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## LAW DEPARTMENT

### NOTIFICATION

The 13th July 2006

No. 9159—I-Legis-12/2006-L.—The following Acts of Parliament which are assented by the President on the 28th March 2006 and published by the Government of India, Ministry of Law & Justice (Legislative Department) in the *Gazette of India*, Extraordinary, Part-II, Section-I, dated the 29th March 2006 is hereby republished for general information.

By order of the Governor

D. K. SAHU

Principal Secretary to Government

(ASSENTED ON THE 28TH MARCH 2006)  
THE APPROPRIATION (No. 3) ACT, 2006  
ACT No. 17 OF 2006

*An Act to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year, 2006-07 .*

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

Short title.

1. This Act may be called the Appropriation ( No. 3) Act, 2006.

Issue of Rs.  
1728696,55,00,000  
out of the  
Consolidated  
Fund of India for  
the year, 2006-  
07.

2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of seventeen lakh twenty-eight thousand six hundred and ninety-six crores and fifty-five lakh rupees towards defraying the several charges

which will come in course of payment during the financial year 2006-07 in respect of the services specified in column 2 of the Schedule.

Appropriation.

**3.** The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

Construction of references to Ministries and Departments in the Schedule.

**4.** References to Ministries or Departments in the Schedule are to such Ministries or Departments as existing immediately before the 27th February, 2006 and shall, on or after that date, be construed as references to the appropriate Ministries or Departments as reconstituted from time to time.

