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THE INDIAN COUNCIL OF WORLD AFFAIRS  
(AMENDMENT) ACT, 2003

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NO. 5 OF 2004

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[7th January, 2004.]

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An Act to amend the Indian Council of World Affairs Act, 2001.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:-

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Short title.

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1. Short title.-This Act may be called the Indian Council of World Affairs (Amendment) Act, 2003.

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Amendment of section 7.

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2. Amendment of section 7.-In section 7 of the Indian Council of World Affairs Act, 2001 (29 of 2001) (hereinafter referred to as the principal Act), in sub-section (2),-

(i) the words and figures "which shall not be later than three months from the date of assent by the President of the Indian Council of World Affairs Bill, 2001" shall be omitted and shall be deemed always to have been omitted;

(ii) in clause (b), for the words "as may be nominated by the Council", the words, brackets and figure "to be nominated, in the first instance by the Council constituted under sub-section (1) and thereafter by the Council constituted under this sub-section" shall be substituted;

(iii) for clause (c), the following clause shall be substituted, namely:-

"(c) Director-General, ex officio Member-Secretary;"

(iv) in clause (e), for the words "to be nominated by the Council", the words, brackets and figure "to be nominated, in the first instance by the Council constituted under sub-section (1) and thereafter by the Council constituted under this sub-section" shall be substituted;

(v) in clause (f), for the words "to be nominated by the Council", the words, brackets and figure "to be nominated, in the first instance by the Council constituted under sub-section (1) and thereafter by the Council constituted under this sub-section" shall be substituted,

(vi) in clause (g),-

(a) for the words "either media personalities or representatives of organisations", the words "either media personalities or persons from organisations" shall be substituted;

(b) for the word "selected", the word "nominated" shall be substituted;

(vii) in clause (h), for the words "who are representatives of Business or", the words "from Business or" shall be substituted;

(viii) in clause (i), the words ", to be nominated by the Chairperson of the Governing Body" shall be omitted.

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Amendment of section 15.

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3. Amendment of section 15.-In section 15 of the principal Act, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:-

"(1) There shall be a Director-General of the Council who shall, before a Council is constituted under sub-section (2) of section 7, be appointed by the Council constituted under sub-section (1) of that section and thereafter during the tenure of a Council constituted under sub-section (2) of section 7, by that Council.

(1A) Every appointment of the Director-General under sub-section (1) shall be made from a panel of at least two names recommended by the Government of India in the Ministry of External Affairs.

(1B) The Director-General shall be the chief executive officer of the Council.

(1C) The Director-General shall be at least equivalent to the rank of Additional Secretary to the Government of India and shall have a tenure not exceeding three years.

(2) The Director-General shall act as ex officio Member-Secretary to the Council, its Governing Body and other bodies and Committees thereof."

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Insertion of new section 23A.

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4. Insertion of new section 23A.-After section 23 of the principal Act, the following section shall be inserted, namely:-

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Transitory provision.

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"23A. Transitory provision.-For the removal of doubts, it is hereby declared that till the constitution of a Council in terms of sub-section (2) of section 7, the Council referred to in sub-section (1) thereof shall be deemed to have been a Council for the purposes of this Act notwithstanding anything contrary contained in any provision of this Act:

Provided that anything done or any action taken or any proceeding initiated under any provision of this Act or rules or regulations made thereunder shall not be called in question before any court or other authority because of non-existence of a Council in terms of sub-section (2) of section 7."

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Insertion of new section 28A.

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5. Insertion of new section 28A.-After section 28 of the principal Act, the following section shall be inserted, namely:-

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Power to remove difficulties.

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"28A. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of the Indian Council of World Affairs (Amendment) Act, 2003, the Central Government may, by order, do anything not inconsistent with such provisions for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of the Indian Council of World Affairs (Amendment) Act, 2003.

(2) Every order made under this section shall be laid, as soon as may

be after it is made, before each House of Parliament."

T. K. VISWANATHAN,

Secy. to the Govt. of India.

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