of Scientific and Industrial Research..... Capital	15,00,000	..	15,00,000
95	Department of Space..... Revenue	..	34,00,000	34,00,000
97	Ministry of Steel..... Capital	6783,00,00,000	..	6783,00,00,000
	TOTAL:	124023,00,00,000	554485,10,00,000	678508,10,00,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of India and the grants made by the Lok Sabha for expenditure of the Central Government for the financial year 2024-25.

NIRMALA SITHARAMAN.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

**[Letter No. 4(30)-B(SD)/2024 dated 07.03.2025 from Smt. Nirmala Sitharaman,
Minister of Finance and Corporate Affairs to the Secretary General, Lok Sabha]**

The President, having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2024-25, recommends under article 117 (1) and (3) of the Constitution, the introduction of the Appropriation (No. 2) Bill, 2025 in Lok Sabha and also the consideration of the Bill.

LOK SABHA

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BILL

to authorise payment and appropriation of certain further sums from and out of
the Consolidated Fund of India for the services of the financial year
2024-25.

(Smt. Nirmala Sitharaman, Minister of Finance and Corporate Affairs)

Bill No. 34 of 2025

THE APPROPRIATION BILL, 2025

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 2022, in excess of the amounts granted for those services and for that year.

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

1. This Act may be called the Appropriation Act, 2025.

2. From and out of the Consolidated Fund of India, the sums specified in column 3 of the Schedule, amounting in the aggregate to the sum of one thousand two hundred ninety-one crore, thirteen lakh, seventy-five thousand, one hundred and seventy-four rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column 2 of the Schedule during the financial year ended on the 31st day of March, 2022, in excess of the amounts granted for those services and for that year.

Short title.

Issue of Rs.
1291,13,75,174
out of the
Consolidated
Fund of India to
meet certain
excess
expenditure for
the year ended
on the 31st
March, 2022.

Appropriation.

3. The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of India under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 2022.

THE SCHEDULE
(See sections 2 and 3)

1	2	3		
No. of Vote	Services and purposes	Excess		
		Voted portion	Charged portion	Total
		Rs.	Rs.	Rs.
6	Department of Fertilisers Revenue	493,37,93,293	..	493,37,93,293
18	Ministry of Defence (Civil)..... Revenue	..	3,16,544	3,16,544
39	Pensions..... Revenue	742,56,55,188	..	742,56,55,188
84	Ministry of Railways..... Capital	..	55,16,10,149	55,16,10,149
	TOTAL:	1235,94,48,481	55,19,26,693	1291,13,75,174

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 114(1) of the Constitution of India, read with Article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure incurred in excess of the grants made by the Lok Sabha for expenditure of the Central Government, for the financial year ended 31st day of March, 2022.

NIRMALA SITHARAMAN.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Letter No. 7(1)-B(SD)/2024 dated 07.03.2025 from Smt. Nirmala Sitharaman, Minister of Finance and Corporate Affairs to the Secretary General, Lok Sabha]

The President, having been informed of the subject matter of the proposed Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March 2022, in excess of the amounts granted for the said services and for that year recommended under clauses (1) and (3) of article 117 of the Constitution, read with clause (2) of article 115 thereof, the introduction of the Appropriation Bill, 2025, in Lok Sabha and also recommends to Lok Sabha the consideration of the Bill.

LOK SABHA

A
BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 2022, in excess of the amounts granted for those services and for that year.

(Smt. Nirmala Sitharaman, Minister of Finance and Corporate Affairs)

Bill No. 38 of 2025

THE MANIPUR APPROPRIATION (VOTE ON ACCOUNT) BILL, 2025

A

BILL

to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Manipur for the services of a part of the financial year 2025-26.

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

1. This Act may be called the Manipur Appropriation (Vote on Account) Act, 2025.

Short title.

5 2. From and out of the Consolidated Fund of the State of Manipur there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of seventeen thousand nine hundred forty-six crore, seventy-eight lakh and eighty-eight thousand rupees towards defraying the several charges which will come in course of payment
10 during the financial year 2025-26 in respect of the services specified in column 2 of the Schedule.

Withdrawal of Rs. 17946,78,88,000 from and out of the Consolidated Fund of the State of Manipur for the financial year 2025-26.

Appropriation.

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

References
to Department
in the Schedule.

4. References to Departments in the Schedule are to such Departments as existing immediately before the 1st day of March, 2025 and shall, on or after that date be construed as references to the appropriate Departments as reconstituted from time to time. 5

THE SCHEDULE
(See sections 2, 3 and 4)

1 No. of Vote /Appropriation	2 Services and purposes		3 Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
1	State Legislature.....	Revenue	154,79,61,000	1,27,09,000	156,06,70,000
		Capital	5,67,50,000	..	5,67,50,000
2	Council of Ministers.....	Revenue	6,28,35,000	..	6,28,35,000
		Capital	40,00,000	..	40,00,000
	Governor.....	Revenue	..	4,23,60,000	4,23,60,000
		Capital	..	12,50,000	12,50,000
	Interest Payment and Debt Services.....	Revenue	..	604,29,61,000	604,29,61,000
		Capital	..	2908,06,08,500	2908,06,08,500
	Manipur Public Service Commission.....	Revenue	..	3,67,94,500	3,67,94,500
3	Secretariat.....	Revenue	66,54,83,500	91,90,000	67,46,73,500
		Capital	10,14,00,000	1,10,00,000	11,24,00,000
4	Land Resources.....	Revenue	69,30,95,500	..	69,30,95,500
5	Finance Department.....	Revenue	1698,91,97,500	..	1698,91,97,500
		Capital	4,61,14,000	..	4,61,14,000
6	Transport.....	Revenue	14,44,35,500	..	14,44,35,500
		Capital	37,50,000	..	37,50,000
7	Police.....	Revenue	1385,69,98,500	..	1385,69,98,500
		Capital	172,60,40,500	..	172,60,40,500
8	Public Works Department.....	Revenue	78,01,75,000	1,65,00,000	79,66,75,000
		Capital	629,50,96,500	2,50,00,000	632,00,96,500
9	Information and Publicity.....	Revenue	7,60,89,500	..	7,60,89,500
		Capital	52,50,000	..	52,50,000
10	Education.....	Revenue	1552,95,37,500	..	1552,95,37,500
		Capital	57,20,05,000	..	57,20,05,000
11	Medical, Health and Family Welfare Services.....	Revenue	736,70,76,000	..	736,70,76,000
		Capital	59,73,23,500	..	59,73,23,500
12	Municipal Administration, Housing and Urban Development.....	Revenue	369,92,63,500	..	369,92,63,500
		Capital	60,72,61,500	..	60,72,61,500
13	Labour and Employment.....	Revenue	23,30,28,000	..	23,30,28,000
		Capital	2,62,50,000	..	2,62,50,000
14	Department of Tribal Affairs and Hills.....	Revenue	492,67,22,500	..	492,67,22,500
		Capital	19,85,68,000	..	19,85,68,000
15	Consumer Affairs, Food and Public Distribution.....	Revenue	75,59,98,000	..	75,59,98,000
		Capital	1,01,50,000	..	1,01,50,000
16	Co-operation.....	Revenue	14,77,83,000	..	14,77,83,000
		Capital	30,00,000	..	30,00,000
17	Agriculture.....	Revenue	159,30,56,500	..	159,30,56,500
		Capital	20,38,55,000	..	20,38,55,000
18	Animal Husbandry and Veterinary including Dairy Farming.....	Revenue	81,63,87,000	..	81,63,87,000
		Capital	7,19,00,000	..	7,19,00,000
19	Environment and Forest.....	Revenue	348,97,76,500	..	348,97,76,500
		Capital	49,87,50,000	..	49,87,50,000
20	Community and Rural Development.....	Revenue	1406,91,03,000	..	1406,91,03,000
		Capital	836,49,89,000	..	836,49,89,000
21	Textiles, Commerce and Industries.....	Revenue	79,20,84,000	..	79,20,84,000
		Capital	3,22,50,000	..	3,22,50,000
22	Public Health Engineering.....	Revenue	60,05,10,000	..	60,05,10,000
		Capital	593,30,14,000	..	593,30,14,000

1 No. of Vote/ Appropriation	2 Services and purposes		3 Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
23	Power.....	Revenue	178,34,84,500	..	178,34,84,500
		Capital	70,00,00,000	..	70,00,00,000
24	Vigilance and Anti-Corruption Department.....	Revenue	3,51,34,000	..	3,51,34,000
		Capital	2,00,000	..	2,00,000
25	Youth Affairs and Sports Department.....	Revenue	45,38,99,000	..	45,38,99,000
		Capital	4,77,50,000	..	4,77,50,000
26	Administration of Justice.....	Revenue	51,86,22,000	32.45.50,000	84,31,72,000
		Capital	35,50,62,500	..	35,50,62,500
27	Election.....	Revenue	13,77,75,500	..	13,77,75,500
		Capital	10,00,500	..	10,00,500
28	State Excise.....	Revenue	6,32,69,000	..	6,32,69,000
		Capital	61,50,000	..	61,50,000
29	Sales Tax, Other Taxes/Duties on Commodities and Services.....	Revenue	2,67,07,000	..	2,67,07,000
		Capital	17,50,000	..	17,50,000
30	Planning.....	Revenue	54,69,16,000	..	54,69,16,000
		Capital	488,17,55,500	..	488,17,55,500
31	Fire Protection and Control.....	Revenue	12,58,65,000	..	12,58,65,000
		Capital	15,00,00,000	..	15,00,00,000
32	Jails.....	Revenue	21,71,93,000	..	21,71,93,000
		Capital	46,00,000	..	46,00,000
33	Home Guards.....	Revenue	28,68,87,500	..	28,68,87,500
		Capital	65,00,000	..	65,00,000
34	Rehabilitation.....	Revenue	56,89,82,500	..	56,89,82,500
		Capital	4,00,500	..	4,00,500
35	Printing.....	Revenue	2,85,15,000	..	2,85,15,000
		Capital	20,00,000	..	20,00,000
36	Minor Irrigation.....	Revenue	12,69,27,000	..	12,69,27,000
		Capital	146,65,42,500	..	146,65,42,500
37	Fisheries.....	Revenue	37,82,71,000	..	37,82,71,000
		Capital	47,50,000	..	47,50,000
38	Panchayat.....	Revenue	78,88,88,500	..	78,88,88,500
		Capital	1,50,500	..	1,50,500
39	Sericulture.....	Revenue	43,33,27,000	..	43,33,27,000
		Capital	15,00,000	..	15,00,000
40	Water Resources Department.....	Revenue	33,02,10,000	..	33,02,10,000
		Capital	304,34,14,500	..	304,34,14,500
41	Art and Culture.....	Revenue	25,64,62,500	..	25,64,62,500
		Capital	71,00,000	..	71,00,000
42	State Academy of Training.....	Revenue	4,96,50,000	..	4,96,50,000
		Capital	60,00,000	..	60,00,000
43	Horticulture and Soil Conservation.....	Revenue	52,22,45,500	..	52,22,45,500
		Capital	2,34,50,000	..	2,34,50,000
44	Social Welfare.....	Revenue	551,89,12,500	..	551,89,12,500
		Capital	20,28,60,000	..	20,28,60,000
45	Tourism.....	Revenue	14,08,25,500	..	14,08,25,500
		Capital	1,03,52,000	..	1,03,52,000
46	Science and Technology.....	Revenue	2,92,27,500	..	2,92,27,500
		Capital	87,00,000	..	87,00,000
47	Minorities and Other Backward Classes and Scheduled Castes Department.....	Revenue	46,45,57,000	..	46,45,57,000
		Capital	220,35,00,000	..	220,35,00,000

1	2	3		
No. of Vote/ Appropriation	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
48	Relief and Disaster Management..... Revenue	184,88,70,000	..	184,88,70,000
	Capital	1,07,50,000	..	1,07,50,000
49	Economics and Statistics..... Revenue	9,88,93,000	..	9,88,93,000
	Capital	61,50,000	..	61,50,000
50	Information Technology..... Revenue	40,42,79,500	..	40,42,79,500
	Capital	33,34,66,500	..	33,34,66,500
	TOTAL:	14386,49,65,000	3560,29,23,000	17946,78,88,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of articles 204(1) and 206 of the Constitution of India, read with the Proclamation issued under article 356 of the Constitution in respect of the State of Manipur on the 13th February, 2025, to provide for the appropriation out of the Consolidated Fund of the State of Manipur of the moneys required to meet the expenditure charged on the Consolidated Fund of the State of Manipur and the grants made in advanced by the Lok Sabha in respect of the estimated expenditure of the Government of Manipur for a part of the financial year 2025-26.

NIRMALA SITHARAMAN.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

[Copy of letter No. 2(2)-B(S)/2025, dated 07 March, 2025 from Smt. Nirmala Sitharaman, Minister of Finance and Corporate Affairs to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the Manipur Appropriation (Vote on Account) Bill, 2025 to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of State of Manipur for the services of the financial year 2025-26, recommends under clauses (1) and (3) of article 207 of the Constitution read with article 206 thereof and the Proclamation dated 13.02.2025 under article 356 of the Constitution, the introduction of the Manipur Appropriation (Vote on Account) Bill, 2025 in Lok Sabha and also the consideration of the Bill.

LOK SABHA

A

BILL

to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Manipur for the services of a part of the financial year 2025-26.

(Smt. Nirmala Sitharaman, Minister of Finance and Corporate Affairs)

Bill No. 37 of 2025

THE MANIPUR APPROPRIATION BILL, 2025

A

BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Manipur for the services of the financial year 2024-25.

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

1. This Act may be called the Manipur Appropriation Act, 2025.

5 2. From and out of the Consolidated Fund of the State of Manipur there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of one thousand eight hundred sixty-one crore, forty-four lakh and thirty-six thousand rupees towards defraying the several charges which will come in course of payment during the financial year 2024-25 in respect of the services specified in column 2 of the Schedule.

Short title.

Issue of Rs.
1861,44,36,000
from and out of
the Consolidated
Fund of the State
of Manipur for
the financial year
2024-25.

Appropriation.

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

THE SCHEDULE
(See sections 2 and 3)

1 No. of Vote / Appro- priation	2 Services and Purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	State Legislature..... Revenue	24,20,88,000	..	24,20,88,000
	Capital	20,00,000	..	20,00,000
	Interest Payment and Debt Services..... Revenue	..	12,00,82,000	12,00,82,000
	Capital	..	537,97,17,000	537,97,17,000
3	Secretariat..... Revenue	4,65,30,000	..	4,65,30,000
5	Finance Department..... Revenue	445,73,70,000	..	445,73,70,000
6	Transport..... Revenue	4,73,50,000	..	4,73,50,000
	Capital	84,00,000	..	84,00,000
7	Police..... Revenue	252,45,40,000	..	252,45,40,000
8	Public Works Department..... Capital	..	98,90,000	98,90,000
14	Department of Tribal Affairs and Hills..... Capital	31,81,08,000	..	31,81,08,000
20	Community and Rural Development..... Revenue	97,06,75,000	..	97,06,75,000
	Capital	39,42,20,000	..	39,42,20,000
23	Power..... Revenue	49,02,26,000	..	49,02,26,000
24	Vigilance and Anti-Corruption Department..... Revenue	41,68,000	..	41,68,000
25	Youth Affairs and Sports Department..... Capital	6,00,000	..	6,00,000
29	Sales Tax, Other Taxes/Duties on Commodities and Services..... Revenue	13,13,000	..	13,13,000
30	Planning..... Capital	290,21,89,000	..	290,21,89,000
33	Home Guards..... Capital	25,00,000	..	25,00,000
34	Rehabilitation..... Revenue	5,00,00,000	..	5,00,00,000
	Capital	11,14,00,000	..	11,14,00,000
38	Panchayat..... Capital	2,99,000	..	2,99,000
42	State Academy of Training..... Capital	2,00,000	..	2,00,000
46	Science and Technology..... Capital	22,000	..	22,000
48	Relief and Disaster Management..... Revenue	50,29,39,000	..	50,29,39,000
49	Economics and Statistics..... Revenue	2,76,10,000	..	2,76,10,000
	TOTAL:	1310,47,47,000	550,96,89,000	1861,44,36,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of articles 204(1) and 205 of the Constitution of India, read with the Proclamation issued under article 356 of the Constitution in respect of the State of Manipur on the 13th February, 2025, to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Manipur of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of the State of Manipur and the grants made by the Legislature for expenditure of the Government of Manipur for the financial year 2024-25.

NIRMALA SITHARAMAN.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

**[Copy of letter No. 2(2)-B(S)/2025, dated 07 March, 2025 from Smt. Nirmala
Sitharaman, Minister of Finance and Corporate Affairs to the Secretary-
General, Lok Sabha]**

The President, having been informed of the subject matter of the Manipur Appropriation Bill, 2025 to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of State of Manipur for the services of the financial year 2024-25, recommends under clauses (1) and (3) of article 207 of the Constitution read with clause (2) of article 205 thereof and the Proclamation dated 13.02.2025 under article 356 of the Constitution, the introduction of the Manipur Appropriation Bill, 2025 in Lok Sabha and also the consideration of the Bill.

LOK SABHA

A
BILL

to authorise payment and appropriation of certain further sums from and out of
the Consolidated Fund of the State of Manipur for the services of the
financial year 2024-25

(Smt. Nirmala Sitharaman, Minister of Finance and Corporate Affairs)

Bill No. 36 of 2025

THE APPROPRIATION (NO. 3) BILL, 2025

A

BILL

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 2025-26.

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

1. This Act may be called the Appropriation (No. 3) Act, 2025.

Short title.

5 2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of one hundred fifty-four lakh seventy-seven thousand nine hundred fifty-nine crore and eight lakh rupees towards defraying the several charges which will come in course of payment during the financial year 2025-26 in respect of the services and purposes specified in column 2 of the Schedule.

Issue of Rs.
15477959,08,00,000
out of the
Consolidated
Fund of India for
the financial year
2025-26.

Appropriation.

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

Construction of
references to
Ministries or
Departments in
the Schedule.

4. References to the Ministries or Departments in the Schedule are to such Ministries or Departments as existing immediately before the 6th September, 2021 and shall, on or after that date, be construed as references to the appropriate Ministries or Departments as constituted from time to time.

THE SCHEDULE
(See sections 2, 3 and 4)

1 No. of Vote	2 Services and purposes		3		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
1	Department of Agriculture and Farmers Welfare.....	Revenue	235044,56,00,000	..	235044,56,00,000
		Capital	87,87,00,000	..	87,87,00,000
2	Department of Agricultural Research and Education....	Revenue	10462,06,00,000	..	10462,06,00,000
		Capital	4,33,00,000	..	4,33,00,000
3	Atomic Energy.....	Revenue	22663,70,00,000	4,59,00,000	22668,29,00,000
		Capital	14814,64,00,000	..	14814,64,00,000
4	Ministry of AYUSH.....	Revenue	3937,45,00,000	..	3937,45,00,000
		Capital	55,45,00,000	..	55,45,00,000
5	Department of Chemicals and Petrochemicals.....	Revenue	192,07,00,000	..	192,07,00,000
		Capital	1,98,00,000	..	1,98,00,000
6	Department of Fertilizers.....	Revenue	184067,26,00,000	..	184067,26,00,000
		Capital	15,18,00,000	..	15,18,00,000
7	Department of Pharmaceuticals.....	Revenue	5267,16,00,000	..	5267,16,00,000
		Capital	1,56,00,000	..	1,56,00,000
8	Ministry of Civil Aviation.....	Revenue	2330,31,00,000	..	2330,31,00,000
		Capital	70,00,00,000	..	70,00,00,000
9	Ministry of Coal.....	Revenue	1249,00,00,000	..	1249,00,00,000
		Capital	2,20,00,000	..	2,20,00,000
10	Department of Commerce.....	Revenue	5246,59,00,000	40,00,000	5246,99,00,000
		Capital	54,00,00,000	..	54,00,00,000
11	Department for Promotion of Industry and Internal Trade..	Revenue	7452,93,00,000	..	7452,93,00,000
		Capital	5692,13,00,000	..	5692,13,00,000
12	Department of Posts.....	Revenue	40126,58,00,000	2,04,00,000	40128,62,00,000
		Capital	958,35,00,000	..	958,35,00,000
13	Department of Telecommunications.....	Revenue	35851,50,00,000	..	35851,50,00,000
		Capital	73784,76,00,000	..	73784,76,00,000
14	Department of Consumer Affairs.....	Revenue	4332,50,00,000	..	4332,50,00,000
		Capital	84,42,00,000	..	84,42,00,000
15	Department of Food and Public Distribution.....	Revenue	211386,14,00,000	..	211386,14,00,000
		Capital	50020,23,00,000	..	50020,23,00,000
16	Ministry of Cooperation.....	Revenue	1184,68,00,000	..	1184,68,00,000
		Capital	1,61,00,000	..	1,61,00,000
17	Ministry of Corporate Affairs.....	Revenue	11469,86,00,000	..	11469,86,00,000
		Capital	116,33,00,000	..	116,33,00,000
18	Ministry of Culture.....	Revenue	3168,51,00,000	..	3168,51,00,000
		Capital	192,45,00,000	..	192,45,00,000
19	Ministry of Defence (Civil).....	Revenue	46994,54,00,000	81,00,000	46995,35,00,000
		Capital	12453,12,00,000	50,00,00,000	12503,12,00,000
20	Defence Services (Revenue).....	Revenue	318768,86,00,000	115,82,00,000	318884,68,00,000
21	Capital Outlay on Defence Services.....	Capital	179896,30,00,000	103,70,00,000	180000,00,00,000
22	Defence Pensions.....	Revenue	168793,78,00,000	1,22,00,000	168795,00,00,000
23	Ministry of Development of North Eastern Region.....	Revenue	1882,76,00,000	..	1882,76,00,000
		Capital	4032,24,00,000	..	4032,24,00,000
24	Ministry of Earth Sciences.....	Revenue	2779,05,00,000	..	2779,05,00,000
		Capital	879,03,00,000	..	879,03,00,000
25	Department of School Education and Literacy.....	Revenue	142695,30,00,000	..	142695,30,00,000
		Capital	80,00,000	..	80,00,000
26	Department of Higher Education.....	Revenue	69064,94,00,000	..	69064,94,00,000
		Capital	10,27,00,000	..	10,27,00,000
27	Ministry of Electronics and Information Technology...	Revenue	25583,11,00,000	..	25583,11,00,000
		Capital	443,14,00,000	..	443,14,00,000

1	2		3		
No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
28	Ministry of Environment, Forests and Climate Change....	Revenue	3920,07,00,000	..	3920,07,00,000
		Capital	136,00,00,000	..	136,00,00,000
29	Ministry of External Affairs.....	Revenue	19519,74,00,000	..	19519,74,00,000
		Capital	996,88,00,000	..	996,88,00,000
30	Department of Economic Affairs.....	Revenue	2987,75,00,000	..	2987,75,00,000
		Capital	110884,50,00,000	..	110884,50,00,000
31	Department of Expenditure.....	Revenue	540,52,00,000	..	540,52,00,000
		Capital	63,31,00,000	..	63,31,00,000
32	Department of Financial Services.....	Revenue	1620,01,00,000	..	1620,01,00,000
		Capital	68,14,00,000	..	68,14,00,000
33	Department of Public Enterprises.....	Revenue	28,60,00,000	..	28,60,00,000
		Capital	57,00,000	..	57,00,000
34	Department of Investment and Public Asset Management (DIPAM).....	Revenue	55,43,00,000	..	55,43,00,000
		Capital	1,70,00,000	..	1,70,00,000
35	Department of Revenue.....	Revenue	133271,01,00,000	..	133271,01,00,000
		Capital	609,24,00,000	..	609,24,00,000
36	Direct Taxes	Revenue	9473,29,00,000	..	9473,29,00,000
		Capital	1427,16,00,000	..	1427,16,00,000
37	Indirect Taxes.....	Revenue	40904,73,00,000	..	40904,73,00,000
		Capital	1984,60,00,000	..	1984,60,00,000
38	Indian Audit and Accounts Department.....	Revenue	6332,78,00,000	298,36,00,000	6631,14,00,000
		Capital	170,85,00,000	3,24,00,000	174,09,00,000
	CHARGED.—Interest Payments.....	Revenue	..	1352307,47,00,000	1352307,47,00,000
	CHARGED.—Repayment of Debt.....	Capital	..	9038648,16,00,000	9038648,16,00,000
41	Pensions.....	Revenue	97686,00,00,000	500,00,00,000	98186,00,00,000
42	Transfers to States.....	Revenue	45440,01,00,000	132767,00,00,000	178207,01,00,000
		Capital	..	192830,00,00,000	192830,00,00,000
43	Department of Fisheries.....	Revenue	2681,05,00,000	..	2681,05,00,000
		Capital	22,62,00,000	..	22,62,00,000
44	Department of Animal Husbandry and Dairying.....	Revenue	4469,45,00,000	..	4469,45,00,000
		Capital	585,95,00,000	..	585,95,00,000
45	Ministry of Food Processing Industries.....	Revenue	5264,96,00,000	..	5264,96,00,000
		Capital	2,64,00,000	..	2,64,00,000
46	Department of Health and Family Welfare.....	Revenue	119435,36,00,000	..	119435,36,00,000
		Capital	3624,44,00,000	..	3624,44,00,000
47	Department of Health Research.....	Revenue	3899,43,00,000	..	3899,43,00,000
		Capital	1,26,00,000	..	1,26,00,000
48	Ministry of Heavy Industries.....	Revenue	7178,23,00,000	..	7178,23,00,000
		Capital	502,00,00,000	..	502,00,00,000
49	Ministry of Home Affairs.....	Revenue	4161,22,00,000	..	4161,22,00,000
		Capital	395,97,00,000	..	395,97,00,000
50	Cabinet.....	Revenue	765,72,00,000	..	765,72,00,000
		Capital	6396,84,00,000	..	6396,84,00,000
51	Police.....	Revenue	144857,12,00,000	9,04,00,000	144866,16,00,000
		Capital	16572,14,00,000	7,07,00,000	16579,21,00,000
52	Andaman and Nicobar Islands.....	Revenue	5711,96,00,000	2,00,000	5711,98,00,000
		Capital	555,08,00,000	..	555,08,00,000
53	Chandigarh.....	Revenue	5647,76,00,000	537,42,00,000	6185,18,00,000
		Capital	795,00,00,000	3,00,00,000	798,00,00,000
54	Dadra and Nagar Haveli and Daman and Diu.....	Revenue	1712,50,00,000	..	1712,50,00,000
		Capital	1070,00,00,000	..	1070,00,00,000
55	Ladakh.....	Revenue	2460,25,00,000	..	2460,25,00,000
		Capital	2242,15,00,000	..	2242,15,00,000
56	Lakshadweep.....	Revenue	1322,54,00,000	..	1322,54,00,000
		Capital	290,37,00,000	..	290,37,00,000

1	2		3		
No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
57	Transfers to Delhi.....	Revenue	968,01,00,000	..	968,01,00,000
		Capital	380,00,00,000	..	380,00,00,000
58	Transfers to Jammu and Kashmir.....	Revenue	41000,07,00,000	..	41000,07,00,000
59	Transfers to Puducherry.....	Revenue	3432,19,00,000	..	3432,19,00,000
		Capital	1,00,000	..	1,00,000
60	Ministry of Housing and Urban Affairs.....	Revenue	59158,46,00,000	164,15,00,000	59322,61,00,000
		Capital	42552,75,00,000	42,95,00,000	42595,70,00,000
61	Ministry of Information and Broadcasting.....	Revenue	4314,59,00,000	..	4314,59,00,000
		Capital	43,79,00,000	..	43,79,00,000
62	Department of Water Resources, River Development and Ganga Rejuvenation.....	Revenue	32607,40,00,000	..	32607,40,00,000
		Capital	558,50,00,000	..	558,50,00,000
63	Department of Drinking Water and Sanitation.....	Revenue	74224,82,00,000	..	74224,82,00,000
		Capital	1,20,00,000	..	1,20,00,000
64	Ministry of Labour and Employment.....	Revenue	32606,92,00,000	..	32606,92,00,000
		Capital	39,27,00,000	..	39,27,00,000
65	Law and Justice.....	Revenue	5007,22,00,000	..	5007,22,00,000
		Capital	191,02,00,000	..	191,02,00,000
66	Election Commission.....	Revenue	302,98,00,000	..	302,98,00,000
		Capital	2,00,00,000	..	2,00,00,000
	CHARGED.— <i>Supreme Court of India</i>	Revenue	..	490,58,00,000	490,58,00,000
		Capital	..	56,57,00,000	56,57,00,000
68	Ministry of Micro, Small and Medium Enterprises.....	Revenue	22452,42,00,000	..	22452,42,00,000
		Capital	715,73,00,000	..	715,73,00,000
69	Ministry of Mines.....	Revenue	3458,91,00,000	..	3458,91,00,000
		Capital	79,09,00,000	..	79,09,00,000
70	Ministry of Minority Affairs.....	Revenue	3346,28,00,000	..	3346,28,00,000
		Capital	3,72,00,000	..	3,72,00,000
71	Ministry of New and Renewable Energy.....	Revenue	31742,18,00,000	..	31742,18,00,000
		Capital	7,20,00,000	..	7,20,00,000
72	Ministry of Panchayati Raj.....	Revenue	1170,90,00,000	..	1170,90,00,000
		Capital	14,10,00,000	..	14,10,00,000
73	Ministry of Parliamentary Affairs.....	Revenue	59,90,00,000	..	59,90,00,000
		Capital	6,66,00,000	..	6,66,00,000
74	Ministry of Personnel, Public Grievances and Pensions	Revenue	2377,51,00,000	31,18,00,000	2408,69,00,000
		Capital	232,63,00,000	15,14,00,000	247,77,00,000
	CHARGED.— <i>Central Vigilance Commission</i>	Revenue	..	50,45,00,000	50,45,00,000
		Capital	..	1,62,00,000	1,62,00,000
76	Ministry of Petroleum and Natural Gas.....	Revenue	14379,80,00,000	..	14379,80,00,000
		Capital	12323,13,00,000	..	12323,13,00,000
77	Ministry of Planning.....	Revenue	972,35,00,000	..	972,35,00,000
		Capital	33,71,00,000	..	33,71,00,000
78	Ministry of Ports, Shipping and Waterways.....	Revenue	2184,23,00,000	..	2184,23,00,000
		Capital	1851,35,00,000	..	1851,35,00,000
79	Ministry of Power.....	Revenue	22388,67,00,000	..	22388,67,00,000
		Capital	658,41,00,000	..	658,41,00,000
	CHARGED.— <i>Staff, Household and Allowances of the President</i>	Revenue	..	125,63,00,000	125,63,00,000
		Capital	..	16,20,00,000	16,20,00,000
81	Lok Sabha.....	Revenue	876,54,00,000	1,56,00,000	878,10,00,000
		Capital	24,90,00,000	..	24,90,00,000
82	Rajya Sabha.....	Revenue	398,37,00,000	2,52,00,000	400,89,00,000
		Capital	13,00,00,000	..	13,00,00,000
83	Secretariat of the Vice-President.....	Revenue	12,11,00,000	..	12,11,00,000
		Capital	31,00,000	..	31,00,000
	CHARGED.— <i>Union Public Service Commission</i>	Revenue	..	414,12,00,000	414,12,00,000
		Capital	..	21,64,00,000	21,64,00,000

