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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

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MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 13*th August,* 2021/ *Sravana* 22, 1943 *(Saka)*

The following Act of Parliament received the assent of the President on the 13th August, 2021, and is hereby published for general information:—

THE TRIBUNALS REFORMS ACT, 2021

NO. 33 OF 2021

[13*th August*, 2021.]

An Act further to amend the Cinematograph Act, 1952, the Customs Act, 1962, the Airports Authority of India Act, 1994, the Trade Marks Act, 1999 and the Protection of Plant Varieties and Farmers' Rights Act, 2001 and certain other Acts.

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

CHAPTER I

PRELIMINARY

1. (*1*) This Act may be called the Tribunals Reforms Act, 2021. Short title and commencement.

(*2*) It shall be deemed to have come into force on the 4th April, 2021.

Definitions.

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

(*a*) "Chairperson" includes Chairperson, Chairman, President and Presiding Officer of a Tribunal;

(*b*) "Member" includes Vice-Chairman, Vice-Chairperson, Vice-President, Account Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member and Technical Member of a Tribunal;

(*c*) "notified date" means the 4th April, 2021;

(*d*) "Schedule" means the Schedule appended to this Act;

(*e*) "Tribunal" means a Tribunal, Appellate Tribunal or Authority as specified in column (2) of the First Schedule.

CHAPTER II

CONDITIONS OF SERVICE OF CHAIRPERSON AND MEMBERS OF TRIBUNAL

Qualifications, appointment, etc., of Chairperson and Members of Tribunal.

3. (*1*) Notwithstanding anything contained in any judgment, order or decree of any court, or in any law for the time being in force, the Central Government may, by notification in the Official Gazette, make rules to provide for the qualifications, appointment, salaries and allowances, resignation, removal and other conditions of service of the Chairperson and Member of a Tribunal after taking into consideration the experience, specialisation in the relevant field and the provisions of this Act:

Provided that a person who has not completed the age of fifty years shall not be eligible for appointment as a Chairperson or Member.

(*2*) The Chairperson and the Member of a Tribunal shall be appointed by the Central Government on the recommendation of a Search-cum-Selection Committee constituted under sub-section (*3*), in such manner as the Central Government may, by rules, provide.

(*3*) The Search-cum-Selection Committee, except for the State Administrative Tribunal, shall consist of—

(*a*) a Chairperson, who shall be the Chief Justice of India or a Judge of Supreme Court nominated by him;

(*b*) two Members, who are Secretaries to the Government of India to be nominated by that Government;

(*c*) one Member, who —

(*i*) in case of appointment of a Chairperson of a Tribunal, shall be the outgoing Chairperson of that Tribunal; or

(*ii*) in case of appointment of a Member of a Tribunal, shall be the sitting Chairperson of that Tribunal; or

(*iii*) in case of the Chairperson of the Tribunal seeking re-appointment, shall be a retired Judge of the Supreme Court or a retired Chief Justice of a High Court, to be nominated by the Chief Justice of India:

Provided that in the following cases, such Member shall always be a retired Judge of the Supreme Court or a retired Chief Justice of a High Court, to be nominated by the Chief Justice of India, namely:—

(*i*) Industrial Tribunal constituted by the Central Government under the Industrial Disputes Act, 1947; 14 of 1947.

(*ii*) Debt Recovery Tribunal and Debt Recovery Appellate Tribunal established under the Recovery of Debts and Bankruptcy Act, 1993; 51 of 1993.

(*iii*) where the Chairperson or the outgoing Chairperson, as the case may be, of a Tribunal is not a retired Judge of the Supreme Court or a retired Chief Justice or Judge of a High Court; and

(*iv*) such other Tribunals as may be notified by the Central Government, in consultation with the Chairperson of the Search-cum-Selection Committee of that Tribunal; and

(*d*) the Secretary to the Government of India in the Ministry or Department under which the Tribunal is constituted or established—Member-Secretary:

Provided that the Search-cum-Selection Committee for a State Administrative Tribunal shall consist of—

(*a*) the Chief Justice of the High Court of the concerned State—Chairman;

(*b*) the Chief Secretary of the concerned State Government—Member;

(*c*) the Chairman of the Public Service Commission of the concerned State—Member;

