

The Assam Jan Vishwas (Amendment of Provisions) Bill, 2025

**A
Bill**

to amend certain enactments for decriminalising and rationalising offences.

Preamble to further enhance trust-based governance for ease of living and doing business.

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

Short title, application and commencement

1. (1) This Act may be called the Jan Vishwas (Amendment of Provisions) Act, 2025.
- (2) This shall apply to the whole of the State of Assam.
- (3) It shall come into force at once.

Amendment of certain enactments

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

Savings

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

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

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

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

Schedule

(See section 2)

Sl No.	Year	No	Short title	Amendments	
(1)	(2)	(3)	(4)	(5)	
1.	2000	XII	The Assam Forest (Removal and Storage of Forest Produce) Regulation Act, 2000	Amendment of Section 7	<p>1. For section 7, the following shall be substituted, namely:-</p> <p>“Any person who contravenes any of the provisions of section 3 shall be punishable with fine of rupees 2,000 (two thousand) which may extend to rupees 1,00,000 (one lakh), and the Competent Authority 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. An appeal against an order of the Competent authority under this section shall lie before the next higher authority having jurisdiction over the area:</p> <p>Provided that in the case of a second or subsequent offence under this Act, the fine shall be double the above amount.”</p>

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			Insertion of section 14A	2. After section 14 ,the following new section 14A shall be inserted, namely:—
			“Adjudication of penalties	14A. (1) The State Government for the purpose of determining the penalty under sections 7 and 14 may shall authorize Divisional Forest Officer (DFO) having jurisdiction, to be the adjudicating officer for holding an inquiry and impose penalty in such manner as may be prescribed.
				(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, in such manner as may be prescribed which in the opinion of the adjudicating officer, may be useful for, or relevant to, the subject-matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has failed to comply with the provisions of sections 7 and 14, he may impose penalty: Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard in the matter.
				(3) Whoever aggrieved by the order, passed by the adjudicating officer under section 14A may prefer an appeal to the Chief Conservator of Forest (CCF) or Conservator of Forest (CF) or Principal Chief Conservator of Forest (PCCF) or Head of Forest Force (HoFF) within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
				(4) An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not referring the appeal within that period.
				(5) No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
				(6) An appeal under sub-section (3) shall be disposed of within sixty (60) days from the date of filing.
				(7) Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (3) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.”
			Amendment of section 15	3. For section 15, the following shall be substituted, namely:-
				(1) In sub-section (1), for the words “Any Forest Officer duly authorized by the Government in this behalf by name or by designation” the words “The adjudicating officer” shall be substituted.


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					(2)	In sub-section (3), the words, "On payment of such sum of money to the adjudicating officer, the property, if any seized, shall be released." shall be deleted.
					(3)	The sub-section (4) shall be deleted.
				Amendment of section 22	4.	In section 22, in sub-section (2), after clause (l) the following new clauses shall be inserted, namely:—
					(i)	"(m) the manner of holding inquiry and imposing penalty under sub-section (1) of section 14A;
					(ii)	(n) the form and manner of preferring appeal under sub-section (3) of section 14A;"
					(iii)	the existing clause (m) shall be renumbered as clause (o).
2.	1934	IV	The Assam Money Lenders' Act, 1934	Amendment of section 12A	1.	For section 12A and the marginal heading, the following shall be substituted, namely:—
				"Adjudication of penalties	12 A	The State Government may, for the purpose of determining the penalties under section 3, sub-section (2) of section 7C, sub-section (3) of section 11 and clause (a) and (b) of section 12 shall authorize an officer for determining the penalty not below the rank of Additional District Commissioner to be the adjudicating officer for holding an inquiry and impose penalty in such manner as may be prescribed, after giving a reasonable opportunity of being heard: Provided that Government may appoint as many adjudicating officers as may be required.
				Substitution of section 13	2.	For section 13 and the marginal heading, the following shall be substituted, namely:-
				"Appeal	13	(1) Whoever aggrieved by any order of section 12A above, passed by the adjudicating Officer may prefer an appeal to the District Commissioner who shall dispose of the appeal within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
					(2)	An appeal may be admitted after the expiry of the period of thirty 30 days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
					(3)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(4)	An appeal under section 13 shall be disposed of within sixty (60) Days from the date of filing.
					(5)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under section 12A or order of Appeal under sub-section (1) of section 13 as the case may be, is not deposited, the amount shall be recovered as an arrear of land

