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Amendment Acts passed during the first Parliament session of Modi 2.0

17th June to 7th August 2019



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Introduction



First session of 17th Lok Sabha began from 17th June 2019 and was adjourned sine die on 6th August 2019. While 249th session of Rajya Sabha commenced from 20th June 2019 and adjourned sine die on 7th August 2019. The session saw 137% rise in productivity of Lok Sabha and 103% rise in productivity of Rajya Sabha. The session was historic in many aspects. 40 Bills were introduced in the Parliament, out of which 33 were introduced in Lok Sabha and 07 in Rajya Sabha. Both Houses of Parliament passed a record 30 Bills, which remains the highest ever number of Bills passed in first session of Parliament after constitution of new Lok Sabha. The record number of bills passed reflects intention of Modi government to strive for a New India and achieve the goal of “Sabka Saath, Sabka Vikaas, Sabka Vishwas” in letter and spirit. This report discusses the amendments passed between 17th June and 7th August 2019.

THE SUPREME COURT (NUMBER OF JUDGES) AMENDMENT ACT, 2019

Introduced in Lok Sabha: -05.08.2019

Passed in Lok Sabha: -05.08.2019

Passed in Rajya Sabha: -07.08.2019

Assent of President: -09.08.2019

OBJECTIVE:

The magnitude of cases instituted in the Supreme Court has been on a uniform increase leading to a huge pendency of cases. One of the factors which contributes to such pendency is the number of sanctioned judges, which was also highlighted by the Chief Justice of India.¹ In order to decide cases involving interpretation of the constitution and other substantial questions of law, the Hon'ble Supreme Court was required to constitute a Five-Judge bench, which was mostly not possible because it affected the overall disposal rate due to constitution of a lesser number of division benches for hearing of other civil and criminal matters.²

BASIS	SUPREME COURT (NUMBER OF JUDGES) ACT, 1956	SUPREME COURT (NUMBER OF JUDGES) AMENDMENT BILL, 2019
Number of Judges	As per Section 2 of the Act, the total strength of Supreme Court Judges stood at 30 (Chief Justice of India is excluded from this number) ³	The number of Judges has been enhanced from 30 to 33 as per the Amended Act. (Section 2 of the Act) ⁴

1. News, I. (2019). Over two lakh cases pending in courts for 25 years: CJI | India News - Times of India. [online] The Times of India. Available at: <https://timesofindia.indiatimes.com/india/over-two-lakh-cases-pending-in-courts-for-25-years-cji/articleshow/70522715.cms> [Accessed 21 Oct. 2019].
2. Prasanna, A. and Rahman, F. (2019). [online] Vidhilegalpolicy.in. Available at: <https://vidhilegalpolicy.in/wp-content/uploads/2019/05/TowardsanEffectiveandEfficientSupremeCourt.pdf> [Accessed 23 Oct. 2019].
3. Legislative.gov.in. (2019). [online] Available at: <http://legislative.gov.in/sites/default/files/A1956-55.pdf> [Accessed 22 Oct. 2019].
4. Prsindia.org. (2019). [online] Available at: https://www.prsindia.org/sites/default/files/bill_files/Supreme%20Court%20%28Number%20of%20Judges%29%20Amendment%20Act%2C%202019.pdf [Accessed 22 Oct. 2019].

THE PUBLIC PREMISES (EVICTION OF UNAUTHORIZED OCCUPANTS) AMENDMENT ACT, 2019

Introduced in Lok Sabha- 08.07.2019

Passed in Lok Sabha- 31.07.2019

Passed in Rajya Sabha- 06.08.2019

Assent of President: -09.08.2019

OBJECTIVE:

Usually, unauthorized occupants do not vacate the property and often use dilatory means to retain the accommodation. Different tactics were used for not vacating the accommodation even after expiration of the terms and condition of the licensee as per regulations. While retaining the accommodation, the eviction order often used to get questioned before an appellate officer or before the High Court for getting a stay on eviction. To ensure that these types of cases become a rarity it was suggested to create a new sub-section 3A in Section 7 of the Act, so now if the unauthorized occupant decides to challenge the eviction order made by the estate officer before an authority, they must pay for the damages every month.⁵

BASIS	THE PUBLIC PREMISES (EVICTION OF UNAUTHORIZED OCCUPANTS) ACT, 1971	THE PUBLIC PREMISES (EVICTION OF UNAUTHORIZED OCCUPANTS) AMENDMENT ACT, 2019
Eviction notice	No Such provision	1.S. 3B has been inserted which describes the procedure of dislodgment from a built-up accommodation.2.It requires an estate officer to issue a written notice to a person if they are in unauthorized occupation of a residential accommodation. 3.Further it requires one person to show cause within a period of three working days as to why an order of eviction should not be made against them.4.A written notice must be fixed at a conspicuous part of the accommodation, in a prescribed manner.

5. Prsindia.org. (2019). [online] Available at: https://www.prsindia.org/sites/default/files/bill_files/THE%20PUBLIC%20PREMISES%20%28EVICTION%20OF%20UNAUTHORISED%20Bill%20Text.pdf [Accessed 22 Oct. 2019].

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Eviction Order	No such Provision	1. The estate officer shall, after considering the cause and conducting an inquiry as is necessary, for reasons to be recorded in writing, shall make an order of eviction of such person. 2. If the person refuses or fails to comply with the order, the estate officer may evict such person from the residential accommodation and take possession thereof and may, for that purpose, use force as may be necessary.
Payment for Damages	No Such Provision	1. S.7 (3A) inserted after S7(3). 2. If the person challenges the eviction order passed by the estate officer in any court, he shall pay damages for every month for the residential accommodation held by him.