(*d*) one Member, who—

(*i*) in case of appointment of a Chairman of the Tribunal, shall be the outgoing Chairman of the Tribunal; or

(*ii*) in case of appointment of a Member of the Tribunal, shall be the sitting Chairman of the Tribunal; or

(*iii*) in case of the Chairman of the Tribunal seeking re-appointment, shall be a retired Judge of a High Court nominated by the Chief Justice of the High Court of the concerned State:

Provided that such Member shall always be a retired Judge of a High Court nominated by the Chief Justice of the High Court of the concerned State, if the Chairperson or the outgoing Chairperson of the State Administrative Tribunal, as the case may be, is not a retired Chief Justice or Judge of a High Court;

(*e*) the Secretary or the Principal Secretary of the General Administrative Department of the concerned State—Member-Secretary.

(*4*) The Chairperson of the Search-cum-Selection Committee shall have the casting vote.

(*5*) The Member-Secretary of the Search-cum-Selection Committee shall not have any vote.

(*6*) The Search-cum-Selection Committee shall determine the procedure for making its recommendations.

(*7*) Notwithstanding anything contained in any judgment, order or decree of any court, or in any law for the time being in force, the Search-cum-Selection Committee shall recommend a panel of two names for appointment to the post of Chairperson or Member, as the case may be, and the Central Government shall take a decision on the recommendations made by that Committee, preferably within three months from the date of such recommendation.

(*8*) No appointment shall be invalid merely by reason of any vacancy or absence of a Member in the Search-cum-Selection Committee.

Removal of Chairperson or Member of Tribunal.

4. The Central Government shall, on the recommendation of the Committee, remove from office, in such manner as may be provided by rules, any Chairperson or a Member, who—

(*a*) has been adjudged as an insolvent; or

(*b*) has been convicted of an offence which involves moral turpitude; or

(*c*) has become physically or mentally incapable of acting as such Chairperson or Member; or

(*d*) has acquired such financial or other interest as is likely to affect prejudicially his functions as such Chairperson or Member; or

(*e*) has so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that where the Chairperson or Member is proposed to be removed on any ground specified in clauses (*c*) to (*e*), he shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.

Term of office of Chairperson and Member of Tribunal.

5. Notwithstanding anything contained in any judgment, order or decree of any court, or in any law for the time being in force,—

(*i*) the Chairperson of a Tribunal shall hold office for a term of four years or till he attains the age of seventy years, whichever is earlier;

(*ii*) the Member of a Tribunal shall hold office for a term of four years or till he attains the age of sixty-seven years, whichever is earlier:

Provided that where a Chairperson or Member is appointed between the 26th day of May, 2017 and the notified date, and the term of his office or the age of retirement specified in the order of appointment issued by the Central Government is greater than that which is specified in this section, then, notwithstanding anything contained in this section, the term of office or age of retirement or both, as the case may be, of the Chairperson or Member shall be as specified in his order of appointment, subject to a maximum term of office of five years.

Eligibility for re-appointment.

6. (*1*) The Chairperson and Member of a Tribunal shall be eligible for re-appointment in accordance with the provisions of this Act:

Provided that, in making such re-appointment, preference shall be given to the service rendered by such person.

(*2*) All re-appointments shall be made in the same manner as provided in sub-section (*2*) of section 3.

Salary and allowances.

7. (*1*) Notwithstanding anything contained in any judgment, order or decree of any court, or in any law for the time being in force, and without prejudice to the generality of the foregoing power, the Central Government may make rules to provide for the salary of the Chairperson and Member of a Tribunal and they shall be paid allowances and benefits to the extent as are admissible to a Central Government officer holding the post carrying the same pay:

Provided that, if the Chairperson or Member takes a house on rent, he may be reimbursed a house rent higher than the house rent allowance as are admissible to a Central Government officer holding the post carrying the same pay, subject to such limitations and conditions as may be provided by rules.

(*2*) Neither the salary and allowances nor the other terms and conditions of service of the Chairperson or Member of the Tribunal may be varied to his disadvantage after his appointment.

CHAPTER III

AMENDMENT TO THE INDUSTRIAL DISPUTES ACT, 1947

Amendment of Act 14 of 1947.