1 No. of Vote	2 Services and purposes		3		
			Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
			Rs.	Rs.	Rs.
85	Ministry of Railways.....	Revenue	375536,49,00,000	496,70,00,000	376033,19,00,000
		Capital	443974,81,00,000	302,75,00,000	444277,56,00,000
86	Ministry of Road Transport and Highways.....	Revenue	30047,98,00,000	..	30047,98,00,000
		Capital	332320,18,00,000	5,00,00,000	332325,18,00,000
87	Department of Rural Development.....	Revenue	286750,29,00,000	..	286750,29,00,000
		Capital	4,24,00,000	..	4,24,00,000
88	Department of Land Resources.....	Revenue	4771,18,00,000	10,01,00,000	4781,19,00,000
		Capital	1,01,00,000	..	1,01,00,000
89	Department of Science and Technology.....	Revenue	8413,05,00,000	..	8413,05,00,000
		Capital	20095,85,00,000	..	20095,85,00,000
90	Department of Biotechnology.....	Revenue	3446,64,00,000	..	3446,64,00,000
91	Department of Scientific and Industrial Research.....	Revenue	6656,17,00,000	..	6656,17,00,000
		Capital	1,61,00,000	..	1,61,00,000
92	Ministry of Skill Development and Entrepreneurship...	Revenue	8217,04,00,000	..	8217,04,00,000
		Capital	83,06,00,000	..	83,06,00,000
93	Department of Social Justice and Empowerment.....	Revenue	14152,84,00,000	..	14152,84,00,000
		Capital	11,58,00,000	..	11,58,00,000
94	Department of Empowerment of Persons with Disabilities.....	Revenue	1273,80,00,000	..	1273,80,00,000
		Capital	1,20,00,000	..	1,20,00,000
95	Department of Space.....	Revenue	7311,97,00,000	60,00,000	7312,57,00,000
		Capital	6103,23,00,000	40,00,000	6103,63,00,000
96	Ministry of Statistics and Programme Implementation...	Revenue	5426,19,00,000	..	5426,19,00,000
		Capital	44,87,00,000	..	44,87,00,000
97	Ministry of Steel.....	Revenue	364,22,00,000	..	364,22,00,000
		Capital	2997,78,00,000	..	2997,78,00,000
98	Ministry of Textiles.....	Revenue	5252,89,00,000	..	5252,89,00,000
		Capital	19,11,00,000	..	19,11,00,000
99	Ministry of Tourism.....	Revenue	2534,94,00,000	..	2534,94,00,000
		Capital	6,13,00,000	..	6,13,00,000
100	Ministry of Tribal Affairs.....	Revenue	8624,42,00,000	6269,66,00,000	14894,08,00,000
		Capital	31,73,00,000	..	31,73,00,000
101	Ministry of Women and Child Development.....	Revenue	27384,99,00,000	..	27384,99,00,000
		Capital	4,70,00,000	..	4,70,00,000
102	Ministry of Youth Affairs and Sports.....	Revenue	3788,49,00,000	..	3788,49,00,000
		Capital	5,81,00,000	..	5,81,00,000
	TOTAL:		4751250,29,00,000	10726708,79,00,000	15477959,08,00,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the Consolidated Fund of India and the grants made by the Lok Sabha for expenditure of the Central Government for the financial year 2025-26.

NIRMALA SITHARAMAN.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[D. O. No. 2(14)-B(D)/2025, dated 07.03.2025 from Smt. Nirmala Sitharaman, Minister of Finance and Corporate Affairs to the Secretary-General, Lok Sabha]

The President, having been informed of the subject matter of the Appropriation (No. 3) Bill, 2025 to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 2025-26 recommends, under article 117(1) and (3) of the Constitution, the introduction of the Appropriation (No. 3) Bill, 2025 in Lok Sabha and also the consideration of the Bill.

LOK SABHA

A

BILL

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 2025-26.

(Smt. Nirmala Sitharaman, Minister of Finance and Corporate Affairs)

THE “TRIBHUVAN” SAHKARI UNIVERSITY BILL, 2025

ARRANGEMENT OF CLAUSES

CHAPTER I

PRELIMINARY

CLAUSES

1. Short title and commencement.
2. Declaration of “Tribhuvan” Sahkari University as institution of national importance.
3. Definitions.

CHAPTER II

“TRIBHUVAN” SAHKARI UNIVERSITY

4. Establishment and incorporation of “Tribhuvan” Sahkari University.
5. Effect of establishment of University.
6. Objects of University.
7. Powers and functions of University.
8. University to be open to all caste, creed, race or class.
9. Power of Central Government to review and issue directions.
10. Chancellor.

CHAPTER III

OFFICERS OF UNIVERSITY AND INSTITUTE OF RURAL MANAGEMENT ANAND SCHOOL.

11. Officers of University and Institute of Rural Management Anand School.
12. Vice-Chancellor.
13. Registrar.
14. Finance Officer.
15. Director of Institute of Rural Management Anand School.
16. Dean.
17. Controller of Examinations.
18. Librarian.
19. Other officers.

CHAPTER IV

AUTHORITIES OF UNIVERSITY AND INSTITUTE OF RURAL MANAGEMENT ANAND SCHOOL.

20. Authorities of University and Institute of Rural Management Anand School.
21. Governing Board.
22. Executive Council.
23. Academic and Research Council.
24. Executive Board of Institute of Rural Management Anand School.
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26. Assessment and Improvement Council.
27. Research and Development Council.
28. Board for Affiliation and Recognition.
29. Finance Committee.
30. Board of Co-operative Studies.
31. Other authorities of University.

(ii)

CLAUSES

32. Meetings of authorities.

CHAPTER V

STATUTES, ORDINANCES AND REGULATIONS

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34. Power to make Statutes.
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36. Power to make Ordinances.
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CHAPTER VI

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38. Annual report.
39. Annual accounts.
40. Fund of University.

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MISCELLANEOUS

41. Conditions of service of employees, etc.
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44. Returns and information.
45. Acts and proceedings not invalidated by vacancies.
46. University and Institute of Rural Management Anand School to be public authority under Right to Information Act.
47. Protection of action taken in good faith.
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50. Statutes to be laid before Parliament.
51. Residuary provision.
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THE FIRST SCHEDULE.

THE SECOND SCHEDULE.

Bill No. 15-C of 2025

THE “TRIBHUVAN” SAHKARI UNIVERSITY BILL, 2025

A

BILL

to establish the Institute of Rural Management Anand, as a University to be known as the “Tribhuvan” Sahkari University and to declare the same as an institution of national importance; to impart technical and management education and training in co-operative sector; to promote co-operative research and development and to attain standards of global excellence therein in order to realise the vision of “Sahkar Se Samriddhi” and to strengthen the co-operative movement in the country through a network of institutions, and also to declare the Institute as one of the Schools of the University and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the “Tribhuvan” Sahkari University Act, 2025.

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

Short title and
commencement

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

Declaration of
"Tribhuvan"
Sahkari University
as institution of
national
importance.
Definitions.

2. Whereas the objects of the "Tribhuvan" Sahkari University are such as to make it an institution of national importance, it is hereby declared that the "Tribhuvan" Sahkari University is an institution of national importance.

3. (1) In this Act, unless the context otherwise requires, —

(a) "Academic and Research Council" means the Academic and Research Council of the University;

(b) "academic staff" means such categories of staff designated as academic staff by the Ordinances;

(c) "appointed day" means the date of establishment of the University under sub-section (1) of section 4;

(d) "Assessment and Improvement Council" means the Assessment and Improvement Council of the University;

(e) "Board for Affiliation and Recognition" means the Board for Affiliation and Recognition of the University;

(f) "Board of Co-operative Studies" means the Board of Co-operative Studies of a School of the University;

(g) "Capacity Building Council" means the Capacity Building Council of the University;

(h) "Chancellor" means the Chancellor of the University;

(i) "co-operative principles" means the co-operative principles provided in the First Schedule of the Multi-State Co-operative Societies Act, 2002;

(j) "co-operative societies" means all co-operative societies registered under Co-operative Societies Acts of the respective States, Union territories with Legislature and without Legislature and the Multi-State Co-operative Societies Act, 2002;

(k) "Dean" means the Head of a School or Head of an administrative Department of the University;

(l) "Director" means the Director of the Institute of Rural Management Anand School;

(m) "employee" means any person appointed by the University and includes the teachers and other staff of the University;

(n) "Executive Board" means the Executive Board of the Institute of Rural Management Anand School;

(o) "Executive Council" means the Executive Council of the University;

(p) "Finance Committee" means the Finance Committee of the University;

(q) "Fund" means the University Fund referred to in section 40;

(r) "Governing Board" means the Governing Board of the University;

(s) "hostel" means a unit of residence for the students of the University or School, as the case may be;

(t) "Institute" means an academic institution including a college admitted to or affiliated to the privileges of the University and the expression "Institution" shall be construed accordingly;

21 of 1860

(u) "Institute of Rural Management Anand" means the Institute of Rural Management Anand established and incorporated under the Societies Registration Act, 1860 and located in Anand, Gujarat;

5 (v) "Institute of Rural Management Anand School" means one of the Schools of the University;

(w) "notification" means a notification published in the Official Gazette and the expression "notified" with its cognate meanings and grammatical variations shall be construed accordingly;

10 (x) "outlying campus" means the campus of the University as may be established by it at any place in or outside India;

(y) "Registrar" means the Registrar of the University;

(z) "Research and Development Council" means the Research and Development Council of the University;

(za) "Schedule" means the Schedules appended to this Act;

15 (zb) "School" means a School established by the University in each sector where degree, diploma and certificate are awarded by the University;

(zc) "Statutes", "Ordinances" and "Regulations" mean respectively, the Statutes, the Ordinances and the Regulations of the University made under this Act;

20 (zd) "Teachers of the University" means the Professors, Associate Professors, Assistant Professors and such other persons as may be appointed for imparting instructions, training or conducting research in the University or in any outlying campus maintained by the University;

25 (ze) "Tribhuvan" Sahkari University' means the "Tribhuvan" Sahkari University established and incorporated as a University under this Act;

(zf) "University" means the "Tribhuvan" Sahkari University established and incorporated as a University under this Act;

(zg) "Vice-Chancellor" means the Vice-Chancellor of the University.

39 of 2002.

30 (2) The words and expressions used herein and not defined, but defined in the Multi-State Co-operative Societies Act, 2002 shall have the respectively meanings assigned to them in that Act.

CHAPTER II

"TRIBHUVAN" SAHKARI UNIVERSITY

35 4. (1) With effect from such date as the Central Government may, by notification, appoint, the Institute of Rural Management Anand shall be established as a University to be known as the "Tribhuvan" Sahkari University, which shall be a body corporate, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold property, both movable and immovable, and to contract and shall, by the said name sue or be sued.

Establishment
and incorporation
of "Tribhuvan"
Sahkari
University

40 (2) The headquarters of the University shall be at Anand in the State of Gujarat and the University may establish Schools or outlying campuses or affiliate institutes at such other places in India as it may deem fit:

45 Provided that the University may, with the prior approval of the Central Government, also establish or maintain outlying campuses or affiliate institutes outside India.

(3) The Chancellor, the Vice-Chancellor, the members of the Governing Board, the Executive Council, the Academic and Research Council, the Capacity Building Council, the Assessment and Improvement Council, the Research and Development Council and other authorities shall constitute the University.

Effect of
establishment of
University

5. (1) On and from the date of commencement of this Act, —

5

(a) the Institute of Rural Management Anand registered as a society under the Societies Registration Act, 1860 stands dissolved;

21 of 1860

(b) any reference to the Institute of Rural Management Anand in any contract or other instrument shall be deemed as a reference to the University;

(c) all property or assets, movable and immovable, of or belonging to the Institute of Rural Management Anand shall vest in the University;

10

(d) all rights and liabilities of the Institute of Rural Management Anand shall be transferred to, and be the rights and liabilities of the University;

(e) the identity and autonomy of the Institute of Rural Management Anand School and its rights and privileges shall be continued:

15

Provided that the Institute of Rural Management Anand School so declared under this Act shall have an Executive Board which shall be responsible for ensuring identity and autonomy of the School as granted under this section:

Provided further that the Institute of Rural Management Anand School shall have a Director who shall be responsible to implement the decisions of the Executive Board besides other regular responsibilities of the University.

20

(2) The Institute of Rural Management Anand School shall be declared as the “Centre of Excellence” for Rural Management.

Explanation.—For the purposes of this sub-section, the expression “Centre of Excellence” means the Institute of Rural Management Anand School to have greater autonomy within the overall institutional framework of the University to achieve excellence in its domain and also responsible for developing and spreading best practices in imparting education, training and conducting research within the University.

25

(3) Subject to the provisions of this Act, every person employed in the Institute of Rural Management Anand immediately before the commencement of this Act shall hold such employment in the University by the same tenure and on the same terms and conditions and with the same rights and privileges as to pension and gratuity as he would have held under the Institute of Rural Management Anand, if this Act had not been enacted and such terms and conditions, rights and privileges shall not be varied to his disadvantage:

30

35

Provided that the University shall be at liberty to place the services of the persons permanently employed in the Institute of Rural Management Anand immediately before the commencement of this Act to any area, field, department and the like and at any place or location across India as deemed fit by the University to further its objects.

40

(4) The identity and autonomy of any ongoing academic programme and course of the Institute of Rural Management Anand School shall be preserved by the University and any modification, if needed, shall be with the concurrence of the Executive Board of such School.

45

(5) The Institute of Rural Management Anand School shall have administrative and academic autonomy as may be provided by the Statutes.

(6) The post-retirement benefits including medical benefits, if any, of every academic staff, teacher and every other employee in the Institute of Rural Management Anand who has superannuated before the commencement of this Act shall be borne by the University in a manner and form as deemed fit and not to the disadvantage of the superannuated employees.

(7) Any ongoing disciplinary proceedings against any permanent employees in the Institute of Rural Management Anand at the time of the commencement of this Act shall continue to be governed by the Institute of Rural Management Anand Society Rules, 2004.

(8) Any matter governing the conditions of service relating to the teacher, academic staff and every other employee for which no provision has been made in this Act, shall be determined by the provisions to be made by the Executive Council.

6. The objects of the University shall be —

Objects of
University

(i) to provide qualified and trained manpower to meet the present and future needs of the co-operative sector by establishing its own Schools or through affiliating institutes;

(ii) to provide training, education and capacity building to the employees and board members of co-operative societies at all levels;

(iii) to act as an apex body to integrate, coordinate, and standardise the academic and research activities of affiliated co-operative institutes and training centres;

(iv) to standardise the course design and content, pedagogy, course delivery in co-operative education and training in accordance with the national and international best practices and the guiding principles specified in the First Schedule to this Act;

(v) to develop centres of excellence in co-operative education, training, research and consultancy;

(vi) to evolve as an institution of national and international repute for advanced studies in the field of co-operative education and training, and any other areas connected with co-operative societies;

(vii) to disseminate and advance knowledge by providing institutional and research facilities in the field of co-operative education and training, and to take appropriate measures for promoting innovations in teaching-learning process and inter-disciplinary studies and research;

(viii) to establish Schools and affiliate institutes for imparting the state-of-the-art education and training in the field of co-operation for all sectors;

(ix) to provide distance learning or mass e-learning platform and courses for serving the education and training needs of the co-operative societies;

(x) to undertake and promote research and development in all sectors relating to co-operatives;

(xi) to promote innovation, entrepreneurship and start-ups in the co-operative sector;

(xii) to establish and promote partnership and linkages with co-operative societies or unions or federations at all levels, industry, Institutions, Governments, International Co-operative Alliance and co-operative educational institutions in India and abroad for furtherance of its objects;

(xiii) to discharge any other objects which the University deems fit to undertake for the furtherance of its objects; and

(xiv) to discharge such other objects, not inconsistent with the provisions of this Act and the Statutes made thereunder, which the Central Government may, by notification, specify in this behalf.

7. (1) Subject to the provisions of this Act and the Statutes and Ordinances made thereunder, the University shall exercise and perform the following powers and functions, namely:—

(i) to plan, design, develop the required courses of study and conduct appropriate academic and training programmes in the field of co-operation;

(ii) to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees or other academic distinctions on, persons, on the basis of examinations, evaluation or any other method of testing, and to withdraw any such certificates, diplomas, degrees or other academic distinctions for good and sufficient cause;

(iii) to provide lectures and instructions for persons not enrolled as regular students of the University and to grant certificates to them;

(iv) to establish and maintain such outlying campuses, entrepreneurial incubation centres for new co-operative ventures, targeted skill development centres or other units for research, instruction, and training as are, in the opinion of the University, necessary for the furtherance of its objects;

(v) to establish and maintain Schools and hostels subject to assessment of demand;

(vi) to provide nomenclature to the Institute of Rural Management Anand School by Statutes made under this Act;

(vii) to confer honorary degrees or other distinctions;

(viii) to institute Professorships, Associate Professorships, Assistant Professorships and other teaching or academic positions, required by the University and to appoint persons to such Professorships, Associate Professorships, Assistant Professorships or other teaching or academic positions;

(ix) to appoint persons working in any University or academic institution, including those located outside the country, as teachers of the University;

(x) to create administrative, ministerial and other posts and to make appointments thereto subject to availability of financial resources;

(xi) to co-operate or collaborate or associate with any other University or authority or institution of higher learning, including those located outside the country, in such manner and for such purposes as the University, may determine;

(xii) to provide facilities through the distance education system;

(xiii) to institute and award fellowships, scholarships, studentships, medals and prizes for raising academic standards and research;

(xiv) to organise and undertake extramural studies, training and extension services;

(xv) to make provision for research and advisory services and for that purpose, to enter into such arrangements with other institutions, co-operative societies, industrial or other organisations, as the University may deem necessary;

(xvi) to organise and conduct refresher courses, workshops, seminars, conferences, training of trainers, and other programmes for teachers, evaluators, other academic staff and students;

5 (xvii) to appoint on contract or otherwise visiting Professors, Emeritus Professors, Consultants and such other persons who may contribute to the advancement of the objects of the University;

(xviii) to determine standards of admission to the University, which may include examination, evaluation or any other method of testing;

(xix) to demand and receive payment of fees and other charges;

10 (xx) to demand and receive payment for undertaking projects and consultancy services;

(xxi) to lay down conditions of service of all categories of employees, including their code of conduct;

15 (xxii) to supervise, control, regulate and enforce discipline among the students and the employees, and to take such disciplinary measures in this regard as may be deemed fit by the University to be necessary;

(xxiii) to make arrangements for promoting the health and general welfare of the employees and students;

20 (xxiv) to receive benefactions, donations and gifts and to acquire, hold and manage movable or immovable, including trust and endowment properties, for the purposes of the University;

(xxv) to dispose of any immovable property, with the previous approval of the Central Government;

25 (xxvi) to borrow, with the previous approval of the Central Government, on the security of the property of the University, money for the purposes of the University;

(xxvii) to conduct innovative experiments and promote new methods and technologies in the fields of co-operative management and other related fields;

30 (xxviii) to purchase or to take on lease any land or building or works which may be necessary or convenient for the purposes of the University, on such terms and conditions as it may deem fit and proper and to construct, alter and maintain any such building or work;

35 (xxix) to start any new degree, allied course or research programme or diploma or certification or training programme and discontinue any courses or research programme or training programme without prejudice to the interest of the students;

(xxx) to invest the funds of the University in or upon such securities and transpose any investment from time to time in such manner as it may deem fit in the interest of the University and as provided by the Statutes;

40 (xxxi) to act as an advisory body to the Government of India and other National Institutions, State Governments and National Co-operative Societies on all matters related to co-operative societies;

(xxxii) to grant affiliation to Institutes or to a particular course or programme being conducted by any Institute in or outside India;

45 (xxxiii) to develop and certify teachers or practitioners as co-operative trainers and resource persons;

(xxxiv) to provide for the preparation of instructional and training materials, including films, audio-visual materials, other software and the like;

(xxxv) to recognise persons for imparting instructions in any Institute admitted or affiliated to the privileges of the University; and

(xxxvi) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

(2) The University shall in the exercise of its powers have jurisdiction over the outlying campuses.

(3) In exercising its powers referred to in sub-section (1), it shall be the endeavour of the University to maintain an all-India character and high standards of teaching, training and research, and the University may, among other measures which may be necessary for the said purpose, take, in particular, the following measures, namely:—

(i) admissions of students and recruitment of teachers shall be made on all-India basis through appropriate procedures approved by the Executive Council;

(ii) conduct self-financing, demand based, customised courses for the co-operatives;

(iii) foreign students to be admitted by the University to various courses and programmes, as per the policy and schemes of the Government of India and the procedure approved by the Executive Council;

(iv) inter-University mobility of teachers with portable pension scheme benefits, if any, and protection of seniority shall be encouraged.

Explanation.—For the purposes of this clause, the expression “portable pension scheme” means a scheme to continue or carry forward the pension scheme already subscribed by the incoming teacher.

(v) semester system, continuous evaluation and choice-based credit system may be introduced and the University may enter into agreement with other Universities and academic institutions for credit transfer and joint degree programmes.

Explanation.—For the purposes of this clause, the expression “choice-based credit system” means a criterion based grading system to assess student’s achievement based on the learning goals for each programme, with continuous and comprehensive evaluation instead of high stake examinations;

(vi) innovative courses and programmes of studies shall be introduced with a provision for periodic review and restructuring;

(vii) active participation of students shall be ensured in all academic activities of the University, including evaluation of teachers;

(viii) accreditation may be obtained from the National Assessment and Accreditation Council or any other accrediting agency of repute as may be determined by the University; and

(ix) e-governance shall be introduced in every possible sphere of activity with an effective management information system.

8. The University shall be open to persons of any sex and of whatever caste, creed, race or class, and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or profession in order to entitle such person to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student in the University or to graduate there at or to enjoy or exercise any privilege thereof:

{University to be open to all caste, creed, race or class.

Provided that the University shall follow the policy of the Central Government regarding reservations in admissions and employment.

9. (1) The Central Government may, from time to time, appoint one or more persons to review or inspect the work and progress of the University and outlying campuses including its buildings, libraries, laboratories and equipments, and other infrastructure maintained by it and also of the examinations, teaching and other work conducted or done by the University, and to submit a report thereon and upon receipt of that report, the Central Government may, take such action and issue such directions, as it considers necessary, in respect of any of the matters dealt with in the report and the University shall abide by such action and be bound to comply with such directions.

Power of Central Government to review and issue directions.

(2) Without prejudice to the foregoing provisions of this section, the Central Government may, by an order in writing, annul any proceeding of the University which is not in conformity with the provisions of this Act or the Statutes or the Ordinances made thereunder.

(3) Without prejudice to the provisions of this Act and the Statutes made thereunder, the University, in discharge of its general powers and functions under this Act, shall be bound by such directions as the Central Government may give in writing to it from time to time.

(4) The Central Government shall have such other powers, in respect of the affairs of the University, as may be provided by the Statutes.

10. (1) The Central Government may, by notification, appoint a person of eminence as the Chancellor of the University.

Chancellor

(2) The Chancellor shall hold office for a term of five years or until he attains the age of seventy years, whichever is earlier:

Provided that notwithstanding the expiry of his term of office, the Chancellor shall continue to hold office until his successor enters upon his office.

(3) The terms and other conditions of service of Chancellor shall be such as may be provided by the Statutes.

(4) The Chancellor shall, by virtue of his office, be the Head of the University and shall, if present, preside at the Convocations of the University held for conferring degrees and other ceremonial functions and also the meetings of the Governing Board.

(5) The Chancellor shall exercise such other powers and perform such other duties as may be assigned to him under this Act and the Statutes made thereunder.

CHAPTER III

OFFICERS OF UNIVERSITY AND INSTITUTE OF RURAL MANAGEMENT ANAND SCHOOL

11. The following shall be the officers of the University and the Institute of Rural Management Anand School, namely:—

Officers of University and Institute of Rural Management Anand School

(a) the Vice-Chancellor;

(b) the Director and *ex officio* Dean of the Institute of Rural Management Anand School;

(c) the Dean;

(d) the Registrar;

(e) the Finance Officer;

(f) the Controller of Examinations;

(g) the Librarian; and

(h) such other officers as may be provided by the Ordinances to be the officers of the University and the Institute of Rural Management Anand School.

Vice-Chancellor.

12. (1) The Vice-Chancellor shall be a person having such eligibility criteria and shall be appointed by the Central Government in such manner and subject to such terms and conditions of service as may be provided by the Statutes:

Provided that the first Vice-Chancellor shall be appointed by the Central Government in such manner and subject to such terms and conditions as may be determined by it and he shall hold office for a term of three years and may be eligible for re-appointment for another term of two years.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over other officers of the University.

(3) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority, except the Governing Board of the University by or under this Act and shall inform such authority at its next meeting the action taken by him on such matter.

(4) Where the Vice-Chancellor is of the opinion that any decision taken by any officer or authority, other than Chancellor or the Governing Board of the University is beyond the powers of such officer or authority conferred under the provisions of this Act or the Statutes or the Ordinances made thereunder or that any decision taken by the officer or authority is not as per the objects of the University, he shall have powers to rescind such decisions and issue appropriate directions and all such matters shall be placed before the Governing Board for information.

(5) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be provided by the Statutes.

Registrar.

13. (1) The Registrar shall be appointed by the Central Government in such manner, and on such terms and conditions, as may be provided by the Statutes:

Provided that the first Registrar shall be appointed by the Central Government in such manner and on such terms and conditions as may be determined by it and the said officer shall hold office for a term of three years, and may be eligible for re-appointment for another term of two years.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University, and shall exercise such other powers and perform such other duties, as may be provided by the Statutes.

Finance Officer.

14. The Finance Officer shall be appointed by the Central Government in such manner, and on such terms and conditions and shall exercise such powers and perform such duties, as may be provided by the Statutes:

Provided that the first Finance Officer shall be appointed by the Central Government in such manner and on such terms and conditions as may be determined by it and the said officer shall hold office for a term of three years, and may be eligible for re-appointment for another term of two years.

Director of
Institute of Rural
Management
Anand School.

15. (1) There shall be a Director and *ex officio* Dean of the Institute of Rural Management Anand School who shall be the principal academic and administrative officer for that School, and shall exercise supervision and control over all employees of that School.

(2) The Director shall be appointed in such manner, and on such terms and conditions and shall exercise such powers and perform such duties, as may be provided by the Ordinances.

Dean

16. (1) Each School of the University shall be headed by a Dean who shall be the principal academic and administrative officer for that School, and shall exercise supervision and control over all employees of that School.

(2) The Dean shall be appointed by the Executive Council in such manner, and on such terms and conditions, and shall exercise such powers and perform such duties, as may be provided by the Ordinances.

5 17. The Controller of Examinations shall be appointed in such manner, and on such terms and conditions, and shall exercise such powers and perform such duties, as may be provided by the Ordinances. Controller of Examinations.