Minister of Housing and Urban Affairs Hardeep Singh Puri said that it was good time to push through the legislation as many MPs were waiting for their new accommodation. Of the total 15,416 residential accommodation under the government quota, “currently 3081 cases were under litigation.”⁶

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THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCES (AMENDMENT) ACT, 2019

Introduced in Rajya Sabha: -18.07.2019

Passed in Rajya Sabha: - 24.07.2019

Passed in Lok Sabha: -01.08.2019

Assent of President: -05.08.2019

OBJECTIVE:

There has been a steady rise in the occurrences of child sexual abuse which highlights inhumane mindset of the perpetrators who are worse than barbarians towards gullible victims. Usually, children become victim of this due to their physical weakness and their inexperience towards life and society. This not only affects their mind in a way where they

6. India, A. and India, P. (2019). Lok Sabha Clears Bill for Speedy Eviction of Illegal Occupants from Government Houses. [online] NDTV.com. Available at: <https://www.ndtv.com/india-news/lok-sabha-passes-bill-for-speedy-eviction-of-illegal-occupants-from-government-residences-2078403> [Accessed 18 Oct. 2019].

start believing that the acts of abuse might be right, but it might also make them potential abusers in future. A report by National Crime Records Bureau for the year 2016 highlights that there was a substantial increase in the number of cases booked under the POSCO Act. It has increased “from 44.7% in the year 2013 to over 178.6% in 2014.” There has been no decrease in the number of reported cases after the year 2014.⁷ Thus, it was an obligation of the government to effectively tackle this issue by taking stringent measures to counter the rise of such cases. The amendment to this act creates provision for increase in the magnitude of punishment for different crimes committed to deter the perpetrators and to make sure that safety, security and dignity of a child is maintained. This amendment will give enough power to destroy every pornographic content which in any form involves child abuse.⁸

BASIS	POCSO ACT, 2012	POCSO AMENDMENT ACT ,2019
Penetrative sexual assault	The punishment for such offence was imprisonment between seven years to life, and a fine.	1. The new amended act increases the minimum punishment from seven years to ten years. 2. if a person commits penetrative sexual assault on a child below the age of 16 years, he shall be punished with imprisonment between 20 years to life, and a fine.
Aggravated penetrative sexual assault	It includes cases when a police officer, a member of the armed forces, or a public servant commits penetrative sexual assault on a child. It also covers cases where the offender is a relative of the child, or if the assault injures the sexual organs of the child or the child becomes pregnant, among others Punishment: The punishment for aggravated penetrative sexual assault is imprisonment between 10 years to life, and a fine.	The Amended Act adds two more grounds to the definition of aggravated penetrative sexual assault. These include: (i) assault resulting in death of child, and (ii) assault committed during a natural calamity, or in any similar situations of violence Punishment: Minimum punishment has been increased from rigorous imprisonment for ten years to 20 years, which may extend to imprisonment for life and a fine and the maximum punishment to death penalty.

7. *The Indian Express*. (2019). Explained: How the POCSO Act has been amended. [online] Available at: <https://indianexpress.com/article/explained/explained-how-the-pocso-act-has-been-amended-5894982/> [Accessed 15 Nov. 2019].

8. *News18*. (2019). POCSO Amendment Bill, With Death Penalty for Aggravated Sexual Assault, Gets Rajya Sabha Nod. [online] Available at: <https://www.news18.com/news/politics/rajya-sabha-passes-pocso-amendment-bill-by-including-death-penalty-for-aggravated-sexual-assault-2244683.html> [Accessed 21 Oct. 2019].

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Aggravated penetrative sexual assault	“Aggravated penetrative sexual assault” includes cases where the offender is a relative of the child, or if the assault injures the sexual organs of the child.	The Amended Act adds two more offences to the definition of aggravated sexual assault which are: (i) assault committed during a natural calamity, and (ii) administering or help in administering any hormone or any chemical substance, to a child for the purpose of the child attaining early sexual maturity.
Pornographic purposes	A person is guilty of using a child for pornographic purposes if he uses a child in any form of media for the purpose of sexual gratification. The Act also penalizes persons who use children for pornographic purposes resulting in sexual assault. ⁹	The Amended Act defines child pornography as any visual depiction of sexually explicit conduct of a child including photograph, video, digital or computer-generated image indistinguishable from an actual child. ¹⁰

Punishment for offences regarding the use of child for pornographic purposes: ¹¹

Offence	POCSO Act, 2012	POCSO Amendment Act, 2019
Use of child for pornographic purposes	Maximum: 5 years	Minimum: 5 years
Use of child for pornographic purposes resulting in penetrative sexual assault	Minimum: 10 years Maximum: life imprisonment	Minimum: 10 years (in case of child below 16 years: 20 years) Maximum: life imprisonment
Use of child for pornographic purposes resulting in aggravated penetrative sexual assault	Minimum: 10 years Maximum: Life imprisonment	Minimum: 20 years Maximum: life imprisonment, or death.
Use of child for pornographic purposes resulting in sexual assault	Minimum: Six years Maximum: Eight years	Minimum: Three years Maximum: Five years
Use of child for pornographic purposes resulting in aggravated sexual assault	Minimum: Eight years Maximum: 10 years	Minimum: Five years Maximum: Seven years

9. Wcd.nic.in. (2019). [online] Available at: <https://wcd.nic.in/sites/default/files/childprotection31072012.pdf> [Accessed 18 Oct. 2019].

10. Prsindia.org. (2019). [online] Available at: https://www.prsindia.org/sites/default/files/bill_files/Protection%20of%20children%20from%20sexual%20offences%20%28A%29%20bill%2C%202019.pdf [Accessed 18 Oct. 2019].