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					revenue.”
				Amendment of section 14	In section 14, in sub-section (2), after clause (iv), the following clauses shall be inserted, namely:—
					(i) "(v) the manner of holding inquiry and imposing penalty under section 12A;
					(ii) (vi) the form and manner of preferring an appeal under section 13;"
3.	2005	V	The Assam Irrigation Water Users Act, 2004	Amendment of section 23	In section 23, in clause (f), in the fourth line, for the word, "convicted", appearing in between the words "if" and "be punished" the words, "found guilty" shall be substituted.
				Insertion of section 23A	1. After section 23, the following section 23A, shall be inserted, namely:—
				"Adjudication of penalties	23A The State Government for determining the penalties under section 23 shall appoint Executive Engineer of the jurisdictional area as the adjudicating officer for holding inquiry and impose penalty in such manner as may be prescribed, after giving a reasonable opportunity of being heard: Provided that Government may appoint as many adjudicating officers as may be required.
				Insertion of section 23B	2. After section 23A, the following section 23B shall be inserted, namely:-
				"Appeal against adjudicating authority	23B (1) Whoever aggrieved by any order of section 23A passed by the adjudicating Officer may prefer an appeal before the Superintendent Engineer of Government of Assam, Irrigation Department, over the jurisdictional area, who shall dispose of the appeal within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
					(2) An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
					(3) No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(4) An appeal under sub-section (1) of section 23B shall be disposed of within sixty (60) days from the date of filing.
					(5) Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under section 23A and sub-section (1) of section 23B above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
				Amendment of section 42	3. In section 42 after sub-section (2), the following sub-sections shall be inserted, namely:—
					(i) "(3) the manner of holding inquiry and imposing penalty under sub-section (1) of section 23A;

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					(ii)	(4) the form and manner of preferring appeal under sub-section (1) of section 23B;"
4.	1989	VIII	The Assam Irrigation Act, 1983	Amendment of section 69	1. In section 69, in sub-section (11) for the figure and bracket "(11)" the figure and bracket "(12)" shall be substituted.	
				Insertion of Section 69A	2. After section 69, the following section 69A shall be inserted namely:—	
				"Adjudicating of penalties	69A	The State Government for the purpose of adjudicating the penalties under section 69 shall appoint Executive Engineer of the jurisdictional area for determining the penalty and for holding an inquiry and impose penalty in such manner as may be prescribed, after giving a reasonable opportunity of being heard: Provided that Government may appoint as many adjudicating officers as may be required."
				Insertion of section 69B	3. After section 69A, the following section 69B shall be inserted, namely:-	
				"Appeal	69B	(1) Whoever aggrieved by any order of section 69A passed by the adjudicating Officer may prefer an appeal before the Superintendent Engineer, Government of Assam, Irrigation Department over the jurisdictional area, shall dispose of the appeal within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
						(2) An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
						(3) No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
						(4) An appeal under sub-section (1) section 69B shall be disposed of within sixty (60) days from the date of filing.
						(5) Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under section 69A and sub-section (1) of section 69B above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
				Amendment of section 82	4. In section 82 after sub-section (2), the following sub-sections (3) and (4) shall be inserted, namely:—	
					(i)	"(3) the manner of holding inquiry and imposing penalty under section 69A;
					(ii)	(4) the form and manner of preferring appeal under sub-section (1) of section 69B;"
5.	1960	XV	The Assam Regulated and	Insertion of section 32A	1. After section 32, the following section 32A, shall be inserted, namely:—	