8. In section 7D of the Industrial Disputes Act, 1947, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, be governed by the provisions of Chapter II of the said Act" shall be substituted. 7 of 2017.

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CHAPTER IV

AMENDMENTS TO THE CINEMATOGRAPH ACT, 1952

Amendment of Act 37 of 1952.

9. In the Cinematograph Act, 1952,—

(*a*) in section 2, clause (*h*) shall be omitted;

(*b*) in section 5C,—

(*i*) for the word "Tribunal", at both the places where it occurs, the words "High Court" shall be substituted;

(*ii*) sub-section (*2*) shall be omitted;

(*c*) sections 5D and 5DD shall be omitted;

(*d*) in section 6, the words and brackets "or, as the case may be, decided by the Tribunal (but not including any proceeding in respect of any matter which is pending before the Tribunal)" shall be omitted;

(*e*) in sections 7A and 7C, for the word "Tribunal", wherever it occurs, the words "High Court" shall be substituted;

(*f*) in sections 7D, 7E and 7F, the words "the Tribunal,", wherever they occur, shall be omitted;

(*g*) in section 8, in sub-section (*2*), clauses (*h*), (*i*), (*j*) and (*k*) shall be omitted.

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CHAPTER V

AMENDMENTS TO THE COPYRIGHT ACT, 1957

Amendment of Act 14 of 1957.

10. In the Copyright Act, 1957,—

(*a*) in section 2,—

(*i*) clause (*aa*) shall be omitted;

(*ii*) clause (*fa*) shall be re-lettered as clause (*faa*) and before the clause (*faa*) as so re-lettered, the following clause shall be inserted, namely:—

'(*fa*) "Commercial Court", for the purposes of any State, means a Commercial Court constituted under section 3, or the Commercial Division of a High Court constituted under section 4, of the Commercial Courts Act, 2015;';

4 of 2016.

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

'(*u*) "prescribed" means,—

(*i*) in relation to proceedings before a High Court, prescribed by rules made by the High Court; and

(*ii*) in other cases, prescribed by rules made under this Act;';

(*b*) in section 6,—

(*i*) for the words "Appellate Board", wherever they occur, the words "Commercial Court" shall be substituted;

(*ii*) the words and figures "constituted under section 11 whose decision thereon shall be final" shall be omitted;

(*c*) in Chapter II, in the Chapter heading, the words "AND APPELLATE BOARD" shall be omitted;

(*d*) sections 11 and 12 shall be omitted;

(*e*) in sections 19A, 23, 31, 31A, 31B, 31C, 31D, 32, 32A and 33A, for the words "Appellate Board", wherever they occur, the words "Commercial Court" shall be substituted;

(*f*) in section 50, for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*g*) in section 53A,—

(*i*) for the words "Appellate Board", wherever they occur, the words "Commercial Court" shall be substituted;

(*ii*) in sub-section (*2*), the words "and the decision of the Appellate Board in this behalf shall be final" shall be omitted;

(*h*) in section 54, for the words "Appellate Board", the words "Commercial Court" shall be substituted;

(*i*) for section 72, the following section shall be substituted, namely:—

Appeals against orders of Registrar of Copyrights.

"72. (*1*) Any person aggrieved by any final decision or order of the Registrar of Copyrights may, within three months from the date of the order or decision, appeal to the High Court.

(*2*) Every such appeal shall be heard by a single Judge of the High Court:

Provided that any such Judge may, if he so thinks fit, refer the appeal at any stage of the proceeding to a Bench of the High Court.

(*3*) Where an appeal is heard by a single Judge, a further appeal shall lie to a Bench of the High Court within three months from the date of decision or order of the single Judge.

(*4*) In calculating the period of three months provided for an appeal under this section, the time taken in granting a certified copy of the order or record of the decision appealed against shall be excluded.";

(*j*) in sections 74 and 75, the words "and the Appellate Board", wherever they occur, shall be omitted;

(*k*) in section 77, the words "and every member of the Appellate Board" shall be omitted;

(*l*) in section 78, in sub-section (*2*),—

(*i*) clauses (*cA*) and (*ccB*) shall be omitted;

(*ii*) in clause (*f*), the words "and the Appellate Board" shall be omitted.