11. PRS India. (2019). Chapter at A Glance. [online] Available at: <https://www.prsindia.org/node/840370/chapters-at-a-glance> [Accessed 18 Oct. 2019].

THE INSOLVENCY AND BANKRUPTCY CODE (AMENDMENT) ACT, 2019

Introduced in Rajya Sabha: -24.07.2019

Passed in Rajya Sabha: -29.07.2019

Passed in Lok Sabha: -01.08.2019

Assent of President: -05.08.2019

OBJECTIVE:

For maintaining the interest of different groups, a time-bound way for ensuring growth in the value of possessions is laid down in the Preamble of the Code. The objectives of the code are to include “the insolvency resolution” while ensuring maximization of assets concerns that have been raised in some cases due to wide-ranging adjudication, unnecessary delays might be caused which ultimately defeats the purpose of expansion. Treatment of creditors in a fair manner without an undue burden on the adjudicating authorities is the need which has been fulfilled by the legislation. The resolution plan must satisfy the provisions of the Code. It was suggested by few interest holders that treating credit givers on an equal pedestal even if they have diverse pre-insolvency rights would affect the obtainability of loans and its cost. For ensuring a clear picture of the pattern in voting by the creditors represented by authorized representatives, opinions have been ensured for bringing lucidity.¹²

BASIS	INSOLVENCY AND BANKRUPTCY CODE, 2016	THE INSOLVENCY AND BANKRUPTCY CODE (AMENDMENT) ACT, 2019
Initiation	The Adjudicating Authority shall, within fourteen days of the receipt of the application ascertain the existence of a default from the records of an information utility or based on other evidence furnished by the financial creditor [s.7(4)]	The Amended Act seeks to add that if the Adjudicating Authority has not ascertained the existence of default and passed an order within such time, it shall record its reasons in writing for the same [s.7(4)] ¹³

12. *Ibbi.gov.in.* (2019). [online] Available at: <https://www.ibbi.gov.in/uploads/whatsnew/bill> [Accessed 20 Oct. 2019].

13. *164.100.47.4.* (2019). [online] Available at: <http://164.100.47.4/BillsTexts/RSBillTexts/asintroduced/Insolv-RS%20Int-E-24%207%2019.pdf> [Accessed 18 Oct. 2019].

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Time-limit for resolution process	The insolvency resolution process must be completed within 180 days, extendable by a period of up to 90 days. [12(3)]	<p>1. The resolution process must be completed within 330 days.</p> <p>2. including any extension of the period of corporate insolvency resolution process</p> <p>3. that where the insolvency resolution process of a corporate debtor is pending and has not been completed within the period referred to in the second provision, such resolution process shall be completed within a period of ninety days from the date of commencement of the Amended Act. [s.12(3)]</p>
Representation of financial creditors	<p>1. In certain cases, like when the debt is owed to a class of creditors exceeding a specified number, the financial creditors will be represented on the committee of creditors by an authorized representative.</p> <p>2. The representatives will vote on behalf of the financial creditors as per instructions received from them [s.25A(3)]</p>	The representatives shall cast their vote on behalf of all the financial creditors they represent in accordance with the decision taken by a vote of more than fifty per cent of the voting shares of the financial creditors he represents, who have cast their vote. [s.25A(3A)]
Resolution Plan	The resolution plan must ensure that the operational creditors receive an amount which should not be less than the amount they would receive in case of liquidation [s.30(2)(b)]	<p>1. the amounts to be paid to the operational creditor should be higher of:</p> <p>a. amount receivable under liquidation,</p> <p>b. the amount receivable under a resolution plan, if such amount was distributed under the same order of priority [s.30(2)(b)]</p>
Binding Resolution Plan	If the Adjudicating Authority is satisfied that the resolution plan as approved by the committee of creditors meets the requirements it shall by order approve the Resolution Plan, which shall be binding on the corporate debtor and its employees, members, creditors, guarantors and other stakeholders involved in the resolution plan. [S.31(1)]	The Amended Act seeks to include the Central Government, any State Government or any local authority to whom a debt in respect of the payment of dues arising under any law for the time being in force, such as authorities to whom statutory dues are owed. [S.31(1)]

Finance Minister Nirmala Sitharaman during a debate in Rajya Sabha said that the new amendments aim at ensuring greater clarity in the debt resolution process. The insolvency and Bankruptcy Code amendment was primarily targeted towards removal of grey areas and to ensure that no bad interpretation is given which are against the main intent of the prevailing Act. The Minister further said that four out of the set of Eight amendments are explanatory in nature.¹⁴

*“There is a fear that probably the original intent with which this Parliament brought Insolvency and Bankruptcy Code is probably getting diluted. We should not allow its dilution just for want of clarity,”*¹⁵ she stated while moving The Insolvency and Bankruptcy Code (Amendment) Bill 2019, for further consideration and passage in the Rajya Sabha.

HOMOEOPATHY CENTRAL COUNCIL (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: - 21.06.2019

Passed in Lok Sabha: -27.06.2019

Passed in Rajya Sabha: -02.07.2019

OBJECTIVE:

The main objective was to make sure that the quality and functioning of the colleges governed as per the Act is improved. Few methods have already been initiated for example promotion of use of the Information Technology in colleges. Since, the previous council was not able to fulfil these objectives that is why new governing board has been reconstituted for performing the necessary duty as envisaged in the Act. This will ultimately safeguard the standard of education and overall practice of homeopathy system will be increased.¹⁶

14. [https://www.livemint.com. \(2019\). IBC Amendments to ensure greater clarity: Sitharaman in Rajya Sabha. \[online\] Available at: https://www.livemint.com/politics/policy/ibc-amendments-to-ensure-greater-clarity-sitharaman-in-rajya-sabha-1564410596141.html](https://www.livemint.com. (2019). IBC Amendments to ensure greater clarity: Sitharaman in Rajya Sabha. [online] Available at: https://www.livemint.com/politics/policy/ibc-amendments-to-ensure-greater-clarity-sitharaman-in-rajya-sabha-1564410596141.html) [Accessed 22 Oct. 2019].

