



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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No. 763 Dispur, Friday, 23rd December, 2022, 2nd Pausa, 1944 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATIONS

The 22nd December, 2022

No. LLE.109/2022/593.- The following Bills were introduced in the House on 22nd December, 2022 along with the Statement of Objects and Reasons are to be published under Rule 71 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly for General information.

**THE ASSAM TAXATION LAW VALIDATION
(REPEALING) BILL, 2022**

**A
BILL**

to repeal the Assam Taxation Law Validation Act, 1961.

Preamble

Whereas it is expedient to repeal the Assam Taxation Law Validation Act, 1961;

**Assam Act
No. XVI of
1961**

It is hereby enacted in the Seventy-third Year of the Republic of India as follows:-

Short title,
extent and
commencement

1. (1) This Act may be called the Assam Taxation Law Validation (Repealing) Act, 2022.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

Repeal and
savings

2. (1) The Assam Taxation Law Validation Act, 1961 is hereby repealed.
- (2) Notwithstanding such repeal under section 2, the validity or effect or consequence of anything already done or suffered or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect of any such right, title, obligation or liability or penalty, claim or demand etc. already enforced under the Act so repealed, shall be deemed to have been validly done or taken or passed under the corresponding provisions of the Act, so repealed.

**Assam Act
No. XVI of
1961**

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to repeal the Assam Taxation Law Validation Act, 1961.

2. The features of the proposed bill are broadly explained as under:
 - i) Clause 2 of the Bill seeks to repeal the Assam Taxation Law Validation Act, 1961 as it is not relevant today and a part of reducing compliance burden initiative of Government of India.
3. The Bill seeks to achieve above objects.

AJANTA NEOG,
Minister, Finance

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORENDUM

The Bill proposes to repeal the Assam Taxation Law Validation Act, 1961.

There is no provision in the Bill which would involve the recurring or non-recurring expenditure from the Consolidated Fund of the State on repealing of the Act.

AJANTA NEOG,
Minister, Finance

MEMORANDUM OF DELEGATED LEGISLATION

The Bill involves no proposals for delegation of legislative power to anyone.

AJANTA NEOG,
Minister, Finance

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

**THE ASSAM TAXATION (PROCEDURE FOR ROUNDING OFF)
(REPEALING) BILL, 2022**

**A
BILL**

to repeal the Assam Taxation (Procedure for Rounding off) Act, 1971.

Preamble

Whereas it is expedient to repeal the Assam Taxation (Procedure for Rounding off) Act, 1971;

**Assam Act
No. XVIII
of 1971**

It is hereby enacted in the Seventy-third Year of the Republic of India as follows:-

Short title,
extent and
commencement

1. (1) This Act may be called the Assam Taxation (Procedure for Rounding off) (Repealing) Act, 2022.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

Repeal and
savings

2. (1) The Assam Taxation (Procedure for Rounding off) Act, 1971 is hereby repealed.
- (2) Notwithstanding such repeal under section 2, the validity or effect or consequence of anything already done or suffered or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect of any such right, title, obligation or liability or penalty, claim or demand etc. already enforced under the Act so repealed, shall be deemed to have been validly done or taken or passed under the corresponding provisions of the Act, so repealed.

**Assam Act
No. XVIII
of 1971**

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to repeal the Assam Taxation (Procedure for Rounding Off) Act, 1971.

2. The features of the proposed bill are broadly explained as under:
 - i) Clause 2 of the Bill seeks to repeal the Assam Taxation (Procedure for Rounding Off) Act, 1971 as it is not relevant today and a part of reducing compliance burden initiative of Government of India.
3. The Bill seeks to achieve above objects.

AJANTA NEOG,
Minister, Finance

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORENDUM

The Bill proposes to repeal the Assam Taxation (Procedure for Rounding Off) Act, 1971.

There is no provision in the Bill which would involve the recurring or non-recurring expenditure from the Consolidated Fund of the State on repealing of the Act.

AJANTA NEOG,
Minister, Finance

MEMORANDUM OF DELEGATED LEGISLATION

The Bill involves no proposals for delegation of legislative power to anyone.

AJANTA NEOG,
Minister, Finance

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

THE ASSAM TAXATION (TRANSFER OF REFERENCE APPLICATION) (REPEALING) BILL, 2022

A BILL

to repeal the Assam Taxation (Transfer of Reference Application) Act, 1962.