### THE SCHEDULE

(See Sections 2, 3 and 4)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Department of Agriculture and Co-operation. . . Revenue	4969,43,00,000	..	4969,43,00,000
		70,85,00,000	178,88,00,000	249,73,00,000
2	Department of Agricultural Research and Education. . . Revenue	2160,00,00,000	..	2160,00,00,000
3	Department of Animal Husbandry, Dairying and Fisheries. . . Revenue	1030,72,00,000	..	1030,72,00,000
		15,14,00,000	..	15,14,00,000
4	Ministry of Agro and Rural Industries . . . Revenue	1052,82,00,000	..	1052,82,00,000
		1,81,00,000	..	1,81,00,000
5	Atomic Energy . . . Revenue	2080,63,00,000	1,60,00,000	2082,23,00,000
		1838,48,00,000	6,50,00,000	1844,98,00,000
6	Nuclear Power Schemes . . . Revenue	1182,59,00,000	..	1182,59,00,000
		2503,10,00,000	..	2503,10,00,000
7	Department of Chemicals and Petrochemicals. . . Revenue	93,20,00,000	..	93,20,00,000
		76,20,00,000	..	76,20,00,000
8	Department of Fertilisers . . . Revenue	18049,02,00,000	..	18049,02,00,000
		105,04,00,000	..	105,04,00,000
9	Ministry of Civil Aviation . . . Revenue	372,73,00,000	..	372,73,00,000
		75,91,00,000	..	75,91,00,000
10	Ministry of Coal . . . Revenue	205,71,00,000	..	205,71,00,000
		30,00,00,000	..	30,00,00,000
11	Department of Commerce . . . Revenue	1872,74,00,000	10,00,000	1872,84,00,000
		654,00,00,000	..	654,00,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	<i>Charged</i> on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
12	Department of Industrial Policy and Promotion. . . Revenue Capital	598,14,00,000 2,00,00,000	20,00,000 ..	598,34,00,000 2,00,00,000
13	Department of Posts . . Revenue Capital	6533,64,00,000 385,97,00,000	5,00,000 ..	6533,69,00,000 385,97,00,000
14	Department of Telecommunications. . . Revenue Capital	4565,46,00,000 101,00,00,000	.. ..	4565,46,00,000 101,00,00,000
15	Department of Information Technology. . . Revenue Capital	1025,00,00,000 101,00,00,000	.. ..	1025,00,00,000 101,00,00,000
16	Ministry of Company Affairs. . . Revenue Capital	135,00,00,000 10,00,00,000	.. ..	135,00,00,000 10,00,00,000
17	Department of Consumer Affairs . . Revenue Capital	210,03,00,000 20,97,00,000	.. ..	210,03,00,000 20,97,00,000
18	Department of Food and Public Distribution. . . Revenue Capital	24655,88,00,000 339,60,00,000	2,00,000 ..	24655,90,00,000 339,60,00,000
19	Ministry of Culture . . Revenue Capital	772,00,00,000 48,00,00,000	.. ..	772,00,00,000 48,00,00,000
20	Ministry of Defence . . Revenue Capital	6817,41,00,000 682,17,00,000	26,00,000 ..	6817,67,00,000 682,17,00,000
21	Defence Pensions . . Revenue	13223,75,00,000	25,00,000	13224,00,00,000
22	Defence Services—Army . . Revenue	33191,04,00,000	14,10,00,000	33205,14,00,000
23	Defence Services—Navy . . Revenue	6790,41,00,000	1,37,00,000	6791,78,00,000
24	Defence Services—Air Force . . Revenue	10081,43,00,000	5,93,00,000	10087,36,00,000
25	Defence Ordnance Factories . . Revenue	1499,08,00,000	1,00,00,000	1500,08,00,000
26	Defence Services—Research and Development. . . Revenue	3019,84,00,000	24,00,000	3020,08,00,000
27	Capital Outlay on Defence Services. . . Capital	37444,25,00,000	13,75,00,000	37458,00,00,000
28	Ministry of Development of North-Eastern Region. . . Revenue Capital	1253,74,00,000 109,05,00,000	.. ..	1253,74,00,000 109,05,00,000
29	Ministry of Environment and Forests. . . Revenue Capital	1495,63,00,000 24,51,00,000	.. ..	1495,63,00,000 24,51,00,000
30	Ministry of External Affairs . . Revenue Capital	3464,61,00,000 230,41,00,000	3,00,000 ..	3464,64,00,000 230,41,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	<i>Charged</i> on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
31	Department of Economic .. Revenue Affairs. Capital	2887,82,00,000	..	2887,82,00,000
		658,01,00,000	..	658,01,00,000
32	Currency, Coinage and .. Revenue Stamps. Capital	92,00,000	..	92,00,000
		8,00,000	..	8,00,000
33	Payments to Financial .. Revenue Institutions. Capital	4169,43,00,000	..	4169,43,00,000
		232,80,00,000	..	232,80,00,000
	<i>CHARGED—Interest Payments</i> .. Revenue	..	145822,60,00,000	145822,60,00,000
35	Transfers to State and Union .. Revenue Territory Governments. Capital	28924,79,00,000	29406,50,00,000	58331,29,00,000
		..	5000,00,00,000	5000,00,00,000
36	Loans to Government .. Capital Servants, etc.	450,00,00,000	..	450,00,00,000
	<i>CHARGED—Repayment of Debt</i> .. Capital	..	1098307,66,00,000	1098307,66,00,000
38	Department of Expenditure .. Revenue	29,45,00,000	..	29,45,00,000
39	Pensions .. Revenue	6799,66,00,000	23,44,00,000	6823,10,00,000
40	Indian Audit and Accounts .. Revenue Department. Capital	1202,79,00,000	37,09,00,000	1239,88,00,000
		7,50,00,000	..	7,50,00,000
41	Department of Revenue .. Revenue Capital	3339,07,00,000	2,00,000	3339,09,00,000
		2,06,00,000	..	2,06,00,000
42	Direct Taxes .. Revenue Capital	1305,98,00,000	2,00,000	1306,00,00,000
		28,00,00,000	..	28,00,00,000