15. [https://www.livemint.com. \(2019\). IBC Amendments to ensure greater clarity: Sitharaman in Rajya Sabha. \[online\] Available at: https://www.livemint.com/politics/policy/ibc-amendments-to-ensure-greater-clarity-sitharaman-in-rajya-sabha-1564410596141.html](https://www.livemint.com. (2019). IBC Amendments to ensure greater clarity: Sitharaman in Rajya Sabha. [online] Available at: https://www.livemint.com/politics/policy/ibc-amendments-to-ensure-greater-clarity-sitharaman-in-rajya-sabha-1564410596141.html) [Accessed 22 Oct. 2019].

16. 164.100.47.4. (2019). [online] Available at: http://164.100.47.4/BillsTexts/LSBillTexts/Asintroduced/83_2019_LS_Eng.pdf [Accessed 22 Oct. 2019].

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BASIS	HOMOEOPATHY CENTRAL COUNCIL ACT, 1973	HOMOEOPATHY CENTRAL COUNCIL (AMENDMENT) ACT, 2019
Reconstitution of Central Council	According to S. 3A (2) of the Act, The Central Council shall be reconstituted within a period of one year from the date of supersession of the Central Council ¹⁷	Section 2 of the Amendment Amended Act states that in section 3A (2) of the Act, the words “within a period of one year” shall be substituted with “within a period of two years”. Therefore, the Amended Act changes the time period for supersession of Central Council by increasing it from one year to two years.
Homoeopathy Central Council (Amendment) Ordinance, 2019	No Such Provision.	S. 3 (1) of the Amendment Amended Act repeals the Homoeopathy Central Council (Amendment) Ordinance, 2019 S. 3 (2) states that despite the repeal any action taken under that Act as amended by the Ordinance shall be deemed to have been done or taken under the corresponding provisions of the said Act ¹⁸

Minister of AYUSH **Shri Shripad Yesso Naik** said that under the bill, the affairs of the Central Homeopathy Council are entrusted to a Board of Governors comprising of eminent and qualified homeopathy doctors and eminent administrators till the Council is reconstituted. He said that the legislation will ensure the promotion of quality education and research in the field of Homoeopathy. He further added that the legislation would put a check on the flourishing of fake colleges”. Mr. Naik also informed the House that the government has decided to set up 50 bedded Ayush Hospitals in every district of the country. He also said that so far approval has been provided to open more than 150 such hospitals.¹⁹

17. Legislative.gov.in. (2019). [online] Available at: <http://legislative.gov.in/sites/default/files/A1973-59.pdf> [Accessed 18 Oct. 2019].

18. 164.100.47.4. (2019). [online] Available at: http://164.100.47.4/BillsTexts/LSBillTexts/Asintroduced/83_2019_LS_Eng.pdf [Accessed 18 Oct. 2019].

19. Newsonair.com. (2019). Parliament passes Homoeopathy Central Council (Amendment) Bill, 2019. [online] Available at: [http://www.newsonair.com/News?title=Parliament-passes-Homoeopathy-Central-Council-\(Amendment\)-Bill%2C-2019&id=367866](http://www.newsonair.com/News?title=Parliament-passes-Homoeopathy-Central-Council-(Amendment)-Bill%2C-2019&id=367866) [Accessed 22 Oct. 2019].

THE CONSTITUTION (ONE HUNDRED AND TWENTY-FOURTH AMENDMENT) ACT, 2019

Introduced in Lok Sabha: -08.01.2019

Passed in Lok Sabha: -08.01.2019

Passed in Rajya Sabha: -09.01.2019

Assent of the President: - 12.01.2019

OBJECTIVE:

Benefit of reservation is very uneven throughout the country, usually people who are economically backward do not get or are not eligible for its benefit. To give due regards to the mandate of Article 46 and to make sure that they are given a fair opportunity to receive higher education and involvement in the state services, a decision was taken to amend the Constitution.²⁰

BASIS	THE CONSTITUTION OF INDIA	THE CONSTITUTION (ONE HUNDRED AND TWENTY-FOURTH AMENDMENT) ACT, 2019
Reservation in Educational Institutions	1. Prohibition of discrimination against any citizen on the grounds of race, religion, caste, sex, or place of birth. 2. The government may make special provisions for the advancement of socially and educationally backward classes, or for Scheduled Castes and Scheduled (A.15)	1. 10% seats reserved for poor in higher education institutions, including private aided or unaided institutions [A.15(6)]
Reservation in State Jobs for economically weaker	1. Prohibits discrimination in employment in any government office. 2. The government can allow reservation for any “backward class of citizens”, if they are not adequately represented in the services under the state. (A.16) ²¹	1. 10% state jobs reserved for poor. Reservation only in initial appointment 2. 10% reservation for ‘economically weaker sections’ will be in addition to the existing reservation. [A.16(6)] ²²
Govt to notify who is poor	-	‘Economically weaker sections’ to be defined by the State from time to time based on family income and other indicators of economic disadvantage.

20. Barandbench.com. (2019). [online] Available at: <https://barandbench.com/wp-content/uploads/2019/01/Constitution-124th-Amendment-Bill-2019.pdf> [Accessed 18 Oct. 2019].