 18. The Librarian shall be appointed in such manner, and on such terms and conditions, and shall exercise such powers and perform such duties, as may be provided by the Ordinances. Librarian.

10 19. (1) In addition to the officers referred to in clauses (a) to (g) of section 11, the University shall consist of such other officers as may be provided by the Ordinances. Other officers.

 (2) The manner of appointment, terms and conditions of service and powers and duties of other officers of the University shall be such as may be provided by the Ordinances.

CHAPTER IV

AUTHORITIES OF UNIVERSITY AND INSTITUTE OF RURAL MANAGEMENT ANAND SCHOOL

20 20. The following shall be the authorities of the University and Institute of Rural Management Anand School, namely:— Authorities of University and Institute of Rural Management Anand School

- (a) the Governing Board;
- (b) the Executive Council;
- (c) the Academic and Research Council;
- (d) the Executive Board;
- (e) the Capacity Building Council;
- 25 (f) the Assessment and Improvement Council;
- (g) the Research and Development Council;
- (h) the Board for Affiliation and Recognition;
- (i) the Finance Committee;
- (j) the Board of Co-operative Studies; and
- 30 (k) such other authorities as may be provided by the Ordinances to be the authorities of the University and Institute of Rural Management Anand School.

 21. (1) The Chancellor shall be the Chairperson of the Governing Board. Governing Board

35 (2) In addition to the Chairperson, the Governing Board shall consist of the following members who shall be nominated by the Central Government, namely:—

- (a) Vice-Chancellor—Member, *ex officio*;
- (b) Secretary, Ministry of Cooperation—Member, *ex officio*;
- (c) Four Secretaries of Central Ministries or Departments dealing with important sectors of co-operative—Members, *ex officio*;
- 40 (d) Four Principal Secretaries or Secretaries of Co-operation Department of States or Union territories, by rotation—Members, *ex officio*;
- (e) Managing Director, National Co-operative Development Corporation—Member, *ex officio*;
- (f) Chairperson, National Dairy Development Board—Member, *ex officio*;

(g) Chief Executive, National Fisheries Development Board— Member, *ex officio*;

(h) Chairperson, National Bank for Agriculture and Rural Development— Member, *ex officio*;

(i) Four Chairpersons of National Co-operative Societies, by rotation— 5
Members, *ex officio*;

(j) Chairperson, Institute of Rural Management Anand School— Member, *ex officio*;

(k) Four Deans of Schools and Departments established by the 10
University, by rotation— Members, *ex officio*;

(l) Two Directors of Institutes affiliated to the University, by rotation—
Members, *ex officio*;

(m) Four Professors who are members of the Academic and Research
Council, Capacity Building Council, Assessment and Improvement Council
and Research and Development Council respectively, by rotation— Members, 15
ex officio;

(n) Finance Officer of the University— Member, *ex officio*;

(o) President, Alumni Association— Member, *ex officio*;

(p) Four eminent persons in the field of co-operatives— Members;

(q) Representative of the Reserve Bank, not below the rank of Executive 20
Director— Member, *ex officio*; and

(r) the Registrar— Member-Secretary, *ex officio*.

(3) The term of office of the nominated members, other than *ex officio*
Members shall be for a period of three years from the date of their nomination:

Provided that term of office of an *ex officio* Member shall continue so long as 25
he holds the office by virtue of which he is a member.

(4) Subject to the provisions of this Act and the statutes made thereunder, the
Governing Board shall exercise and perform the following powers and functions,
namely:—

(a) to review, from time to time, the broad policies and programmes of 30
the University, and to suggest measures for the improvement and development
of the University;

(b) to consider and pass resolutions on the annual report and the annual
accounts of the University and the audit report on such accounts;

(c) to nominate members of Academic and Research Council, Capacity 35
Building Council, Assessment and Improvement Council, Research and
Development Council and Board for Affiliation and Recognition; and

(d) to perform such other powers and functions as may be provided by
the Statutes.

Executive
Council.

22. (1) The Vice-Chancellor shall be the *ex officio* Chairperson of the 40
Executive Council, which shall be the principal executive body of the University
and shall exercise supervision and control over all authorities of the University
referred to in clauses (c) to (k) of section 20.

(2) The constitution of the Executive Council, the term of office of its members
and its powers and functions shall be such as may be provided by the Statutes. 45

Academic and
Research
Council

23. (1) The Vice-Chancellor shall be the *ex officio* Chairperson of the
Academic and Research Council, which shall be the principal academic and research
body of the University and shall, subject to the provisions of this Act, the Statutes
and the Ordinances made thereunder, co-ordinate and exercise general supervision
over the academic and research policies of the University. 50

(2) The constitution of the Academic and Research Council, the term of office of its members and its powers and functions shall be such as may be provided by the Ordinances.

24. (1) Subject to the provisions of this Act and the Statutes made thereunder, there shall be an Executive Board of the Institute of Rural Management Anand School which shall, co-ordinate and exercise general supervision over such School.

Executive Board
of Institute of
Rural
Management
Anand School

(2) The constitution of the Executive Board, selection of its Chairperson, the term of office of its Chairperson and members and its powers and functions shall be such as may be provided by the Statutes.

25. (1) The Vice-Chancellor shall be the *ex officio* Chairperson of the Capacity Building Council, which shall be the principal body of the University for capacity building programmes and shall, subject to the provisions of this Act, the Statutes and the Ordinances made thereunder, co-ordinate and exercise general supervision over the capacity building policies of the University.

Capacity
Building
Council

(2) The constitution of the Capacity Building Council, the term of office of its members and its powers and functions shall be such as may be provided by the Ordinances.

26. (1) The Vice-Chancellor shall be the *ex officio* Chairperson of the Assessment and Improvement Council, which shall be the principal body of the University for assessment and improvement of all programmes and shall, subject to the provisions of this Act, the Statutes and the Ordinances made thereunder, co-ordinate and exercise general supervision over the matters relating to assessment and improvement of such programmes.

Assessment and
Improvement
Council

(2) The constitution of the Assessment and Improvement Council, the term of office of its members and its powers and functions shall be such as may be provided by the Ordinances.

27. (1) The Vice-Chancellor shall be the *ex officio* Chairperson of the Research and Development Council, which shall be the principal body of the University for undertaking and promoting research and development activities in all sectors relating to co-operatives and shall, subject to the provisions of this Act, the Statutes and the Ordinances made thereunder, co-ordinate and exercise general supervision over the matters relating to research and development.

Research and
Development
Council

(2) The constitution of the Research and Development Council, the term of office of its members and its powers and functions shall be such as may be provided by the Ordinances.

28. (1) The Vice-Chancellor shall be the *ex officio* Chairperson of the Board for Affiliation and Recognition, which shall be responsible for admitting or affiliating institutes to the privileges of the University.

Board for,
Affiliation and
Recognition

(2) The constitution of the Board for Affiliation and Recognition, the term of office of its members and its powers and functions shall be such as may be provided by the Ordinances.

29. (1) The Vice-Chancellor shall be the *ex officio* Chairperson of the Finance Committee.

Finance
Committee

(2) The constitution of the Finance Committee, the term of office of its members and its powers and functions shall be such as may be provided by the Ordinances.

30. (1) Every School shall have a Board of Co-operative Studies.

Board of
Co-operative
Studies

(2) The constitution of the Board of Co-operative Studies, the term of office of its members and its powers and functions shall be such as may be provided by the Ordinances.

(3) The Board of Co-operative Studies shall have such number of Committees not exceeding five, including three Committees, comprising of experts, dealing in streams of degree, diploma and certificate, respectively.

(4) The constitution, powers and functions of the Committees referred to in sub-section (3) shall be such as may be provided by the Ordinances. 5

Other
authorities of
University.

31. The manner of appointment, terms and conditions, powers and functions of other authorities referred to in clause (k) of section 20 shall be such as may be provided by the Ordinances.

Meetings of
authorities.

32. (1) The authorities except the Governing Board and Executive Council shall meet at such places and times, and shall follow such rules of procedure in regard to the transaction of the business at its meetings (including quorum), as may be provided by the Ordinances. 10

(2) If the Chairperson of any authority, for any reason is unable to attend a meeting of such authority, any other member chosen by the members present amongst themselves at the meeting, shall preside over the meeting. 15

CHAPTER V

STATUTES, ORDINANCES AND REGULATIONS

Statutes

33. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

(a) the constitution of the Governing Board, Executive Council and Executive Board, as may be constituted from time to time, and their powers and functions; 20

(b) the appointment and continuance in office of the members of the Governing Board, Executive Council and Executive Board, the filling up of vacancies of members, and all other matters relating to these authorities; 25

(c) the nomenclature of the Institute of Rural Management Anand School so declared under this Act;

(d) the terms and conditions relating to clause (iv) of sub-section (3) of section 7, subject to any provision relating to transfer of teachers from the University to other Central University or Centrally Funded Technical Institutes to be decided in consultation with concerned Central Government Departments; and 30

(e) all other matters which by this Act are to be, or may be, provided for by the Statutes.

Power to make
Statutes.

34. (1) The first Statutes as specified in the Second Schedule shall be continued till they are superseded by new Statutes. 35

(2) The new or additional Statutes shall be made by the Central Government either *suo motu* or on the recommendation of the Executive Council, at any point of time and as deemed fit.

Ordinances

35. Subject to the provisions of this Act and the Statutes made thereunder, the Ordinances may provide for all or any of the following matters, namely:— 40

(a) the constitution, powers and functions of all authorities except Governing Board, Executive Council and Executive Board, as may be constituted from time to time;

(b) the appointment and continuance in office of the members of the said authorities and other bodies, the filling up of vacancies of members, and all other matters relating to those authorities and other bodies for which it may be necessary or desirable to provide; 45

(c) the appointment, powers and duties, emoluments and terms and conditions of service of officers of the University and the Institute of Rural Management Anand School except Vice-Chancellor, Registrar and Finance Officer;

5 (d) the appointment of teachers, academic staff and other employees of the University and the Institute of Rural Management Anand School, their emoluments and terms and conditions of their service;

(e) the appointment of teachers and academic staff working in any other University or organisation for a specific period for undertaking a joint project;

10 (f) the terms and conditions of service of employees including provisions for pension, insurance, provident fund, the manner of termination of service and disciplinary action;

(g) the principles governing the seniority of service of the employees of the University;

15 (h) the procedure for arbitration in cases of dispute between employees or students and the University;

(i) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;

(j) the conferment of affiliation to institutes;

20 (k) the establishment and closure of Schools, Departments and hostels;

(l) the conferment of honorary degrees;

(m) the conferment and withdrawal of degrees, diplomas, certificates and other academic distinctions;

25 (n) the management of Schools established and maintained by the University;

(o) the delegation of powers vested in the authorities or officers of the University and the Institute of Rural Management Anand School;

(p) the maintenance of discipline among the employees and students;

30 (q) the admission of students to the University and their enrolment as such;

(r) the courses of study and their duration to be laid down for all degrees, diplomas and certificates of the University;

(s) the medium of instructions and examinations;

35 (t) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;

(u) the fees to be charged for courses of study in the University and for admission to examinations, degrees and diplomas of the University;

40 (v) the conditions for award of fellowships, scholarships, studentships, medals and prizes;

(w) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;

(x) the conditions of residence of the students of the University;

45 (y) the special arrangements, if any, which may be made for the residence and teaching of women students and prescribing special courses of studies for them;

(z) the establishment of Centres of Studies, Board of Studies and other Committees;

(za) the manner of co-operation and collaboration with other Universities, institutions and other organisations including industry;

(zb) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

(zc) the setting up of a machinery for redressal of grievances of employees and students; and

(zd) any other matter which, by this Act or the Statutes made thereunder, is to be or may be, provided for by the Ordinances.

Power to make Ordinances

36. (1) The first Ordinances shall be made by the Vice-Chancellor and the Ordinances so made may be amended or repealed at any time by the Executive Council.

(2) Save as otherwise provided in sub-section (1), the Executive Council shall make Ordinances either *suo motu* or on the recommendation of the related authority of the University referred to in clauses (c) to (k) of section 20, as decided by such Executive Council.

(3) Every Ordinance so made under sub-sections (1) and (2) shall be submitted, as soon as may be after it is made, to the Central Government for information.

Regulations

37. Any authority under section 20 may make Regulation, consistent with the provisions of this Act, the Statutes and the Ordinances made thereunder, for the conduct of its own business and every Regulation so made shall be submitted, as soon as may be after it is made, to the Executive Council for information.

CHAPTER VI

ACCOUNTS AND AUDIT

Annual report

38. (1) The annual report of the University shall be prepared under the directions of Executive Council, which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects and shall be submitted to the Governing Board after the approval of Executive Council within six months from the closing of financial year and the Governing Board shall consider the report in its annual meeting.

(2) The Governing Board shall submit the annual report to the Central Government along with its comments, if any, on or before the expiry of nine months from the closing of financial year.

(3) The Central Government shall, as soon as may be after it is received, cause a copy of the annual report to be laid before each House of Parliament.

Annual accounts

39. (1) The University shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the balance-sheet, in such form and accounting standards as may be provided by it in consultation with the Comptroller and Auditor-General of India.

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

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

- (4) The accounts of the University as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government on or before the expiry of nine months from the closing of financial year and that Government shall cause the same to be laid before each House of Parliament.

40. (1) There shall be a University Fund which shall include—

Fund of
University

(a) any contribution or grant made by the Central Government;

(b) grant from Co-operative Education Fund maintained under the Multi-State Co-operative Societies Act, 2002 or States' or Union Territories' Co-operative Societies Acts;

(c) grant from corpus Fund for Co-operative Training set up by the Central Government;

(d) any contribution or grant made by the State Government;

(e) any contribution made by Government, semi-Government or autonomous bodies;

(f) any gifts, bequests, donations, endowments or other grants;

(g) income received by the University from fees and charges;

(h) income received by the University from undertaking projects and consultancy services;

(i) money received by the University from the collaborating industries, co-operative societies, federations, unions and other organisations in terms of the provisions of the Memorandum of Understanding between the University and such collaborating industry, co-operative society, federation, union or other organisation; and

(j) money received from any other source, provided that any funding from foreign sources shall require prior approval of the Central Government.

(2) All funds of the University shall be deposited in such banks or invested in such manner as the Executive Council may decide on the recommendation of the Finance Committee.

(3) The funds of the University shall be applied towards meeting the expenses of the University including expenses incurred in the exercise of its powers and discharge of its functions by or under this Act.

(4) The University, at all times, shall strive to be self-sufficient in meeting its expenses and shall, while launching new courses or programmes, establishing new schools or other infrastructure, creating or filling posts, incurring recurring or non-recurring expenses and creating any other financial liability, take into account financial resources that are either available with the University or tied up with stakeholders or any other source.

CHAPTER VII

MISCELLANEOUS

41. (1) Every employee of the University shall be appointed under a written contract, which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

Conditions of
service of
employees, etc

(2) Any dispute arising out of the contract between the University and any employee shall, at the request of the employee, be referred to a Dispute Resolution Body consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an independent member from outside the University to be appointed by the Executive Council.

(3) The decision of the Dispute Resolution Body shall be final and no suit shall lie in any civil court in respect of the matters decided by the Dispute Resolution Body.

(4) Every request made by the employee under sub-section (2) shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration and Conciliation Act, 1996.

26 of 1996

(5) The procedure for regulating the work of the Dispute Resolution Body shall be such as may be provided by the Ordinances.

Right to appeal

42. (1) Any person including an employee or a student of the University aggrieved by the decision or order of the Academic and Research Council, the Capacity Building Council, the Assessment and Improvement Council, the Research and Development Council, the Board for Affiliation and Recognition and the Board of Co-operative Studies may file an appeal to the Executive Council.

10

(2) The form, manner and the procedure for filing and disposing of appeal referred to in sub-section (1) shall be such as may be provided by the Ordinances.

15

Provident and pension funds

43. (1) The University shall constitute for benefit of its employees such provident fund or any other similar fund or provide such insurance schemes, as it may deem fit, in such manner and subject to such conditions, as may be provided by the Ordinances.

(2) Where such provident fund or other similar fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 shall apply to such fund, as if it were a Government provident fund.

19 of 1925

Returns and information

44. The University shall furnish to the Central Government such returns or other information with respect to its property or activities, within such period, as may be determined by the Central Government from time to time.

25

Acts and proceedings not invalidated by vacancies.

45. No act or proceedings of any authority or other body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

University and Institute of Rural Management Anand School to be public authority under Right to Information Act.

46. The provisions of the Right to Information Act, 2005 shall apply to the University and the Institute of Rural Management Anand School, as if it were a public authority defined in clause (h) of section 2 of that Act.

20 of 2005.

30

Protection of action taken in good faith.

47. No suit, prosecution or other legal proceedings shall lie against any officer or other employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or the Ordinances made thereunder.

33

Act to have overriding effect.

48. Save as otherwise provided, the provisions of this Act shall be in addition to and not in derogation of the University Grants Commission Act, 1956 and any other law for the time being in force.

3 of 1956

Mode of proof of University record.

49. Notwithstanding anything contained in the Bharatiya Sakshya Adhiniyam, 2023 or in any other law for the time being in force, a copy of any receipt, application, notice, order, proceeding or resolution of any authority or other body of the University, or any other document in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceeding, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence.

40

47 of 2023

45

Statutes to be laid before Parliament

50. (1) Every Statute made under this Act shall be published in the Official Gazette.

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

(3) The power to make Statutes shall include the power to give retrospective effect, from a date not earlier than the date of commencement of this Act, to the Statutes but no retrospective effect shall be given to any Statutes so as to prejudicially affect the interests of any person to whom such Statutes may be applicable.

51. (1) The Central Government shall have the authority to deal with any matter pertaining to the University and the Institute of Rural Management Anand School and not specifically dealt with in this Act.

Residuary provision

(2) The decision of the Central Government on all such matters shall be final.

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

Power to remove difficulties.

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

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

53. Notwithstanding anything contained in this Act and the Statutes made thereunder,—

Transitional provisions

(a) the Board of Governors and other committees functioning in Institute of Rural Management Anand shall continue to function till such time the authorities or committees are constituted in the University under the provisions of this Act;

(b) the existing officers of Institute of Rural Management Anand shall continue to function till such time, the officers of the University are appointed under the provisions of this Act; and

(c) till the First Statutes and Ordinances are made, any matter not specifically dealt within this Act shall be governed by rules and regulations of Institute of Rural Management Anand.

THE FIRST SCHEDULE

[See section 6(iv)]

GUIDING PRINCIPLES FOR COURSE DESIGN, PEDAGOGY AND DELIVERY

1. To create an enabling ecosystem to realise the vision of “Sahkar Se Samriddhi” by providing a stable pool of appropriately trained manpower for the co-operative sector.
2. To meet education and training needs of members of boards of directors and employees of co-operative societies in all sectors, all regions and at all levels, that is National, State, District or Primary.
3. To design courses for all levels or streams of employees, that is managerial, supervisory, technical, administrative and the like.
4. To take into account the needs of students coming from different educational levels and backgrounds.
5. To design foundational courses such as co-operative principles, laws, taxation, accounting, audit, history, culture, best international and national practices and the like.
6. To design domain specific courses for sectoral co-operative societies (Milk, Fisheries, Sugar, Credit, Urban Co-operative Banks, Agri-business, Housing, Marketing and the like).
7. To design co-operative management courses including Finance, Marketing, Human Resources, Information System, Logistics, Storage and Inventory Management.
8. To design course content to enhance professionalism and use of Information Technology in co-operative sector.
9. To address the need for building, refreshing and enhancing skills in the co-operative sector.
10. To design courses in close coordination with the co-operative societies to ensure development of need based, contemporary, dynamic and responsive curriculum.
11. To take into account the latest developments in course design, pedagogy and content delivery using multimedia and other technological tools.
12. To meet the specific requirement of the National Co-operative Societies, State Co-operative Societies and Co-operative Federations.
13. To address the specialised needs for engineering and technological courses in co-operative sector (milk processing technology, weaving, spinning technology, storage and logistics technology, information technology, Enterprise Resource Planning and the like).
14. To include latest technological developments in the courses for each sector.
15. To address the emerging needs and technological areas such as Artificial Intelligence, Machine Learning and the like.

THE SECOND SCHEDULE

(See section 34)

THE FIRST STATUTES

The University, in the exercise of its powers and functions under section 7, shall ensure that the financial liabilities are met out of the available financial resources and to that extent shall devise and enforce such procedures as approved by any authority referred to in section 20:

Provided that the extant rules and procedures of the Central Government relating to appointments, promotions and fixation of pay as well as expenditures, both recurring and non-recurring, including those referred to in clauses (viii), (x), (xvii) and clause (xxi) of sub-section (1) of section 7, shall apply if the University seeks any financial assistance or Gross Budgetary Support apart from one time capital grant.

LOK SABHA

A

BILL

to establish the Institute of Rural Management Anand, as a University to be known as the “Tribhuvan” Sahkari University and to declare the same as an institution of national importance; to impart technical and management education and training in co-operative sector; to promote co-operative research and development and to attain standards of global excellence therein in order to realise the vision of “Sahkar Se Samriddhi” and to strengthen the co-operative movement in the country through a network of institutions, and also to declare the Institute as one of the Schools of the University and for matters connected therewith or incidental thereto.

(As passed by Lok Sabha)

Bill No. 22-C of 2025

THE IMMIGRATION AND FOREIGNERS BILL, 2025

ARRANGEMENT OF CLAUSES

CHAPTER I

PRELIMINARY

CLAUSES

1. Short title and commencement.
2. Definitions.

CHAPTER II

MATTERS RELATED TO IMMIGRATION

3. Requirement of passport or other travel document and visa.
4. Immigration posts for entry or exit.
5. Bureau of Immigration.

CHAPTER III

MATTERS RELATED TO FOREIGNERS

6. Registration of foreigners.
7. Power to issue orders, directions or instructions.
8. Obligation of keeper of accommodation and others to furnish particulars.
9. Obligation of Universities and Educational Institutions.
10. Obligation of hospital, nursing home or any other medical institution.
11. Visit to Protected or Restricted area or Prohibited places.
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Bill No. 22-C of 2025

THE IMMIGRATION AND FOREIGNERS BILL, 2025

A

BILL

to confer upon the Central Government certain powers to provide for requirement of passports or other travel documents in respect of persons entering into and exiting from India and for regulating matters related to foreigners including requirement of visa and registration and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

5 1. (1) This Act may be called the Immigration and Foreigners Act, 2025.

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

Short title and
commencement.

Definitions.

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

(a) “accommodation” means a temporary or permanent premises of any nature, where a foreigner is accommodated;

(b) “carrier” means a person or entity, including any association of persons or company, whether incorporated or not, who is engaged in the business of transporting passengers or cargo by air, water or land by aircraft or ship or any other mode of transport;

(c) “civil authority” means such authority as may be appointed by the Central Government in this behalf for such area as it thinks fit;

(d) “entry” means entry by air, water or land; 10

(e) “exit” means exit by air, water or land;

(f) “foreigner” means a person who is not a citizen of India;

(g) “immigration function” means any one of the functions relating to—

(i) the visa issuance and regulation of entry into;

(ii) transit through; 15

(iii) stay in; or

(iv) movement within and exit from,

India, under the provisions of this Act or rules or orders or directions made thereunder;

(h) “Immigration Officer” means any officer authorised by the Central Government to carry out immigration functions or such other functions as may be prescribed and includes the Chief Immigration Officer; 20

(i) “immigration post” means the point of entry into and exit from India for the purpose of immigration functions as may be notified by the Central Government; 25

(j) “keeper of accommodation” means the person in charge of the management of an accommodation and includes any person authorised by him to perform the duties of the keeper of the accommodation;

(k) “notification” means a notification published in the Official Gazette and the expressions “notify” and “notified” shall be construed accordingly; 30

(l) “order” means the instructions issued under any of the provisions of this Act or the rules made thereunder;

(m) “other travel document” means the Emergency Certificate or Certificate of Identity or such other travel document which has been issued by or under the authority of the Central Government or Government of a foreign country or any other organisation as may be recognised for this purpose by the Central Government, subject to such conditions as may be prescribed; 35

(n) “passport” means a passport issued or deemed to have been issued under the provisions of the Passport Act, 1967 and includes a passport which have been issued by or under the authority of the Government of a foreign country subject to such conditions as may be prescribed; 40 15 of 1967.

(o) “prescribed” means prescribed by rules made under this Act;

(p) “Prohibited place” means any place as the Central Government may, by order, specify in this behalf;

(q) “Protected area” means any area contiguous with India’s international border or any other area, as the Central Government may, by order, specify in this behalf;

5 (r) “Registration Officer” means a Registration Officer authorised by the Central Government in this behalf for such area as it thinks fit and includes such officer authorised by him with the approval of the Central Government to perform the duties of the Registration Officer on his behalf;

10 (s) “Restricted area” means any area within India and outside the protected area, as the Central Government may, by order, specify in this behalf;

(t) “visa” means an authorisation by such authority as may be prescribed in this behalf, permitting a foreigner to enter into or transit through or stay in or exit from the territory of India.

CHAPTER II

15 MATTERS RELATED TO IMMIGRATION

3. (1) No person proceeding from any place outside India shall enter, or attempt to enter, India by air, water or land unless he is in possession of a valid passport or other travel document, and in case of a foreigner, also a valid visa, and any foreigner while present in India shall also be required to possess valid passport or other valid travel document and valid visa, unless exempted under section 33 or through intergovernmental agreements:

Requirement of passport or other travel document and visa.

25 Provided that notwithstanding anything contained in this sub-section, no foreigner shall be allowed to enter into or stay in India, if he is found inadmissible to do so on account of threat to national security, sovereignty and integrity of India, relations with a foreign State or public health or on such other grounds as the Central Government may, specify in this behalf:

Provided further that the decision of the Immigration Officer in this regard shall be final and binding.

15 of 1967.

30 (2) Notwithstanding anything contained in section 3 of the Passports Act, 1967, no person shall depart or attempt to depart from India by air, water or land unless he is in possession of a valid passport or other travel document and in case of a foreigner, also a valid visa:

35 Provided that notwithstanding anything contained in this sub-section, no person shall be allowed to depart or exit from India, if his presence is required in India by any authorised agency or on such grounds as the Central Government may, by order, specify in this behalf:

Provided further that the decision of the Immigration Officer in this regard shall be final and binding.

40 (3) The Immigration Officer may examine the passport or other travel document and visa of a foreigner during his entry into, transit through, stay in, movement within India and also require him to furnish such information as may be necessary and appropriate.

45 (4) The Immigration Officer may seize a passport or other travel document of any person which has been declared as lost or stolen or considered as damaged or forged or fraudulently obtained or on the direction of the passport issuing authority or courts.

(5) The overall supervision, direction and control on visa and related matters shall vest in and be exercised by the Central Government.

Immigration
posts for entry or
exit.

4. (1) The Central Government may notify the designated immigration posts for entry into or exit from India at such places as may be specified.

(2) A designated immigration post for entry into or exit from India shall be manned by an Immigration Officer or such other officers as may be specified by the Bureau of Immigration constituted under section 5. 5

Bureau of
Immigration.

5. (1) There shall be constituted a Bureau called the Bureau of Immigration for performing the immigration functions and such other functions as may be prescribed.

(2) The Bureau of Immigration referred to in sub-section (1) shall consist of such number of officers appointed by the Central Government in such manner as may be prescribed. 10

(3) The general supervision, directions and control of the Bureau of Immigration, shall vest in and be exercised by the Central Government and the overall supervision of the immigration functions and such other functions as may be prescribed, shall vest in the officer appointed by the Central Government as Commissioner of Bureau of Immigration. 15

(4) The Commissioner, Bureau of Immigration shall, in discharge of his duties under this Act, be assisted by the Foreigners Regional Registration Officers, Foreigners Registration Officers, Chief Immigration Officers and such Immigration Officers as may be authorised by the Central Government in this behalf. 20

CHAPTER III

MATTERS RELATED TO FOREIGNERS

Registration of
foreigners.

6. The foreigners on arrival in India shall be required to register with the Registration Officer concerned, subject to such conditions and in such manner as may be prescribed. 25

Power to issue
orders,
directions or
instructions.

7. (1) The Central Government may, by an order or direction or instruction, make provisions, either generally or with respect to all foreigners or with respect to any particular foreigner or any specified class or description of foreigner, for prohibiting, regulating or restricting the entry of foreigners into India or, their departure therefrom or their presence or continued presence therein. 30

(2) In particular, and without prejudice to the generality of the foregoing power, the orders or directions or instructions issued under this section may provide that the foreigner—

(a) shall not enter India, or shall enter India only at such times and by such route and at such port or place and subject to the observance of such conditions on arrival as may be specified; 35

(b) shall not depart from India, or shall depart only at such times and by such route and from such port or place and subject to the observance of such conditions on departure as may be specified;

(c) shall not remain in India or in any specified area therein; 40

(d) shall, if he has been required by order or direction or instruction under this section not to remain in India, meet from any resources at his disposal the cost of his removal from India and of his maintenance therein pending such removal;

(e) shall remove himself to, and remain in, such area in India as may be specified; 45

(f) shall comply with such conditions as may be specified—

(i) requiring him to present himself for examination, for such information in such manner, at such time, as may be required;

(ii) requiring him to reside in a particular place;

(iii) imposing any restrictions on his movements;

5 (iv) requiring him to furnish such proof of his identity and to report such particulars to such authority in such manner and at such time and place as may be specified;

10 (v) requiring him to allow his photograph and biometric information, as may be specified, to be taken and to furnish specimens of his handwriting and signature to such authority and at such time and place as may be specified;

(vi) requiring him to submit himself to such medical examination by such authority and at such time and place as may be specified;

15 (vii) prohibiting him from association with persons of a specified description;

(viii) prohibiting him from engaging in activities of a specified description;

(ix) prohibiting him from using or possessing specified articles;

20 (x) regulating his conduct in any such particular as may be specified.