Preamble

Whereas it is expedient to repeal the Assam Taxation (Transfer of Reference Application) Act, 1962;

**Assam Act
No. XVIII
of 1962**

It is hereby enacted in the Seventy-third Year of the Republic of India as follows:-

Short title,
extent and
commencement

1. (1) This Act may be called the Assam Taxation (Transfer of Reference Application) (Repealing) Act, 2022.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

Repeal and
savings

2. (1) The Assam Taxation (Transfer of Reference Application) Act, 1962 is hereby repealed.
- (2) Notwithstanding such repeal under section 2, the validity or effect or consequence of anything already done or suffered or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect of any such right, title, obligation or liability or penalty, claim or demand etc. already enforced under the Act so repealed, shall be deemed to have been validly done or taken or passed under the corresponding provisions of the Act, so repealed.

**Assam Act
No. XVIII
of 1962**

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to repeal the Assam Taxation (Transfer of Reference Application) Act, 1962.

2. The features of the proposed bill are broadly explained as under:
 - i) Clause 2 of the Bill seeks to repeal the Assam Taxation (Transfer of Reference Application) Act, 1962 as it is not relevant today and a part of reducing compliance burden initiative of Government of India.
3. The Bill seeks to achieve above objects.

AJANTA NEOG,
Minister, Finance

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORENDUM

The Bill proposes to repeal the Assam Taxation (Transfer of Reference Application) Act, 1962.

There is no provision in the Bill which would involve the recurring or non-recurring expenditure from the Consolidated Fund of the State on repealing of the Act.

AJANTA NEOG,
Minister, Finance

MEMORANDUM OF DELEGATED LEGISLATION

The Bill involves no proposals for delegation of legislative power to anyone.

AJANTA NEOG,
Minister, Finance

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

**THE ASSAM RURAL DEVELOPMENT CESS
(REPEALING) BILL, 2022**

**A
BILL**

to repeal the Assam Rural Development Cess Act, 1988.

Preamble

Whereas it is expedient to repeal the Assam Rural Development Cess Act, 1988;

**Assam Act
No. IX of
1988**

It is hereby enacted in the Seventy-third Year of the Republic of India as follows:-

**Short title,
extent and
commencement**

1. (1) This Act may be called the Assam Rural Development Cess (Repealing) Act, 2022.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

**Repeal and
savings**

2. (1) The Assam Rural Development Cess Act, 1988 is hereby repealed.
- (2) Notwithstanding such repeal under section 2, the validity or effect or consequence of anything already done or suffered or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect of any such right, title, obligation or liability or penalty, claim or demand etc. already enforced under the Act so repealed, shall be deemed to have been validly done or taken or passed under the corresponding provisions of the Act, so repealed.

**Assam Act
No. IX of
1988**

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to repeal the Assam Rural Development Cess Act, 1988.

The features of the proposed bill are broadly explained as under:

- i) Clause 2 of the Bill seeks to repeal the Assam Rural Development Cess Act, 1988 as it is not relevant today and a part of reducing compliance burden initiative of Government of India.

The Bill seeks to achieve above objects.

AJANTA NEOG,
Minister, Finance

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORENDUM

The Bill proposes to repeal the Assam Rural Development Cess Act, 1988.

There is no provision in the Bill which would involve the recurring or non-recurring expenditure from the Consolidated Fund of the State on repealing of the Act.

AJANTA NEOG,
Minister, Finance

MEMORANDUM OF DELEGATED LEGISLATION

The Bill involves no proposals for delegation of legislative power to anyone.

AJANTA NEOG,
Minister, Finance

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

**THE ASSAM STATE TRANSPORT CORPORATION
(PREVENTION OF UNAUTHORISED TRAVEL) BILL, 2022**

**A
BILL**

further to amend the Assam State Transport Corporation (Prevention of Unauthorised Travel) Act 1977.

Assam Act
No. VI of
1977

Preamble

Whereas, it is expedient further to amend the Assam State Transport Corporation (Prevention of Unauthorised Travel) Act 1977, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Seventy-third Year of the Republic of India as follows :-

Short title,
extent and
commencement

1. (1) This Act may be called the Assam State Transport Corporation (Prevention of Unauthorised Travel) (Amendment) Act, 2022.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Amendment of
section 6

2. In the principal Act, in section 6,
 - (i) in sub-section (1), for the words "imprisonment for a term which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both and shall also be liable to pay the excess charge specified in sub-section (2)", appearing in between the words, "punished with" and "for the distance", the words "fine equal to ten times of the ticket amount or with fine which may extend to two thousand rupees whichever is less" shall be substituted.
 - (ii) sub-section (2), shall be omitted.