21. Legislative.gov.in. (2019). [online] Available at: <http://legislative.gov.in/sites/default/files/COI-updated-as-31072018.pdf> [Accessed 18 Oct. 2019].

22. Egazette.nic.in. (2019). [online] Available at: <http://egazette.nic.in/WriteReadData/2019/195175.pdf> [Accessed 18 Oct. 2019].

It was passed in Lok Sabha with a thumping majority of 323 in favor of it and only 3 votes against it.

“There have been attempts made in the past to provide reservation to economically weaker sections in general category, but all attempts failed because the effort was not made through the right channel. This bill is a test for Congress and other political parties whether their support for the bill is limited for manifesto or it will get reflected in parliament,”²³ **Shri Arun Jaitley** said.

THE AADHAAR AND OTHER LAWS (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: -24.06.2019

Passed in Lok Sabha: -04.07.2019

Passed in Rajya Sabha: -08.07.2019

Assent of President: -23.07.2019

OBJECTIVE:

Aadhaar is used in an extensive manner for the purposes of identity by the government of India. Around 122 crore Aadhaar cards are under circulation for this purpose. Therefore, it is imperative to have a regulatory framework for smooth operation of granting benefits to the people. The authority (Unique Identification Authority of India) formed under the Aadhaar Act must have power to regulate the enforcement of such law. As per the current provisions of law no power has been given to this authority to enforce laws against the alleged violators in the Aadhaar network. This problem has been addressed duly with a view to shield privacy and to safeguard the autonomy of Authority formed under this Act.²⁴

23. Gyan Varma, A. (2019). Quota bill passed in Lok Sabha with near unanimous vote. [online] <https://www.livemint.com>. Available at: <https://www.livemint.com/Politics/f8v46qvKEfV9lKm4QUmfHl/Lok-Sabha-clears-quota-bill-with-nearfull-majority.html> [Accessed 21 Oct. 2019].

24. Prsindia.org. (2019). [online] Available at: http://www.prsindia.org/sites/default/files/bill_files/Aadhaar%20and%20Other%20Laws%20%28Amendment%29%20Bill%2C%202019.pdf [Accessed 22 Oct. 2019].

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BASIS	THE AADHAAR ACT	THE AADHAAR AND OTHER LAWS (AMENDMENT) ACT, 2019
Offline verification of Aadhaar holder	An individual's identity may be verified by Aadhaar 'authentication'. Authentication involves submitting the Aadhaar number, and their biometric or demographic information to the Central Identities Data Repository for verification.	<p>The Amended Act additionally allows 'offline verification' of an individual's identity, without authentication, through modes specified by the Unique Identification Authority of India (UIDAI) by regulations.</p> <p>During offline verification, the agency must (i) obtain the consent of the individual, (ii) inform them of alternatives to sharing information, and (iii) not collect, use or store Aadhaar number or biometric information.</p>
Voluntary use	The Act provides for the use of Aadhaar number as proof of identity of a person, subject to authentication.	The Amended Act replaces this provision to state that an individual may voluntarily use their Aadhaar number to establish their identity, by authentication or offline verification. The Amended Act states that authentication of an individual's identity via Aadhaar, for the provision of any service, may be made mandatory only by a law of Parliament.
Entities using Aadhaar	Under the Act, usage of Aadhaar number for establishing the identity of an individual, by the State or a body corporate under any law, is permitted.	<p>The Amended Act removes this provision. An entity may be allowed to perform authentication through Aadhaar, if the UIDAI is satisfied that it is:</p> <ul style="list-style-type: none"> (i) compliant with certain standards of privacy and security, or (ii) permitted by law, or (iii) seeking authentication for a purpose specified by the central government in the interest of the State.
Disclosure of information in certain cases	<p>1. Restrictions on security and confidentiality of Aadhaar related information do not apply in case the disclosure is pursuant to an order of a District Court (or above).</p> <p>2. An officer not below the rank of a Joint Secretary may issue directions for disclosing information in the interest of national security.</p>	<p>1. The Amended Act allows such disclosure only for orders by High Courts (or above).</p> <p>2. The Amended Act allows such disclosure on directions of officers not below the rank of a Secretary.</p>

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Udai fund	All fees and revenue collected by the UIDAI will be credited to the Consolidated Fund of India.	The Amended Act removes this provision and creates the Unique Identification Authority of India Fund. All fees, grants, and charges received by the UIDAI shall be credited to this fund. The fund shall be used for expenses of the UIDAI, including salaries and allowances of its employees.
Complaints	Courts can take cognizance of an offence only if the UIDAI registers a complaint.	The Amended Act allows the individual to register complaints in certain cases, including impersonation or disclosure of their identity.
Penalties	No Such Provision	The UIDAI may initiate a complaint against an entity in the Aadhaar ecosystem for failure to (i) comply with the Act or the UIDAI's directions, and (ii) furnish information required by the UIDAI. Adjudicating Officers appointed by the UIDAI shall decide such matters and may impose penalties up to one crore rupees on such entities. The Telecom Disputes Settlement and Appellate Tribunal shall be the appellate authority against decisions of the Adjudicating Officer.