43	Indirect Taxes .. Revenue Capital	1614,89,00,000	1,00,00,000	1615,89,00,000
		98,93,00,000	..	98,93,00,000
44	Department of Disinvestment .. Revenue .. Capital	10,05,00,000	..	10,05,00,000
		7680,00,00,000	..	7680,00,00,000
45	Ministry of Food Processing .. Revenue Industries.	173,70,00,000	..	173,70,00,000
46	Department of Health .. Revenue & Family Welfare. Capital	13874,55,00,000	..	13874,55,00,000
		475,68,00,000	..	475,68,00,000
47	Department of Ayurveda, Yoga .. Revenue and Natureopathy, Unani, Siddha Capital and Homoeopathy (AYUSH).	445,89,00,000	..	445,89,00,000
		2,00,00,000	..	2,00,00,000
48	Department of Heavy Industry .. Revenue .. Capital	332,74,00,000	..	332,74,00,000
		580,88,00,000	..	580,88,00,000
49	Department of Public Enterprises .. Revenue	35,32,00,000	..	35,32,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
50	Ministry of Home Affairs . . Revenue	759,45,00,000	5,00,000	759,50,00,000
	Capital	41,50,00,000	..	41,50,00,000
51	Cabinet . . Revenue	215,92,00,000	14,00,000	216,06,00,000
	Capital	3,00,00,000	..	3,00,00,000
52	Police . . Revenue	14090,65,00,000	3,44,00,000	14094,09,00,000
	Capital	2039,38,00,000	17,35,00,000	2056,73,00,000
53	Other Expenditure of the Ministry of Home Affairs. . . Revenue	964,51,00,000	2,00,000	964,53,00,000
54	Transfers to Union Territory Governments. . . Revenue	1123,37,00,000	..	1123,37,00,000
	Capital	72,00,00,000	..	72,00,00,000
55	Department of Elementary Education and Literacy. . . Revenue	25878,71,00,000	..	25878,71,00,000
56	Department of Secondary Education and Higher Education . . Revenue	6982,27,00,000	..	6982,27,00,000
	Capital	1,00,000	..	1,00,000
57	Department of Women and Child Development. . . Revenue	4852,94,00,000	..	4852,94,00,000
58	Ministry of Information and Broadcasting. . . Revenue	1558,57,00,000	3,00,000	1558,60,00,000
	Capital	157,47,00,000	..	157,47,00,000
59	Ministry of Labour and Employment. . . Revenue	1643,56,00,000	2,00,000	1643,58,00,000
60	Election Commission . . Revenue	12,50,00,000	..	12,50,00,000
61	Law and Justice . . Revenue	872,92,00,000	..	872,92,00,000
	Capital	3,00,000	..	3,00,000
	CHARGED—Supreme Court of India..Revenue	..	43,27,00,000	43,27,00,000
63	Ministry of Mines . . Revenue	362,97,00,000	10,00,000	363,07,00,000
	Capital	131,95,00,000	..	131,95,00,000
64	Ministry of Non-Conventional Energy Sources. . . Revenue	538,39,00,000	..	538,39,00,000
	Capital	65,25,00,000	..	65,25,00,000
65	Ministry of Overseas Indian Affairs. . . Revenue	35,50,00,000	..	35,50,00,000
	Capital	2,50,00,000	..	2,50,00,000
66	Department of Ocean Development. . . Revenue	475,75,00,000	..	475,75,00,000
67	Ministry of Panchayati Raj . . Revenue	3825,73,00,000	..	3825,73,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	<i>Charged</i> on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
68	Ministry of Parliamentary Affairs. . Revenue	6,00,00,000	..	6,00,00,000
69	Ministry of Personnel, Public . . Revenue	301,13,00,000	7,14,00,000	308,27,00,000
	Grievances and Pensions. Capital	28,03,00,000	9,00,00,000	37,03,00,000
70	Ministry of Petroleum and . . Revenue Natural Gas.	3106,62,00,000	..	3106,62,00,000
71	Ministry of Planning . . Revenue	123,83,00,000	..	123,83,00,000
72	Ministry of Power . . Revenue	5188,42,00,000	..	5188,42,00,000
	Capital	1797,74,00,000	..	1797,74,00,000
	<i>CHARGED—Staff, Household and . . Revenue Allowances of the President.</i>	..	22,85,00,000	22,85,00,000
74	Lok Sabha . . Revenue	243,25,00,000	29,00,000	243,54,00,000
75	Rajya Sabha . . Revenue	102,00,00,000	34,00,000	102,34,00,000
	<i>CHARGED—Union Public Service . . Revenue Commission.</i>	..	59,99,00,000	59,99,00,000
77	Secretariat of the Vice-President. . Revenue	1,35,00,000	..	1,35,00,000
78	Department of Rural . . Revenue Development.	39073,18,00,000	..	39073,18,00,000
79	Department of Land Resources. . Revenue	1421,70,00,000	..	1421,70,00,000
80	Department of Drinking . . Revenue Water Supply.	6001,70,00,000	..	6001,70,00,000
81	Department of Science & Revenue	1605,59,00,000	7,00,000	1605,66,00,000
	Technology. Capital	153,60,00,000	..	153,60,00,000
82	Department of Scientific . . Revenue	1749,90,00,000	..	1749,90,00,000
	and Industrial Research. Capital	10,00,000	..	10,00,000
83	Department of Bio-technology . . Revenue	534,60,00,000	..	534,60,00,000
84	Department of Shipping . . Revenue	786,52,00,000	..	786,52,00,000
	Capital	588,65,00,000	..	588,65,00,000
85	Department of Road Transport . . Revenue	11960,30,00,000	80,00,000	11961,10,00,000
	and Highways. Capital	11644,25,00,000	5,70,00,000	11649,95,00,000
86	Ministry of Small Scale . . Revenue	505,24,00,000	..	505,24,00,000
	Industries Capital	19,00,00,000	..	19,00,00,000
87	Ministry of Social Justice and . . Revenue	1615,31,00,000	..	1615,31,00,000
	Empowerment. Capital	202,29,00,000	..	202,29,00,000
88	Department of Space . . Revenue	3091,91,00,000	41,00,000	3092,32,00,000
	Capital	517,75,00,000	35,00,000	518,10,00,000