Amendment of
section 7

3. In the principal Act, in section 7, in clause (d), for the words "imprisonment which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both", appearing after the words "punishable with", the words "fine which may extend to two thousand and five hundred rupees or ten times of the ticket value per passenger whichever is higher" shall be substituted.

Amendment of
section 9

4. In the principal Act, in section 9, in the third and fourth line, for the words "imprisonment which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both", appearing after the words "punishable with", the words "fine which may extend to two thousand and five hundred rupees" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The objective is to introduce the Bill, namely the State Transport Corporation (Prevention of Unauthorised Travel) (Amendment) Bill, 2022 to further amend the State Transport Corporation (Prevention of Unauthorised Travel) Act, 1977 for decriminalisation.

(1) In the Principal Act, in section 6, in sub-section (1) for the words “imprisonment for a term which may extend to one month or with fine which may extend to Two hundred and fifty rupees or with both and shall also be liable to pay the excess charge specified in sub-section (2)” the words “fine equal to ten times of the ticket amount or with fine which may extend to two thousand rupees which ever is less” shall be substituted. Sub-section (2) shall be omitted.

(2) In the Principal Act, in section 7, in clause (d) for the words “with imprisonment which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both” the words “with fine which may extend to Two Thousand and five hundred rupees or ten times of the ticket value per passenger whichever is higher” shall be substituted.

(3) In the Principal Act, in section 9, for the words “with imprisonment which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both” the words “with fine which may extend to Two Thousand and five hundred rupees” shall be substituted.

In view of above, amendment of The State Transport Corporation (Prevention of Unauthorised Travel) Act, 1977 is proposed.

Hence the Bill.

PARIMAL SUKLA BAIDYA,
Minister, Transport.

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORANDUM

This Bill does not entail any expenditure from the Consolidated Fund of the State once it comes into force.

PARIMAL SUKLA BAIDYA,
Minister, Transport.

MEMORANDUM OF DELEGATED LEGISLATION

The Bill does not propose to delegate legislative power to the Executive.

PARIMAL SUKLA BAIDYA,
Minister, Transport.

EXTRACT OF SECTION 6, 7 AND 9 OF THE ASSAM STATE TRANSPORT CORPORATION (PREVENTION OF UNAUTHORISED TRAVEL) ACT 1977.

UNDER AMENDMENT

- Section 6 (1) In the Principal Act, in section 6, in sub-section (1) for the words “imprisonment for a term which may extend to one month or with fine which may extend to Two hundred and fifty rupees or with both and shall also be liable to pay the excess charge specified in sub-section (2)” the words “fine equal to ten times of the ticket amount or with fine which may extend to two thousand rupees whichever is less” shall be substituted. Sub-section (2) shall be omitted.
- Section 7(2) In the Principal Act, in section 7, in clause (d) for the words “with imprisonment which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both” the words “with fine which may extend to Two Thousand and five hundred rupees or ten times of the ticket value per passenger whichever is higher” shall be substituted.
- Section 9(3) In the Principal Act, in section 9, for the words “with imprisonment which may extend to one month or with fine which may extend to two hundred and fifty rupees or with both” the words “with fine which may extend to Two Thousand and five hundred rupees” shall be substituted.

PARIMAL SUKLA BAIDYA,
Minister, Transport.

EXTRACT OF SECTION 6, 7 AND 9 OF THE ASSAM STATE TRANSPORT CORPORATION (PREVENTION OF UNAUTHORISED TRAVEL) ACT 1977.

UNDER AMENDMENT

- Section 6 In the Principal Act penalty for ticketless travel is decriminalized
- Section 7 In the Principal Act penalty for dereliction of duty is decriminalized
- Section 9 In the Principal Act obstructing Emplpyoyee of the Corporation in his duty is decriminalized

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

**THE ASSAM MONEY LENDERS'
(AMENDMENT) BILL, 2022**

**A
BILL**

further to amend the Assam Money Lenders' Act, 1934.