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			Licensed Warehouses Act, 1959	"Adjudication of penalties	32A	(1)	The State Government for the purpose of determining the penalties under section 32 shall appoint Managing Director of Assam State House Corporation as the Adjudicating Authority to hold an inquiry and impose penalty in the manner as may be prescribed, after giving a reasonable opportunity of being heard : Provided that the State Government may appoint as many adjudicating Officers as may be required.
						(2)	Whoever aggrieved by any order of sub-section (1) above, passed by the adjudicating Officer may prefer an appeal before the Registrar Of Cooperative Societies within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
						(3)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies that the appellate authority had sufficient cause for not preferring the appeal within that period.
						(4)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
						(5)	An appeal under sub-section (2) above shall be disposed of within sixty (60) days from the date of filing.
						(6)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-section (1) and (2) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
				Amendment of section 34			2. In section 34 in sub-section (2), after clause (n) the following clauses (o) and (p), shall be inserted, namely:—
						(i)	"(o) the manner of holding inquiry and imposing penalty under sub-section (1) of section 32A;
						(ii)	(p) the form and manner of preferring appeal under sub-section (2) of section 32A;"
6.	1986	XX	The Assam Lokayukta and Up-Lokayuktas Act, 1985	Amendment of section 11			1. In section 11, in sub-section (3), for the words "section 193 of the Indian Penal Code (Central Act 45 of 1860)" appearing in between the words "meaning of" and punctuation mark "." the words, "section 229 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)" shall be substituted.
				Amendment of section 13			2. In section 13,
						(i)	sub-sections (2), (3) and (4) shall be deleted
						(ii)	in sub-section (5), for the words "Code of Criminal Procedure, 1973" appearing in between the words "summary trials under the" and "and sentence" the words "Bharatiya Nagarik Suraksha Sanhita, 2023" shall be substituted.

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				(iii)	in sub-section (6), for the words “sections 175, 178, 179 or 180 of the Indian Penal Code” appearing in between the words “describing in” and “is committed” the words, “sections 210, 213, 214 or 215 of the Bharatiya Nyaya Sanhita, 2023” shall be substituted.
				(iv)	sub-section (8) shall be deleted.
				(v)	in sub-section (9), for the words “Code of Criminal Procedure, 1973” appearing after the words “contained in” the words, “Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted and the words “but nothing in these sections shall affect the power of the Lokayukta or Up-Lokayukta, as the case may be, to proceed under sub-section (3) in respect of any offence, where it does not choose to proceed under sub-sections (2), (6) and (7)” shall be deleted.
				(vi)	in sub-section (10), for the words, “Code of Criminal Procedure, 1973” appearing at the end the words, “Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted.
			Amendment of section 15	3. For section 15, the following shall be substituted, namely:-	
				(i)	in sub-section (1), for the words “Indian Evidence Act, 1872 (Central Act 1 of 1872)” appearing in between the words “contained in the” and “no Court” the words, “Bharatiya Sakshya Adhinyam, 2023 (Central Act 47 of 2023)” shall be substituted.
				(ii)	in sub-section (2), in clause (b), for the words “Indian Penal Code, 1860 (Central Act 45 of 1860)” appearing in between the words “evidence under the” and “or for purposes” the words, “Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted.
			Amendment of section 16	4. In section 16, the following shall be substituted, namely:-	
				(i)	in sub-section (3), for the words “sub-sections (2) to (6) of section 199 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974)” appearing after the words “provisions of” and “shall apply” the words “section 222 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023)” shall be substituted..
			Insertion of section 20A	5. After section 20 the following section 20A shall be inserted namely:—	
			“Adjudication of penalties	20A	(1) The State Government for the purpose of determining the penalties under sections 13 and 16 shall appoint Lokayukta as the Adjudicating Officer, for holding an inquiry in such manner as may be prescribed and impose penalty, after giving a reasonable opportunity of being heard.
					(2) Whoever aggrieved by the order of sub-section (1) above, passed by the adjudicating Officer may prefer an appeal before the Governor, Assam within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.