1	2	3		
No.of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	<i>Charged</i> on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
89	Ministry of Statistics and Programme Implementation. . . Revenue Capital	1788,65,00,000 27,92,00,000	. . . .	1788,65,00,000 27,92,00,000
90	Ministry of Steel . . Revenue Capital	84,50,00,000 45,00,00,000	. . . .	84,50,00,000 45,00,00,000
91	Ministry of Textiles . . Revenue Capital	2034,58,00,000 1012,17,00,000	. . . .	2034,58,00,000 1012,17,00,000
92	Ministry of Tourism . . Revenue Capital	377,32,00,000 495,50,00,000	. . . .	377,32,00,000 495,50,00,000
93	Ministry of Tribal Affairs . . Revenue Capital	157,65,00,000 14,01,00,000	<i>1495,80,00,000</i> . .	1653,45,00,000 14,01,00,000
94	Andaman and Nicobar Islands . . Revenue Capital	1301,01,00,000 754,84,00,000	<i>1,00,000</i> . .	1301,02,00,000 754,84,00,000
95	Chandigarh . . Revenue Capital	1114,07,00,000 175,48,00,000	<i>33,71,00,000</i> <i>55,00,000</i>	1147,78,00,000 176,03,00,000
96	Dadra and Nagar Haveli . . Revenue Capital	768,20,00,000 39,30,00,000	. . . .	768,20,00,000 39,30,00,000
97	Daman and Diu . . Revenue Capital	273,46,00,000 40,26,00,000	. . . .	273,46,00,000 40,26,00,000
98	Lakshadweep . . Revenue Capital	249,47,00,000 169,27,00,000	. . . .	249,47,00,000 169,27,00,000
99	Department of Urban Development. . . Revenue Capital	1067,79,00,000 1120,54,00,000	<i>26,08,00,000</i> <i>31,00,00,000</i>	1093,87,00,000 1151,54,00,000
100	Public Works . . Revenue Capital	779,77,00,000 267,54,00,000	<i>1,00,00,000</i> <i>1,00,00,000</i>	780,77,00,000 268,54,00,000
101	Stationery and Printing . . Revenue Capital	154,06,00,000 20,00,000	. . . .	154,06,00,000 20,00,000
102	Ministry of Urban Employment and Poverty Alleviation. . . Revenue Capital	426,06,00,000 5,61,00,000	. . . .	426,06,00,000 5,61,00,000
103	Ministry of Water Resources . . Revenue Capital	925,47,00,000 57,84,00,000	. . <i>4,00,00,000</i>	925,47,00,000 61,84,00,000
104	Ministry of Youth Affairs and Sports. . . Revenue Capital	662,47,00,000 6,53,00,000	. . . .	662,47,00,000 6,53,00,000
105	Ministry of Minority Affairs . . Revenue Total . .	2,00,00,000 448109,43,00,000	. . <i>1280587,12,00,000</i>	2,00,00,000 1728696,55,00,000