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The AADHAAR AND OTHER LAWS (AMENDMENT) ACT, 2019 amends the Telegraph Act, 1885 and the Prevention of Money Laundering Act, 2002 to state that persons with a license to maintain a telegraph, banking companies and financial institutions may verify the identity of their clients by:

1. authentication or offline verification of Aadhaar
2. passport
3. Any other documents notified by the central government. The clients have the choice to use either mode to verify their identity and no person shall be denied any service for not having an Aadhaar number.²⁶

The Aadhaar and Other Laws (Amendment) Bill, 2019 was passed by a voice vote after Information Technology Minister Ravi Shankar Prasad assured the House that Aadhaar is voluntary and informed consent of the biometric identity holder must be obtained before it is used. He said “The amendments address the privacy and security concerns. It provides that no service or benefit of any scheme will be denied for lack of Aadhaar, as many as 123 crore people are currently using Aadhaar. All safeguards are in place to prohibit misuse of Aadhaar biometrics, Iris and finger print data is stored in Indian machinery and it is safe and secure.”²⁷

25. PRS India. (2019). Chapter at A Glance. [online] Available at: <https://www.prsindia.org/node/842123/chapters-at-a-glance> [Accessed 18 Oct. 2019].

26. 164.100.47.4. (2019). [online] Available at: http://164.100.47.4/billtexts/lrbilltexts/PassedLokSabha/261-C_2018_Eng.pdf [Accessed 18 Oct. 2019].

27. The Economic Times. (2019). Lok Sabha passes Aadhaar Amendment Bill. [online] Available at: <https://economictimes.indiatimes.com/news/politics-and-nation/lok-sabha-passes-aadhaar-amendment-bill/articleshow/70078736.cms?from=mdr> [Accessed 22 Oct. 2019].

CENTRAL UNIVERSITIES (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: - 08.07.2019

Passed in Lok Sabha: - 12.07.2019

Passed in Rajya Sabha: - 16.07.2019

Assent of President: -23.07.2019

Currently, most of the states have one or more than one central institution whereas in Andhra Pradesh there is no central university.²⁸

BASIS	CENTRAL UNIVERSITIES ACT, 2009	CENTRAL UNIVERSITIES (AMENDMENT) ACT, 2019
New Establishment	No Such Provision	Establishes two central universities in Andhra Pradesh, which will be known as the Central University of Andhra Pradesh and the Central Tribal University of Andhra Pradesh. (s.3D)
Additional Measures	No Such Provision	Tribal University established under section 3D shall take additional measures for paying special attention to the tribal centric higher education and research, including art, culture and customs (s.5) ²⁹

“The universities will be set up with a cost of Rs 1,700 crore in four years in Andhra Pradesh. In the first phase, Rs 450 crore will be provided for the Central University and Rs 420 crore for the Central Tribal University,”³⁰ **Human Resource Development Minister Ramesh Pokhriyal.**

28. *Rajya Sabha TV. (2019). Rajya Sabha passes Central Universities (Amendment) Bill 2019 - Rajya Sabha TV. [online] Available at: <https://rstv.nic.in/rajya-sabha-passes-central-universities-amendment-bill-2019.html> [Accessed 18 Oct. 2019].*

29. *Central Universities (Amendment) Bill, 2019, Ministry of Human Resource Development Mhrd.gov.in. (2019). [online] Available at: https://mhrd.gov.in/sites/upload_files/mhrd/files/act%202019.pdf [Accessed 18 Oct. 2019].*

30. *A. (2019). Lok Sabha passes Central Universities (Amendment) Bill, 2019. [online] Aninews.in. Available at: <https://www.aninews.in/news/national/politics/lok-sabha-passes-central-universities-amendment-bill-201920190712185242/> [Accessed 21 Oct. 2019].*

ARBITRATION AND CONCILIATION (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: - 15.07.2019

Passed in Lok Sabha: - 18.07.2019

Passed in Rajya Sabha: -01.08.2019

Assent of President: - 09.08.2019

OBJECTIVE:

The Arbitration Act, 1996 was enacted to unite and amend the laws related to various domestic, international and commercial arbitrations. It was also enacted for the enforcement of foreign arbitral awards and to focus on the definition of laws related to conciliation and other matter related thereto.³¹

BASIS	ARBITRATION AND CONCILIATION ACT, 1996.	ARBITRATION AND CONCILIATION (AMENDMENT) ACT, 2019
Appointment of Arbitrator	1. Parties were free to appoint arbitrators 2. In case of disagreement, parties could request the Supreme Court, or the concerned High Court, or any person or institution designated by such Court, to appoint an arbitrator. [S.11(3)]	1. Supreme Court and High Courts may designate arbitral institutions, which parties can approach for the appointment of arbitrators. @2. An application for appointment of an arbitrator is required to be disposed of within 30 days from the date of service of notice on the opposite party. [S.11(3A)]
Completion of written submissions	No Provision Available	Written claim and the defense to the claim in an arbitration proceeding, should be completed within six months of the appointment of the arbitrators [s.23(4)]
Time Limits Relaxation	Arbitral tribunals are required to make their award within a period of 12 months for all arbitration proceedings (s.29A)	1. Seeks to remove this time restriction for international commercial arbitrations 2. Adds that tribunals must endeavor to dispose of international arbitration matters within 12 months. [S.29A(1)]

31. 164.100.47.4. (2019). [online] Available at: <http://164.100.47.4/BillsTexts/RSBillTexts/asintroduced/Arbitration-Rs%20intro-E-15719.pdf> [Accessed 18 Oct. 2019].