CHAPTER VI

AMENDMENT TO THE INCOME-TAX ACT, 1961

Amendment of Act 43 of 1961.

11. In section 252A of the Income-tax Act, 1961, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted. 7 of 2017.

CHAPTER VII

AMENDMENTS TO THE CUSTOMS ACT, 1962

Amendment of Act 52 of 1962.

12. In the Customs Act, 1962,—

(*a*) in section 28E, clauses (*ba*), (*f*) and (*g*) shall be omitted;

(*b*) in section 28EA, the proviso shall be omitted;

(*c*) in section 28F, sub-section (*1*) shall be omitted;

(*d*) in section 28KA,—

(*i*) in sub-section (*1*), for the words "Appellate Authority", at both the places where they occur, the words "High Court" shall be substituted;

(*ii*) sub-section (*2*) shall be omitted;

(*e*) in section 28L, the words "or Appellate Authority", wherever they occur, shall be omitted;

(*f*) in section 28M,—

(*i*) in the marginal heading, the words "and Appellate Authority" shall be omitted;

(*ii*) sub-section (*2*) shall be omitted;

(*g*) in section 129, in sub-section (*7*), for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted.

7 of 2017.

CHAPTER VIII

AMENDMENTS TO THE PATENTS ACT, 1970

13. In the Patents Act, 1970,— Amendment of Act 39 of 1970.

(*a*) in section 2, in sub-section (*1*),—

(*i*) clause (*a*) shall be omitted;

(*ii*) in clause (*u*), sub-clause (*B*) shall be omitted;

(*b*) in section 52, the words "Appellate Board or", wherever they occur, shall be omitted;

(*c*) in section 58,—

(*i*) the words "the Appellate Board or", wherever they occur, shall be omitted;

(*ii*) the words "as the case may be" shall be omitted;

(*d*) in section 59, the words "the Appellate Board or" shall be omitted;

(*e*) in section 64, in sub-section (*1*), the words "by the Appellate Board" shall be omitted;

(*f*) in section 71, for the words "Appellate Board" and "Board", wherever they occur, the words "High Court" shall be substituted;

(*g*) in section 76, the words "or Appellate Board" shall be omitted;

(*h*) in section 113,—

(*i*) in sub-section (*1*),—

(*A*) the words "the Appellate Board or", wherever they occur, shall be omitted;

(*B*) the words "as the case may be" shall be omitted;

(*ii*) in sub-section (*3*), the words "or the Appellate Board" shall be omitted;

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(*i*) in Chapter XIX, for the Chapter heading, the Chapter heading "APPEALS" shall be substituted;

(*j*) sections 116 and 117 shall be omitted;

(*k*) in section 117A, for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*l*) sections 117B, 117C and 117D shall be omitted;

(*m*) in section 117E, for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*n*) sections 117F, 117G and 117H shall be omitted;

(*o*) in section 151,—

(*i*) in sub-section (*1*), the words "or the Appellate Board", at both the places where they occur, shall be omitted;

(*ii*) in sub-section (*3*), for the words "the Appellate Board or the courts, as the case may be", the words "the courts" shall be substituted;

(*p*) in section 159, in sub-section (*2*), clauses (*xiia*), (*xiib*) and (*xiic*) shall be omitted.

CHAPTER IX

AMENDMENT TO THE SMUGGLERS AND FOREIGN EXCHANGE MANIPULATORS (FORFEITURE OF PROPERTY) ACT, 1976

Amendment of Act 13 of 1976.

14. In section 12A of the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted. 7 of 2017.

CHAPTER X

AMENDMENT TO THE ADMINISTRATIVE TRIBUNALS ACT, 1985

Amendment of Act 13 of 1985.

15. In section 10B of the Administrative Tribunals Act, 1985, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted. 7 of 2017.

CHAPTER XI

AMENDMENT TO THE RAILWAY CLAIMS TRIBUNAL ACT, 1987

Amendment of Act 54 of 1987.

16. In section 9A of the Railway Claims Tribunal Act, 1987, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted. 7 of 2017.

CHAPTER XII

AMENDMENT TO THE SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992

Amendment of Act 15 of 1992.

17. In section 15QA of the Securities and Exchange Board of India Act, 1992, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted. 7 of 2017.