Preamble Whereas it is expedient to amend the Assam Money Lenders' Act, 1934, hereinafter referred to as the principal Act, in the manner hereinafter appearing; Assam Act
No. IV of
1934

It is hereby enacted in the Seventy-third Year of the Republic of India as follows:-

- | | |
|--|---|
| Short title,
extent and
commencement | 1. (1) This Act may be called the Assam Money Lenders' (Amendment) Act, 2022.
(2) It shall have the like extent as the principal Act.
(3) It shall come into force at once. |
| Amendment of
section 3 | 2. In the principal Act, for existing section 3, the following shall be substituted, namely:-

"3. If the loan actually made be less than the sum entered in the bond or hand note money-lender shall be guilty of a contravention of the provisions of this Act and shall on conviction, be punishable with fine not exceeding twelve thousand rupees." |
| Amendment of
section 7C | 3. In the principal Act, in section 7C, for sub-section (2), the following shall be substituted, namely:-

"(2) Whoever contravenes the provisions of sub-section (1) shall be punishable for the first offence with fines which may extend to rupees thirty thousand, and for a second or subsequent offence, with fines which may extend upto rupees sixty thousand." |
| Amendment of
section 8 | 4. In the principal Act, in section 8,-
(i) in first line, before the word "Where" the figure and punctuation mark "(1)" shall be inserted;
(ii) after the first paragraph, the following sub-section (2) shall be inserted, namely:-

"(2) The interest rate shall be 18% per annum in the case of a secured loan or 24% per annum in the case of an unsecured loan instead of interest charged at the rate of 12 ½ per cent per annum in the case of a secured loan or 18 ¾ per cent per annum in the case of an unsecured loan, the interest charged." |
| Amendment of
section 11 | 5. In the principal Act, in section 11, for existing clause (3), the following shall be substituted, namely:- |

“(3) Any person acting in contravention of any of the provisions of this section shall in respect of each offence be liable, on conviction to a fine which may extend upto rupees twenty thousand”.

Amendment of section 12 6. In the principal Act, for section 12, the following shall be substituted, namely:-

“12 Whoever fails to comply with or acts in contravention of any provision of this Act, shall, if no specific penalty has been provided for in this Act, be punishable,-

- (a) for the first offence with fine which may extend to rupees thirty thousand, and
- (b) for the second or subsequent offence with fine which may extend to rupees sixty thousand.”.

STATEMENT OF OBJECTION AND REASONS

The bill namely "THE ASSAM MONEY LENDERS' (AMENDMENT) BILL, 2022" seeks to amend the Assam Money Lenders' Act, 1934 and the Assam Money Lenders' (Amendment) Act, 1968.

To improve 'Ease of Living' and 'Ease of Doing Business', the Department for Promotion of Industry and Internal Trade (DPIIT), Government of India has decided to reduce the Regulatory Compliance Burden on Citizens and Businesses.

As per section 3, 7 (C), 8, 11 and 12 of the Assam Money Lenders' Act, 1934 and the Assam Money Lenders' (Amendment) Act, 1968 conviction and fine were imposed on the basis of the rupee value during the year 1968.

Now, the Finance Department has proposed to increase the rate of interest and fine on the basis of the rupee value during the year 2022 as per inflation rate instead of imprisonment. This will be reduced the Regulatory Compliance Burden on Citizens and Businesses.

Hence, the bill

AJANTA NEOG,
Minister-in-Charge,
Finance Department, Assam.

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

FIANANCIAL MEMORANDUM

There is no financial involvement in the proposed Bill.
However, proposed high rate of interest and increase fine.

AJANTA NEOG,
Minister-in-Charge,
Finance Department, Assam.

MEMORANDUM OF DELEGATED LEGISLATION

There is delegation of Legislative powers to the executive in the proposed bill.

AJANTA NEOG,
Minister-in-Charge,
Finance Department, Assam.

RAJ BHAVAN
GUWAHATI

December, ...20..... 2022

Under the provision of Article 207 (1) of the Constitution of India, I, Prof. Jagdish Mukhi, Governor of Assam, recommend the Introduction of The Assam Money Lenders' (Amendment) Bill, 2022 in the Assam Legislative Assembly.

PROFESSOR JAGDISH MUKHI,
Governor of Assam.