( Assented on the 28th March, 2006 )  
 THE NATIONAL COMMISSION FOR MINORITY EDUCATIONAL  
 INSTITUTIONS (AMENDMENT) ACT, 2006  
 (ACT No. 18 OF 2006)

*An Act to amend the National Commission for Minority  
 Educational Institutions Act, 2004.*

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

Short title and commencement. **1.** (1) This Act may be called the National Commission for  
 Minority Educational Institutions (Amendment) Act, 2006.

(2) It shall be deemed to have come into force on the 23rd  
 day of January, 2006.

Amendment of Section 2. **2.** In Section 2 of the National Commission for Minority  
 Educational Institutions Act, 2004 (hereinafter referred to as the principal Act),— 2 of 2005.

- (i) in clause (a), the word “Scheduled” shall be omitted;
- (ii) after clause (a), the following clause shall be inserted, namely :—

‘(aa) “appropriate Government” means,—

(i) in relation to an educational institution recognised  
 for conducting its programmes of studies under any Act of  
 Parliament, the Central Government; and

(ii) in relation to any other educational institution  
 recognised for conducting its programmes of studies under  
 any State Act, a State Government in whose jurisdiction such  
 institution is established;’;

- (iii) after clause (c), the following clause shall be inserted,  
 namely :—

‘(ca) “Competent authority” means the authority appointed  
 by the appropriate Government to grant no objection certificate  
 for the establishment of any educational institution of their  
 choice by the minorities;’;

- (iv) after clause (d), the following clause shall be inserted,  
 namely :—

‘(da) “educational rights of minorities” means the rights  
 of minorities to establish and administer educational  
 institutions of their choice;’;



(v) clause (j) shall be omitted.

Substitution of new Chapter for Chapter III. **3.** For Chapter III of the principal Act, the following Chapter shall be substituted, namely :—

### ‘CHAPTER III

#### RIGHT OF A MINORITY EDUCATIONAL INSTITUTION

Right to establish a Minority Educational Institution.

10. (1) Any person who desires to establish a Minority Educational Institution may apply to the Competent authority for the grant of no objection certificate for the said purpose.

(2) The Competent authority shall,—

(a) on perusal of documents, affidavits or other evidence, if any; and

(b) after giving an opportunity of being heard to the applicant,

decide every application filed under sub-section (1) as expeditiously as possible and grant or reject the application, as the case may be:

Provided that where an application is rejected, the competent authority shall communicate the same to the applicant.

(3) Where within a period of ninety days from the receipt of the application under sub-section (1) for the grant of no objection certificate,—

(a) the competent authority does not grant such certificate;

or

(b) where an application has been rejected and the same has not been communicated to the person who has applied for the grant of such certificate,

it shall be deemed that the Competent Authority has granted a no objection certificate to the applicant.

(4) The applicant shall, on the grant of a no objection certificate or where the Competent Authority has deemed to have granted the no objection certificate, be entitled to commence and proceed with the establishment of a Minority Educational Institution in accordance with the rules and regulations, as the case may be laid down by or under any law for the time being in force.

*Explanation*—For the purposes of this Section,—

(a) “applicant” means any person who makes an application under sub-section (1) for establishment of a Minority Educational Institution;

(b) “no objection certificate” means a certificate stating therein, that the Competent Authority has no objection for the establishment of a Minority Educational Institution.

Right of a Minority Educational Institution to seek affiliation.