(3) In addition to the foregoing, the Central Government may make provision for any matter which is to be or may be specified and for such incidental and supplementary matters as may be expedient or necessary for giving effect to this Act.

25 (4) Any authority specified in this behalf may, with respect to any particular foreigner, issue order or direction or instruction under clause (f) of sub-section (2).

8. (1) It shall be the duty of the keeper of accommodation to submit to the Registration Officer such information in respect of foreigners accommodated in such accommodation and in such manner as may be prescribed:

30 Provided that subject to provisions of sub-section (3), provisions of this sub-section shall not be applicable to residential premises of non-commercial nature.

(2) Every foreigner accommodated in such accommodation shall furnish to the keeper of accommodation thereof such particulars as may be required by him.

35 (3) If in any area as may be specified in this behalf, the civil authority so directs, it shall be the duty of every person occupying or having under his control any residential premises to submit to the Registration Officer in such manner such information in respect of foreigner accommodated in such premises as may be specified.

40 9. Every University and Educational Institution or any other institution admitting any foreigner shall furnish information to the Registration Officer in respect of such foreigner in such manner as may be prescribed.

45 10. Every hospital, nursing home or any other such medical institution providing medical, lodging or sleeping facility in their premises shall furnish information in respect of any foreigner taking indoor medical treatment or their attendant for whom such lodging or sleeping facility has been provided to the Registration Officer in such manner as may be prescribed.

Obligation of
keeper of
accommodation
and others to
furnish
particulars.

Obligation of
Universities and
Educational
Institutions.

Obligation of
hospital, nursing
home or any
other medical
institution.

Visit to
Protected or
Restricted area
or Prohibited
places.

Change of name
of foreigner in
India.

Foreigners
whose
movements are
restricted.

Power to control
places
frequented by
foreigners.

11. No foreigner shall enter or stay in Protected area or Restricted area or Prohibited place without a special permit or permission granted by such authority as may be specified by an order published in the Official Gazette in this behalf and subject to such conditions as specified therein.

12. (1) No foreigner who was in India on the date on which this Act came into force shall, while in India after that date, assume or use or purport to assume or use for any purpose, any name other than that by which he was ordinarily known immediately before the said date, except where a specific permission for change of name has been granted by such authority in such manner as may be prescribed.

(2) No foreigner who has entered into India after the date on which this Act came into force shall, while in India after the date of his entry, assume or use or purport to assume or use for any purpose, any name other than that by which he was ordinarily known immediately before the said date of entry, except where a specific permission for change of name has been granted by such authority as may be prescribed.

(3) For the purpose of this section—

(a) the expression “name” includes a surname; and

(b) a name shall be deemed to be changed if the spelling thereof is altered.

(4) Nothing contained in this section shall apply to the assumption or use by any married woman, of her husband’s name.

13. (1) Any foreigner in respect of whom there is in force an order under clause (f) of sub-section (2) of section 7 requiring him to reside at a place set apart for the residence under supervision, for a number of foreigners, shall, while residing therein, be subject to such conditions as to maintenance, discipline and the punishment of offences and breaches of discipline as the Central Government may from time to time by order determine.

(2) No person shall—

(a) knowingly assist such a foreigner to escape from custody or the place set apart for his residence, or knowingly harbour any such foreigner; or

(b) give such a foreigner any assistance with intent thereby to prevent, hinder or interfere with the apprehension of such a foreigner.

(3) The Central Government may, by order, provide for regulating access to, and the conduct of persons in, places in India where such a foreigner whose movements are restricted is lodged, and for prohibiting or regulating the dispatch or conveyance from outside such places to or for such a foreigner therein of such articles as may be prescribed.

14. (1) The civil authority may, subject to such conditions as may be prescribed, direct the owner or keeper having control of any premises frequented by any foreigner—

(a) to close such premises either entirely or during specified periods;

(b) to use or permit the use of such premises only under such conditions as may be specified; or

(c) to refuse admission to such premises either to all foreigners or to any specified foreigner or class of foreigners.

(2) A person to whom any direction has been given under sub-section (1) shall not, while such direction remains in force, use or permit to be used any other premises for any of the aforesaid purposes, except with the previous permission in writing of the civil authority and in accordance with any conditions which that authority may think fit to impose.

(3) Any person to whom any direction has been given under sub-section (1) and who is aggrieved thereby may, within thirty days from the date of such direction, appeal to the Central Government, and the decision of the Central Government in the matter shall be final.

5 15. When a foreigner, while in India with a valid passport or other travel document and valid visa, is recognised as a national by the law of more than one foreign country, the civil authority or Immigration Officer may, after due verification of all available documents and inquiry, treat that foreigner as the national of the country on whose passport or travel document he had entered into India or with which he appears to be most closely connected for the time being and
10 the decision of civil authority or Immigration Officer in this regard shall be final:

Foreigner who is national of more than one foreign country.

Provided that the Central Government, either of its own motion or on an application by the foreigner concerned, may revise any such decision.

16. If in any case, not falling under section 15, any question arises with reference to this Act or any rule or order made or direction given thereunder,
15 whether any person is or is not a foreigner of a particular class or description, the onus of proving that such person is not a foreigner or is not a foreigner of such particular class or description, as the case may be, shall, notwithstanding anything contained in the Bharatiya Sakshya Adhiniyam, 2023, lie upon such person.

Burden of proof.

47 of 2023.

CHAPTER IV

20 LIABILITY OF CARRIERS

17. (1) The carrier landing or embarking at a port or place in India shall furnish to a civil authority or Immigration Officer—

Obligation of carriers and like.

- (i) the passenger and crew manifest;
- (ii) the advance passenger information data of passengers and crew on
25 board of such aircraft, vessel or other mode of transport, as the case may be; and
- (iii) the passenger name record information of passengers arriving or departing,

in such form, containing such particulars, in such manner and within such time, as may be prescribed.

30 (2) For the purposes of sub-section (1), the expression “passenger name record information” means the records prepared by an operator of any aircraft or vessel or other mode of transport or his authorised agent for each journey booked by or on behalf of any passenger.

35 (3) Where the information referred to in sub-section (1) is not furnished to civil authority or Immigration Officer within the prescribed time and manner or false information is furnished and if civil authority or Immigration Officer is satisfied that there was no sufficient cause for such delay in furnishing the information or in the manner prescribed, the carrier shall be liable to such penalty specified in section 18 for each such information:

40 Provided that no penalty shall be imposed without giving the carrier an opportunity of being heard in the matter.

(4) Any person aggrieved by the penalty imposed under sub-section (3), may prefer an appeal to such authority in such form, manner and accompanied by such fee as may be prescribed.

45 (5) Every such appeal shall be preferred within a period of thirty days from the date of the order appealed against:

Provided that the appellate authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of thirty days, permit the appellant to prefer the appeal within a further period not exceeding thirty days.

(6) On receipt of any such appeal, the appellate authority shall, after giving the parties an 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.

(7) Any District Magistrate or any Commissioner of Police or, where there is no Commissioner of Police, any Superintendent of Police or the civil authority or Immigration Officer may, for any purpose connected with the enforcement of this Act or any rule or any order made thereunder, require the carrier to furnish such information as may be prescribed in respect of passengers or members of the crew on such aircraft, vessel or other mode of transport, as the case may be.

(8) Any passenger on such carrier and any member of the crew of such carrier shall furnish to the carrier, any information required by him for the purpose of furnishing the information referred to in sub-section (1) or for furnishing the information required under sub-section (7).

(9) If any foreigner whose entry has been refused, such foreigner shall be handed over to the carrier by the Immigration Officer and it shall be the responsibility of that carrier to ensure his removal from India without delay.

(10) If any foreigner enters into India in contravention of any provisions of this Act or any rule or order made thereunder, the civil authority or Immigration Officer may, within two months from the date of such entry, direct the carrier on which such entry was effected to provide accommodation, otherwise than at the expense of Central Government, on such aircraft or a vessel or any other mode of transport for the purpose of removing the said foreigner from India.

(11) The carrier which is about to carry passengers from a port or place in India to any destination outside India, if so directed by the Central Government and on tender of payment therefor at the current rates, shall provide on the aircraft or vessel or any other mode of transport, accommodation to such port or place outside India, being a port or place at which the aircraft or vessel or any other mode of transport is due to call, as the Central Government may specify, for any foreigner ordered under section 7 not to remain in India and for his dependents, if any, travelling with him.

(12) The carrier shall not cause or permit the aircraft or vessel or any other mode of transport to depart from a port or place in India until a clearance has been obtained from the Immigration Officer on submission of general declaration in such form, manner and with such particulars, as may be prescribed.

(13) For the purposes of this section,—

(a) “carrier” shall also include pilot of aircraft, master of vessel, or company representative or station manager or operator of such aircraft or vessel or any other mode of transport or any person authorised by such carrier to discharge on his behalf any of the duties imposed on him by this section;

(b) “passenger” means any person not being a *bona fide* member of the crew, travelling or seeking to travel on an aircraft or a vessel or any other mode of transport.

CHAPTER V

OFFENCES, PENALTIES AND APPEAL

18. The carrier, for contravention of the provisions of section 17, shall be liable to a penalty which may extend to fifty thousand rupees.

19. (1) Where the civil authority or Immigration Officer is of the opinion that any carrier has brought a person, in contravention of the provisions of section 3 and rules or orders made thereunder, into India, he may, by order impose a penalty which shall not be less than two lakh rupees, but may extend to five lakh rupees, on such carrier:

Liability of carrier to pay penalty.

Liability of carriers for passengers brought into India.

Provided that no order shall be passed without giving the carrier an opportunity of being heard in the matter.

(2) Any person aggrieved by an order made under sub-section (1), may prefer an appeal to such authority in such form, manner and accompanied by such fee as
5 may be prescribed.

(3) Every such appeal shall be preferred within a period of thirty days from the date of the order appealed against:

Provided that the appellate authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period
10 of thirty days, permit the appellant to prefer the appeal within a further period of thirty days.

(4) On receipt of any such appeal, the appellate authority shall, after giving the parties 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
15 reversing the order appealed against.

(5) Where any penalty imposed under this section is not paid, the civil authority or Immigration Officer may recover the penalty so payable by—

(a) seizing or detaining the aircraft or the ship or any other mode of transport of the carrier;

20 (b) seizing, detaining or selling any goods or properties belonging to the carrier; or

(c) such other means as may be notified.

25 **20.** (1) Any person who contravenes or attempts to contravene, or abets or attempts to abet, or does any act preparatory to a contravention of, any of the provisions of this Act or of any rule or order made or direction given thereunder, or fails to comply with any direction given in pursuance of any such order, shall be deemed to have contravened the provisions of this Act.

Contravention or attempts to contravene provisions of Act.

30 (2) Any person who, knowing or having reasonable cause to believe that any other person has contravened the provisions of this Act or of any rule or order made or direction given thereunder, gives that other person any assistance with intent thereby to prevent, hinder or otherwise interfere with his arrest, trial or punishment for the said contravention shall be deemed to have abetted that contravention.

35 (3) The carrier, by means of which any foreigner enters or leaves India in contravention of this Act or any rule or order made thereunder, or direction given in pursuance of section 7 shall, unless he proves that he exercised all due diligence to prevent the said contravention, be deemed to have contravened this Act.

40 **21.** Any foreigner who enters into any area in India without a valid passport or other travel document, including visa required for such entry in contravention of provisions of section 3 of this Act or of any rule or order made thereunder or any direction given in pursuance thereof, shall be punishable with an imprisonment for a term which may extend to five years or with fine which may extend to five lakh rupees or with both.

Penalty for entry without valid passport or other travel document.

45 **22.** Whoever knowingly uses or supplies a forged or fraudulently obtained passport or other travel document or visa for entering into India or staying in or exiting from India, shall be punishable with an imprisonment for a term which shall not be less than two years, but may extend to seven years and shall also be liable to fine which shall not be less than one lakh rupees, but may extend to ten lakh rupees:

Penalty for using or supplying forged or fraudulently obtained passport or other travel document and visa.

Provided that any attempt for above mentioned use of forged or fraudulently obtained passport or any other travel document or visa found for such entry or exit from India shall also be treated as an offence under this section.

Penalty for
contraventions
of other
provisions of
this Act.

23. Whoever,—

(a) being a foreigner, remains in any area in India for a period exceeding the period for which the visa was issued to him or stays in India without a valid passport or other valid travel document in contravention of provisions of section 3 or does any act in violation of the conditions of the valid visa issued to him for his entry and stay in India or any part thereunder; 5

(b) contravenes any other provisions of this Act, other than sections 17 and 19, or of any rule or order made thereunder or any direction or instruction given in pursuance of this Act or such order or direction or instruction for which, no specific punishment is provided under this Act, 10

shall be punishable with an imprisonment for a term which may extend to three years or with a fine which may extend to three lakh rupees or with both.

Penalty for
abetment.

24. (1) Whoever abets any offence punishable under sections 21 or 22 or 23 shall, if the act abetted is committed in consequence of the abetment, be punishable with the same punishment as provided for those offences. 15

(2) For the purposes of this section,—

(i) an act or offence is said to be committed in consequence of the abetment, when it is committed in consequence of the instigation, or in pursuance of the conspiracy, or with the aid which constitutes the offence;

(ii) the expression “abetment” shall have the same meaning as assigned to it under section 45 of the Bharatiya Nyaya Sanhita, 2023. 20 45 of 2023.

Compounding of
certain offences.

25. (1) Notwithstanding anything contained in the Bharatiya Nagarik Suraksha Sanhita, 2023, any offence punishable under sections 21, 23 or section 24 whether committed by an individual or a company or an organisation or any officer or employee or a representative thereof, may, either before the institution of prosecution or during trial, be compounded by such officers or authorities and for such sums as the Central Government may, by notification, specify in this behalf: 25 46 of 2023.

Provided that the sum so specified shall not, in any case, exceed the maximum amount of the fine which may be imposed under sections 21 or 23 for the offence so compounded. 30

(2) Nothing contained in sub-section (1) shall apply to an offence committed, by an individual or a company or an organisation or any officer or employee or representative thereof within a period of three years from the date on which a similar offence committed by it or him was compounded under this section.

(3) Every officer or authority referred to in sub-section (1) shall exercise the powers to compound an offence, subject to the directions, control and supervision of the Central Government. 35

(4) Where any offence is compounded before the institution of any prosecution or before commencement of trial, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded. 40

(5) Where the compounding of an offence is made after the institution of prosecution or during trial, such compounding shall be brought by the authority specified for such compounding in writing, to the notice of the court in which the prosecution or trial is pending and on such notice of the compounding of offences being given, the individual or the company or the organisation or any officer or employee in relation to whom the offence is so compounded shall be discharged. 45

(6) For the purposes of this 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.

46 of 2023.

26. Any officer of police, not below the rank of a Head Constable may arrest without warrant any person who has contravened or against whom a reasonable suspicion exists that he has contravened section 3 or any rule or order made thereof and the provisions of section 58 of the Bharatiya Nagarik Suraksha Sanhita, 2023 shall, so far as may be, apply in the case of any such arrest.

Power to arrest.

CHAPTER VI

MISCELLANEOUS

27. (1) Any authority empowered by or under or in pursuance of the provisions of this Act or rule or order made thereunder to give any direction or to exercise any other power may, in addition to any other action expressly provided for in this Act, take or cause to be taken such steps and use, or cause to be used, such force as may, in its opinion, be reasonably necessary for securing compliance with such direction or for preventing or rectifying any breach thereof, or for the effective exercise of such power, as the case may be.

Power to give effect to orders, directions, and like.

- (2) Any police officer, not below the rank of Head Constable, may take such steps and use such force as may, in his opinion, be reasonably necessary for securing compliance with any rule or order made or direction given under or in pursuance of the provisions of this Act or for preventing or rectifying any breach of such rule or order or direction.

- (3) The power conferred by this section shall be deemed to confer upon any person acting in exercise thereof a right of access to any land or other property whatsoever.

28. The Central Government may, by notification, direct that any power or functions which may be exercised or performed by it under this Act or by any rule or order made thereunder, subject to such conditions, if any, as it may specify in such notification, be exercised or performed—

Power to delegate authority.

(a) by such officer or authority subordinate to the Central Government;

- (b) by any State Government or by any officer or authority subordinate to such Government or any officer or authority authorised by such Government.

29. The Central Government may, by general or special order, direct the removal of a foreigner from India for contravention of any of the provisions of this Act or any rule or order made thereunder or an adverse security report, and thereupon any officer of the Government shall have all reasonable powers necessary to enforce such directions.

Power of removal.

30. (1) The Central Government may, by notification, make rules for carrying out the purposes of this Act.

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:—

- (a) such other functions to be carried out by Immigration Officer under clause (h) of section 2;

(b) the conditions subject to which the other travel document issued under clause (m) of section 2;

- (c) the conditions subject to which the passport issued under clause (n) of section 2;

(d) the authority authorised to grant visa under clause (t) of section 2;

(e) such other functions to be performed by the Bureau of Immigration under sub-section (1) of section 5;

(f) the manner of appointment of officers of the Bureau of Immigration under sub-section (2) of section 5;

(g) the other functions which shall vest in the officers appointed by the Central Government as Commissioners of the Bureau of Immigration under sub-section (3) of section 5; 5

(h) the conditions and the manner subject to which the foreigners on arrival in India shall be required to register with the Registration Officer under section 6;

(i) the manner of submission of the information of foreigners to the Registration Officer by the keeper of accommodation under section 8;

(j) the manner of submission of the information of foreigners to the Registration Officer by the Universities and Educational Institutions under section 9; 10

(k) the manner of submission of the information of foreigners to the Registration Officer by the hospitals, nursing homes and other medical institutions under section 10; 15

(l) the authority and the manner for change of name of a foreigner subject to a specific permission under sub-sections (1) and (2) of section 12;

(m) the restriction of the dispatch of such articles to or for a foreigner under sub-section (3) of section 13;

(n) the conditions subject to which the civil authority may exercise the power to control places frequented by foreigners under section 14; 20

(o) the form, particulars, the manner and the time within which the information to be furnished by carrier to the civil authority or Immigration Officer under sub-section (1) of section 17;

(p) the appellate authority, form, manner and the fee to be accompanied for filing an appeal under sub-section (4) of section 17; 25

(q) the information to be required by District Magistrate or any Commissioner of Police from the carrier under sub-section (7) of section 17;

(r) the form, manner and such particulars to be submitted by the carrier to the Immigration Officer under sub-section (12) of section 17; 30

(s) the appellate authority, form, manner and the fee to be accompanied for filing an appeal under sub-section (2) of section 19;

(t) any matter which is to be or may be prescribed or in respect of which provision is to be made by rules.

Rules to be laid
before
Parliament.

31. Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. 35 40

Protection of
action taken in
good faith.

32. No suit or any other proceeding shall lie against any person for anything done, or intended to be done in good faith under this Act or any rule or order made thereunder. 45

Power to
exempt in
certain cases.

33. (1) The Central Government may, by order published in the Official Gazette, declare that all or any of the provisions of this Act or of any rule or order made thereunder shall not apply, or shall apply only in such circumstances or with such exceptions or modifications or subject to such conditions as may be specified in such order, to or in relation to— 50

(a) the citizens or class of citizens of any such country as may be so specified; or

(b) any other individual foreigner or class or description of foreigner.

5 (2) The Central Government may, if it is of the opinion that it is necessary or expedient so to do in the public interest or to fulfil the international obligation, by order published in the Official Gazette and subject to such conditions as may be specified therein, exempt any carrier or class of carriers from the operations of all or any of the provisions of this Act and may, as often as may be necessary, revoke or modify such order.

10 (3) A copy of every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

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

Application of other laws not barred.

15 35. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

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

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

34 of 1920.
16 of 1939.
31 of 1946.
52 of 2000.

36. (1) The Passport (Entry into India) Act, 1920, the Registration of Foreigners Act, 1939, the Foreigners Act, 1946 and the Immigration (Carriers' Liability) Act, 2000 (hereinafter referred to as repealed Acts) are hereby repealed.

Repeal and saving.

25 (2) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken, including any rules, orders, directions, instructions, regulations or any proceedings made or issued or taken or given or any penalty or fine imposed under the repealed Acts shall, in so far as it is not inconsistent with the provision of this Act, be deemed to have been done or taken
30 under the corresponding provisions of this Act.

10 of 1897.

(3) The mention of the particular matters referred to in sub-section (2) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 with regard to the effect of repeal.

LOK SABHA

A
BILL

to confer upon the Central Government certain powers to provide for requirement of passports or other travel documents in respect of persons entering into and exiting from India and for regulating matters related to foreigners including requirement of visa and registration and for matters connected therewith or incidental thereto.

(As passed by Lok Sabha)

THE INDIAN PORTS BILL, 2025

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THE FIRST SCHEDULE.

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Bill No. 65 of 2025

THE INDIAN PORTS BILL, 2025

A

BILL

to consolidate the law relating to ports, promote integrated port development, facilitate ease of doing business and ensure the optimum utilisation of India's coastline; establish and empower State Maritime Boards for effective management of ports other than major ports; establish the Maritime State Development Council for fostering structured growth and development of the port sector; provide for the management of pollution, disaster, emergencies, security, safety, navigation, and data at ports; ensure compliance with India's obligations under international instruments to which it is a party; take measures for the conservation of ports; provide for adjudicatory mechanisms for the redressal of port-related disputes; and address matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

5 1. (1) This Act may be called the Indian Ports Act, 2025.

Short title,
commencement
and application.

(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 different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the commencement of that provision.

5

(3) Save as otherwise provided in this Act, the provisions of this Act,—

(a) shall apply to—

(i) all ports to which the provisions of the Indian Ports Act, 1908 applied immediately before the date of commencement of this Act; 15 of 1908.

(ii) all new ports notified under sub-section (1) of section 11; 10

(iii) any part of the navigable rivers or channels leading to such ports as may be notified by the appropriate Government in such form and manner as may be prescribed by the Central Government in consultation with the State Government;

(iv) all vessels within port limits; and 15

(v) all aircrafts making use of any part of the port, while on water, as they apply in relation to vessels; and

(b) shall not apply to—

(i) such port or navigable rivers or channels or vessels or class thereof, as the Central Government may, by notification, specify in this behalf; 20

(ii) any vessel or aircraft making use of any part of the port belonging to or exclusively servicing, for military or non-commercial service of the Government, the Indian Navy, Indian Coast Guard, customs authorities, Central Armed Forces and police and other agencies as may be notified by the Central Government; 25

(iii) any vessel belonging to or in the service of the Central Government or the State Government; or

(iv) any foreign vessel of war.

Definitions.

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

(a) “appropriate Government” or “Government”, in relation to major ports, means the Central Government; and in relation to ports other than major ports, means the State Government; 30

(b) “Authority”, in relation to—

(i) major ports, means—

(A) the Board of Major Port Authority; or 35

(B) the board of directors, in case a port is registered as a company under the Companies Act, 2013; and 18 of 2013.

(ii) ports other than major ports, means the State Maritime Board of each State;

(c) “Board of Major Port Authority” means the Board constituted by the Central Government under sub-section (1) of section 3 of the Major Port Authorities Act, 2021, for each major port; 40 1 of 2021.

(d) “Chairperson” means the Chairperson of the Council;

80 of 1976.

(e) “coastal waters” means any part of the territorial waters of India, along with any part of the adjoining maritime zones of India within the meaning of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976, or any other law for the time being in force;

5

(f) “concessionaire” means any person who has been granted any right, licence, permit or authorisation, by whatever name called, by the Government or the Authority, including by way of a concession agreement, for conducting all or any activity within a port;

10

(g) “conservator” means a person or body of persons appointed for each port or two or more ports by the Government under sub-section (1) of section 18;

(h) “convention” means an international convention to which India is a party;

(i) “Council” means the Maritime State Development Council established under section 3;

15

(j) “equipment”, in relation to a vessel, includes boats, tackle, machinery, boilers, cargo handling gear, pumps and any fitting, anchor, propeller, apparels, furniture, life-saving appliances of every description, spars, masts, rigging and sails, fog signals, lights, shapes and signals of distress, medicines and medical and surgical stores and appliances, charts, radio installations, appliances for preventing, detecting or extinguishing fires, buckets, compasses, axes, lanterns, loading and discharging gears and appliances of all kinds and all other stores and spares or articles belonging to or to be used in connection with or necessary for navigation, propulsion, security, pollution prevention and safety of the vessel;

20

15 of 1908.

25

(k) “existing port” means every port to which the provisions of the Indian Ports Act, 1908 applied, immediately before the commencement of this Act;

46 of 2023.

(l) “Magistrate” means a person exercising powers of the Magistrate under the Bharatiya Nagarik Suraksha Sanhita, 2023;

(m) “major port” means any port declared as such by the Central Government by notification in the Official Gazette, to be a major port;

30

(n) “master”, in relation to any vessel or aircraft making use of any port, means any person having for the time being the command or charge of the vessel or the aircraft, not being a pilot or harbour master or conservator of the port;

(o) “mega port” means major port or port other than major port, classified as a mega port under section 73;

35

(p) “mooring” means a fixed or floating structure or device which is used for the berthing and unberthing of any vessel or aircraft making use of a port, including shifting along the quayside, or is required for the safe operation of a waterborne vessel in the port or in the waterway access to the port;

40

(q) “new port” means any port, other than an existing port, notified under sub-section (1) of section 11;

(r) “notification” means a notification published in the Official Gazette and the term “notify” or “notified”, shall be construed accordingly;

(s) “owner”, in relation to—

45

(i) goods, includes any consignor, consignee, shipper or agent for the sale, custody, loading or unloading of such goods; and

(ii) any vessel or aircraft making use of any port, includes any registered owner, charterer, consignee or mortgagee in possession thereof;

(*t*) “pilot” means any person for the time being authorised by the Government to pilot vessels;

(*u*) “port” includes any terminal, offshore terminal, shipyard, repair yard, ship breaking yard, bunkering station, captive jetties or roadstead or port facility or single buoy mooring which is normally used for the fuelling, re-fuelling, loading, unloading, embarkation or disembarkation of passengers, warehousing, building or repair or anchoring of vessels, or any other place at which a vessel can call, and any part of the navigable river or channel to which this Act extends, but shall not include any ship recycling activities;

(*v*) “port facility” means any location or area including anchorages or awaiting berths or approaches from seaward as determined by the Central Government, or such designated authority as the Central Government may, by notification, specify, where interface between vessels or a vessel and a port takes place;

(*w*) “port limits” means the defined boundaries of the area of a port notified under sub-section (1) of section 11;

(*x*) “port officer” means the conservator or harbour master or such other officers appointed under sub-sections (1) and (2) of section 18;

(*y*) “port service provider” means a person who carries out all or any of the port works;

(*z*) “port tariff” means a scale of rates published under sub-section (2) of section 47 for the fees or other charges leviable under section 46;

(*za*) “port user” means any person who avails the services of a port including port works;

(*zb*) “port works” includes,—

(*i*) designing, constructing, extending, maintaining, removing or demolishing—

(*a*) maritime structures and other buildings, structures, machineries, equipment and enclosures;

(*b*) railways, roads, bridges and embankments;

(*ii*) reclaiming land from the sea or a river and dredging;

(*iii*) supplying water, fuel or electricity to the port;

(*iv*) providing labour to the port;

(*v*) construction of dry docks, cruise terminal and water transport terminal;

(*vi*) construction of port infrastructure; and

(*vii*) any other services as may be notified by the Government;

(*zc*) “prescribed” means prescribed by rules made by the appropriate Government or by the Central Government in consultation with the State Government under this Act;

(*zd*) “regulations” means regulations made by the Council under this Act;

(*ze*) “Schedule” means a Schedule annexed to this Act;

(*zf*) “security” means maritime security and includes any measures undertaken by the owners or operators or persons in charge of the vessels or management of port facilities, offshore installations and other marine organisations or establishments, or undertaken by the Central Government, to protect ports or vessels or any person or thing relating directly or indirectly to maritime navigation,—

(i) against terrorism, sabotage, stowaways, illegal migrants, asylum seekers, piracy, armed robbery, seizure or pilferage; and

(ii) against any other hostile act or influence, which threatens the security in the maritime transport sector;

5 (zg) “State” means any State or Union territory in India having coastal location;

(zh) “State Government”, in relation to a Union territory, means the Administrator thereof;

10 (zi) “State Maritime Board” means the State Maritime Board referred to in sub-section (1) of section 13;

15 (zj) “vessel” includes every description of water craft used or capable of being used in the marine environment, such as ship, boat, sailing vessel, fishing vessel, submersible, semi-submersible, hydrofoils, non-displacement crafts, amphibious crafts, wing-in-ground crafts, pleasure crafts, barges, lighters, mobile offshore drilling units, mobile offshore units, or of any other description whether fitted with mechanical means of propulsion or not.