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					(3)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
					(4)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(5)	An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.
					(6)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (2) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
				Amendment of section 21	6. In section 21, in sub-section (2), after clause (d), the following clauses shall be inserted, namely:—	
					(i)	"(e) the manner of holding inquiry and imposing penalty under sub-section (i) of section 20A;
					(ii)	(f) the form and manner of preferring appeal under sub-section (ii) of section 20A;"
					(iii)	clause (c) shall be renumbered as clause (g).
7.	1991	I	The Assam Industrial Infrastructure Development Corporation Act, 1990	Insertion of section 52A	1. After section 52 the following section 52A shall be inserted, namely:—	
				"Adjudication of penalties	52 A	(1) The State Government for the purpose of determining the penalties under section 52 shall appoint Deputy General Manager (Project), Assam Industrial Infrastructure Development Corporation may authorize as the Adjudicating Officer for holding an inquiry and impose penalty in such manner as may be prescribed, after giving a reasonable opportunity of being heard.
					(2)	Whoever aggrieved by the order of sub-section (1) above, passed by the adjudicating Officer may prefer an appeal before Managing Director, Assam Industrial Infrastructure Development Corporation within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
					(3)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies that the appellate authority had sufficient cause for not preferring the appeal within that period.
					(4)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(5)	An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.


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					(6)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (2) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
				Amendment of section 54	2. In section 54, in sub-section (2), after clause (h), the following clauses shall be inserted, namely:—	
					(i)	"(i) the manner of holding inquiry and imposing penalty under sub-section (1) of section 52A;
					(ii)	(j) the form and manner of preferring appeal under sub-section (2) of section 52A;"
					(iii)	clause (i) shall be renumbered as clause (k)."
8.	1953	XVI	The Assam Maintenance of Public Order (Autonomous Districts) Act, 1953	Insertion of section 14A	1. After section 14, the following section 14A shall be inserted, namely:—	
				"Adjudication of penalties	14A (1)	The State Government for the purpose of determining the penalty under sections 11, 12 and 13 shall appoint District Commissioner as the Adjudicating Officer for holding an inquiry and impose penalty in such manner as may be prescribed, after giving a reasonable opportunity of being heard.
					(2)	Whoever aggrieved by any order of sub-section (1) above, passed by the adjudicating officer may prefer an appeal to the Secretary to the Government of Assam, Home and Political Department, within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
					(3)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies that the appellate authority had sufficient cause for not preferring the appeal within that period.
					(4)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(5)	An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.
					(6)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (2) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
9.	1953	XIV	The Assam Cinema (Regulation) Act, 1953	Insertion of section 7A	1. After section 7, the following section 7A shall be inserted, namely:—	
				"Adjudication of penalties	7A (1)	The State Government for determining the penalty under section 7 shall authorize District Commissioner to be the Adjudicating Officer for holding an inquiry and impose penalty in such manner as may be prescribed, after giving a reasonable opportunity of being

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						heard.
					(2)	Whoever aggrieved by any order of sub-section (1) above, passed by the adjudicating officer may prefer an appeal to the Secretary to the Government of Assam, General Administrative Department, within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
					(3)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies that the appellate authority had sufficient cause for not preferring the appeal within that period.
					(4)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(5)	An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.
					(6)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (2) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
				"Amendment of section 10	In section 10, in sub-section (2), after clause (c), the following clauses shall be inserted, namely:—	
					(i)	(f) the manner of holding inquiry and imposing penalty under sub-section (1) of section 7A;
					(ii)	(g) the form and manner of preferring appeal under sub-section (2) of section 7A;"
10.	1964	XV	The Assam Land (Requisition and Acquisition) Act, 1964	Insertion of section 16A	1. After section 16 the following section 16A shall be inserted namely:—	
				"Adjudication of penalties	16A	(1) The State Government for the purpose determining the penalties under section sections 12 and 16 shall authorize District Commissioner to be an Adjudicating Officer and for holding an inquiry in such manner as may be prescribed and impose penalty, after giving a reasonable opportunity of being heard.
					(2)	Whoever aggrieved by any order of sub-section (1) above, passed by the adjudicating officer may prefer an appeal to the Secretary, Government of Assam, Revenue and Disaster Management Department, within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
					(3)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