CHAPTER XIII

AMENDMENT TO THE RECOVERY OF DEBTS AND BANKRUPTCY ACT, 1993

18. In the Recovery of Debts and Bankruptcy Act, 1993,— Amendment of Act 51 of 1993.

(*a*) in section 6A, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted; 7 of 2017.

(*b*) in section 15A, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted. 7 of 2017.

CHAPTER XIV

AMENDMENTS TO THE AIRPORTS AUTHORITY OF INDIA ACT, 1994

19. In the Airports Authority of India Act, 1994,— Amendment of Act 55 of 1994.

(*a*) in section 28A, clause (*e*) shall be omitted;

(*b*) in section 28E, for the word "Tribunal", at both the places where it occurs, the words "Central Government" shall be substituted;

(*c*) sections 28-I, 28J and 28JA shall be omitted;

(*d*) in section 28K,—

(*i*) in sub-section (*1*),—

(*A*) for the words "Tribunal in such form as may be prescribed", the words "High Court" shall be substituted;

(*B*) in the proviso, for the word "Tribunal", the words "High Court" shall be substituted;

(*ii*) sub-sections (*2*), (*3*), (*4*) and (*5*) shall be omitted;

(*e*) section 28L shall be omitted;

(*f*) in section 28M, the words "or the Tribunal" shall be omitted;

(*g*) in section 28N, in sub-section (*2*), for the word "Tribunal", the words "High Court" shall be substituted;

(*h*) in section 33, the words "or the Chairperson of the Tribunal" shall be omitted;

(*i*) in section 41, in sub-section (*2*), clauses (*gvi*), (*gvii*), (*gviii*) and (*gix*) shall be omitted.

CHAPTER XV

AMENDMENT TO THE TELECOM REGULATORY AUTHORITY OF INDIA ACT, 1997

20. In section 14GA of the Telecom Regulatory Authority of India Act, 1997, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted. Amendment of Act 24 of 1997. 7 of 2017.

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CHAPTER XVI

AMENDMENTS TO THE TRADE MARKS ACT, 1999

Amendment of Act 47 of 1999.

21. In the Trade Marks Act, 1999,—

(*a*) in section 2, in sub-section (*1*),—

(*i*) clauses (*a*), (*d*), (*f*), (*k*), (*n*), (*ze*) and (*zf*) shall be omitted;

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

'(*s*) "prescribed" means,—

(*i*) in relation to proceedings before a High Court, prescribed by rules made by the High Court; and

(*ii*) in other cases, prescribed by rules made under this Act;';

(*b*) in section 10, for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*c*) in section 26, for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*d*) in section 46, in sub-section (*3*), for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*e*) in section 47, —

(*i*) for the words "Appellate Board", at both the places where they occur, the words "High Court" shall be substituted;

(*ii*) for the word "tribunal", wherever it occurs, the words "Registrar or the High Court, as the case may be," shall be substituted;

(*f*) in section 55, in sub-section (*1*), for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*g*) in section 57, —

(*i*) for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*ii*) for the word "tribunal", wherever it occurs, the words "Registrar or the High Court, as the case may be," shall be substituted;

(*h*) in section 71, in sub-section (*3*), for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*i*) in Chapter XI, for the Chapter heading, the Chapter heading "APPEALS" shall be substituted;

(*j*) sections 83, 84, 85, 86, 87, 88, 89, 89A and 90 shall be omitted;

(*k*) in section 91, for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*l*) sections 92 and 93 shall be omitted;

(*m*) for section 94, the following section shall be substituted, namely:—

Bar to appear before Registrar.

"94. On ceasing to hold the office, the erstwhile Chairperson, Vice-Chairperson or other Members shall not appear before the Registrar.";

(*n*) sections 95 and 96 shall be omitted;

(*o*) in section 97, for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*p*) in section 98, for the words "Appellate Board" or "Board", wherever they occur, the words "High Court" shall be substituted;

(*q*) sections 99 and 100 shall be omitted;

(*r*) in section 113,—

(*i*) for the words "Appellate Board", at both the places where they occur, the words "High Court" shall be substituted;

(*ii*) for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*s*) in section 123, the words "and every Member of the Appellate Board" shall be omitted;

(*t*) in sections 124 and 125, for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*u*) in section 130, the words "the Appellate Board or" shall be omitted;

(*v*) in section 141, for the words "Appellate Board", at both the places where they occur, the words "High Court" shall be substituted;

(*w*) in section 144, for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*x*) in section 157, in sub-section (*2*),—

(*i*) clauses (*xxxi*) and (*xxxii*) shall be omitted;

(*ii*) in clause (*xxxiii*), for the words "Appellate Board", the words "High Court" shall be substituted.