RAJ BHAVAN
GUWAHATI

December, ²⁰..... 2022

Under the provision of Article 207 (3) of the Constitution of India, I, Prof. Jagdish Mukhi, Governor of Assam, recommend that The Assam Money Lenders' (Amendment) Bill, 2022 be taken into consideration by the Assam Legislative Assembly.

PROFESSOR JAGDISH MUKHI,
Governor of Assam.

ৰাজ ভৱন
গুৱাহাটী

ডিচেম্বৰ, ২০, ২০২২

ভাৰতৰ সংবিধানৰ ২০৭(১) অনুচ্ছেদৰ চৰ্ত অনুসৰি মই অধ্যাপক জগদীশ মুখী অসমৰ ৰাজ্যপাল হিচাপে The Assam Money Lenders' (Amendment) Bill, 2022 অসম বিধান সভাত উত্থাপন কৰিবৰ বাবে অনুমোদন জনালো।

(অধ্যাপক জগদীশ মুখী)
অসমৰ ৰাজ্যপাল

ৰাজ ভৱন
গুৱাহাটী

ডিচেম্বৰ, ২০, ২০২২

ভাৰতৰ সংবিধানৰ ২০৭(৩) অনুচ্ছেদৰ চৰ্ত অনুসৰি মই অধ্যাপক জগদীশ মুখী অসমৰ ৰাজ্যপাল হিচাপে The Assam Money Lenders' (Amendment) Bill, 2022 অসম বিধান সভাত বিবেচনা কৰিবৰ বাবে অনুমোদন জনালো।

(অধ্যাপক জগদীশ মুখী)
অসমৰ ৰাজ্যপাল

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

**THE ASSAM PROTECTION OF INTEREST OF DEPOSITORS
(IN FINANCIAL ESTABLISHMENTS) (REPEALING) BILL, 2022**

**A
BILL**

to repeal the Assam Protection of Interest of Depositors (in Financial Establishments) Act, 2000.

Preamble

Whereas it is expedient to repeal the Assam Protection of Interest of Depositors (in Financial Establishments) Act, 2000;

Assam Act
No. VI of
2000

It is hereby enacted in the Seventy-third Year of the Republic of India as follows:-

Short title,
extent and
commencement

1. (1) This Act may be called the Assam Protection of Interest of Depositors (in Financial Establishments) (Repealing) Act, 2022.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

Repeal and
savings

2. (1) The Assam Protection of Interest of Depositors (in Financial Establishments) Act, 2000 is hereby repealed.
- (2) Notwithstanding such repeal under section 2, the validity or effect or consequence of anything already done or suffered or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect of any such right, title, obligation or liability or penalty, claim or demand etc. already enforced under the Act so repealed, shall be deemed to have been validly done or taken or passed under the corresponding provisions of the Act, so repealed.

Assam Act
No. VI of
2000

STATEMENT OF OBJECTION AND REASONS

The bill namely "THE ASSAM PROTECTION OF INTEREST OF DEPOSITORS (IN FINANCIAL ESTABLISHMENTS) (REPEALING) BILL, 2022" seeks to repeal the Assam Protection of Interest of Depositors (in Financial Establishments) Act, 2000.

To improve 'Ease of Living' and 'Ease of Doing Business', the Department for Promotion of Industry and Internal Trade (DPIIT), Government of India has decided to reduce the Regulatory Compliance Burden on Citizens and Businesses.

As per section 38 of the Banning of Unregulated Depositors Scheme Act, 2019 (a Central Act), the State Government needs to make Rule, Cabinet has approved the Assam Banning of Unregulated Deposit Scheme Rule, 2022. The Banning of Unregulated Deposit Scheme Act and Rules provided for a comprehensive mechanism to ban the unregulated deposit schemes with wider ambit and will be covered the Assam Protection of Interest of Depositors (in Financial Establishments) Act, 2000. So, the Finance Department has proposed to repeal the Assam Protection of Interest of Depositors (in Financial Establishment) Act, 2000 by introducing the Assam Protection of Interest of Depositors (in Financial Establishment) (Repealing) Bill, 2022. This will be reduced the Regulatory Compliance Burden on Citizens and Businesses.

Hence, the bill

AJANTA NEOG,
Minister-in-Charge,
Finance Department, Assam.

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

FIANANCIAL MEMORANDUM

There is no financial involvement in the proposed Bill.

AJANTA NEOG,
Minister-in-Charge,
Finance Department, Assam.