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					(4)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(5)	An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.
					(6)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (2) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
				Amendment of section 20	2. In section 20, in sub-section (2), after clause (d), the following clauses shall be inserted, namely:—	
					(i)	"(e) the manner of holding inquiry and imposing penalty under sub-section (1) of section 16A;
					(ii)	(f) the form and manner of preferring appeal under sub-section (2) of section 16A;"
11.	1971	XXIII	The Assam (Temporary Settled Areas) Tenancy Act, 1971	Insertion of section 71A	1. After section 71, the following section 71A shall be inserted, namely:—	
				"Adjudication of penalties	71A (1)	The State Government for the purpose of determining the penalties under section 71 shall authorize District Commissioner to be the Adjudicating Officer for holding an inquiry in such manner as may be prescribed and impose penalty, after giving a reasonable opportunity of being heard.
					(2)	Whoever aggrieved by any order of sub-section (1) above, passed by the adjudicating officer may prefer an appeal to the Secretary to the Government of Assam, Revenue and Disaster Management, within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
					(3)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
					(4)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(5)	An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.
					(6)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (2) above, is not deposited, the amount shall be recovered as an arrear of land revenue."
12.	1961	XII	Assam Slum Areas (Improvement and Clearance) Act, 1959	Amendment of section 34(3)	1. In section 34, the following shall be substituted, namely:—	
						In sub-section (3), in the third line, for the words, "such person shall on conviction, be punishable", the words, "the Authority shall punish such person" shall be substituted.
				Insertion of	2. After section 44, the following section 44A shall be	

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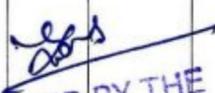
				section 44A	inserted namely:—
				“Adjudication of penalties	44A (1) The State Government for the purpose of determining the penalties under sections 34, 39 and 44 shall appoint Commissioner of the concerned Municipal Corporations or Executive Officer of the concerned Municipal Boards or ULBs as the case may be, to be Adjudicating Officer and for holding an inquiry in such manner as may be prescribed and impose penalty, after giving a reasonable opportunity of being heard.
					(2) Whoever aggrieved by any order of sub-section (1) above, passed by the adjudicating officer may prefer an appeal to the Secretary, Department of Housing and Urban Affairs, Government of Assam, within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
					(3) An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
					(4) No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(5) An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.
					(6) Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (2) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.”
				“Amendment of section 56	2. In section 56, in sub-section (2), after clause (vii), the following clauses shall be inserted, namely:—
					(i) “(viii) the manner of holding inquiry and imposing penalty under sub-section (1) of section 44A;
					(ii) (ix) the form and manner of preferring appeal under sub-section (2) of section 44A;”
13.	1960	II	The Assam Town and Country Planning Act, 1959	Amendment of section 54	1. In section 54, the following shall be substituted, namely-
					(i) in sub-section (1), in the fifth line, for the words, “District Magistrate or Sub-Divisional Officer”, the words, “District Commissioner of the concerned district” shall be substituted.
					(ii) in sub-section (3), in the third line, in between the words, “liable” and “to”, the words, “upon conviction” shall be deleted.
				Insertion of section 61A	2. After section 61, the following section 61A shall be inserted namely:—
				“Adjudication of penalties	61A (1) The State Government for the purpose of determining penalties under section 31, sub-section (3) of section 51, sub-section (3) of section 54, clause (b) of section 56 and section 61 shall appoint Deputy Director or Assistant Director,

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									Town and Country Planning, Assam of the concerned district to be the Adjudicating Officer, for holding an inquiry under the said sections in such manner as may be prescribed and impose penalty, after giving a reasonable opportunity of being heard.
								(2)	Whoever aggrieved by any order of sub-section (1) above, passed by the adjudicating officer may prefer an appeal to the Director, Town and Country Planning, Assam, to whom an appeal may be preferred within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
								(3)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
								(4)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
								(5)	An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.
								(6)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (2) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
				Amendment of section 73	3. In section 73, in sub-section (2), after clause (x), the following clauses shall be inserted, namely:—				
					(i)	"(xi) the manner of holding inquiry and imposing penalty under sub-section (1) of section 61A;			
					(ii)	(xii) the form and manner of preferring appeal under sub-section (2) of section 61A;"			
14.	1966	XXII	The Assam Village Defence Organization Act, 1966	"Amendment of section 16	1. In section 16, in the sixth line, for the words, "shall on conviction in a court of law be punishable with a fine which may extend to rupees fifty", the words "shall on being found guilty be punishable with a fine which may extend to rupees one thousand" shall be substituted.				
				Insertion of section 16A	2. After section 16, the following section 16A shall be inserted, namely:—				
				"Adjudication of penalties	16A	(1)	The State Government for the purpose of determining the penalties under section 16 shall authorize District Village Defence Officer, the Senior Superintendent of Police of the district, for holding an inquiry in such manner as may be prescribed and impose penalty, after giving a reasonable opportunity of being heard.		
						(2)	Whoever aggrieved by any order of sub-section (1) above, the adjudicating officer may prefer an appeal to the Chief Controller, Village Defence Organisation, within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.		