10-A. (1) A Minority Educational Institution may seek affiliation to any University of its choice subject to such affiliation being permissible within the Act under which the said University is established.

(2) Any person who is authorised in this behalf by the Minority Educational Institution, may file an application for affiliation under sub-section (1) to a University in the manner prescribed by the Statute, Ordinance, Rules or Regulations of the University :

Provided that such authorised person shall have right to know the status of such application after the expiry of sixty days from the date of filing of such application.’.

Amendment of Section 11.

4. In Section 11 of the principal Act, for clauses (b) and (c), the following clauses shall be substituted, namely :—

“(b) enquire, *suo motu*, or on a petition presented to it by any Minority Educational Institution, or any person on its behalf into complaints regarding deprivation or violation of rights of minorities to establish and administer educational institutions of their choice and any dispute relating to affiliation to a University and report its finding to the appropriate Government for its implementation;

(c) intervene in any proceeding involving any deprivation or violation of the educational rights of the minorities before a Court with the leave of such Court;

(d) review the safeguards provided by or under the Constitution, or any law for the time being in force, for the protection of educational rights of the minorities and recommend measures for their effective implementation;

(e) specify measures to promote and preserve the minority status and character of institutions of their choice established by minorities;

(f) decide all questions relating to the status of any institution as a Minority Educational Institution and declare its status as such;

(g) make recommendations to the appropriate Government for the effective implementation of programmes and schemes relating to the Minority Educational Institutions; and

(h) do such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Commission.”.

Amendment of Section 12.

**5.** In Section 12 of the principal Act,—

(a) in sub-section (1), the word “Scheduled” shall be omitted;

(b) after sub-section (2), the following sub-section shall be inserted, namely :—

“(3) Every proceeding before the Commission shall be deemed to be a judicial proceeding within the meaning of Sections 193 and 228, and for the purposes of Section 196, of the Indian Penal Code and the Commission shall be deemed to be a Civil Court for the purposes of Section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.”. 45 of 1860. 2 of 1974.

Insertion of new Sections 12-A to 12-F.

Appeal against orders of the competent authority.

**6.** After Section 12 of the principal Act, the following Sections shall be inserted, namely :—

‘12-A. (1) Any person aggrieved by the order of refusal to grant no objection certificate under sub-section (2) of Section 10 by the competent authority for establishing a Minority Educational Institution, may prefer an appeal against such order to the Commission.

(2) An appeal under sub-section (1) shall be filed within thirty days from the date of the order referred to in sub-section (1) communicated to the applicant :

Provided that the Commission may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that there was sufficient cause for not filing it within that period.

(3) An appeal to the Commission shall be made in such form as may be prescribed and shall be accompanied by a copy of the order against which the appeal has been filed.

(4) The Commission, after hearing the parties, shall pass an order as soon as may be practicable and give such directions as may be necessary or expedient to give effect to its orders or to prevent abuse of its process or to secure the ends of justice.

(5) An order made by the Commission under sub-section (4) shall be executable by the Commission as a decree of a Civil Court and the provisions of the Code of Civil Procedure, 1908, so far as may be, shall apply as they apply in respect of a decree of a Civil Court. 5 of 1908.

Power of Commission to decide on the minority status of an educational institution.

12-B. (1) Without prejudice to the provisions contained in the National Minority Commission Act, 1992, where an authority established by the Central Government or any State Government, as the case may be, for grant of minority status to any educational institution rejects the application for the grant of such status, the aggrieved person may appeal against such order of the authority to the Commission. 19 of 1992.

(2) An appeal under sub-section (1) shall be preferred within thirty days from the date of the order communicated to the applicant :

Provided that the Commission may entertain an appeal after the expiry of the said period of thirty days, if it is satisfied that there was sufficient cause for not filing it within that period.

(3) An appeal to the Commission shall be made in such form as may be prescribed and shall be accompanied by a copy of the order against which the appeal has been filed.

(4) On receipt of the appeal under sub-section (3), the Commission may, after giving the parties to the appeal an opportunity of being heard, and in consultation with the State Government, decide on the minority status of the educational institution and shall proceed to give such directions as it may deem fit and all such directions shall be binding on the parties.