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Confidentiality of proceedings	No Provision Available	1. All details of arbitration proceedings will be kept confidential except for the details of the arbitral award in certain circumstances. 2. Disclosure of the arbitral award will only be made where it is necessary for implementing or enforcing the award. (s.42A, 42B)
Arbitration Council of India	No Provision Available	1. The Amended Act establishes an independent body called the “Arbitration Council of India” (ACI) for the promotion of arbitration, mediation, conciliation and other ADR mechanisms. 2. Its functions include: a. Policy framing for grading of arbitral institutions and accrediting arbitrators, b. making policies for establishment, operation and maintenance of uniform professional standards for all ADR matter c. maintaining a depository of arbitral awards (judgments) made in India and abroad. (s.43)
Composition	No Provision Available	1. Chairperson who is either: a. a Judge of the Supreme Court b. a Judge of a High Court; c. Chief Justice of a High Court; d. an eminent person with expert knowledge in conduct of arbitration. 2. Other members: an academicians with experience in arbitration, an eminent arbitration practitioner, and government appointees. (s.43) ³²

Law minister Ravi Shankar Prasad while replying to a question asked during a debate on the bill, highlighted the potential of India becoming an international arbitration hub because the country has enough qualified lawyers and has the training amenities. He stated “India should not accept imperialism in the field of arbitration. The best would be when Indian arbitrators are sought globally. We want India to become a hub of international arbitration.”³³

The bill which will amend the Arbitration Act of 1996 is a part of government’s steps for promoting arbitration to settle the disputes and to establish healthy ADR mechanism in India.³⁴

32. *Egazette.nic.in.* (2019). [online] Available at: <http://egazette.nic.in/WriteReadData/2019/210414.pdf> [Accessed 18 Oct. 2019].

33. Pratham Sharma, J. (2019). Why the new Arbitration and Conciliation (amendment) Bill, 2019 is important. [online] <https://www.livemint.com>. Available at: <https://www.livemint.com/news/india/why-the-new-arbitration-and-conciliation-amendment-bill-2019-is-important-1564724122400.html> [Accessed 18 Oct. 2019].

34. *The Economic Times.* (2019). Cabinet clears bill to make arbitrators more accountable. [online] Available at: <https://economictimes.indiatimes.com/news/politics-and-nation/cabinet-clears-bill-to-make-arbitrators-more-accountable/articleshow/70060331.cms?from=mdr> [Accessed 18 Oct. 2019].

THE PROTECTION OF HUMAN RIGHTS (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: -08.07.2019

Passed in Lok Sabha: -19.07.2019

Passed in Rajya Sabha: -22.07.2019

Assent of President: -27.07.2019

OBJECTIVE:

The issue regarding recertification progress of the commission's certification of the Global Alliance of National Human Rights Institution was to be addressed by the sub-committee on accreditation. Apart from this, some state governments have also wished-for the amendment to the Act because they have faced several of difficulties in searching for a well-suited candidate for the position of Chairperson of the different State Commissions due to existing appropriateness criteria to such position.³⁵

35. 164.100.47.4. (2019). [online] Available at: http://164.100.47.4/BillsTexts/LSBillTexts/Asintroduced/131_%202019_LS_Eng.pdf [Accessed 22 Oct. 2019].

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PARTICU-LARS	PROTECTION OF HUMAN RIGHTS ACT, 1993	THE PROTECTION OF HUMAN RIGHTS (AMENDMENT) ACT, 2019
C o m p o - sition of NHRC	<p>Section 3. Constitution of National Human Rights Commission. -</p> <p>(1) The Central Government shall constitute a body to be known as the National Human Rights Commission to exercise the powers conferred upon, and to perform the functions assigned to, it under this Act.</p> <p>(2) The Commission shall consist of—</p> <p>(a) a Chairperson who has been a Chief Justice of the Supreme Court;</p> <p>(b) one Member who is, or has been, a Judge of the Supreme Court;</p> <p>(c) one Member who is, or has been, the Chief Justice of a High Court;</p> <p>(d) two Members to be appointed from amongst persons having knowledge of, or practical experience in, matters relating to human rights.</p> <p>(3) The Chairpersons of the National Commission for Minorities, 1 [the National Commission for the Scheduled Castes, the National Commission for the Scheduled Tribes] and the National Commission for Women shall be deemed to be Members of the Commission for the discharge of functions specified in clauses (b) to (j) of section 12.</p> <p>(4) There shall be a Secretary-General who shall be the Chief Executive Officer of the Commission and shall exercise such powers and discharge such functions of the Commission 2 [(except judicial functions and the power to make regulations under section 40B) as may be delegated to him by the Commission or the Chairperson, as the case may be].</p> <p>(5) The headquarters of the Commission shall be at Delhi and the Commission may, with the previous approval of the Central Government, establish offices at other places in India.³⁶</p>	<p>3.(1) * * *</p> <p>(2) The Commission shall consist of— (a) a Chairperson who has been a Chief Justice of the Supreme Court;</p> <p>(d) two Members to be appointed from amongst persons having knowledge of, or practical experience in, matters relating to human rights.</p> <p>(3) The Chairpersons of the National Commission for Minorities, the National Commission for the Scheduled Castes, the National Commission for the Scheduled Tribes and the National Commission for Women shall be deemed to be Members of the Commission for the discharge of functions specified in clauses (b) to (j) of section 12.</p> <p>(4) There shall be a Secretary-General who shall be the Chief Executive Officer of the Commission and shall exercise such powers and discharge such functions of the Commission (except judicial functions and the power to make regulations under section 40B) as may be delegated to him by the Commission or the Chairperson, as the case may be.³⁷</p>

36. *Indiacode.nic.in*. (2019). [online] Available at: <https://indiacode.nic.in/bitstream/123456789/1970/1/199410.pdf> [Accessed 18 Oct. 2019].

37. *Prsindia.org*. (2019). [online] Available at: https://www.prsindia.org/sites/default/files/bill_files/THE%20PROTECTION%20OF%20HUMAN%20RIGHTS%20%28AMENDMENT%29%20Bill%20text.pdf [Accessed 18 Oct. 2019].

