



भारत सरकार / Government of India

सरकारी राजपत्र OFFICIAL GAZETTE

संघ प्रदेश दादरा एवं नगर हवेली तथा दमण एवं दीव प्रशासन
U.T. ADMINISTRATION OF DADRA AND NAGAR HAVELI AND
DAMAN AND DIU

श्रेणी - १
SERIES - I

प्राधिकरण द्वारा प्रकाशित / PUBLISHED BY AUTHORITY

Daman	17 th May, 2021	27 Vaisakha, 1943 (Saka)	No. : 06
-------	----------------------------	--------------------------	----------

No. LAW/DMN/E-Gazette/(2)/2020/176
U.T. Administration of Dadra & Nagar Haveli
and Daman & Diu, Deptt. of Law & Justice,
Secretariat, Vidyut Bhavan,
Kachigam, Daman.

Dated : 7/05/2021

Sub: Regarding Re-Publications of Ordinances in the Official Gazette of U.T. Administration of DNH & DD published by the Ministry of Law & Justice, New Delhi.

With reference to the subject cited above the following Ordinances promulgated by the President and Published by the Ministry of Law & Justice, New Delhi in the Gazette of India, Extraordinary, Part-II, Section I, is hereby re-publish in the Official Gazette of this U.T. Administration of Dadra & Nagar Haveli and Daman & Diu for general information.

SI No.	Ordinance	Date of Publication
1	The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2021 (3 of 2021)	4 th April, 2021
2	The Tribunal Reforms (Rationalization and Conditions of Service) Ordinance, 2021 (2 of 2021)	4 th April, 2021
3	The Indian Medicine Central Council (Amendment) Ordinance, 2021 (5 of 2021)	22 nd April, 2021

Sd/-
(Rohit P. Yadav)
Law Secretary

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2003—21

REGISTERED NO. DL—(N)04/0007/2003—21



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-22042021-226716
CG-DL-E-22042021-226716

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 27] नई दिल्ली, बृहस्पतिवार, अप्रैल 22, 2021/ वैशाख 2, 1943 (शक)
No. 27] NEW DELHI, THURSDAY, APRIL 22, 2021/VAISAKHA 2, 1943 (SAKA)

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.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi the 22nd April, 2021 / Vaisakha 2, 1943 (Saka)

THE INDIAN MEDICINE CENTRAL COUNCIL (AMENDMENT) ORDINANCE, 2021

No. 5 of 2021

Promulgated by the President in the Seventy-second Year of the Republic of
India.

An Ordinance further to amend the Indian Medicine Council Act, 1970.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Indian Medicine Council (Amendment) Ordinance, 2021. Short title and commencement.

(2) It shall come into force at once.

2

THE GAZETTE OF INDIA EXTRAORDINARY

[PART II— SEC. 1]

Amendment
of section 3A.

2. In section 3A of the Indian Medicine Central Council Act, 1970, in sub-section (2), 48 of 1970.
for the words "within a period of one year", the words "within a period of two years" shall
be substituted.

RAM NATH KOVIND,
President.

DR. G NARAYANARAJU,
Secretary to the Govt. of India.

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2003—21

REGISTERED NO. DL—(N)04/0007/2003—21



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-04042021-226364
CG-DL-E-04042021-226364

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 20] नई दिल्ली, रविवार, अप्रैल 4, 2021/ चैत्र 14, 1943 (शक)
No. 20] NEW DELHI, SUNDAY, APRIL 4, 2021/CHAITRA 14, 1943 (SAKA)

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.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 4th April, 2021/Chaitra 14, 1943 (Saka)

THE TRIBUNALS REFORMS (RATIONALISATION AND CONDITIONS OF SERVICE) ORDINANCE, 2021

No. 2 OF 2021

Promulgated by the President in the Seventy-Second
Year of the Republic of India.

*An Ordinance 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.*

WHEREAS The Tribunal Reforms (Rationalisation
and Conditions of Service) Bill, 2021 has been
introduced in the House of the People on the 13th day of
February, 2021;

AND WHEREAS the aforesaid Bill could not be taken up for consideration and passing in the House of the People;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

CHAPTER I

PRELIMINARY

1.(1) This Ordinance may be called the Tribunals Reforms (Rationalisation and Conditions of Service) Ordinance, 2021.

Short title and commencement.

(2) It shall come into force at once.

Definitions.

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

(a) “notified date” means the date of commencement of this Ordinance;

(b) “Schedule” means the Schedule appended to this Ordinance;

CHAPTER II

AMENDMENTS TO THE CINEMATOGRAPH ACT, 1952

Amendment of Act 37 of 1952.

3. 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 “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.

CHAPTER III

AMENDMENTS TO THE COPYRIGHT ACT, 1957

Amendment of
Act 14 of 1957.

3. 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,—

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

(B) 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 “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:—

“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.

Appeals against
orders of
Registrar of
Copyrights.

(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 IV

AMENDMENTS TO THE CUSTOMS ACT, 1962

Amendment of
Act 52 of 1962.

5. 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 word “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.

CHAPTER V

AMENDMENTS TO THE PATENTS ACT, 1970

Amendment of
Act 39 of 1970.

6. In the Patents Act, 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;

SEC. 1]

THE GAZETTE OF INDIA EXTRAORDINARY

7

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

AMENDMENTS TO THE AIRPORT AUTHORITY
OF INDIA ACT, 1994

7. 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 28I, 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 VII

AMENDMENTS TO THE TRADE MARKS ACT, 1999

Amendment of
Act 47 of 1999.

8. 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 it occurs, 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 it occurs, 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