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					(3)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
					(4)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(5)	An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.
					(6)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub-sections (1) and (2) above as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue."
				Amendment of section 18	3. In section 18 in sub-section (2), after clause (i), the following clauses shall be inserted, namely:—	
					(i)	"(j) the manner of holding inquiry and imposing penalty under sub-section (1) of section 16A;
					(ii)	(k) the form and manner of preferring appeal under sub-section (2) of section 16A;
					(iii)	the clause (j) shall be renumbered as clause (k).
15.	1977	VI	Assam State Transport Corporation (Prevention of Unauthorised Travel) Act, 1977	Insertion of section 10A	1. After section 10, the following section 10A shall be inserted namely:—	
				"Adjudication of penalties	10A	(1) The State Government for the purpose of determining the penalties under sections 6, 7 and 9 shall appoint a Vigilance Officer or Divisional Managers or Station Managers or Assistant Station Managers of Transport Corporation, as the case may be, having jurisdiction for holding an inquiry and impose penalty in such manner as may be prescribed, after giving a reasonable opportunity of being heard.
				Insertion of section 11A	2. After section 11, the following section 11A shall be inserted namely:—	
				"Appeal	11A	(1) Whoever aggrieved by any order of sub-section (1) above, the adjudicating officer may prefer an appeal to the Managing Director, Assam State Transport Corporation, within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
					(2)	An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
					(3)	No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
					(4)	An appeal under sub-section (2) shall be disposed of within sixty (60) days from the date of filing.
					(5)	Notwithstanding anything contained in this Act, if penalty imposed by the


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						adjudicating officer under sub-sections (1) and (2) of section 10A above as the case may be, is not deposited, the amount shall be recovered through challan copy to be issued by the adjudicating officers. The defaulting person shall deposit the challan amount to the adjudicating officers respectively.”
				Amendment of section 14	2. In section 14, in sub-section (2), after clause (i) the following clauses shall be inserted, namely:—	
					(i)	“(j) the manner of holding inquiry and imposing penalty under sub-section (1) of section 10A;
					(ii)	“(k) the form and manner of preferring appeal under sub-section (2) of section 10A;”
					(iii)	The clause (j) shall be renumbered as clause (l).
16.	1886	I	The Assam Land and Revenue Regulation, 1886	Insertion of section 25A	1. After section 25, the following section 25A shall be inserted namely:—	
				“Adjudication of penalties	25A	(1) The Government, for the purpose of determining the properties under section 25, shall authorise District Commissioner, or such other authority as the case may be having jurisdiction over that area, to be the Adjudicating Officer for holding an inquiry and imposing penalty in such manner as may be prescribed, after giving a reasonable opportunity of being heard.
						(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for, or relevant to, the subject-matter of the inquiry, and if, on such inquiry, he is satisfied that the person concerned has failed to comply with the provisions of sections 22, 23, sub-section (1) of section 25 and section 30, he may impose penalty:
						Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.
						(3) Whoever aggrieved by any order of sub-section (1) above, the adjudicating officer may prefer an appeal to the Managing Director, Assam State Transport Corporation, within a period of thirty (30) days from the date of receipt of such order in such form and manner as may be prescribed.
						(4) An appeal may be admitted after the expiry of the period of thirty (30) days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.
						(5) No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.

					(6)	An appeal under sub section (3) shall be disposed of within ninety (90) days from the date of filing.
					(7)	Notwithstanding anything contained in this Act, if penalty imposed by the adjudicating officer under sub sections (1) and (3) above, as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue under the provisions of the Revenue Recoveries Act, 1890 (Act No. 1 of 1890) and the Bengal Public Demand Recovery Act, 1913 (Bengal Act 3 of 1913) as applicable in the State of Assam.”

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