*Explanation*—For the purposes of this Section and Section 12-C, “authority” means any authority or officer or commission which is established under any law for the time being in force or under any order of the appropriate Government for the purpose of granting a certificate of minority status to an educational institution.

Power to cancel.

12-C. The Commission may, after giving a reasonable opportunity of being heard to a Minority Educational Institution to which minority status has been granted by an authority or Commission, as the case may be, cancel such status under the following circumstances, namely :—

(a) if the Constitution aims and objects of the educational institution, which has enabled it to obtain minority status has subsequently been amended in such

a way that it no longer reflects the purpose or character of a Minority Educational Institution;

(b) if, on verification of the records during the inspection or investigation, it is found that the Minority Educational Institution has failed to admit students belonging to the minority community in the institution as per rules and prescribed percentage governing admissions during any academic year.

Power of Commission to investigate matters relating to deprivation of educational rights of minorities.

12-D. (1) The Commission shall have the power to investigate into the complaints relating to deprivation of the educational rights of minorities.

(2) The Commission may, for the purpose of conducting any investigation pertaining to a complaint under this Act, utilise the services of any officer of the Central Government or any State Government with the concurrence of the Central Government or the State Government, as the case may be.

(3) For the purpose of investigation under sub-section (1), the officer whose services are utilised may, subject to the direction and control of the Commission,—

(a) summon and enforce the attendance of any person and examine him;

(b) require the discovery and production of any document; and

(c) requisition any public record or copy thereof from any office.

(4) The officer whose services are utilised under sub-section (2) shall investigate into any matter entrusted to it by the Commission and submit a report thereon to it within such period as may be specified by the Commission in this behalf.

(5) The Commission shall satisfy itself about the correctness of the facts stated and the conclusion, if any, arrived at in the report submitted to it under sub-section (4) and for this purpose the Commission may make such further inquiry as it may think fit.

Power of Commission to call for information, etc.

12-E. (1) The Commission, while enquiring into the complaints of violation or deprivation of educational rights of minorities shall call for information or report from the Central Government or any State Government or any other authority or organisation subordinate thereto, within such time as may be specified by it :

Provided that,—

(a) if the information or report is not received within the time stipulated by the Commission, it may proceed to inquire into the complaint;

(b) if, on receipt of information or report, the Commission is satisfied either that no further inquiry is required, or that the required action has been initiated or taken by the concerned Government or authority, it may not proceed with the complaint and inform the complainant accordingly.

(2) Where the inquiry establishes violation or deprivation of the educational rights of the minorities by a public servant, the Commission may recommend to the concerned Government or authority, the initiation of disciplinary proceedings or such other action against the concerned person or persons as may be deemed fit.

(3) The Commission shall send a copy of the inquiry report, together with its recommendations to the concerned Government or authority and the concerned Government or authority shall, within a period of one month, or such further time as the Commission may allow, forward its comments on the report, including the action taken, or proposed to be taken thereon, to the Commission.

(4) The Commission shall publish its inquiry report and the action taken or proposed to be taken by the concerned Government or authority on the recommendations of the Commission.

Bar of jurisdiction.

12-F. No Court (except the Supreme Court and a High Court exercising jurisdiction under Articles 226 and 227 of the Constitution) shall entertain any suit, application or other proceedings in respect of any order made under this Chapter.'

Omission of Section 18.

**7.** Section 18 of the principal Act shall be omitted.

Amendment of Section 24.

**8.** In Section 24 of the principal Act, in sub-section (2), after clause (a), the following clause shall be inserted, namely :—

“(aa) the forms in which appeal under sub-section (3) of Section 12-A and sub-section (3) of Section 12-B shall be made;”.

Omission of Schedule.

**9.** The Schedule to the principal Act shall be omitted.

Repeal of  
Ordinance 1 of  
2006 and  
saving.

**10.** (1) The National Commission for Minority Educational Institutions (Amendment) Ordinance, 2006, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.