1 of 2021.
44 of 1958.

(2) Words and expressions used and not defined in this Act but defined in the Major Port Authorities Act, 2021 or the Merchant Shipping Act, 1958, shall have the meanings respectively assigned to them in those Acts.

20 CHAPTER II

MARITIME STATE DEVELOPMENT COUNCIL

3. (1) The Central Government shall, by notification, establish, for the purposes of this Act, a Council to be called the Maritime State Development Council.

Establishment of
Council.

25 (2) The Council shall consist of the following members, *ex officio*, namely:—

(a) the Union Minister for Ports, Shipping and Waterways who shall be the Chairperson;

(b) the Minister-in-charge of ports of each State;

30 (c) the Minister-in-charge of the Union territory of Puducherry and the Administrators of all other coastal Union territories;

(d) the Secretary or equivalent rank to the Government of India in the Indian Navy dealing with coastal security, to be nominated by the Central Government in the Ministry of Defence;

35 (e) the Secretary or equivalent rank to the Government of India in the Indian Coast Guard dealing with coastal security, to be nominated by the Central Government in the Ministry of Defence;

(f) the Secretary to the Government of India in the Ministry of Ports, Shipping and Waterways, who shall be the Member Secretary of the Council.

40 (3) The Chairperson may invite such persons to the meetings of the Council, in such manner and subject to such conditions as may be specified by regulations.

(4) The Council shall transact business at its meetings in such manner as may be specified by regulations.

(5) No member shall receive any remuneration for the performance of its functions under this Act.

45 (6) Notwithstanding anything in any other law for the time being in force, the office of a member of the Council shall not be deemed to be an office of profit.

Powers of
Chairperson.

4. The Chairperson shall have the powers of general superintendence and directions in the conduct of the affairs of the Council and shall discharge other powers and functions of the Council as may be assigned to him under this Act.

Vacancies etc.,
not to invalidate
proceedings of
Council.

5. No act or proceeding of the Council shall be invalid merely by reason of,—

(a) any vacancy in, or any defect in the constitution of, the Council; or 5

(b) any defect in the appointment of a person acting as a member of the Council; or

(c) any irregularity in the procedure of the Council not affecting the merits of the case. , 10

Functions of
Council.

6. (1) The Council shall,—

(a) make recommendations to the Government on,—

(i) the adequacy of the existing legal framework or statutory compliances, with a view to provide for a more efficient and conducive framework for ports in India;

(ii) measures to facilitate growth of the port sector and to promote competition and efficiency in the operation of ports; 15

(iii) port connectivity and assessing the requirement of other infrastructure through road, rail, inland waterways transport, pipeline and conveyor;

(iv) any other matter relating to ports, as the Council may decide; and 20

(v) any other matter as may be referred to it by the Central Government or the State Government;

(b) discharge the following functions, in consultation with the Central Government and the State Governments, namely:—

(i) to advise the Central Government on the formulation of the national perspective plan referred to in section 12; 25

(ii) issue guidelines in respect of the following, namely:—

(A) the data or information to be collected by ports and the manner of collection, storage, updation and submission of such data or information to the Council; 30

(B) to provide for the manner in which any information, records, data and research studies relating to ports, shall be disseminated, including the grant of public access thereto;

(C) for ensuring transparency of port tariff;

(c) perform such other functions including administrative and financial functions as may be entrusted to it by the Central Government. 35

(2) While discharging its functions, the Council shall exercise transparency and take into account the optimum management and utilisation of the available coastline, appropriate cost of logistics through multi-modality, national development priorities, sustainability and issues of national security. 40

(3) Where the Council considers it expedient so to do for the purpose of discharging its functions under sub-section (1), it may, by order in writing, call upon the Authority, port or any person, at any time to furnish in writing, such information as the Council may require.

7. (1) The Central Government may make available to the Council such officers and employees as it considers necessary for the efficient discharge of the functions of the Council under this Act. Employees of Council.
- (2) The salary and allowances payable to, and the other conditions of service of the employees of the Council shall be such as may be prescribed by the Central Government.
8. The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Council grants of such sums of money as are required by it to discharge its functions under this Act. Grants by Central Government.
9. The Council may, by general or special order in writing, delegate to any member or employee of the Council, subject to such conditions, if any, as may be specified in the order, such of its powers and functions under this Act, except the power to make regulations or to issue guidelines, as it may deem necessary. Delegation of powers of Council.
- CHAPTER III
- PORT AND PORT LIMITS
10. No port shall commence or carry on operations therein unless it is,— Port operations.
- (a) an existing port; or
- (b) a new port notified under sub-section (1) of section 11:
- Provided that the Government may, by notification, declare a port or part thereof non-operational in the following cases, namely:—
- (i) if such port or part thereof has been non-operational for a continuous period of ten years; or
- (ii) in the interest of national security; or
- (iii) for any other reason, as the Government may deem fit.
11. (1) The Government may notify a new port and alter the limits of any port: Notification of new port and alteration of port limits.
- Provided that any notification issued under this sub-section for alteration of port limits shall not have retrospective effect.
- (2) The Central Government in consultation with State Government shall prescribe the norms, form and manner for declaring a new port and for altering the port limits under sub-section (1).
12. (1) The Central Government may formulate a national perspective plan so as to meet the requirements of the maritime trade and to prioritise associated infrastructure development. Adherence to national perspective plan and guidelines issued by the Council.
- (2) The Central Government, State Governments and the Authority shall endeavor to adhere to the national perspective plan formulated by the Central Government and the guidelines issued by the Council.

CHAPTER IV

STATE MARITIME BOARDS

13. (1) Every State Maritime Board established or constituted by the State Government under the Acts specified in the Third Schedule, shall be deemed to be duly established or constituted for the purposes of this Act: Establishment of State Maritime Board.
- Provided that where the State Maritime Board has not been established or constituted, the State Government may, by notification, establish a State Maritime Board within six months from the date of commencement of this Act:

Provided further that where the functions of the State Maritime Board are discharged by a body of persons or a department of the State Government, that Government may notify such body of persons or department, as the State Maritime Board for the purposes of this Act.

(2) The State Maritime Board shall be a distinct legal entity, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall, by the said name, sue or be sued. 5

(3) The head office of the State Maritime Board shall be at such place as the State Government may, by notification, specify in this behalf. 10

Transfer of
assets and
liabilities, etc.

14. (1) On and from the date of establishment or the date of notification of the State Maritime Board under sub-section (1) of section 13, the State Government shall transfer to the State Maritime Board, and vest, amongst other things,—

(a) all port land, property, assets, funds, interest in property and all rights to levy rates vested in the State Government; 15

(b) all rates, fees, rents and other sums of money due to the State Government; and

(c) every employee serving under the State Government before such date solely or mainly for or in connection with affairs of the port.

(2) All debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done with or for the State Government till the date of establishment or the date of notification of the State Maritime Board under sub-section (1) of section 13, shall be deemed to have been incurred, entered into or done by, with or for the State Maritime Board, and all suits or other legal proceedings instituted by or against the State Government till the date of establishment or the date of notification of the State Maritime Board, be continued or instituted by or against the State Maritime Board. 20 25

Functions of
State Maritime
Board.

15. (1) Every State Maritime Board shall be responsible for the effective administration, control and management of ports other than major ports within the territory of the respective State and for the said purpose, shall perform the following functions, namely:— 30

(a) initiating plans for development of ports;

(b) promoting the use, development and improvement of ports;

(c) executing such works within or outside the limits of ports and providing such appliances to ports, as the Board may deem expedient or necessary; 35

(d) exercising licensing functions in respect of infrastructure and services of ports;

(e) exercising supervision and control over all port works, including port works contracted out to third parties;

(f) regulating and controlling navigation within the limits and the approaches to the ports; 40

(g) fixing of port tariff;

(h) developing new ports, subject to obtaining security clearance as per the guidelines issued by the Central Government;

(i) protecting ecological balance and safeguarding social and environmental issues; 45

(j) advising or issuing directions in relation to matters referred to the Board by the State Government;

(k) providing or ensuring the provision of such other services and facilities which may be considered necessary for the efficient operation of ports; 50

(l) ensuring compliance with the provisions of this Act and the rules made thereunder;

(m) carrying out all other functions that are or may be notified by the State Government.

(2) The State Maritime Board shall ensure transparency in the exercise of its powers and discharging of its functions.

5 (3) The State Maritime Board may, for the purposes of discharging its functions under sub-section (1), issue such directions from time to time, in writing, to any port or port officer, as it may consider necessary, and such port or port officer shall comply with such directions.

CHAPTER V

10 ADJUDICATION OF DISPUTES

16. (1) Every State Government shall, by notification, constitute a Dispute Resolution Committee consisting of not less than three members, for the purposes of adjudicating any dispute arising between ports other than major ports, concessionaires, port users and port service providers within the State, unless the parties have agreed to arbitration or any other dispute resolution mechanism forming part of the concession agreement, licence, permit or authorisation.

Resolution of disputes.

(2) An application for adjudication of any dispute referred to in sub-section (1) shall be made to the State Maritime Board in such form and manner as may be prescribed by the State Government and the State Maritime Board shall refer the application to the Dispute Resolution Committee.

(3) The Dispute Resolution Committee shall, after giving the parties an opportunity of being heard, pass an order in writing within a period of six months from the date of receipt of the application by it:

25 Provided that where the Dispute Resolution Committee is unable to dispose of such dispute within the stipulated period of six months, it may extend the period of disposal upto three months at a time, with reasons to be recorded in writing, but such period including extended period, shall not exceed twelve months in any case.

5 of 1908. (4) The Dispute Resolution Committee shall, for the purposes of discharging its function under sub-section (1), 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:—

- (a) the discovery and production of books of account and other documents;
- (b) summoning and enforcing the attendance of persons and examining them on oath;
- (c) issuing commissions for the examination of witnesses or documents; and
- (d) any other matter which may be prescribed by the State Government.

(5) Any party aggrieved by an order of the Dispute Resolution Committee under sub-section (3), may prefer an appeal to the High Court of the appropriate jurisdiction, within sixty days from the date on which a copy of the order is received by the party.

17. No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the Dispute Resolution Committee is empowered by or under this Act to determine.

Civil court not to have jurisdiction.

CHAPTER VI

45 PORT OFFICERS

18. (1) The Government shall appoint such officers or body of persons to be the conservator for every port, or for two or more ports.

(2) Every port shall appoint a harbour master or such other officers of the port as may be prescribed by the appropriate Government.

Appointment of conservator, harbour master and other port officers.

50 (3) The terms and condition of service of the officers appointed under sub-sections (1) and (2) shall be such as may be prescribed by the appropriate Government.

(4) The conservator shall be subject to the control of the Government and the Authority.

(5) All officers operating in a port shall be subject to the supervision and control of the conservator.

(6) The conservator may, with the approval of the Government, delegate such of its powers to such persons, as may be prescribed by the appropriate Government. 5

Powers of
conservator to
issue directions.

19. (1) Subject to the provisions of this Act, the conservator may, with respect to any vessel within the port, issue such directions as may be necessary for carrying out the provisions of this Act or the rules made thereunder.

(2) Without prejudice to the generality of the foregoing power, the conservator may issue directions relating to all or any of the following matters, namely:— 10

(a) the berthing, mooring or anchoring including the method of anchoring, of a vessel;

(b) the removal of the vessel from any place within the port to any other place and the time within which such removal is to be effected; 15

(c) the regulation, restriction or prohibition of movement of vessels in the port and the approaches to the port;

(d) requiring the master of any vessel to place at his disposal, such number of crew as may be deemed fit, for the purpose of preventing or extinguishing fire or for any other matter under this Act; 20

(e) prohibiting any vessel from entering or leaving the port, where such vessel fails to comply with the provisions of this Act or any other law for the time being in force or the rules, regulations or directions issued thereunder;

(f) cutting, or causing to be cut, any warp or rope endangering the safety of any vessel in the port. 25

(3) If any person refuses or neglects to obey any direction of the conservator under this section, the conservator may cause or cause to be done, all necessary acts for execution of the directions and may hire and employ suitable persons for this purpose, and all expenses incurred in this behalf shall be recoverable from the person for such refusal or neglect. 30

Removal of
obstructions
within port
limits.

20. (1) The conservator may remove, or cause to be removed, either on his own or through external agency or through a port officer, any obstruction in any part of a port, which in his opinion obstructs the operation of a port or part thereof or any other work on any part of the shore or bank within the port limits.

(2) The owner of any such obstruction shall be liable to pay the reasonable expenses of the removal thereof. 35

(3) If the owner of any such obstruction fails to pay the reasonable expenses incurred in the removal thereof, the conservator may sell the vessels, wreck, material or any other thing forming the obstruction in public auction and recover expenses incurred for such removal from the proceeds of the sale, and shall pay the surplus of such proceeds, or deliver the unsold parts of the obstruction, to the person entitled to receive the same and if no such person is available, the conservator shall cause the same to be kept and deposited in such manner as the Government directs. 40

(4) The conservator may, if necessary, from time to time, realise the expenses of keeping the obstruction, together with the expenses of sale, by a further sale of such part of the obstruction as may remain unsold. 45

(5) If the obstruction exists on account of any permit, grant, licence or other lawful instrument issued by the Government, then the conservator shall report the same to the Government, and, with the previous sanction of the Government, cause the same to be removed or altered in such manner, making reasonable compensation to the owner of such obstruction, to be determined on the basis of such factors, as may be prescribed by the appropriate Government. 50

Explanation.— For the purposes of this section, the term “obstruction” includes any structure or a vessel or wreck or part thereof, or any material such as cargo, bunker or pollutant or such other thing or any public nuisance, impeding or likely to impede the operation of the port.

- 5 **21.** The Government may, by notification, specify restrictions on certain activities within port limits which may cause any impediment to the navigation in a port.
- Power to specify restrictions on activities within port limits.
- 22.** (1) If any vessel hooks or gets foul of any of the buoys or moorings laid down by the conservator in a port, the master of such vessel or any other person shall not, except in case of emergency, lift the buoys or moorings for the purpose of
10 unhooking or getting clear from the same without the assistance of the conservator.
- Fouling of moorings.
- (2) The conservator, immediately on receiving notice of any emergency, under sub-section (1), shall assist and superintend the clearing of such vessel and the master of such vessel shall, upon demand, pay such reasonable expenses as may be incurred in clearing the same.
- 15 **23.** (1) The conservator, or any person appointed under this Act to receive fees or charges related to any vessel, may, when necessary for the performance of duties under this Act, board any vessel or enter any building or place within the port limits, either alone or accompanied by any other person or body of persons.
- Power to board vessels and enter buildings.
- (2) No master of a vessel or any person in possession or occupation of the
20 building or place shall without lawful excuse refuse the conservator or any person or body of persons to board or enter such vessel, building or place.
- 24.** (1) The Government may appoint an empanelled medical practitioner as the health officer to carry out the functions of the health officer at any port.
- Appointment and powers of health officer and prevention of contagious diseases.
- (2) The health officer shall possess such qualification, experience and be
25 subject to such other terms and conditions of service as may be prescribed by the appropriate Government.
- (3) The health officer shall, subject to the control of the Government, have the following powers, within the port limits, namely:—
- 30 (a) to inspect the provisions, water, sanitation and accommodation within vessels;
- (b) to enter or board any vessel and medically examine all or any of the seafarers on board the vessel;
- (c) to require and enforce the production of the log-book and any other books, papers or documents as may be deemed necessary for the purpose of
35 enquiring into the health and medical condition of persons on board the vessel;
- (d) to summon and question any person for any purpose, to require responses from the person questioned, and to make and sign a declaration affirming the truth of the statements made by such person.
- (4) Whenever any infectious or contagious disease has broken out or is reasonably
40 suspected to break out at any port or part thereof, the appropriate Government may—
- (a) declare such port or part thereof as an infected zone, and require all persons coming out from an infected zone to be medically inspected or examined by a health officer; and
- (b) prescribe the measures to be taken at such infected zone.
- 45 (5) Whenever any infectious or contagious disease has broken out or is reasonably suspected to break out in vessels arriving at, or being in, any port,—

(a) the conservator shall take such action, and pass such directions to such persons for the prevention or containment of the spread of any infectious or contagious disease, as may be prescribed by the Central Government in consultation with the State Government;

(b) the master shall report the particulars of any such disease to the Government or the conservator in such manner as may be prescribed by the Central Government in consultation with the State Government.

(6) The health officer, along with such person or body of persons authorised by the Government, may board the vessel for medical inspection of vessels and of persons on board the vessels.

Indemnity of Government against act or default of port officers or pilot.

25. The Government shall not be liable for any act or default of any conservator, harbour master or other port officers or of any deputy or assistant of any of the authorities aforesaid or of any person acting under the control or direction of any such authority, deputy or assistant, or for any act or default of any pilot or for any damage sustained by any vessel in consequence of any defect in any of the moorings, hawsers or other things belonging to the Government which may be used by the vessel:

Provided that nothing in this section shall protect the Government from a suit in respect of any act done by or under the express order or sanction of the Government.

CHAPTER VII

SAFETY AND CONSERVATION OF PORTS

Damage to property of port.

26. (1) No person shall, without lawful excuse, remove, destroy or damage any property including any pier or wharf belonging to, or in the custody or possession of, the port, or hinder or prevent such property from being used or operated in the manner it is intended to be used or operated.

(2) Any person who does any act in violation of the provisions of sub-section (1), shall, in addition to any other penalty specified under column (4) of the Second Schedule, be liable to pay such expenses, as the conservator may determine to be just and reasonable, on the basis of such factors, as may be prescribed by the appropriate Government for any loss, destruction or damage suffered by the port, including the expenses of any inspection or survey carried out, having regard to the circumstances of the case.

Warping.

27. Every master of a vessel in any port shall, when directed by the conservator, permit warps or hawsers to be made fast to the vessel for the purpose of warping any other vessel in the port, and shall not allow any such warp or hawser to be let go until so directed by the conservator.

Master to take order to extinguish fire.

28. Every master of a vessel lying in any port shall take order to extinguish any fire on the vessel, and co-operate with the conservator or any person acting under the authority of the conservator, in extinguishing or attempting to extinguish any fire on the vessel.

Offences in connection with safety of vessels, etc.

29. (1) No person shall wilfully and without lawful excuse,—

(a) loosen or remove from its moorings or from its fastenings any vessel in the port without leave or authority from the master or owner of such vessel; or

(b) lift, injure, make a vessel fast to, loosen or set adrift any moorings, buoys, beacons or sea or landmarks; or

(c) discharge any firearm in the port; or

(d) do or omit to do any act on board any vessel in the port which has caused or likely to cause fire; or

(e) use a vessel in the port which is in such a state that by reason of the defective condition of its hull, equipment or machinery, or by reason of under-manning or otherwise, the life of any person or the safety of any other vessel navigating in the port is likely to be endangered.

5 (2) No master of a vessel shall cause or suffer any warp or hawser attached to his vessel to be left out in any port in such a manner as to endanger the safety of any other vessel navigating in the port.

(3) No person shall grave, bream or smoke any vessel in the port, or boil or heat any pitch, tar, resin, dammar, turpentine oil or other such combustible matter
10 on board any vessel within port limits, if such act is prohibited by the Government, or contrary to the orders or directions of the conservator.

30. No person, without the permission of the conservator shall, in any port, creep or sweep for anchors, cables or other stores lost or supposed to be lost therein.

31. No person shall, except with the permission of the conservator and under the
15 supervision of such person as may be appointed by the conservator, in any port,—

(a) disturb the existing waterbed or geophysical structures or any artificial protection or constructions or shore of the port; or

(b) sink or bury in any part of such bank or shore, whether the same is public or private property, any mooring-post, anchor or any other thing; or

20 (c) do any other thing which is likely to cause damage to such bank or shore.

32. (1) No vessel shall enter, leave or be moved in any port without having a pilot, harbour master or any port officer on board, unless,—

(a) upon application to the proper officer the master was unable to procure a pilot, harbour master or port officer to go on board the vessel;

25 (b) an authority in writing has been obtained from the conservator or any officer authorised to give such authority:

Provided that the Government may, by notification, direct that in any port as may be specified therein, the provisions of this sub-section shall not apply to sailing vessels of any measurement not exceeding a measurement so specified therein.

30 (2) Notwithstanding anything in sub-section (1), the owner or master of a vessel, shall be answerable for any loss or damage caused by the vessel or by any fault of the navigation of the vessel.

33. A port officer shall, if required by an officer authorised by a general or special order of the Central Government, cooperate as directed by the officer, in
35 carrying out manoeuvres related to the defense of the port in time of war, or for the security of the port against sub-conventional or non-traditional threats, or natural disasters, and, if necessary, temporarily make available the services of their staff, vessels, property, equipment or other resources:

40 Provided that the Central Government shall bear the running expenses of vessels placed at the disposal of such officer in respect of the period during which they are so at his disposal, and be responsible for any damage thereto.

45 *Explanation.*— For the purposes of this section, the expression “running expenses” shall include all expenses incurred in connection with the use of the vessels other than any charges for their hire or for the wages of the officers and crews of such vessels.

34. (1) The Authority may issue guidelines for the purposes of regulating the following matters and activities, namely:—

Unauthorised person not to search for lost stores.

Injuring banks or shores of port prohibited.

Moving of vessels without pilot or permission of harbour master or port officer.

Port officer to co-operate in manoeuvres for defence of port.

Authority and Director-General to regulate certain activities.

(a) the vessel movement and safety of navigation, including determining the schedules and procedural protocols for vessel entry, departure, and transit within port limits;

(b) assigning the berths, including designating specific berths, stations, and areas for vessel docking in the port; 5

(c) the anchor and equipment management, focusing on the correct stowage and positioning of cargo gear, anchors, and other external apparatus on vessels;

(d) the cargo and passenger operations, including regulating locations and methods for passenger embarkation and loading and unloading of cargo; 10

(e) standards for bunkering practices and equipment for vessel fueling operations;

(f) specifying the requirements for the clear passage to ensure designated safe passage areas are maintained near docking structures and within port limits;

(g) standards and procedure for mooring and anchoring of vessels and related equipment; 15

(h) specifying the access and usage protocols for Government-owned docking and storage facilities;

(i) standards and procedures for licensing various maritime transport vessels and the conditions for license renewal or revocation; 20

(j) specifying protocols for the consistent and safe use of visual and signal aids by vessels and ports;

(k) standards relating to occupational health, safety and security of dock workers, seafarers and port visitors; and

(l) the protocols to ensure seafarer and port workers' welfare-related resources and activities. 25

(2) The Director-General may also issue such guidelines on any of the matters and activities specified in sub-section (1), as may be deemed necessary, from time to time.

(3) Any guidelines issued by the Authority under sub-section (1), shall be in conformity with the guidelines issued by the Director-General under sub-section (2). 30

Explanation.— For the purposes of this section, “Director-General” means the Director-General appointed under the Merchant Shipping Act, 1958. 44 of 1958.

CHAPTER VIII

PREVENTION, CONTAINMENT OF POLLUTION AND RESPONSE

Definitions. 35. In this Chapter, unless the context otherwise requires,— 35

(a) “Ballast Water Management Convention” means the International Convention for the Control and Management of Ships’ Ballast Water and Sediments, 2004;

(b) “cargo residues” means the remnants of any cargo material on board which remain on the deck or in holds or tanks following loading and unloading, including loading and unloading excess or spillage, whether in wet or dry condition or entrained in wash-water, but does not include cargo dust remaining on the deck after sweeping or dust of the external surfaces of the vessel; 40

(c) “MARPOL Convention” means the International Convention for the Prevention of Pollution from Ships, 1973, including its Protocol of 1978; 45

(d) “reception facility” means any facility which is fixed, floating or mobile and capable of providing the service of receiving the waste from vessels;

(e) “waste from vessels” or “vessel-generated waste” means every waste, including cargo residues, which is generated during the service of a vessel or during loading, unloading and cleaning operations and which falls within the scope of Annexes I, II, IV, V and VI to the MARPOL Convention and the Ballast Water Management Convention.

36. Every port shall provide reception facilities adequate to meet the needs of vessels without causing undue delay to vessels, in compliance with the provisions relating to reception facilities specified in Annexes I, II, IV, V and VI of the MARPOL Convention or with the requirements of Article 5 of the Ballast Water Management Convention, as applicable, based on such conditions as may be prescribed by the Central Government in consultation with the State Government.

Reception facilities.

Explanation.— For the purposes of this section, the term “adequate” means capable of receiving the types and quantities of wastes from vessels normally using that port, taking into account the operational needs of the port users, its size and geographical location and the types of vessels calling at that port.

37. Where in respect of any port it appears to the Central Government, on the basis of the audit conducted under section 42 or otherwise, that the port has no reception facilities or if the port has such facilities, those facilities are not adequate within the meaning of section 36, the Central Government or an officer authorised by it may, by order in writing, direct the port to provide, or arrange for the provision of, such reception facilities as may be specified in that order.

Direction to provide adequate reception facilities.

38. (1) Every port shall prepare a port waste reception and handling plan in such form and manner as may be prescribed by the Central Government in consultation with the State Government.

Port waste reception and handling plans.

(2) Upon approval of the port waste reception and handling plan by the Central Government, such plan shall be implemented by the port.

(3) Every port shall communicate such information about the port waste reception and handling plan to vessels in such manner as may be prescribed by the Central Government in consultation with the State Government.

39. The operator, agent or master of a vessel bound for India shall submit an advance waste notice to the port of call in such form and manner and within such time period as may be prescribed by the Central Government in consultation with the State Government.

Advance waste notice.

40. (1) Subject to such conditions as may be prescribed by the Central Government in consultation with the State Government, the master of a vessel calling at a port shall, before leaving that port, deliver all its vessel-generated waste carried on board to a reception facility.

Delivery of vessel-generated waste.

(2) Upon delivery, the port where the waste was delivered shall issue the waste delivery receipt to the master of the vessel in such form and manner as may be prescribed by the Central Government in consultation with the State Government.

41. (1) A port providing reception facilities or a person providing such facilities by arrangement with the port may levy such charges for the use of the facilities.

Charges for vessel-generated waste.

(2) The reception facility provided at the port shall be made available for use by any vessel subject to such conditions as may be imposed by the port and on payment of the charges referred to in sub-section (1).

42. (1) The Central Government shall audit every port at such intervals and in such manner as may be prescribed by the Central Government in consultation with the State Government.

Audit of ports.

(2) The audit under sub-section (1) shall be carried out for the purposes of checking the availability and adequacy of reception facilities in accordance with this Chapter and the rules made thereunder, and shall include audit of such pollution containment equipment as may be specified by the Central Government, from time to time.

Maintenance of information on portal.

43. The following information shall be uploaded electronically in such manner and by such persons as may be notified by the Central Government, namely:—

- (a) advance waste notice under section 39;
- (b) waste delivery receipt under sub-section (2) of section 40;
- (c) request by a vessel for availing reception facilities; and
- (d) such other matters as may be notified by the Central Government.

Measures for prevention or containment of pollution.

44. (1) Every port shall report the particulars of any incident that threatens or is likely to pose a threat of pollution to the coastal waters or related interests, to the Government, in such manner as may be prescribed by the Central Government in consultation with the State Government.

(2) Where the Central Government is satisfied that an incident which threatens or is likely to pose a threat of pollution to the coastal waters or related interests has taken place or is likely to take place, it may direct the port or State Government or the Authority or organisation, as may be applicable, to take such action for the prevention or containment or threat of such pollution in accordance with the applicable law.

Explanation.— For the purposes of this section, the expression “coastal waters” shall mean and include any part of the territorial waters of India, along with any part of the adjoining maritime zones of India or any marine area adjacent thereto over which India has, or, may hereafter have, exclusive jurisdiction in regard to control of marine pollution under the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976, or any other law for time being in force.

Directions for securing compliance.

45. The Government may issue directions to any port or port officer to comply with any of the provisions of this Chapter.

CHAPTER IX

LEVY OF FEES AND OTHER CHARGES

Levy of fees and other charges.

46. There shall be leviable such fees or other charges in each of the ports in respect of—

- (a) consideration payable to the port by owners or agents of vessels or shippers *in lieu* of services rendered by such port including but not limited to—
 - (i) providing usage of or access to all or any part of the port;
 - (ii) loading or unloading of cargo;
 - (iii) embarking or disembarking of passengers;
 - (iv) storage of materials;
 - (v) supplying provisions or equipment to vessels;
 - (vi) handling, storing and transporting goods on land adjoining ports and for the handling of passengers carried by the vessels;
 - (vii) embarking or disembarking of masters, crew and other personnel, if payable;
 - (viii) repairing of vessel;

(ix) providing aids to navigation within the port limits;

(x) carrying passengers or goods between vessels in the port or port approaches;

5 (xi) stevedoring, landing and shipping of passengers or goods from or to such vessels;

(xii) wharfage, storage or demurrage of goods on any such place;

(xiii) pilotage and berth hire;

(xiv) towage; and

(xv) waterfront royalty;

10 (b) consideration payable by or to the port for port works pertaining to the maintenance of ports;

(c) realisations from usage of land and property belonging to, or in the possession or occupation of, the Authority.

