

No. 360/XXXVI(3)/2018/65(1)/2018

Dated Dehradun, October 16, 2018

NOTIFICATION

Miscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of 'The Uttarakhand (U.P. Sheera Niyantaran Adhiniyam, 1964) Adaptation and Modification Order, 2002 (Amendment) Act, 2018' (Adhiniyam Sankhya: 30 of 2018).

As passed by the Uttarakhand Legislative Assembly and assented by the Governor on 11 October, 2018.

**The Uttarakhand (U.P. Sheera Niyantaran Adhiniyam, 1964)
Adaptation and Modification Order, 2002 (Amendment)
Act, 2018**

(Uttarakhand Act No. 30 of 2018)

AN

ACT

further to amend the Uttarakhand (U.P. Sheera Niyantaran Adhiniyam, 1964) Adaptation and Modification Order, 2002 to the context of the State of Uttarakhand,

Enacted by the Uttarakhand State Assembly in the Sixty-ninth Year of the Republic of India-

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| Short Title,
extent and
Commencement | 1. | (1) This Act may be called the Uttarakhand (U.P. Sheera Niyantaran Adhiniyam, 1964) Adaptation and Modification Order, 2002 (Amendment) Act, 2018.
(2) It extends to the whole of Uttarakhand.
(3) It shall come into force at once. |
| Amendment of
Section 16 | 2. | Section 16 in the Uttarakhand (U.P. Sheera Niyantaran Adhiniyam, 1964) Adaptation and Modification Order, 2002, shall be substituted as follows namely -

"The controller may accept, from any person who is reasonably suspected of having committed an offence punishable under this Act, a sum of a money not exceeding ₹ 50,000 (Fifty thousand rupees) by way of compounding for the offence which may have been committed and in all the cases in which any property has been seized as liable to forfeiture under this Act, may release the same on payment of value thereof as estimated by him. On payment of such sum of money or value or both, as the case may be, to the Controller, the accused if in custody shall be discharged and the property seized shall be released and no further proceeding shall be taken against such person or property." |

By Order,

ALOK KUMAR VERMA,
Principal Secretary.

STATEMENT OF OBJECTIVES & REASONS

In the Uttarakhand (U.P. Sheera Niyantaran Adhiniyam, 1964) Adaptation and Modification Order, 2002, where is reasonable suspicion of committing offence punishable under this Act, section 16 of the Act is being amended for the purpose of increasing the maximum amount determined as compounding for such committed offence from Rs. 5000 to amount not exceeding Rs. 50000. These amendments are necessary and unavoidable in the present context.

2. The proposed bill achieves the aforesaid objects.