MEMORANDUM OF DELEGATED LEGISLATION

There is no delegation of Legislative powers to the executive in the proposed bill.

AJANTA NEOG,
Minister-in-Charge,
Finance Department, Assam.

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

THE ASSAM FOREST (REMOVAL AND STORAGE OF FOREST PRODUCE REGULATION (AMENDMENT) BILL, 2022

A BILL

further to amend the Assam Forest (Removal and Storage of Forest Produce) Regulation Act, 2000.

Preamble

Whereas it is expedient to amend the Assam Forest (Removal and Storage of Forest Produce) Regulation Act, 2000, hereinafter referred as the principal Act, in the manner hereinafter appearing;

Assam Act
No. XII of
2000

It is hereby enacted in the Seventy-third Year of the Republic of India as follows:-

Short title,
extent and
commencement

- (1) The Act may be called the Assam Forest (Removal and Storage of Forest Produce) Regulation (Amendment) Act, 2022.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Amendment of
section 7

2. In the principal Act, in section 7, for the words "imprisonment which may extend to one year, or with fine which may extend to two thousand rupees, or with both," appearing in between the words "punished with" and "and the court", the words "fine of rupees 2000 (two thousand) which may extend to rupees 1,00,000 (one lakh)" shall be substituted.

Amendment of
section 14

3. In the principal Act, in section 14, in fourteenth line, for the words "or with imprisonment for a term which may extend to six months or with both" appearing after the word "rupees", the words "which may extend to rupees 10,000 (ten thousand)" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Bill namely "The Assam Forest (Removal & Storage of Forest Produce) Regulation (Amendment) Bill, 2022" seeks to amend the Assam Forest (Removal & Storage of Forest Produce) Regulation Act, 2000.

In order to reduce the compliance burden it has been envisaged that the Section 7 and Section 14 of the Act may be implemented more efficiently to reduce the Regulatory Compliance Burden.

Therefore, the Department has proposed for Amendment of the Assam Forest (Removal & Storage of Forest Produce) Regulation Act, 2000. The Act requires amendment in the present-day scenario to regulate and control removal of forest produces outside the State of Assam and the setting up of establishment of trading depot for forest produce.

As a part of reducing compliance burden initiative of Government of India; Environment and Forest Department has proposed to amend the Assam Forest (Removal & Storage of Forest Produce) Regulation Act, 2000 by introducing "The Assam Forest (Removal & Storage of Forest Produce) Regulation (Amendment) Bill, 2022".

Hence, the Bill.

CHANDRAMOHAN PATOWARY,
Minister-in-Charge,
Environment and Forest Department, Assam.

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.

FINANCIAL MEMORANDUM

There is no financial involvement in the proposed Bill.

CHANDRAMOHAN PATOWARY,
Minister-in-Charge,
Environment and Forest Department, Assam.

MEMORANDUM OF DELEGATED LEGISLATION

There is no delegation of legislative powers to the executive in the proposed Bill.

CHANDRAMOHAN PATOWARY,
Minister-in-Charge,
Environment and Forest Department, Assam.

Extract of the existing provisions of Section 7 and Section 14 of Assam Forest (Removal & Storage of Forest Produce) Regulation Act, 2000

Penalty provision of the Act

Penalty

7. Any person who contravene any of the provisions of Section 3 shall, on conviction, be punished with imprisonment which may extend to one year, or with fine which may extend to two thousand rupees, or with both, and the Court trying the offence may further order that the forest produce in respect of which the offence was committed and the vessel or vehicle or animal with which the offence was committed, shall be confiscated to the Government.

Provided that in case of a second or subsequent offence under this Act, the fine shall be double the above amount.

Penalty for refusal to produce things or Furnish information.

14. Whoever

wilfully refuses or is unable to produce licence or document or wilfully refuses or fail to give such information which under the provisions of this Act or the rules made there under, is required to be produced or furnished or otherwise furnishes information which he knows or believes to be false or does not believe to be true;

OR

forcibly resists the arrest or attempts to evade arrest or obstructs any Forest Officer or Police Officer to enter or to effect arrest or seizure under the powers conferred by the Act or the Rules made thereunder, shall be guilty of an offence under this Act, and on conviction, be punished with fine which may extend to one thousand rupees or with imprisonment for a term which may extend to six months or with both.

HEMEN DAS,
Principal Secretary,
Assam Legislative Assembly.