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CHAPTER XVII

AMENDMENTS TO THE GEOGRAPHICAL INDICATIONS OF GOODS (REGISTRATION AND PROTECTION) ACT, 1999

22. In the Geographical Indications of Goods (Registration and Protection) Act, 1999,— Amendment of Act 48 of 1999.

(*a*) in section 2, in sub-section (*1*), clauses (*a*) and (*p*) shall be omitted;

(*b*) in section 19, for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*c*) in section 23, for the words "and before the Appellate Board before which", the words "before whom" shall be substituted;

(*d*) in section 27,—

(*i*) for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*ii*) for the word "tribunal", wherever it occurs, the words "Registrar or the High Court, as the case may be," shall be substituted;

(*e*) in Chapter VII, for the Chapter heading, the Chapter heading "APPEALS" shall be substituted;

(*f*) in section 31,—

(*i*) for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*ii*) sub-section (*3*) shall be omitted;

(*g*) sections 32 and 33 shall be omitted;

(*h*) in sections 34 and 35, for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*i*) section 36 shall be omitted;

(*j*) in section 48,—

(*i*) for the words "Appellate Board", at both the places where they occur, the words "High Court" shall be substituted;

(*ii*) for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*k*) in sections 57 and 58, for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*l*) in section 63, the words "the Appellate Board or" shall be omitted;

(*m*) in section 72, for the words "Appellate Board", wherever they occur, the words "High Court" shall be substituted;

(*n*) in section 75, for the word "tribunal", the words "Registrar or the High Court, as the case may be," shall be substituted;

(*o*) in section 87, in sub-section (*2*), clause (*n*) shall be omitted.

CHAPTER XVIII

AMENDMENTS TO THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001

Amendment of Act 53 of 2001.

23. In the Protection of Plant Varieties and Farmers' Rights Act, 2001,—

(*a*) in section 2,—

(*i*) clauses (*d*), (*n*) and (*o*) shall be omitted;

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

'(*q*) "prescribed" means,—

(*i*) in relation to proceedings before a High Court, prescribed by rules made by the High Court; and

(*ii*) in other cases, prescribed by rules made under this Act;';

(*iii*) clauses (*y*) and (*z*) shall be omitted;

(*b*) in section 44, the words "or the Tribunal" shall be omitted;

(*c*) in Chapter VIII, for the Chapter heading, the Chapter heading "APPEALS" shall be substituted;

(*d*) sections 54 and 55 shall be omitted;

(*e*) in section 56,—

(*i*) for the word "Tribunal", wherever it occurs, the words "High Court" shall be substituted;

(*ii*) sub-section (*3*) shall be omitted;

(*f*) in section 57,—

(*i*) for the word "Tribunal", wherever it occurs, the words "High Court" shall be substituted;

(*ii*) sub-section (*5*) shall be omitted;

(*g*) sections 58 and 59 shall be omitted;

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(*h*) in section 89, the words "or the Tribunal" shall be omitted.

CHAPTER XIX

AMENDMENTS TO THE CONTROL OF NATIONAL HIGHWAYS (LAND AND TRAFFIC) ACT, 2002

Amendment of Act 13 of 2003.

24. In the Control of National Highways (Land and Traffic) Act, 2002,—

(*a*) in section 2,—

(*i*) clause (*a*) shall be omitted;

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

'(*da*) "Court" means the principal Civil Court of original jurisdiction in a district, and includes the High Court in exercise of its ordinary original civil jurisdiction;';

(*iii*) clause (*l*) shall be omitted;

(*b*) in Chapter II, in the Chapter heading, the words "AND TRIBUNALS, ETC." shall be omitted;

(*c*) section 5 shall be omitted;

(*d*) for section 14, the following section shall be substituted, namely:—

Appeal.