47. (1) (a) The port tariff for every major port shall be fixed by—

Port tariff.

15 (i) the Board of Major Port Authority or such person or body of persons authorised by it; or

(ii) the board of directors, in case a port is registered as a company under the Companies Act, 2013;

18 of 2013.

20 (b) the port tariff for every port other than major port shall be fixed by the respective State Maritime Boards or such concessionaire as may be authorised by the concerned State Maritime Board.

(2) The port tariff fixed under sub-section (1) shall be published electronically by the Authority or concessionaire or person or body of persons, responsible for fixing the port tariff.

25 (3) The port tariff fixed under sub-section (1) shall come into effect after expiry of a period of thirty days from the date of its publication.

(4) The Council may issue guidelines on any matter relating to transparency of port tariff including the components thereof.

30 (5) The Authority may, based on any recommendation by the Government, in special cases exempt or, remit the whole or any portion of the fees or other charges due or payable under this Act.

35 48. (1) The Government shall, by notification, authorise at any port, an officer or body of persons who may receive the fees or other charges payable under this Act and to expend the receipts thereof, subject to such conditions as may be specified in the notification.

Receipt of fees or other charges.

(2) The officer or body of persons authorised to receive fees or other charges, shall issue a receipt *in lieu* of such fees or other charges, in such form and manner as may be prescribed by the appropriate Government, containing the following particulars, namely:—

40 (a) name of the issuing office;

(b) the port or place at which the fees or other charges due or payable is paid; and

(c) the name, gross tonnage and other proper description of the vessel in respect of which the payment is made, as applicable.

Owner, agent or master to report arrival.

49. The owner, agent or master of every vessel liable to pay any other fees or other charges shall, on arrival of such vessel within the port limits, report her arrival to the conservator in such form, manner and within such time as may be prescribed by the Central Government in consultation with the State Government.

Detention and sale on refusal to pay fees or other charges.

50. (1) If the master of any vessel in respect of which any fees or other charges are payable under this Act refuses or fails to pay the same on demand, the officer or body of persons authorised under sub-section (1) of section 48 may detain or arrest the vessel or any part thereof, until the amount due is paid. 5

(2) In case any part of the fees or other charges, or of the costs of the detention or arrest or of the keeping of the vessel detained or arrested remains unpaid for fifteen days after any such detention or arrest, such officer or body of persons may cause the vessel detained or arrested to be sold, and with the proceeds of such sale, may recover the fees or other charges and the cost including the costs of sale remaining unpaid, and shall render the surplus, if any, to the master of the vessel upon demand: 10

Provided that where such vessel is already arrested under the order of a court or other authority, the authority appointed to receive fees or other charges, may sell the vessel or part thereof only with the prior permission of such court or other authority and recover the fees or other charges due and the costs including costs of sale remaining unpaid, and disburse the surplus, if any, in accordance with the orders or directions of such court or other authority. 15 20

(3) Where the sale proceeds of the vessel is insufficient to satisfy the fees or other charges due and the cost including the costs of sale remains unpaid, the authority appointed to receive such fees or other charges due may, by order in writing direct the owner of the vessel to pay the unpaid balance, within one month of issuance of such order. 25

Grant of port-clearance.

51. No port-clearance shall be granted to any vessel until the owner or master or agent or port user has paid or secured to the satisfaction of the officer granting the clearance the amount of all fees or charges, and of all fines, penalties and expenses to which the vessel or her owner or master is liable under this Act.

Master not to evade payment of fees or other charges.

52. (1) No master of a vessel shall evade the payment of any fees or other charges required to be paid under this Act. 30

(2) In any proceeding before a Magistrate, any document issued by the officer empowered to grant port clearance under section 51 stating that the master has evaded such payment shall be sufficient proof of the evasion, unless the master shows to the satisfaction of the Magistrate that the departure of the vessel without payment of the sum was caused by stress of weather, or that there was lawful or reasonable ground for such departure. 35

(3) Any Magistrate having jurisdiction under this Act in any port to which the vessel may proceed, or in which she may be found, shall be deemed to have jurisdiction in any proceeding under this section. 40

CHAPTER X

PENALTIES AND PROCEDURES

Offences and penalties.

53. (1) Whoever contravenes any provision of this Act or fails to comply with any provision thereof, shall be liable to penalty under this Act and, if, in respect of any offence or contravention no punishment or penalty is specially provided, shall be liable to penalty which may extend to ten thousand rupees, and if the breach is a continuing one, with further penalty which may extend to one thousand rupees for every day, after the first day, during which the breach continues. 45

(2) The offences mentioned in column (2) of the First Schedule, shall be punishable to the extent of punishment mentioned in the corresponding column (4) of that Schedule against the offence specified in column (2) of that Schedule. 50

Explanation.— For the purposes of this sub-section, where any offence is attributable to a port under column (2) of the First Schedule, the fine specified for such offence under column (4) thereof, shall be payable by the Authority; or by the concessionaire where such port is operated by the conservator.

(3) Whoever contravenes any provision mentioned in column (2) of the Second Schedule, shall be liable to the extent of penalty mentioned in the corresponding column (4) of that Schedule against the contravention specified in column (2) of that Schedule.

54. (1) The authority for imposing the penalty under the Second Schedule shall be the conservator.

Authority for imposition of penalty and procedure therefor.

(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.

55. No Court inferior to that of a Judicial Magistrate of the first class shall take cognizance of any offence specified under the First Schedule.

Cognizance of offences.

56. Any person who wilfully fails to comply with any order of the Dispute Resolution Committee against which no appeal has been preferred, shall be liable to a penalty which may extend to one lakh rupees, and in addition, penalty which may extend to one thousand rupees for every day during which such default continues.

Penalty for wilful failure to comply with orders of Dispute Resolution Committee.

57. No person shall,—

Penalty for failure to furnish information, etc.

(a) make any statement or furnish any document which the person knows or has reason to believe to be false in any material particular; or

(b) omit to state any material fact knowing it to be material; or

(c) wilfully alter, suppress or destroy any document which is required to be furnished.

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.

Recovery of fine or penalty.

59. (1) Any dispute as to the sum to be paid as expenses or damages under this Act shall be determined by a Magistrate upon an application made for that purpose by either of the disputing parties.

Recovery of expenses and damages.

(2) Any sum payable as expenses or damages under this Act which does not exceed twenty thousand rupees may be recovered by the conservator or the Magistrate, as if it were a penalty or fine.

60. Whenever any penalty, fine, expenses or damages is or are levied under this Act by distress and sale, the cost of distress and sale may be levied in addition to such penalty, fine, expenses or damages, in the manner specified in section 59.

Cost of distress.

Magistrate to determine amount to be levied in case of dispute.

61. If any dispute arises concerning the amount leviable by any distress or arrest under this Act or the costs payable under section 60, the person making the distress or arrest may detain the goods seized or arrested, or the proceeds of the sale thereof, until the amount to be levied has been determined by a Magistrate who, upon an application made for that purpose, may determine the amount and award such costs to be paid by either of the parties to the other of them as the Magistrate may deem reasonable and payment of such costs if not paid on demand, shall be enforced as if they were a fine. 5

Place of trial and jurisdiction.

62. (1) Any person committing any offence under this Act may be tried for such offence in any place in which that person may be found, or before any Magistrate having jurisdiction over any district or place adjoining the port in which the offence takes place, or in any court in which that person may be tried under any other law for time being in force. 10

(2) The Magistrate referred to in sub-section (1) may exercise all the powers of a Magistrate under this Act in the same manner and to the same extent as if the offence had been committed locally within the limits of his jurisdiction, notwithstanding that the offence may not have been committed locally within such limits and in case any such Magistrate exercises the jurisdiction hereby vested in him, the offence shall be deemed, for all purposes, to have been committed locally within the limits of his jurisdiction. 15 20

Offences by companies.

63. (1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly 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: 25

Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything 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. 30 35

Explanation.— For the purpose of this section, —

(a) “company” means anybody corporate and includes a co-operative society, a firm, a limited liability partnership registered under the Limited Liability Partnership Act, 2008 or other association of individuals; and 6 of 2009.

(b) “director”, in relation to a firm, means a partner in the firm. 40

CHAPTER XI

MISCELLANEOUS

Service of documents.

64. (1) Where, for the purposes of this Act any document is to be served on any person, that document may be served in any case by delivering a copy thereof personally to the person to be served or by leaving the same at his last place of residence, or by post. 45

(2) If the document is to be served—

(a) on the harbour master of a port, where there is one, by leaving the same for him at the port, with the person being or appearing to be in command of the port; 50

(b) on the master of a vessel, where there is one, by leaving the same for him on board that vessel, with the person being or appearing to be in command or charge of the vessel; and

(c) on the master of a vessel, or if there is no master and the vessel is in India, on the owner of the vessel, or, if such owner is not in India, on any agent of the owner residing in India, or, where no such agent is known or can be found, by affixing a copy thereof on the vessel or at a suitable place on the bridge.

65. (1) In any port where hoisting is mandated by the conservator, no vessel shall hoist, carry or wear, any flag, jack, pennant or colours, the use whereof is unlawful.

Hoisting
unlawful colours
in port.

(2) Every foreign vessel calling at a port in India shall hoist the flag of the flag State of the vessel and the flag of the Republic of India.

66. (1) Every port shall frame an emergency preparedness and response plan for the purposes of safety, security, disaster management and pollution incidents in accordance with applicable law.

Emergency
preparedness
and response
plan.

(2) The plan referred to in sub-section (1) shall be submitted to the Central Government for its approval in such manner as may be directed by the Central Government in consultation with the State Government.

(3) The Central Government may grant approval to the plan after taking into consideration such factors as may be notified by the Central Government in consultation with the State Government.

(4) The conservator may issue directions for the implementation of the approved plan and the Central Government may audit such implementation.

(5) The Central Government may, either *suo motu* or on the basis of an audit under sub-section (4), issue directions to any person in order to ensure compliance with the provisions of this section and put in place a national emergency response mechanism.

67. Every port shall report the particulars of any incident such as property damage, vessels sinking, vessel collisions or fire, in such manner as may be prescribed by the Central Government in consultation with the State Government.

Reporting of
incident.

68. Every port shall provide such shore based welfare services as may be prescribed by the Central Government in consultation with the State Government, for seafarers of vessels calling at the port.

Shore based
welfare services
for seafarers.

69. (1) The Central Government may, by notification, direct a port to adopt a mechanism for electronically integrating such port related data as may be notified by the Central Government in consultation with the State Government, with the port community system or any other centralised system.

Port community
system and
vessel traffic
service.

(2) Every port shall maintain vessel traffic service within the port limits in accordance with applicable law.

40 *Explanation.*— For the purposes of this section, the expressions,—

(a) “port community system” means a secure electronic system integrating the trade related information submitted and exchanged therein, serving as a centralised portal for ports and other relevant stakeholders in accordance with the Convention on Facilitation of International Maritime Traffic, 1965 or any other requirement as may be directed by the Central Government;

(b) “vessel traffic service” shall have the same meaning as assigned to it in the Marine Aids to Navigation Act, 2021.

Order for securing compliance.	70. The Central Government may issue directions to such port, port facility, port officer, or person, to ensure compliance with any other laws for the time being in force and the provisions of the Merchant Shipping Act, 1958 relating to the safety and security of port facilities.	44 of 1958.
Prior clearance.	71. Any port undergoing a change in substantial ownership or effective control shall obtain a prior clearance from the Central Government or a person authorised by it, in such form and manner and within such time as may be notified by the Central Government in consultation with the State Government.	5
Obligations of ports under international conventions.	72. (1) Every port shall ensure that the obligations under the international conventions to which India is a party are discharged in accordance with such conventions. (2) The obligations to be discharged by the ports under the conventions referred to in sub-section (1) shall be such as may be prescribed by the Central Government.	10
Notification of mega port	73. (1) The Central Government may, in consultation with the State Government, by notification, specify the criteria for classification of a port as mega port. (2) The Central Government may notify any major port, which satisfies the criteria notified under sub-section (1), as a mega port. (3) The Central Government may, in consultation with the State Government, notify any port other than major port, which satisfies the criteria notified under sub-section (1), as a mega port. (4) Notwithstanding its classification as a mega port under this section, a port shall retain its status as either a major port or a port other than a major port, as applicable, and shall continue to be governed by the respective laws applicable to such port.	15 20
Chairperson, members, officers and employees of Council, etc., to be public servants. Application of certain laws.	74. All members, officers and other employees of the Council 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 clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023. 75. The provisions of this Act shall be in addition to and not in derogation of, the Major Port Authorities Act, 2021 and the Merchant Shipping Act, 1958, in so far as they relate to ports.	25 45 of 2023. 30 1 of 2021. 44 of 1958.
Power of Central Government to make rules.	76. (1) The Central Government may, by notification and subject to the condition of previous publication, make rules 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 salary and allowances and other conditions of service of the employees of the Council under sub-section (2) of section 7; (b) other officers of the port to be appointed under sub-section (2) of section 18; (c) the terms and conditions of service of the officers under sub-section (3) of section 18; (d) the powers to be delegated by the conservator and the persons to whom such powers may be delegated under sub-section (6) of section 18; (e) the manner of removal or alteration of obstruction and factors for determining compensation under sub-section (5) of section 20; (f) the qualifications, experience and other terms and conditions of service of the health officer to be appointed under sub-section (2) of section 24;	35 40 45

(g) the measures to be taken at infected zone under clause (b) of sub-section (4) of section 24;

(h) the factors to be considered by the conservator in determining the expenses to be paid under sub-section (2) of section 26;

5 (i) the form and manner of receipt of fees or other charges under sub-section (2) of section 48;

(j) the manner of appointment of conservator from a body of persons under sub-section (2) of section 54;

10 (k) the obligations to be discharged by the ports under sub-section (2) of section 72.

77. (1) The State Government may, by notification in the State Gazette and subject to the condition of previous publication, make rules to carry out the provisions of this Act.

Power of State Government to make rules.

15 (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 and manner of making an application for adjudication of disputes referred to the State Maritime Board under sub-section (2) of section 16;

(b) other matters in respect of which the State Maritime Board shall exercise powers of civil court under clause (d) of sub-section (4) of section 16;

20 (c) other officers of the port to be appointed under sub-section (2) of section 18;

(d) the terms and conditions of service of officers under sub-section (3) of section 18;

25 (e) the powers to be delegated by the conservator and the persons to whom such powers may be delegated under sub-section (6) of section 18;

(f) the manner of removal or alteration of obstruction and factors for determining compensation under sub-section (5) of section 20;

30 (g) the qualification, experience and other terms and conditions of service of the health officer to be appointed under sub-section (2) of section 24;

(h) the measures to be taken at infected zone under clause (b) of sub-section (4) of section 24;

(i) the factors to be considered by the conservator in determining the expenses to be paid under sub-section (2) of section 26;

35 (j) the form and manner of receipt of fees or other charges under sub-section (2) of section 48;

(k) the manner of appointment of conservator from a body of persons under sub-section (2) of section 54.

40 78. (1) The Central Government in consultation with the State Governments may, by notification, and subject to the condition of previous publication, make rules to carry out the provisions of this Act.

Power of Central Government to make rules in consultation with State Governments.

(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:—

45 (a) the form and the manner of notification of any part of the navigable rivers or channels leading to ports under sub-clause (iii) of clause (a) of sub-section (3) of section 1;

(b) the norms, form and manner of notifying a new port and altering port limits under sub-section (2) of section 11;

(c) the action to be taken by the conservator and the directions to be issued to the persons under clause (a) of sub-section (5) of section 24;

(d) the manner of reporting of disease by the master under clause (b) of sub-section (5) of section 24;

(e) the conditions subject to which port shall provide reception facilities under section 36;

(f) the form and manner of preparing port waste reception and handling plan under sub-section (1) of section 38;

(g) the information about the port waste reception and handling plan and manner of communicating such information under sub-section (3) of section 38;

(h) the form, manner and time for submitting an advance waste notice under section 39;

(i) the conditions for delivery of vessel-generated waste under sub-section (1) of section 40;

(j) the form and manner of issuance of waste delivery receipt under sub-section (2) of section 40;

(k) the intervals and manner of conducting audit of ports under sub-section (1) of section 42;

(l) the manner of reporting incidents under sub-section (1) of section 44;

(m) the form, manner and time for reporting arrival of vessel at port under section 49;

(n) the manner of reporting of incidents under section 67;

(o) the provision of shore based welfare services under section 68.

Power of
Council to make
regulations.

79. (1) The Council may, by notification and subject to the condition of previous publication, make regulations consistent with this Act and the rules made thereunder to carry out the provisions of this Act.

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

(a) the manner and conditions subject to which the Chairperson may invite persons to meetings of the Council under sub-section (3) of section 3;

(b) the manner of transaction of business at meetings of the Council under sub-section (4) of section 3;

(c) any such other matters which is to be, or may be, specified by regulations.

Power of
Council to issue
guidelines.

80. (1) The Council may, by notification, issue such guidelines consistent with this Act and the rules made thereunder to carry out the provisions of this Act.

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

(a) the data or information to be collected and manner of collection, storage, updation and submission of such data or information to the Council under item (A) of sub-clause (ii) of clause (b) of sub-section (1) of section 6;

(b) the manner of dissemination of information, records, data and research studies relating to ports, under item (B) of sub-clause (ii) of clause (b) of sub-section (1) of section 6;

5 (c) the matters in relation to the transparency of port tariff and its components under sub-section (4) of section 47;

(d) such other matters as it may deem fit.

81. (1) Every rule made by the Central Government and every regulation 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
10 comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect,
15 as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

Laying of rules and regulations before Parliament and State Legislature.

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

82. No suit or other legal proceeding shall lie against the Central Government or the State Government or the Council or the Authority or the employees of the Government or the members or employees of the Council or the Authority, in respect of anything which is done or intended to be done or any action taken in good
25 faith under this Act or any rules or regulations made thereunder.

Protection of action taken in good faith.

83. (1) The Central Government may, by notification, amend column (4) of the Second Schedule, increasing the amount of penalty which shall not exceed more than twice the amount of penalty when the Act was first enacted.

Power to amend Second Schedule.

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

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

Power to remove difficulties.

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

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

15 of 1908.

85. (1) The Indian Ports Act, 1908 is hereby repealed.

Repeal and savings.

40 (2) Notwithstanding such repeal,—

(a) any notification, rule, regulation, bye-law, order or exemption made, issued or granted under the Act so repealed shall have effect as if it had been made, issued or granted under the provisions of this Act, till new notification, rule, regulation, bye-law, order or exemption is made, issued or granted under this Act;

45 (b) any office established or created, officer or person appointed and any body constituted under the Act so repealed shall continue and shall be deemed to have been established, created, appointed or constituted under this Act;

(c) any document referring to the Act so repealed shall be construed as referring to this Act or to the provision of this Act;

(d) any fine or penalty levied under the Act so repealed may be recovered as if it had been levied under this Act;

(e) any offence committed under the Act so repealed may be prosecuted and punished as if it had been committed under this Act;

(f) any proceeding pending before any court under the Act so repealed 5
may be tried or disposed of under the corresponding provisions of this Act;

(g) any inspection, investigation or inquiry ordered to be done under the provisions of the Act so repealed shall continue to be proceeded with as if such inspection, investigation or inquiry is ordered to be done under the corresponding provisions of this Act. 10

(3) The mention of particular matters in this section shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897, with regard to the effect of repeals.

10 of 1897.

THE FIRST SCHEDULE
[See section 53(2)]
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 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.
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.

(1)	(2)	(3)	(4)
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 everyday 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.

(1)	(2)	(3)	(4)
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.
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

Serial 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(1)	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.

THE THIRD SCHEDULE
[See section 13(1)]
State Maritime Boards constituted or established under State Acts

Serial No.	Name of State Maritime Board	Name of State Act	Date of establishment
(1)	(2)	(3)	(4)
1.	Gujarat Maritime Board	Gujarat Maritime Board Act, 1981 (Gujarat Act No. 30 of 1981)	The 3rd November, 1981
2.	Maharashtra Maritime Board	Maharashtra Maritime Board Act, 1996 (Maharashtra Act XV of 1997)	The 4th October, 1996
3.	Tamil Nadu Maritime Board	Tamil Nadu Maritime Board Act, 1995 (Tamil Nadu Act No. 4 of 1996)	The 18th March, 1997
4.	The West Bengal Maritime Board	West Bengal Maritime Board Act, 2000 (West Bengal Act XXX of 2000)	The 1st October, 2015
5.	Karnataka Maritime Board	Karnataka Maritime Board Act, 2015 (Karnataka Act 41 of 2017)	The 9th September, 2019
6.	Kerala Maritime Board	Kerala Maritime Board Act, 2017 (Kerala Act 16 of 2017)	The 2nd February, 2018
7.	Andhra Pradesh Maritime Board	Andhra Pradesh Maritime Board Act, 2018 (Andhra Pradesh Act No. 16 of 2019)	The 16th December, 2019
8.	Odisha State Maritime Board	Odisha State Maritime Board Act, 2022 (Odisha Act No. 01 of 2022)	The 28th March, 2022

STATEMENT OF OBJECTS AND REASONS

The Indian Ports Act, 1908 (the 1908 Act) was a pre-independence legislation, enacted to consolidate the laws on ports and port-charges. It consisted of provisions on the powers of the Central Government and the State Governments for extending or withdrawing the applicability of Act and altering port limits, appointment of port-officials and their powers and duties, safety and conservation of ports, levy of port-dues, fees and other charges, penalties and supplemental provisions.

2. India has witnessed expansion in the number of operational ports as well as the overall traffic being handled at ports. Since the enactment of the 1908 Act, there have been significant changes in both the commercial operations of ports and the international norms for prevention of pollution of ports. In order to facilitate the development of the port sector in a planned manner, it was felt necessary to reflect the present-day frameworks, incorporate India's international obligations, address emerging environmental concerns and aid the consultative development of the ports sector in the national interest.

3. The proposed legislation seeks to to effectively adopt international obligations, allowing adequate power to frame subordinate legislation, keeping our domestic priorities in mind. It further seeks to integrate development of ports so as to utilise India's coastline in a coherent and sustainable way. It also seeks to reinforce and empower the State Maritime Boards to effectively administer, control and manage ports other than major ports, within each coastal State and Union territory.

4. In view of the above, it has become imperative to repeal the Indian Ports Act, 1908 and to provide for a contemporaneous and dynamic legislation to meet the requirements of India as an emerging economy. The Indian Ports Bill, 2025, *inter alia*, seeks to provide for the following, namely:—

(i) to define the term “appropriate Government” or “Government” and clarify that in relation to major ports, means the Central Government; and in relation to ports other than major ports, means the State Government;

(ii) applies to all existing ports to which the provisions of the Indian Ports Act, 1908 applied; all new ports notified under the Bill; notified parts of navigable river or channel which leads to such new port; all vessels within port limits; and all aircrafts making use of any part of the port, while on water;

(iii) the establishment of a body to be notified as Maritime State Development Council by the Central Government, which would be responsible for making recommendations to the Government, *inter alia*, including, efficient and conducive framework for ports in India; measures for growth of the port sector and to promote competition and efficiency in the operation of ports; and discharge other functions;

(iv) to empower the Government to notify a new port or to alter the limits of any port;

(v) to empower the Central Government to formulate a national perspective plan for the purposes of maritime trade and to prioritise associated infrastructure development of ports;

(vi) to provide for statutory recognition to State Maritime Boards established or constituted by the State Government or body of persons or a department of the State Government executing such functions and empower the State Maritime Boards with supervisory, developmental and other functions for effective administration, control and management of ports other than major ports;

(vii) to provide for the creation of new adjudicatory mechanism which requires every State Government to constitute a Dispute Resolution Committee, by notification, for the purposes of adjudicating any dispute arising between ports other than major ports, concessionaires, port users and

port service providers within the State and bars the jurisdiction of civil courts from entertaining any matter which the Dispute Resolution Committee is empowered to determine under the Bill;

(viii) powers of conservators have been enlarged, for effective superintendence over ports as far as safety and conservation of ports are concerned;

(ix) to mandate provision of reception facilities in compliance with the International Convention for the Control and Management of Ships' Ballast Water and Sediments 2004 and the International Convention for the Prevention of Pollution from Ships, 1973, including its Protocol of 1978;

(x) to provide for preparation of port waste reception and handling plan by each port;

(xi) to empower Board of Major Port Authority or the board of directors, where a major port is a company registered under the Companies Act, 2013, to fix the port tariff for major ports and to empower the respective State Maritime Boards to fix the port tariff for every port other than major port;

(xii) to provide for preparation of emergency preparedness and response plan by each port for the purposes of safety, security, disaster management and pollution incidents;

(xiii) to make provisions for offences and to empower the Judicial Magistrate of first class to impose punishment against offences;

(xiv) to make provisions for penalties and procedure and to empower the conservator to impose a penalty against those contraventions;

(xv) to empower the Central Government to direct ports to adopt mechanism for electronically integrating port related data;

(xvi) requirement of prior clearance from the Central Government when a port is undergoing change in substantial ownership or effective control;

(xvii) classification of a major port or a port other than major port as a mega port by notification, when such port fulfils the criteria notified by the Central Government in consultation with the State Government;

(xviii) to clarify that the Bill is in addition, and not in derogation to existing legislations such as the Major Port Authorities Act, 2021 and the Merchant Shipping Act, 1958;

(xix) to empower the Central Government to make such provisions not inconsistent with the provisions of the Bill, as appear to it to be necessary or expedient, for removing the difficulty before the expiry of a period of three years from the date of commencement of the Bill;

(xx) to repeal the Indian Ports Act, 1908 and to provide for saving of certain actions taken thereunder.

5. The Notes on clauses explain in detail the various provisions contained in the Bill.

6. The Bill seeks to achieve the above objectives.

NEW DELHI;

SARBANANDA SONOWAL.

The 18th March, 2025.

Notes on clauses

Clause 1.—This clause seeks to provide for short title, extent, commencement, and application of the Bill. It specifies the application of the Bill, *inter alia*, to all ports, parts of the navigable rivers and channels leading to such ports as may be notified by the Government, all vessels within port limits and all aircrafts making use of any port while on water. It also specifies the vessels to which the Bill shall not be applicable, which include any port or navigable rivers or channels or vessels or classes of vessels, any vessel or any aircraft making use of any part of the port belonging to or exclusively servicing, for military or non-commercial service of the Government, the Indian Navy, Indian Coast Guard, customs authorities, Central Armed Forces and police and other agencies as may be notified by the Central Government; any vessel belonging to or in service of the Central Government or State Government, or any foreign vessel of war.

Clause 2.—This clause defines the various expressions used in the Bill which, *inter alia*, include “appropriate Government” or “Government”, “concessionaire”, “existing port”, “mega port”, “mooring”, “new port”, “port”, “port limits”, “port tariff”, “port works”, “State”, “State Maritime Board”, “Schedule” “security” and “vessel”.

Clause 3.—This clause seeks to provide for the establishment of the Maritime State Development Council with the Union Minister of Ports, Shipping and Waterways, Government of India, as Chairperson and other members namely, the Minister in-charge of ports of each State; Minister-in-charge of the Union territory of Puducherry and Administrators of all coastal Union territories; the Secretary or equivalent rank to the Government of India in the Indian Navy dealing with coastal security nominated by the Central Government in the Ministry of Defence; the Secretary or equivalent rank to the Government of India in the Indian Coast Guard dealing with coastal security nominated by the Central Government in the Ministry of Defence and the Secretary to the Government of India in the Ministry of Ports, Shipping and Waterways as the Member Secretary. The office of the member of the Council is not deemed to be an office of profit.

Clause 4.—This clause empowers the Chairperson with the general superintendence and directions in the conduct of affairs of the Council.

Clause 5.—This clause seeks to provide that no act or proceeding of the Council shall be invalidated merely because of any vacancy in the Council, or any defect in the constitution of the Council, or any defect in the appointment of a member or any irregularity in the Council’s procedure provided such irregularity does not affect the merits of the case.

Clause 6.—This clause seeks to specify the functions of the Council which, *inter alia*, include making recommendations to the Government on the matters specified therein; issuing guidelines, in consultation with the Central Government and the State Governments on matters specified therein; and calling for information from any Authority or port or person, for the purpose of discharging its functions.

Clause 7.—This clause seeks to empower the Central Government to make officers and employees available for discharge of the functions of the Council. It further empowers the Central Government to prescribe salaries, allowances, and conditions of service of the employees of the Council.

Clause 8.—This clause seeks to empower the Central Government to make grants to the Council of such sums of money required by it to discharge its functions under this Bill.

Clause 9.—This clause seeks to empower the Council to delegate its powers and functions subject to any conditions by general or special order in writing to any member or employee of the Council, except the power to make regulations or to issue guidelines.