"14. An appeal from any order passed, or any action taken, excluding issuance or serving of notices, under sections 26, 27, 28, 36, 37 and 38 by the Highway Administration or an officer authorised on its behalf, as the case may be, shall lie to the Court.";

(*e*) sections 15 and 16 shall be omitted;

(*f*) in section 17, for the word "Tribunal", at both the places where it occurs, the word "Court" shall be substituted;

(*g*) section 18 shall be omitted;

(*h*) in section 19, for the word "Tribunal", at both the places where it occurs, the word "Court" shall be substituted;

(*i*) section 40 shall be omitted;

(*j*) in section 41,—

(*i*) the words "or every order passed or decision made on appeal under this Act by the Tribunal" shall be omitted;

(*ii*) the words "or Tribunal" shall be omitted;

(*k*) in section 50, in sub-section (*2*), clause (*f*) shall be omitted.

CHAPTER XX

AMENDMENT TO THE ELECTRICITY ACT, 2003

Amendment of Act 36 of 2003.

25. In section 117A of the Electricity Act, 2003, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted.

7 of 2017.

CHAPTER XXI

AMENDMENT TO THE ARMED FORCE TRIBUNAL ACT, 2007

Amendment of Act 55 of 2007.

26. In section 9A of the Armed Force Tribunal Act, 2007, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the

7 of 2017.

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section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted.

CHAPTER XXII

AMENDMENT TO THE NATIONAL GREEN TRIBUNAL ACT, 2010

Amendment of Act 19 of 2010.

27. In section 10A of the National Green Tribunal Act, 2010, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted. 7 of 2017.

CHAPTER XXIII

AMENDMENT TO THE COMPANIES ACT, 2013

Amendment of Act 18 of 2013.

28. In section 417A of the Companies Act, 2013, for the words and figures "Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of the section 184 of that Act", the words and figures "the Tribunal Reforms Act, 2021, shall be governed by the provisions of Chapter II of the said Act" shall be substituted. 7 of 2017.

CHAPTER XXIV

AMENDMENT TO THE FINANCE ACT, 2017

Amendment of Act 7 of 2017.

29. In the Finance Act, 2017, sections 183 and 184 and the Eighth Schedule shall be omitted.

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CHAPTER XXV

AMENDMENT TO THE CONSUMER PROTECTION ACT, 2019

Amendment of Act 35 of 2019.

30. In section 55 of the Consumer Protection Act, 2019, after sub-section (*1*), the following sub-section shall be inserted, namely:—

"(*1A*) Notwithstanding anything contained in sub-section (*1*), the qualifications, appointment, term of office, salaries and allowances, resignation, removal and the other terms and conditions of service of the President and other members of the National Commission appointed after the commencement of the Tribunal Reforms Act, 2021, shall be governed by the provisions of the said Act.".

CHAPTER XXVI

MISCELLANEOUS

Power to amend the Schedule.

31. (*1*) If the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification published in the Official Gazette, amend the Schedule and thereupon, the said Schedule shall be deemed to have been amended accordingly.

(*2*) A copy of every notification issued under sub-section (*1*) shall be laid before each House of Parliament as soon as may be after it is issued.

Rules to be laid before Parliament.

32. 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.

Transitional provisions.

33. (*1*) Notwithstanding anything contained in any law for the time being in force, any person appointed as the Chairperson or Chairman or President or Presiding Officer or Vice-Chairperson or Vice-Chairman or Vice-President or Member of the Tribunal, Appellate Tribunal, or, as the case may be, other Authorities specified in the Second Schedule and holding office as such immediately before the notified date, shall, on and from the notified date, cease to hold such office, and he shall be entitled to claim compensation not exceeding three months' pay and allowances for the premature termination of term of his office or of any contract of service.

(*2*) The officers and other employees of the Tribunals, Appellate Tribunals and other Authorities specified in the Second Schedule appointed on deputation, before the notified date, shall, on and from the notified date, stand reverted to their parent cadre, Ministry or Department.