Clause 10.—This clause seeks to disallow any port from commencing or carrying on activities unless it is an existing port or a new port which is duly notified in accordance with clause 11.

Clause 11.—This clause seeks to empower the Central Government to notify a new port and to alter the limits of any port. It further provides that the notification which alters the limits of any port shall not have retrospective effect. The clause also empowers the Central Government in consultation with the State Government to prescribe the norms, form and manner for declaring a new port and for altering the port limits.

Clause 12.—This clause seeks to empower the Central Government to formulate a national perspective plan for the purpose of maritime trade and to prioritise associated infrastructure development. It provides that the Central Government, State Governments and the Authority shall endeavour to adhere to the national perspective plan formulated by the Central Government and guidelines issued by the Council.

Clause 13.—This clause provides that every State Maritime Board established or constituted by the State Government under any of the enactments specified in the Third Schedule shall be deemed to be duly established or constituted under this Bill. It provides where such State Maritime Board is not established or constituted, the State Governments are obligated to establish and notify State Maritime Board. The State Maritime Board shall be a distinct legal entity, having the power, subject to the provisions of the Bill to contract, acquire, hold and dispose of property, to sue or be sued. The State Government may specify by notification, the place where the head office of the State Maritime Board shall be situated.

Clause 14.—This clause provides for transfer of assets and liabilities by the State Government to the State Maritime Board. It provides that on and from the date of establishment or the date of notification of the State Maritime Board, the State Government shall transfer to the State Maritime Board and vest all port land, property, assets, funds, interest in the property and all rights to levy rates, fee and other sums of money vested or due in the State Government. It further provides that all debts, obligations, contracts, and legal proceedings of the State Government before the establishment or notification of the State Maritime Board shall be transferred to the State Maritime Board. The State Maritime Board will continue all suits or other legal proceedings initiated, on behalf or against the State Government.

Clause 15.—This clause specifies the various functions of the State Maritime Board with respect to all the ports other than major ports within the territory of the respective State, which, *inter alia*, include, initiating plans for development of ports; promoting the use, development and improvement of ports; developing new ports, subject to security clearance as per the guidelines issued by the Central Government. It further seeks to empower the State Maritime Board to issue directions to any port other than major port or to any officer of such port for discharging its functions under the Bill.

Clause 16.—This clause seeks to mandate every State Government to constitute by notification, a Dispute Resolution Committee consisting of not less than three members, to adjudicate disputes between ports other than major ports, concessionaires, port users and port service providers, unless the parties have agreed to arbitration or any other dispute resolution mechanism. The time limit for deciding any dispute is six months, which may be extended up to three more months at a time after recording reasons for doing so, but not exceeding twelve months. It further confers the Dispute Resolution Committee with the powers of a civil court. This clause also provides that any party aggrieved by an order of the Dispute Resolution Committee may prefer an appeal to the High Court of the appropriate jurisdiction, within sixty days from the date on which a copy of the order is received by the party.

Clause 17.—This clause seeks to bar the jurisdiction of any civil court to entertain any suit or proceeding in respect of any matter which the Dispute Resolution Committee is empowered by or under this Bill to determine.

Clause 18.—This clause seeks to provide for the appointment of conservator for every port or for two or more ports by the Government, and the conservator shall be subject to the control of the Government and the Authority. It further mandates every port to appoint a harbour master or such other officers of the port as may be prescribed by rules made by the Government. All officers operating in a port shall be subject to the supervision and control of the conservator. It also empowers the conservator, with the approval of the Government, to delegate such powers to such persons, as may be prescribed by rules made by the Government.

Clause 19.—This clause empowers the conservator to issue directions to any vessel within the port for carrying out the provisions of this Bill or the rules made thereunder, which, *inter alia*, include the berthing, mooring, anchoring of a vessel; removal of a vessel from any place within the port and the time period within which the same shall be done; regulate, restrict or prohibit the movement of vessels, direct the master of the vessel to have adequate crew members; prohibit any vessel from entering or leaving the port; or endangering the safety of any vessel in the port. It further empowers the conservator to take any action and hold such person liable for reimbursement of all expenses incurred in order to give effect to the directions in case person refuses or neglects to obey with any directions of the conservator.

Clause 20.—This clause empowers the conservator to remove directly or through another agency or port officer, any obstruction in the operation of a port or part thereof of the port or any other work. It further requires the owner of such obstruction to pay reasonable expenses incurred in such removal, however, if the owner evades such payment, public auction of the object causing obstruction may be conducted to recover the expenses and excess proceeds or part of the obstruction shall be returned to the owner or deposited in the manner the Government may direct. If the storage of the obstruction incurs expenses, the same may be recovered by a further sale of the remaining unsold obstruction. This clause also states that in case of an impediment sought to be removed by the conservator exists on account of permission from the Government, the conservator shall obtain prior sanction for removal from the Government. The owner of the obstruction in this case shall receive due compensation contingent on factors prescribed by rules made by the appropriate Government.

Clause 21.—This clause seeks to empower the Government to specify by notification, the restrictions on certain activities within port limits that may cause any impediment to the navigation in a port.

Clause 22.—This clause restricts the master of the vessel, except in the case of an emergency, from lifting any buoy or mooring in a port, laid down by the conservator, without the conservator's assistance where such vessel hooks or gets foul. It further provides that conservator, immediately on receiving notice of any such emergency under this clause, shall assist and superintend the clearing of such vessel. This clause also puts an obligation on the vessel master to pay for the reasonable expenses incurred in clearing the same.

Clause 23.—This clause empowers the conservator, either alone or with any other person or body of person to board any vessel or enter any building or place within port limits to board any vessel, or enter any building or place whenever is it necessary for performance of duties under the Bill. This clause prevents a master of a vessel or any person in possession or occupation of the building or place, from disallowing boarding such vessel or entering such building or place without lawful excuse.

Clause 24.—This clause empowers the Government to appoint an empanelled medical practitioner as a health officer to undertake the functions of a port health-officer at any port to, *inter alia*, inspect water, sanitation and accommodation facilities of a vessel, board any vessel and medically examine any person on the vessel as well as enforce production of any document to inquire into the health and medical conditions of any person on the vessel. This clause further empowers the Government to declare any port or part thereof an infected zone when any infectious or contagious disease has broken out, or is reasonably suspected to break out and prescribe measures to be taken. This clause also empowers the conservator to take actions and pass directions for prevention or containment of any disease in vessels arriving at or being in port. The master shall report the particulars of any such disease in such vessels to either the Government or the conservator. It also empowers the health officer along with such person or body of persons authorised by the Government, to board the vessel for medical inspection of either the vessel or any person on vessel.

Clause 25.—This clause provides indemnity to the Government from any act or default of any conservator, harbour master or any other port officers, their deputies or assistants of authorities in any port or any person acting under the control or direction of any authority or their assistant or any act or default of any pilot or for any damage caused to the vessel due to any defect in the moorings, hawsers or any other thing belonging to the Government. This clause further provides that the provision does not apply to any suit against the Government on any act done under any order or sanction of the Government.

Clause 26.—This clause bars any person, without lawful excuse, from removing, destroying or damaging any property including pier or wharf which belongs to, in custody or in the possession of the port or hinder or prevent the operation of any such property. This clause obligates any person who contravenes the provision to pay for any loss, destruction or damage suffered by the port which also includes the cost of inspection or survey, in addition to any other penalty as specified under the Second Schedule of the Bill.

Clause 27.—This clause obligates the master of any vessel to allow warps or hawsers to be fastened to the vessel for warping another vessel in the port, as and when required by the conservator and to not let go off such warp or hawser until directed by the conservator to do so.

Clause 28.—This clause seeks to impose an obligation on the master of the vessel to co-operate with and take orders from, the conservator or any person authorised by the conservator, to extinguish any fire on the vessel.

Clause 29.—This clause seeks to bar a person on a vessel from various actions that impact the safety of the vessel and its surroundings, including *inter alia*, willfully loosening or removing the moorings from a vessel without being authorised to do so, lifting, injuring or making a vessel fast to loosen or set adrift any moorings, buoys, beacons or sea or landmarks or discharges any firearm in the port or commits an action or abstains from one which causes or may cause fire onboard a vessel or uses a vessel in state of defective condition, which makes the life of any person or the safety of another vessel, likely to be endangered. This clause further states that the master of a vessel shall not leave a warp or hawser attached to his vessel, in the port, causing danger to the safety of another vessel in the port. It also prohibits commission of any act in relation to any combustible matter which is prohibited by the Government or contrary to the orders or directions of the conservator.

Clause 30.—This clause prohibits any person from creeping or sweeping for anchors, cables without the conservator's permission.

Clause 31.—This clause bars any person from disturbing the existing waterbed or geophysical structures or any kind of artificial protection or shore of the port without the conservator's permission and under the supervision of such person as may be appointed by the conservator. It further bars any person from sinking or burying any mooring-post, anchor or any other thing or do anything which may damage any part of the bank or shore.

Clause 32.—This clause seeks to mandate that vessels shall not leave or move in any port without a pilot, harbour master or port officer on board the vessel, unless the vessel has the conservator's written permission unless upon application to the proper officer, the master was unable to procure a pilot, harbour master or port officer to go on board the vessel. This clause empowers the Government to specify by notification that this clause will not apply to sailing vessels of any measurement not exceeding a measurement specified in the notification. This clause also provide that the owner or master of the vessel shall be answerable for any damage caused by the vessel or fault of navigation of the vessel.

Clause 33.—This clause directs every port officer in a port to co-operate with any officer authorised by a general or special order of the Central Government for carrying out any manoeuvres which is part of any scheme or preparations for the defence of the port during time of war, or for the security of the port from any sub-conventional or non-traditional threats, or natural disasters. This clause further puts an obligation on the Government to bear the running expenses of such vessels which are used during time of war.

Clause 34.—This clause provides for the Authority and Director General to regulate certain activities specified therein.

Clause 35.—This clause seeks to define certain expressions which are specific to Chapter VIII, such as "Ballast Water Management Convention", "MARPOL Convention", "reception facility", "waste from vessels", "cargo residues".

Clause 36.—This clause seeks to mandate every port to provide reception facilities adequate to meet the needs of vessels normally using a port without causing undue delay to vessels, in order to comply with the requirements of relevant provisions in the MARPOL Convention and the Ballast Water Management Convention. Further, this clause explains the term "adequate" as capable of receiving the types and quantities of wastes from vessels normally using that port, taking into account the operational needs of the port users, its size and geographical location, the types of vessels calling there.

Clause 37.—This clause seeks to empower the Central Government to mandate any port, by way of a written order, which has no reception facility or whose facilities are not "adequate", on the basis of an audit conducted or otherwise, to provide or arrange the reception facilities specified in the order.

Clause 38.—This clause requires every port to prepare a port waste reception and handling plan as prescribed by rules made by the Central Government in consultation with the State Government. The port waste reception and handling plan approved by the Central Government is required to be implemented by the port. This clause further mandates every port to communicate information about the plan to the vessels in the manner prescribed by rules.

Clause 39.—This clause seeks to obligate the operator, agent or master of a vessel bound for India to submit an advance waste notification to the port of call in the form and manner and within the time period prescribed by rules made by the Central Government in consultation with the State Government.

Clause 40.—This clause seeks to obligate the master of a vessel calling at a port, to deliver all its vessel generated waste to a reception facility, as per the conditions prescribed by rules. It requires the port where the waste is delivered to issue a waste delivery receipt to the master of the vessel in the form and manner prescribed by rules.

Clause 41.—This clause seeks to empower a port providing reception facilities or person providing such facilities, to levy reasonable charges for use of the reception facilities. On payment of all charges and subject to compliance with all conditions imposed, any reception facility provided at the port shall be made available for use by any vessel.

Clause 42.—This clause requires the Central Government to audit every port for the availability and adequacy of reception facilities and also audit such pollution containment equipment as may be specified by the Central Government, at such intervals, and in the manner prescribed by the Central Government in consultation with the State Government.

Clause 43.—This clause seeks to empower the Central Government to specify by notification the manner in which and the person by whom the information will be uploaded on the Portal. This includes advance waste notification as specified under clause 39; waste delivery receipts under sub-clause (2) of clause 40; request by a vessel for availing reception facilities and such other matters.

Clause 44.—This clause seeks to obligate every port to report to the Government, any incident that threatens or is likely to pose a threat of pollution to the coastal waters, in the manner prescribed by rules. It further empowers the Central Government to issue appropriate directions to any port or State Government or Authority or organisation, in case it is satisfied that an incident which threatens or is likely to pose a threat of pollution of the coastal waters has taken place or is likely to take place, to prevent or contain such pollution in accordance with applicable law. It also explains the meaning of coastal waters for the purposes of this clause.

Clause 45.—This clause seeks to empower the Government to issue appropriate directions to any port or port officer to ensure compliance with any of the provisions of Chapter VIII.

Clause 46.—This clause specifies fee and other charges which shall be leviable in ports.

Clause 47.—This clause seeks to authorise the State Maritime Board or an authorised concessionaire to fix the port tariff for every port other than major port. Further, the Board of Major Port Authority or such person or body of persons authorised by the Board of Major Port Authority or board of directors where port is registered as a company under the Companies Act, 2013 will fix the port tariff for every major port. The port tariff fixed shall be published electronically and shall come into effect after expiry of a period of thirty days from the date of its publication. This clause also allows the Council to issue guidelines on any matter related to transparency of port tariff including its components. It further empowers the Authority on the basis of recommendations by the Government to exempt or remit the whole or any portion of fee or other charges payable under the Bill.

Clause 48.—This clause empowers Government to authorise by way of notification, an officer or body of persons at the port, to receive the fees or other charges payable under the Bill and to expend the receipts as may be specified in the notification. It requires such officer or body of persons to issue receipts *in lieu* of such fee or other charges. These receipts shall contain the particulars as specified under this clause.

Clause 49.—This clause obligates the owner, agent or master of every vessel required to pay any fee or other charges, to report the vessel's arrival within port limits in such form, manner and within such period as may be prescribed by rules.

Clause 50.—This clause empowers the officer or body of persons authorised under sub-clause (1) of clause 48, to detain or arrest the vessel, if the master of any vessel refuses or neglects to pay fees and other charges on demand, until such amount is paid. It further empowers the officer or body of persons to sell off the detained or arrested vessel to recover the costs if the fees or other charges remain unpaid for fifteen days. In cases where a vessel is already arrested under the order of a court or other authority, prior permission of such court or the authority must be taken to make the sale and disburse the surplus according to guidelines. This clause also covers conditions in which the sale proceeds of the vessel are insufficient to satisfy the fee or other charges.

Clause 51.—This clause mandates that the port-clearance shall not be granted to any vessel until the amount of fees or other charges and fines, penalties and expenses have been paid by the owner or master or agent or port user, to the satisfaction of the officer granting the clearance.

Clause 52.—This clause mandates that no vessel master shall evade the payment of fees or other charges, liable to be paid under the Bill. It further states that in any proceeding before a Magistrate any document issued stating that the master has evaded such payments, shall be sufficient *prima facie* proof of the evasion, unless the master can prove that such a departure happened due to the stress of weather, or there was a lawful and reasonable ground for such departure. Any Magistrate having jurisdiction under this Bill, in any port to which the vessel may proceed, or on which she may be found shall have jurisdiction in any proceeding under this clause.

Clause 53.—This clause states that any person who contravenes any provision or fails to comply with any provision of the Bill shall be liable to penalty. The First Schedule pertains to offences for which fines or imprisonment is specified and the Second Schedule pertains to contraventions for which penalties have been specified. This clause seeks to specify that any contravention or failure to comply with the provisions of the Bill, rules or regulations under the Bill which do not have a separate penalty, shall be punishable with a fine up to ten thousand rupees, and if the breach is a continuing one, with further fine which may extend to one thousand rupees for every day, after the first day, during which the breach continues.

Clause 54.—This clause specifies that the authority for imposing the penalty for contravention specified in the table under the Second Schedule will be the conservator. It further empowers the Central Government to notify an officer to compound first contravention of any provision under the Bill.

Clause 55.—This Clause specifies that no court inferior to that of a Judicial Magistrate of the first class shall try any offence specified in the First Schedule under the Bill.

Clause 56.—This clause seeks to specify the penalty for wilful failure to comply with any order of the Dispute Resolution Committee. Where no appeal has been preferred against such order of the Dispute Resolution Committee, penalty extending up to one lakh rupees with an additional penalty of one thousand rupees each day for continuing default shall be imposed.

Clause 57.—This clause provides that no person shall make any statement or furnish any document which the person knows or has reason to believe to be false in any material particular or omit to state any material fact knowing it to be material, or wilfully alter, suppress or destroy any document which is required to be furnished.

Clause 58.—This clause states that any fine imposed by the Magistrate or penalty imposed by the conservator, may be recovered by distress and sale of vessel or part of vessel, as may be deemed necessary.

Clause 59.—This clause states that if any dispute as to the sum to be paid as expenses or damages under this Bill arises, it shall be determined by the Magistrate, upon application made to him for that purpose by either of the disrupting parties. Further, any sum payable as expenses or damages under the Bill that do not exceed twenty thousand rupees, may be recovered by the conservator or Magistrate as if it were a penalty or fine.

Clause 60.—This clause seeks to provide that the cost of distress or sale may be levied in addition to any penalty, fine, expenses or damages.

Clause 61.—This clause seeks to provide that in case of any dispute about the amount leviable by any distress or arrest under the Bill and costs payable for distress, the person making the distress or arrest may detain the goods and proceeds of the sale until the Magistrate determines the amount to be levied. Such amount shall be determined by the Magistrate pursuant to an application made to him in that regard to be paid as costs, which if not paid on demand shall be enforced as a fine.

Clause 62.—This clause seeks to provide that any person committing any offence under the Bill or the corresponding rules may be tried at a place in which he may be found, or by any Magistrate having jurisdiction over the district or place adjoining the port where the offence has taken place, or in any court where the person might be tried under any other law for the time being in force. All powers of a Magistrate under the Bill shall be exercised by such Magistrate in such manner as if the offence had been committed under his jurisdiction even if the same was committed outside the limits of his jurisdiction.

Clause 63.—This clause seeks to provide that in case the person committing an offence under the Bill 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 its business, 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. If such person proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence, such person need not to be subject to punishment. However, if it is proved that the offence was committed with the consent or connivance of, or is attributable to any neglect, such person shall be punished accordingly. This clause also explains the meaning of “company” and “director” for this clause.

Clause 64.—This clause seeks to provide the manner of service of documents on any person, such as, personal delivery, leaving the same at his last place of residence, or by post. If such delivery is to be made to the harbour master of a port, it may be left at the port or with a person in command at the port; in case of a master of a vessel, such document may be left on board with person in command of the vessel and if no master or owner or agent is there, it may be affixed on the vessel or at a suitable place on the bridge.

Clause 65.—This clause prohibits vessels from hoisting, carrying or wearing any flag, jack, pennant or colours at any port, the use of which is unlawful. It further imposes an obligation on foreign vessels to hoist the flag of Republic of India and the flag of the country of the vessel while calling at a port in India.

Clause 66.—This clause mandates every port to prepare emergency preparedness and response plan. It further empowers the Central Government to approve such a plan as well as to audit the port to ensure compliance with this clause. This clause also empowers the conservator to issue directions for the implementation of the approved plan. It also empowers the Central Government to issue directions to any person in order to ensure compliance with this clause and put in place a national emergency response mechanism.

Clause 67.—This clause imposes an obligation on every port to report the particulars of any incident such as property damage, sinking of vessels, collision of vessels, fire, in such manner as may be prescribed by rules.

Clause 68.—This clause obligates every port to provide shore-based welfare services for seafarers of vessels calling at the port, as may be prescribed by rules.

Clause 69.—This clause empowers the Central Government to direct a port to adopt a mechanism for electronically integrating such port related data with the port community system. It further obligates every port to maintain an effective vessel traffic service within port limits in accordance with applicable law. This clause also explains the meaning of port community system and vessel traffic system.

Clause 70.—This clause empowers the Central Government to issue directions to port, port facilities, port officer or any person, to ensure compliance with provisions of the Merchant Shipping Act, 1958.

Clause 71.—This clause seeks to require any port undergoing a change in substantial ownership or effective control, to obtain prior clearance from the Central Government or a person authorised by the Central Government, in such form and manner and within such time as may be notified.

Clause 72.—This clause mandates that obligations under the international conventions to which India is a party are discharged in accordance with such conventions, as may be prescribed by rules made by the Central Government.

Clause 73.—This clause seeks to empower the Central Government, in consultation with the State Government, to specify by notification the criteria for classification of one or more port as a mega port. It further empowers the Central Government in the case of a major port, and in consultation with the State Government in the case of a port other than major port, to notify a port as a mega port. Irrespective of such classification as a mega port, such major port a port other than major port shall retain its status and continue to be governed by the respective laws applicable to them.

Clause 74.—This clause seeks to provide that all members, officers and other employees of the Maritime State Development Council when acting in pursuance of the provisions of the Bill shall be deemed to be public servants under clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023.

Clause 75.—This clause mandates that the provisions of the Bill shall be in addition to and not in derogation of the Major Port Authorities Act, 2021 and Merchant Shipping Act, 1958, in so far as it relates to ports.

Clause 76.—This clause enumerates the matters in respect of which the Central Government may make rules to carry out the purposes of the Bill.

Clause 77.—This clause enumerates the matters in respect of which the State Government may make rules to carry out the purposes of the Bill.

Clause 78.—This clause enumerates the matters in respect of which the Central Government in consultation with the State Government make rules to carry out the purpose of the Bill.

Clause 79.—This clause seeks to enumerates the matters in respect of which the Council may make regulations governing its administrative functioning of ports.

Clause 80.—This clause seeks to enumerates the matters in respect of which the Council may frame guidelines consistent with the Bill and the rules made thereunder to carry out the provisions of this Bill.

Clause 81.—This clause mandates that every rule and every regulation made under the Bill 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. It further provides that every rule made by the State Government shall be laid, as soon as it is made, before the State Legislature.

Clause 82.—This clause seeks to protect the Government, the Council, the Authority or any member or any employee of the Council or the Authority from any suit or other legal proceedings for an action done in good faith under the Bill, or any rules or any regulations made under the Bill.

Clause 83.—This clause empowers the Central Government to notify and increase the amount of penalty specified in the Second Schedule, not exceeding, twice the amount that has been specified. It further provides that each notification shall be laid before each House of Parliament as soon as after it is issued.

Clause 84.—This clause seeks to empower the Central Government to make, by order published in the Official Gazette, provisions for removal of difficulties in giving effect to the provisions of the Bill and restrict the power to make such order within a period of three years from the commencement of the Bill and mandates every such order to be laid before each House of Parliament.

Clause 85.—This clause seeks to repeal the Indian Ports Act, 1908 and to provide for the saving of various actions undertaken under the said Act. It further states that provisions of section 6 of the General Clauses Act, 1897 shall be applicable to the repealed enactment.

FINANCIAL MEMORANDUM

The Bill seeks to repeal the Indian Ports Act, 1908 and to introduce the Indian Ports Bill, 2025.

2. Clause 3 of the Bill seeks to provide for the establishment of a Council, for the purposes of this Bill to be called the Maritime State Development Council. Clause 8 of the Bill provides that the Central Government may, after due appropriation made by Parliament, make grants as required by the Maritime State Development Council, to discharge its functions under this Bill.

3. The expenditure to be incurred towards the said body would be met from budgetary allocation after such allocation by the Department of Expenditure, as and when the body will be constituted. This expenditure is not quantifiable at this stage as the structure, posts, number of officers and other aspects are not final.

4. The Bill, if enacted, will not involve any other expenditure, either recurring or non-recurring nature from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 76 of the Indian Ports Bill, 2025 seeks to empower the Central Government to make rules to carry out the provisions of the Bill, subject to the condition of previous publication. Sub-clause (2) of the said clause specifies the matters in respect of which such rules may be made. These matters include, (i) the salary and allowances and other conditions of service of the employees of the Council under sub-clause (2) of clause 7; (ii) other officers of the port to be appointed under sub-clause (2) of clause 18; (iii) the terms and conditions of service of the officers under sub-clause (3) of clause 18; (iv) the powers to be delegated by the conservator and the persons to whom such powers may be delegated under sub-clause (6) of clause 18; (v) the manner of removal or alteration of obstruction and factors for determining compensation under sub-clause (5) of clause 20; (vi) the qualifications, experience and other terms and conditions of service of the health officer to be appointed under sub-clause (2) of clause 24; (vii) the measures to be taken at infected zone under sub-clause (4) (b) of clause 24; (viii) the factors to be considered by the conservator in determining the expenses to be paid by under sub-clause (2) of clause 26; (ix) the form and manner of receipt of fees or other charges under sub-clause (2) of clause 48; (x) the manner of appointment of conservator from a body of persons under sub-clause (2) of clause 54; and (xi) the obligations to be discharged by the ports under sub-clause (2) of clause 72.

2. Clause 77 of the Bill seeks to empower the State Government to make rules to carry out the provisions of the Bill, subject to the condition of previous publication. Sub-clause (2) of the said clause specifies the matters in respect of which such rules may be made. These matters include, (i) the form and manner of making an application for adjudication of disputes referred to the State Maritime Board under sub-clause (2) of clause 16; (ii) other matters in respect of which the State Maritime Board shall exercise powers of civil court under sub-clause (4) (d) of clause 16; (iii) other officers of the port to be appointed under sub-clause (2) of clause 18; (iv) the terms and conditions of service of officers under sub-clause (3) of clause 18; (v) the powers to be delegated by the conservator and the persons to whom such powers may be delegated sub-clause (6) of clause 18; (vi) the manner of removal or alteration of obstruction and factors for determining compensation under sub-clause (5) of clause 20; (vii) the qualification, experience and other terms and conditions of service of the health officer to be appointed under sub-clause (2) of clause 24; (viii) the measures to be taken at infected zone under sub-clause (4) (b) of clause 24; (ix) the factors to be considered by the conservator in determining the expenses to be paid under sub-clause (2) of clause 26; (x) the form and manner of receipt of fees or other charges under sub-clause (2) of clause 48; and (xi) the manner of appointment of conservator from a body of persons under sub-clause (2) of clause 54.

3. Clause 78 of the Bill seeks to empower the Central Government in consultation with State Governments to make rules, to carry out the provisions of the Bill, subject to the condition of previous publication. Sub-clause (2) of the said clause specifies the matters in respect of which rules may be made. These matters include, (i) the form and manner of notification of any part of the navigable rivers or channels leading to ports under sub-clause (3) (a) (iii) of clause 1; (ii) the norms, form and manner of notifying a new port and altering port limits under sub-clause (2) of clause 11; (iii) the action to be taken by the conservator and the directions to be issued to the persons sub-clause (5) (a) of clause 24; (iv) the manner of reporting of disease by the master under sub-clause (5) (b) of clause 24; (v) the conditions subject to which port shall provide reception facilities under clause 36; (vi) the form and manner of preparing port waste reception and handling plan under sub-clause (1) of clause 38; (vii) the information about the port waste reception and handling plan and manner of communicating such information under sub-clause (3) of clause 38; (viii) the form, manner and time for submitting an advance waste notice under clause 39; (ix) the conditions for delivery of vessel-generated waste under

sub-clause (1) of clause 40; (x) the form and manner of issuance of waste delivery receipt under sub-clause (2) of clause 40; (xi) the intervals and manner of conducting audit of ports under sub-clause (1) of clause 42; (xii) the manner of reporting incidents under sub-clause (1) of clause 44; (xiii) the form, manner and time for reporting arrival of vessel at port under clause 49; (xiv) the manner of reporting of incidents under clause 67; and (xv) the provisions of shore-based welfare services under clause 68.

4. Clause 79 of the Bill seeks to empower the Maritime State Development Council to make regulations, to carry out the provisions of the Bill, subject to the condition of previous publication. Sub-clause (2) of the said clause specifies the matters in respect of which rules may be made. These matters include, (i) the manner and conditions subject to which the Chairperson may invite persons to meetings of the Council under sub-clause (3) of clause 3; (ii) the manner of transaction of business at meetings of the Council under sub-clause (4) of clause 3; and (iii) any such other matters which is to be, or may be, specified by regulations.

5. The matters in respect of which the aforementioned rules and regulations may be made are matters of procedure and administrative details, and as such, it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

A
BILL

to consolidate the law relating to ports, promote integrated port development, facilitate ease of doing business and ensure the optimum utilisation of India's coastline; establish and empower State Maritime Boards for effective management of ports other than major ports; establish the Maritime State Development Council for fostering structured growth and development of the port sector; provide for the management of pollution, disaster, emergencies, security, safety, navigation, and data at ports; ensure compliance with India's obligations under international instruments to which it is a party; take measures for the conservation of ports; provide for adjudicatory mechanisms for the redressal of port-related disputes; and address matters connected therewith or incidental thereto.

(Shri Sarbananda Sonowal, Minister of Ports, Shipping and Waterways)

Bill No. 109-C of 2024

THE WAQF (AMENDMENT) BILL, 2025

A

BILL

further to amend the Waqf Act, 1995.

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

1. (1) This Act may be called the Waqf (Amendment) Act, 2025.

Short title and
commencement.

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

43 of 1995.

2. In section 1 of the Waqf Act, 1995 (hereinafter referred to as the principal Act), in sub-section (1), for the word “Waqf”, the words “Unified Waqf Management, Empowerment, Efficiency and Development” shall be substituted.

Amendment of
section 1.

Amendment of
section 2.

3. In section 2 of the principal Act, after the proviso, the following proviso shall be inserted, namely:—

“Provided further that nothing in this Act shall, notwithstanding any judgement, decree or order of any court, apply to a trust (by whatever name called) established before or after the commencement of this Act or 5
statutorily regulated by any statutory provision pertaining to public charities, by a Muslim for purpose similar to a waqf under any law for the time being in force.”.

Amendment of
section 3.

4. In section 3 of the principal Act,—

(i) after clause (a), the following clause shall be inserted, namely:— 10

‘(aa) “Aghakhani waqf” means a waqf dedicated by an Aghakhani waqif;’;

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

‘(ca) “Bohra waqf” means a waqf dedicated by a Bohra waqif;’;

(iii) after clause (d), the following clause shall be inserted, namely:— 15

‘(da) “Collector” includes the Collector of land-revenue of a district, or the Deputy Commissioner, or any officer not below the rank of Deputy Collector authorised in writing by the Collector;’;

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

‘(fa) “Government Organisation” includes the Central 20
Government, State Governments, Municipalities, Panchayats, attached and subordinate offices and autonomous bodies of the Central Government or State Government, or any organisation or Institution owned and controlled by the Central Government or State Government;

‘(fb) “Government property” means movable or immovable 25
property or any part thereof, belonging to a Government Organisation;’;

(v) in clause (i), the words “, either verbally or” shall be omitted;

(vi) after clause (k), the following clause shall be inserted, namely:—

‘(ka) “portal and database” means the waqf asset management 30
system or any other system set up by the Central Government for the registration, accounts, audit and any other detail of waqf and the Board, as may be prescribed by the Central Government;’;

(vii) for clause (l), the following clause shall be substituted, namely:—

‘(l) “prescribed” means prescribed by rules made under this Act;’; 35

(viii) clause (p) shall be omitted;

(ix) in clause (r),—

(a) in the opening portion, for the words “any person, of any movable or immovable property”, the words “any person showing or demonstrating that he is practising Islam for at least five years, of any 40
movable or immovable property, having ownership of such property and that there is no contrivance involved in the dedication of such property,” shall be substituted;

(b) sub-clause (i) shall be omitted;

(c) in sub-clause (iv), after the word “welfare”, the words 45
“, or maintenance of widow, divorced woman and orphan, if waqif so intends, in such manner, as may be prescribed by the Central Government,” shall be inserted;

(d) in the long line, for the words “any person”, the words “any such person” shall be substituted;

(e) the following proviso shall be inserted at the end, namely:—

5 “Provided that the existing waqf by user properties registered on or before the commencement of the Waqf (Amendment) Act, 2025 as waqf by user will remain as waqf properties except that the property, wholly or in part, is in dispute or is a government property;”.

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

“3A. (1) No person shall create a waqf unless he is the lawful owner of the property and competent to transfer or dedicate such property.

15 (2) The creation of a waqf-alal-aulad shall not result in denial of inheritance rights of heirs, including women heirs, of the waqf or any other rights of persons with lawful claims.

3B. (1) Every waqf registered under this Act, prior to the commencement of the Waqf (Amendment) Act, 2025, shall file the details of the waqf and the property dedicated to the waqf on the portal and database, within a period of six months from such commencement:

20 Provided that the Tribunal may, on an application made to it by the mutawalli, extend such period of six months under this section for a further period not exceeding six months as it may consider appropriate, if he satisfies the Tribunal that he had sufficient cause for not filing the details of the waqf on the portal within such period.

25 (2) The details of the waqf under sub-section (1), amongst other information, shall include the following, namely:—

(a) the identification and boundaries of waqf properties, their use and occupier;

30 (b) the name and address of the creator of the waqf, mode and date of such creation;

(c) the deed of waqf, if available;

(d) the present mutawalli and its management;

(e) the gross annual income from such waqf properties;

35 (f) the amount of land-revenue, cesses, rates and taxes annually payable in respect of the waqf properties;

(g) an estimate of the expenses annually incurred in the realisation of the income of the waqf properties;

(h) the amount set apart under the waqf for—

40 (i) the salary of the mutawalli and allowances to the individuals;

(ii) purely religious purposes;

(iii) charitable purposes; and

(iv) any other purposes;

(i) details of court cases, if any, involving such waqf property;

45 (j) any other particular as may be prescribed by the Central Government.

Insertion of new sections 3A, 3B, 3C, 3D and 3E.

Certain conditions of waqf.

Filing of details of waqf on portal and database.

Wrongful
declaration of
waqf.

3C. (1) Any Government property identified or declared as waqf property, before or after the commencement of this Act, shall not be deemed to be a waqf property.

(2) If any question arises as to whether any such property is a Government property, the State Government may, by notification, designate on Officer above the rank of Collector (hereinafter referred to as the designated officer), who shall conduct an inquiry as per law, and determine whether such property is a Government property or not and submit his report to the State Government: 5

Provided that such property shall not be treated as waqf property till the designated officer submits his report. 10

(3) In case the designated officer determines the property to be a Government property, he shall make necessary corrections in revenue records and submit a report in this regard to the State Government.

(4) The State Government shall, on receipt of the report of the designated officer, direct the Board to make appropriate correction in the records. 15

Declaration of
protected
monument or
protected area as
waqf to be void.

3D. Any declaration or notification issued under this Act or under any previous Act in respect of waqf properties shall be void, if such property was a protected monument or protected area under the Ancient Monuments Preservation Act, 1904 or the Ancient Monuments and Archaeological Sites and Remains Act, 1958, at the time of such declaration or notification. 20 7 of 1904.
24 of 1958.

Bar of
declaration of
any land in
Scheduled or
Tribal area as
waqf.

3E. Notwithstanding anything contained in this Act or any other law for the time being in force, no land belonging to members of Scheduled Tribes under the provisions of the Fifth Schedule or the Sixth Schedule to the Constitution shall be declared or deemed to be waqf property.”. 25

Amendment of
section 4.

6. In section 4 of the principal Act,—

(a) for the marginal heading, the marginal heading “Survey of auqaf.” shall be substituted;

(b) for sub-section (1), the following sub-section shall be substituted, namely:— 30

“(1) Any survey of auqaf pending before the Survey Commissioner, on the commencement of the Waqf (Amendment) Act, 2025, shall be transferred to the Collector having jurisdiction and the Collector shall make the survey in accordance with the procedure in the revenue laws of the State, from the stage such survey is transferred to the Collector, and submit his report to the State Government.”; 35

(c) sub-sections (1A), (2) and (3) shall be omitted;

(d) in sub-section (4), in the opening portion, for the words “Survey Commissioner”, the word “Collector” shall be substituted;

(e) in sub-section (5), after the words “Sunni waqf”, the words “or Aghakhani waqf or Bohra waqf” shall be inserted; 40

(f) sub-section (6) shall be omitted.

Amendment of
section 5.

7. In section 5 of the principal Act,—

(a) in sub-section (1), for the word, brackets and figure “sub-section (3)”, the word, brackets and figure “sub-section (1)” shall be substituted; 45

(b) in sub-section (2), after the words “Shia auqaf”, the words “or Aghakhani auqaf or Bohra auqaf” shall be inserted;

(c) after sub-section (2), the following sub-sections shall be inserted, namely:—

5 “(2A) The State Government shall upload the notified list of auqaf on the portal and database within ninety days from the date of its publication in the Official Gazette under sub-section (2).

10 (2B) The details of each waqf shall contain the identification, boundaries of waqf properties, their use and occupier, details of the creator, mode and date of such creation, purpose of waqf, their present mutawallis and management in such manner as may be prescribed by the Central Government.”;

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

15 “(3) The revenue authorities, before deciding mutation in the land records, in accordance with revenue laws in force, shall give a public notice of ninety days, in two daily newspapers circulating in the localities of such area of which one shall be in the regional language and give the affected persons an opportunity of being heard.”;

(e) in sub-section (4), after the words “time to time”, the words “on the portal and database” shall be inserted.

20 **8. In section 6 of the principal Act,—**

Amendment of section 6.

(a) in sub-section (1),—

(i) after the words “Sunni waqf”, the words “or Aghakhani waqf or Bohra waqf” shall be inserted;

25 (ii) the words “and the decision of the Tribunal in respect of such matter shall be final” shall be omitted;

(iii) in the first proviso, for the words “one year”, the words “two years” shall be substituted;

(iv) for the second proviso, the following proviso shall be substituted, namely:—

30 “Provided further that an application may be entertained by the Tribunal after the period of two years specified in the first proviso, if the applicant satisfies the Tribunal that he has sufficient cause for not making the application within such period.”;

35 (b) in sub-section (3), for the words “Survey Commissioner”, the word “Collector” shall be substituted.

9. In section 7 of the principal Act, in sub-section (1),—

Amendment of section 7.

(i) after the words “Sunni waqf”, the words “or Aghakhani waqf or Bohra waqf” shall be inserted;

40 (ii) the words “and the decision of the Tribunal thereon shall be final” shall be omitted;

(iii) in the first proviso, for the words “one year” wherever they occur, the words “two years” shall be substituted;

(iv) in the second proviso, for the words “Provided further that”, the following shall be substituted, namely:—

45 “Provided further that an application may be entertained by the Tribunal after the period of two years specified in the first proviso, if the applicant satisfies the Tribunal that he had sufficient cause for not making the application within such period:

Provided also that”.

Amendment of
section 9.

10. In section 9 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The Council shall consist of—

(a) the Union Minister in charge of waqf—Chairperson, *ex officio*;

(b) three Members of Parliament of whom two shall be from the House of the People and one from the Council of States; 5

(c) the following members to be appointed by the Central Government from amongst Muslims, namely:—

(i) three persons to represent Muslim organisations having all India character and national importance; 10

(ii) Chairpersons of three Boards by rotation;

(iii) one person to represent the mutawallis of the waqf having a gross annual income of five lakh rupees and above;

(iv) three persons who are eminent scholars in Muslim law;

(d) two persons who have been Judges of the Supreme Court or a High Court; 15

(e) one Advocate of national eminence;

(f) four persons of national eminence, one each from the fields of administration or management, financial management, engineering or architecture and medicine; 20

(g) Additional Secretary or Joint Secretary to the Government of India dealing with waqf matters in the Union Ministry or department—member, *ex officio*;

Provided that two of the members appointed under clause (c) shall be women: 25

Provided further that two members appointed under this sub-section, excluding *ex officio* members, shall be non-Muslim.”.

Amendment of
section 13.

11. In section 13 of the principal Act, for sub-section (2A), the following sub-section shall be substituted, namely:—

“(2A) The State Government may, if it deems necessary, by notification in the Official Gazette, establish a separate Board of Auqaf for Bohras and Aghakhanis.”. 30

Amendment of
section 14.

12. In section 14 of the principal Act,—

(a) for sub-sections (1), (1A), (2), (3) and (4), the following sub-sections shall be substituted, namely:— 35

“(1) The Board for a State and the National Capital Territory of Delhi shall consist of, not more than eleven members, to be nominated by the State Government,—

(a) a Chairperson;

(b) (i) one Member of Parliament from the State or, as the case may be, the National Capital Territory of Delhi; 40

(ii) one Member of the State Legislature;

(c) the following members belonging to Muslim community, namely:—

(i) one mutawalli of the waqf having an annual income of one lakh rupees and above; 45

(ii) one eminent scholar of Islamic theology;

(iii) two or more elected members from the Municipalities or Panchayats:

Provided that in case there is no Muslim member available from any of the categories in sub-clauses (i) to (iii), additional members from category in sub-clause (iii) may be nominated;

(d) two persons who have professional experience in business management, social work, finance or revenue, agriculture and development activities;

(e) Joint Secretary to the State Government dealing with the waqf matters, *ex officio*;

(f) one Member of the Bar Council of the concerned State or Union territory:

Provided that two members of the Board appointed under clause (c) shall be women:

Provided further that two of total members of the Board appointed under this sub-section, excluding *ex officio* members, shall be non-Muslim:

Provided also that the Board shall have at least one member each from Shia, Sunni and other backward classes among Muslim Communities:

Provided also that one member each from Bohra and Aghakhani communities shall be nominated in the Board in case they have functional auqaf in the State or Union territory:

Provided also that the elected members of Board holding office on the commencement of the Waqf (Amendment) Act, 2025 shall continue to hold office as such until the expiry of their term of office.

(2) No Minister of the Central Government or, as the case may be, a State Government, shall be nominated as a member of the Board.

(3) In case of a Union territory, the Board shall consist of not less than five and not more than seven members to be nominated by the Central Government under sub-section (1).”;

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

“(6) In determining the number of members belonging to Shia, Sunni, Bohra, Aghakhani or other backward classes among Muslim communities, the State Government or, as the case may be, the Central Government in case of a Union territory shall have regard to the number and value of Shia, Sunni, Bohra, Aghakhani and other backward classes among Muslim auqaf to be administered by the Board and appointment of the members shall be made, so far as may be, in accordance with such determination.”;

(c) sub-section (8) shall be omitted.

13. In section 16 of the principal Act,—

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

“(a) he is less than twenty-one years of age;

(aa) in case of a member under clause (c) of sub-section (1) of section 14, he is not a Muslim.”;

(ii) for clause (d), the following clause shall be substituted, namely:—

“(d) he has been convicted of any offence and sentenced to imprisonment for not less than two years.”.

Amendment of
section 16.

Amendment of section 17.	14. In section 17 of the principal Act, in sub-section (1), after the words “shall meet”, the words “at least once in every month” shall be inserted.	
Omission of section 20A.	15. Section 20A of the principal Act shall be omitted.	
Amendment of section 23.	16. In section 23 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—	5
	“(1) There shall be a full-time Chief Executive Officer of the Board to be appointed by the State Government and who shall be not below the rank of Joint Secretary to the State Government.”.	
Amendment of section 28.	17. In section 28 of the principal Act, for the words “be responsible for implementation of the decisions of the Board which may be”, the words “implement the decision of the Board within forty-five days from the date it is” shall be substituted.	10
Amendment of section 30.	18. In section 30 of the principal Act, in sub-section (2), for the words and figures “section 76 of the Indian Evidence Act, 1872”, the words and figures “section 75 of the Bharatiya Sakshya Adhiniyam, 2023” shall be substituted.	15 1 of 1872. 47 of 2023.
Amendment of section 32.	19. In section 32 of the principal Act,— (a) in sub-section (2), in clause (e), the <i>Explanation</i> and the proviso shall be omitted; (b) in sub-section (3), the words “and the decision of the Tribunal thereon shall be final” shall be omitted.	20
Amendment of section 33.	20. In section 33 of the principal Act,— (a) in sub-section (4), in the proviso, the words, brackets and figure “and the Tribunal shall have no power to make any order staying pending the disposal of the appeal, the operation of the order made by the Chief Executive Officer under sub-section (3)” shall be omitted; (b) sub-section (6) shall be omitted.	25
Amendment of section 36.	21. In section 36 of the principal Act,— (a) after sub-section (1), the following sub-section shall be inserted, namely:— “(1A) On and from the commencement of the Waqf (Amendment) Act, 2025, no waqf shall be created without execution of a waqf deed.”; (b) in sub-section (3),— (i) in the opening portion, for the words “in such form and manner and at such place as the Board may by regulation provide”, the words “to the Board through the portal and database” shall be substituted; (ii) for clause (f), the following clause shall be substituted, namely:— “(f) any other particulars as may be prescribed by the Central Government.”; (c) in sub-section (4), the words “or if no such deed has been executed or a copy thereof cannot be obtained, shall contain full particulars, as far as they are known to the applicant, of the origin, nature and objects of the waqf” shall be omitted; (d) for sub-section (7), the following sub-sections shall be substituted, namely:— “(7) On receipt of an application for registration, the Board shall forward the application to the Collector having jurisdiction to inquire the genuineness and validity of the application and correctness of any particulars therein and submit a report to the Board:	30 35 40 45 50

Provided that if the application is made by any person other than the person administering the waqf, the Board shall, before registering the waqf, give notice of the application to the person administering the waqf and shall hear him if he desires to be heard.

5 (7A) Where the Collector in his report mentions that the property, wholly or in part, is in dispute or is a Government property, the waqf in relation to such part of property shall not be registered, unless the dispute is decided by a competent court.”;

(e) in sub-section (8), the proviso shall be omitted;

10 (f) after sub-section (8), the following sub-sections shall be inserted, namely:—

“(9) The Board, on registering a waqf, shall issue the certificate of registration to the waqf through the portal and database.

15 (10) No suit, appeal or other legal proceeding for the enforcement of any right on behalf of any waqf which have not been registered in accordance with the provisions of this Act, shall be instituted or commenced or heard, tried or decided by any court after expiry of a period of six months from the commencement of the Waqf (Amendment) Act, 2025:

20 Provided that an application may be entertained by the court in respect of such suit, appeal or other legal proceedings after the period of six months specified under this sub-section, if the applicant satisfies the court that he has sufficient cause for not making the application within such period.”.

25 **22.** In section 37 of the principal Act,—

Amendment of section 37.

(a) in sub-section (1),—

(i) in the opening portion, after the word “particulars”, the words “in such manner as prescribed by the Central Government” shall be inserted;

30 (ii) in clause (f), for the words “provided by regulations”, the words “prescribed by the Central Government” shall be substituted;

(b) in sub-section (3), after the words “land record office shall”, the words “before deciding mutation in the land records, in accordance with revenue laws in force, shall give a public notice of ninety days, in two daily newspapers circulating in the localities of such area of which one shall be in the regional language and give the affected persons an opportunity of being heard, then” shall be substituted.

23. Section 40 of the principal Act shall be omitted.

Omission of section 40.

24. In section 46 of the principal Act, in sub-section (2),—

Amendment of section 46.

40 (a) for the word “July”, at both the places where it occurs, the word “October” shall be substituted;

(b) for the words “in such form and containing such particulars as may be provided by regulations by the Board of all moneys received”, the words “in such form and manner and containing such particulars as may be prescribed by the Central Government, of all moneys received from any source” shall be substituted.

25. In section 47 of the principal Act,—

Amendment of section 47.

(a) in sub-section (1),—

(i) in clause (a),—

50 (A) for the words “fifty thousand rupees”, the words “one lakh rupees” shall be substituted;

(B) after the words “appointed by the Board”, the following shall be inserted, namely:—

“from out of the panel of auditors prepared by the State Government:

Provided that the State Government shall, while preparing such panel of auditors, specify the remuneration to be paid to such auditors;”;

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

“(b) the accounts of the waqf having net annual income exceeding one lakh rupees shall be audited annually, by an auditor appointed by the Board from out of the panel of auditors as specified in clause (a);”;

(iii) in clause (c), the following proviso shall be inserted, namely:—

“Provided that the Central Government may, by order, direct the audit of any waqf at any time by an auditor appointed by the Comptroller and Auditor-General of India, or by any officer designated by the Central Government for that purpose.”;

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

“(2A) On receipt of the report under sub-section (2), the Board shall publish the audit report in such manner as may be prescribed by the Central Government.”;

(c) in sub-section (3), both the provisos shall be omitted.

Amendment of section 48.

26. In section 48 of the principal Act,—

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

“(2A) The proceedings and orders of the Board under sub-section (1) shall be published in such manner as may be prescribed by the Central Government.”;

(b) in sub-section (3), the words, brackets and figure “and the Tribunal shall not have any power to stay the operation of the order made by the Board under sub-section (1)” shall be omitted;

(c) sub-section (4) shall be omitted.

Insertion of new section 50A.

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

Disqualification of mutawalli.

“50A. A person shall not be qualified for being appointed, or for continuing as, a mutawalli, if he—

(a) is less than twenty-one years of age;

(b) is found to be a person of unsound mind;

(c) is an undischarged insolvent;

(d) has been convicted of any offence and sentenced to imprisonment for not less than two years;

(e) has been held guilty of encroachment on any waqf property;

(f) has been on a previous occasion—

(i) removed as a mutawalli; or

(ii) removed by an order of a competent court or Tribunal from any position of trust either for mismanagement or for corruption.”.

Amendment of section 51.

1 of 1894. 5 28. In section 51 of the principal Act, in sub-section (1A), in the second proviso, for the words and figures “the Land Acquisition Act, 1894”, the words and figures “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” shall be substituted.
30 of 2013.

29. In section 52 of the principal Act, in sub-section (4), the words “and the decision of the Tribunal on such appeal shall be final” shall be omitted.

Amendment of section 52.

10 30. In section 52A of the principal Act,—

Amendment of section 52A.

(a) in sub-section (1),—

(i) for the words “rigorous imprisonment”, the word “imprisonment” shall be substituted;

15 (ii) in the proviso, for the words “be vested in the Board”, the words “be reverted back to the waqf” shall be substituted;

(b) sub-section (2) shall be omitted;

(c) sub-section (4) shall be omitted.

20 31. In section 55A of the principal Act, in sub-section (2), in the proviso, the words “and the decision of the Tribunal thereon shall be final” shall be omitted.

Amendment of section 55A.

32. In section 61 of the principal Act,—

Amendment of section 61.

(a) in sub-section (1),—

(i) clauses (e) and (f) shall be omitted;

25 (ii) for the long line, the following shall be substituted, namely:—

“he shall, unless he satisfies the court or the Tribunal that there was reasonable cause for his failure, be punishable with a fine which shall not be less than twenty thousand rupees but which may extend to fifty thousand rupees.”;

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

“(1A) If a mutawalli fails to—

(i) deliver possession of any waqf property, if ordered by the Board or the Tribunal;

35 (ii) carry out the directions of the Collector or the Board;

(iii) do any other act which he is lawfully required to do by or under this Act;

(iv) provide statement of accounts under section 46;

(v) upload the details of waqf under section 3B,

40 he shall be punishable with imprisonment for a term which may extend to six months and also with a fine which shall not be less than twenty thousand rupees but which may extend to one lakh rupees.”;

2 of 1974. 45 (c) in sub-section (5), for the words and figures “the Code of Criminal Procedure, 1973”, the words and figures “the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted.
46 of 2023.

33. In section 64 of the principal Act,—

Amendment of section 64.

(a) in sub-section (1),—

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

“(g) has failed, without reasonable excuse, to maintain regular accounts for one year or has failed to submit, within one year, the yearly statement of accounts, as required by section 46; or”;

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

“(l) is a member of any association which has been declared unlawful under the Unlawful Activities (Prevention) Act, 1967.”;

(b) in sub-section (4), the words “and the decision of the Tribunal on such appeal shall be final” shall be omitted.

Amendment of section 65.

34. In section 65 of the principal Act, in sub-section (3), for the words “As soon as possible”, the words “Within six months” shall be substituted.

Amendment of section 67.

35. In section 67 of the principal Act,—

(a) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) Any person aggrieved by the order made under sub-section (2) may, within ninety days from the date of the order, appeal to the Tribunal.”;

(b) in sub-section (6), in the second proviso, the words “and the order made by the Tribunal in such appeal shall be final” shall be omitted.

Amendment of section 69.

36. In section 69 of the principal Act,—

(a) in sub-section (3), the second proviso shall be omitted;

(b) in sub-section (4), the following proviso shall be inserted, namely:—

“Provided that no such order shall be made under this sub-section unless a written notice inviting objections from the person likely to be affected and general public, in such manner as may be prescribed by the State Government.”.

Amendment of section 72.

37. In section 72 of the principal Act,—

(a) in sub-section (1), for the words “seven per cent.”, the words “five per cent. subject to a maximum amount as may be prescribed by the Central Government” shall be substituted;

(b) in sub-section (7), the words “and the decision of the Board thereon shall be final” shall be omitted.

Amendment of section 73.

38. In section 73 of the principal Act, in sub-section (3), the words “and the decision of the Tribunal on such appeal shall be final” shall be omitted.

Amendment of section 83.

39. In section 83 of the principal Act,—

(a) in sub-section (1), the following proviso shall be inserted, namely:—

“Provided that any other Tribunal may, by notification, be declared as the Tribunal for the purposes of this Act.”;

(b) in sub-section (2), the following proviso shall be inserted, namely:—

“Provided that if there is no Tribunal or the Tribunal is not functioning, any aggrieved person may appeal to the High Court directly.”;

(c) for sub-section (4), the following shall be substituted, namely:—

“(4) Every Tribunal shall consist of three members—

(a) one person, who is or has been a District Judge, who shall be the Chairman;

5 (b) one person, who is or has been an officer equivalent in the rank of Joint Secretary to the State Government—member;

(c) one person having knowledge of Muslim law and jurisprudence—member:

10 Provided that a Tribunal established under this Act, prior to the commencement of the Waqf (Amendment) Act, 2025, shall continue to function as such until the expiry of the term of office of the Chairman and the members thereof under this Act.”;

(d) in sub-section (4A), the following proviso shall be inserted, namely:—

15 “Provided that tenure of the Chairman and the member shall be five years from the date of appointment or until they attain the age of sixty-five years, whichever is earlier.”;

(e) in sub-section (7), the words “final and” shall be omitted;

20 (f) for sub-section (9), the following sub-section shall be substituted, namely:—

“(9) Any person aggrieved by the order of the Tribunal, may appeal to the High Court within a period of ninety days from the date of receipt of the order of the Tribunal.”.

40. In section 91 of the principal Act,—

Amendment of section 91.

25 (a) in sub-section (1), for the words and figures “the Land Acquisition Act, 1894”, the words and figures “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” shall be substituted;

30 (b) in sub-section (3), for the words and figures “under section 31 or section 32 of the Land Acquisition Act, 1894”, the words and figures “under section 77 or section 78 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” shall be substituted;

(c) in sub-section (4),—

35 (i) for the words and figures “under section 31 or section 32 of the Land Acquisition Act, 1894”, the words and figures “under section 77 or section 78 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013” shall be substituted;

40 (ii) for the words “shall be declared void if the Board”, the words “shall be kept in abeyance relating to portion of the property claimed by the Board, if the Board” shall be substituted;

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

45 “Provided that the Collector after hearing the parties concerned shall make the order within one month of the application of the Board.”.

41. In section 100 of the principal Act, for the words “Survey Commissioner”, the word “Collector” shall be substituted.

Amendment of section 100.

Amendment of
section 101.

42. In section 101 of the principal Act,—

(a) in the marginal heading and in sub-section (1), for the words “Survey Commissioner” occurring at both the places, the word “Collector” shall be substituted;

(b) in sub-sections (1) and (2), for the words and figures “section 21 of the Indian Penal Code”, at both the places where they occur, the words, brackets and figures “clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023” shall be substituted. 5 45 of 1860. 45 of 2023.

Omission of
section 104.

43. Section 104 of the principal Act shall be omitted.

Substitution of
new section for
section 107.

44. For section 107 of the principal Act, the following section shall be substituted, namely:— 10

Application of
Act 36 of 1963.

“107. On and from the commencement of the Waqf (Amendment) Act, 2025, the Limitation Act, 1963 shall apply to any proceedings in relation to any claim or interest pertaining to immovable property comprised in a waqf.”.

Omission of
sections 108 and
108A.

45. Sections 108 and 108A of the principal Act shall be omitted. 15

Insertion of new
section 108B.

46. After section 108A as so omitted of the principal Act, the following section shall be inserted, namely:—

Power of Central
Government to
make rules.

“108B. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, the Central Government may make rules for all or any of the following matters, namely:— 20

(a) the waqf asset management system for the registration, accounts, audit and other details of waqf and Board under clause (ka), and the manner of payments for maintenance of widow, divorced woman and orphan under sub-clause (iv) of clause (r), of section 3; 25

(b) any other particulars under clause (j) of sub-section (2) of section 3B;

(c) the manner in which details of waqf to be uploaded under sub-section (2B) of section 5; 30

(d) any other particulars under clause (f) of sub-section (3) of section 36;

(e) the manner in which the Board shall maintain the register of auqaf under sub-section (1) of section 37;

(f) such other particulars to be contained in the register of auqaf under clause (f) of sub-section (1) of section 37; 35

(g) form and manner and particulars of the statement of accounts under sub-section (2) of section 46;

(h) the manner for publishing audit report under sub-section (2A) of section 47; 40

(i) the manner of publication of proceedings and orders of Board under sub-section (2A) of section 48;

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

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

47. In section 109 of the principal Act, in sub-section (2),—

Amendment of
section 109.

(a) clause (ia) shall be omitted;

(b) clause (iv) shall be omitted;

(c) in clauses (via) and (vib), for the word and figures “section 31” at both the places where they occur, the word and figures “section 29” shall be substituted;

(d) after clause (xviii), the following clause shall be inserted, namely:—

“(xviii a) the manner of giving notice inviting objections under proviso to sub-section (4) of section 69;”.

48. In section 110 of the principal Act, in sub-section (2), clauses (f) and (g) shall be omitted.

Amendment of
section 110.

LOK SABHA

A
BILL
further to amend the Waqf Act, 1995.

(As passed by Lok Sabha)