(*3*) Any appeal, application or proceeding pending before the Tribunal, Appellate Tribunal or other Authorities specified in the Second Schedule, other than those pending before the Authority for Advance Rulings under the Income-tax Act, 1961, before the notified date, shall stand transferred to the court before which it would have been filed had this Act been in force on the date of filing of such appeal or application or initiation of the proceeding, and the court may proceed to deal with such cases from the stage at which it stood before such transfer, or from any earlier stage, or *de novo*, as the court may deem fit.

43 of 1961.

(*4*) The balance of all monies received by, or advanced to, the Tribunal, Appellate Tribunal or other Authorities specified in the Second Schedule and not spent by it before the notified date, shall, on and from the notified date, stand transferred to the Central Government.

(*5*) All property of whatever kind owned by, or vested in, the Tribunal, Appellate Tribunal or other Authorities specified in the Second Schedule before the notified date, shall stand transferred to, on and from the notified date, and shall vest in the Central Government.

Power to remove difficulties.

34. (*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by general or special order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of three years from the notified date.

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

Repeal and saving.

35. (*1*) The Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021 is hereby repealed.

Ord. 2 of 2021.

(*2*) Notwithstanding such repeal, anything done or any action taken under the Cinematograph Act, 1952, the Copyright Act, 1957, the Customs Act, 1962, the Patents Act, 1970, the Airports Authority of India Act, 1994, the Trade Marks Act, 1999, the Geographical Indications of Goods (Registration and Protection) Act, 1999, the Protection of Plant Varieties and Farmers' Rights Act, 2001 and the Control of National Highways (Land and Traffic) Act, 2002, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of those Acts, as amended by this Act.

37 of 1952.
14 of 1957.
52 of 1962.
39 of 1970.
55 of 1994.
47 of 1999.
48 of 1999.
53 of 2001.
13 of 2003.

THE FIRST SCHEDULE

[*See* section 2(*e*)]

Sl. No.	Tribunal/Appellate Tribunal/Board/ Authority	Acts
(1)	(2)	(3)
1.	Industrial Tribunal constituted by the Central Government	The Industrial Disputes Act, 1947 (14 of 1947)
2.	Income-tax Appellate Tribunal	The Income-tax Act, 1961 (43 of 1961)
3.	Customs, Excise and Service Tax Appellate Tribunal	The Customs Act, 1962 (52 of 1962)
4.	Appellate Tribunal	The Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 (13 of 1976)
5.	Central Administrative Tribunal	The Administrative Tribunals Act, 1985 (13 of 1985)
6.	State Administrative Tribunals	The Administrative Tribunals Act, 1985 (13 of 1985)
7.	Railway Claims Tribunal	The Railway Claims Tribunal Act, 1987 (54 of 1987)
8.	Securities Appellate Tribunal	The Securities and Exchange Board of India Act, 1992 (15 of 1992)
9.	Debts Recovery Tribunal	The Recovery of Debts and Bankruptcy Act, 1993 (51 of 1993)
10.	Debts Recovery Appellate Tribunal	The Recovery of Debts and Bankruptcy Act, 1993 (51 of 1993)
11.	Telecom Disputes Settlement and Appellate Tribunal	The Telecom Regulatory Authority of India Act, 1997 (24 of 1997)
12.	National Company Law Appellate Tribunal	The Companies Act, 2013 (18 of 2013)
13.	National Consumer Disputes Redressal Commission	The Consumer Protection Act, 2019 (35 of 2019)
14.	Appellate Tribunal for Electricity	The Electricity Act, 2003 (36 of 2003)
15.	Armed Forces Tribunal	The Armed Forces Act, 2007 (55 of 2007)
16.	National Green Tribunal	The National Green Tribunal Act, 2010 (19 of 2010).

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THE SECOND SCHEDULE

(*See* section 33)

1. Appellate Tribunal under Cinematograph Act, 1952 (37 of 1952).
2. Authority for Advance Rulings under Income-tax Act, 1961 (43 of 1961).
3. Airport Appellate Tribunal under Airports Authority of India Act, 1994 (55 of 1994).
4. Intellectual Property Appellate Board under Trade Marks Act, 1999 (47 of 1999).
5. Plant Varieties Protection Appellate Tribunal under Protection of Plant Varieties and Farmers' Rights Act, 2001 (53 of 2001).

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ANOOP KUMAR MENDIRATTA,
Secretary to the Govt. of India.

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