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Chairperson of SHRC	The State Commission shall, with effect from such date as the State Government may by notification specify, consist of— (a) a Chairperson who has been a Chief Justice of a High Court;	In section 21 of the principal Act,— (i) in sub-section (2), in clause (a), for the words “Chief Justice”, the words “Chief Justice or a Judge” shall be substituted;
Terms of office	Section 6 — (1) A person appointed as Chairperson shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of seventy years, whichever is earlier. (2) A person appointed as a Member shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for re-appointment for another term of five years: Provided that no Member shall hold office after he has attained the age of seventy years. (3) On ceasing to hold office, a Chairperson or a Member shall be ineligible for further employment under the Government of India or under the Government of any State.]	In section 6 of the principal Act,— (i) in sub-section (1),— (a) for the words “five years”, the words “three years” shall be substituted; (b) after the words “whichever is earlier” occurring at the end, the words “and shall be eligible for re-appointment” shall be inserted; (ii) in sub-section (2),— (a) for the words “five years”, the words “three years” shall be substituted; (b) the words “for another term of five years” shall be omitted.
Union territories	No provision	Section 21 (iii) after sub-section (6), the following sub-sections shall be inserted, namely:— “(7) Subject to the provisions of section 12, the Central Government may, by order, confer upon the State Commission the functions relating to human rights being discharged by the Union territories, other than the Union territory of Delhi. (8) The functions relating to human rights in case of Union territory of Delhi shall be dealt with by the Commission.”

COMPANIES (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: -25.07.2019

Passed in Lok Sabha: -26.07.2019

Passed in Rajya Sabha: -30.07. 2019

Assent of President: -30.07.2019

OBJECTIVE:

A report was made to address the issue of compliance by the corporations for revisiting the current provisions of the Companies Act which specifically deal with offences. It was formed in 2018 during July and after taking various opinions into account the report was finally submitted in August 2018. It was one of the suggestions that existing punishment of the law should persist for only serious offences, but the delays that are primarily technical or procedural in nature may be shifted to in-house arbitrating procedure.³⁸

PARTIC- ULARS	COMPANIES ACT,2013	COMPANIES (AMENDMENT) ACT, 2019
Change in approving authorities	Section 2 clause (41) financial year, in relation to any company or body corporate, means the period ending on the 31st day of March every year, and where it has been incorporated on or after the 1st day of January of a year, the period ending on the 31st day of March of the following year, in respect whereof financial statement of the company or body corporate is made up: Provided that on an application made by a company or body corporate, which is a holding company or a subsidiary of a company incorporated outside India and is required to follow a different financial year for consolidation of its accounts outside India, the Tribunal may, if it is satisfied, allow any period as its financial year, whether or not that period is a year: Provided further that a company or body corporate, existing on the commencement of this Act, shall, within a period of two years from such commencement, align its financial year as per the provisions of this clause; ³⁹	In section 2 of the Companies Act, 2013 (hereinafter referred to as the principal Act), in clause (41), -- (a) for the first proviso, the following provisos shall be substituted, namely: — “Provided that where a company or body corporate, which is a holding company or a subsidiary or associate company of a company incorporated outside India and is required to follow a different financial year for consolidation of its accounts outside India, the Central Government may, on an application made by that company or body corporate in such form and manner as may be prescribed, allow any period as its financial year, whether or not that period is a year: Provided further that any application pending before the Tribunal as on the date of commencement of the Companies (Amendment) Act, 2019, shall be disposed of by the Tribunal in accordance with the provisions applicable to it before such commencement.”; (b) in the second proviso, for the words “Provided further that”, the words “Provided also that” shall be substituted.

38. *Prsindia.org.* (2019). [online] Available at: http://www.prsindia.org/sites/default/files/bill_files/Companies%20%28Amendment%29%20Bill%2C%202019_0.pdf [Accessed 18 Oct. 2019].

39. *Mca.gov.in.* (2019). [online] Available at: <http://www.mca.gov.in/Ministry/pdf/CompaniesAct2013.pdf> [Accessed 18 Oct. 2019].

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Issuance of dematerialized shares	Section 29. Public offer of securities to be in dematerialized form.— (1) Notwithstanding anything contained in any other provisions of this Act,— (a) every company making public offer; and (b) such other class or classes of public companies as may be prescribed, shall issue the securities only in dematerialized form by complying with the provisions of the Depositories Act, 1996 (22 of 1996) and the regulations made thereunder. (2) Any company, other than a company mentioned in sub-section (1), may convert its securities into dematerialized form or issue its securities in physical form in accordance with the provisions of this Act or in dematerialized form in accordance with the provisions of the Depositories Act, 1996 (22 of 1996) and the regulations made thereunder.	In section 29 of the principal Act, — (i) in sub-section (1), in clause (b), the word “public” shall be omitted; (ii) after sub-section (1), the following sub-section shall be inserted, namely: — “(1A) In case of such class or classes of unlisted companies as may be prescribed, the securities shall be held or transferred only in dematerialized form in the manner laid down in the Depositories Act, 1996 and the regulations made thereunder.”.
Re-categorization of certain offences	81 compoundable offences punishable with fine or fine or imprisonment, or both.	16 of these offences are re-categorized as civil defaults, where adjudicating officers may now levy penalties instead.
Registration of charges	Section 77. Duty to register charges, etc.—(1) It shall be the duty of every company creating a charge within or outside India, on its property or assets or any of its undertakings, whether tangible or otherwise, and situated in or outside India, to register the particulars of the charge signed by the company and the charge-holder together with the instruments, if any, creating such charge in such form, on payment of such fees and in such manner as may be prescribed, with the Registrar within thirty days of its creation: Provided that the Registrar may, on an application by the company, allow such registration to be made within a period of three hundred days of such creation on payment of such additional fees as may be prescribed: Provided further that if registration is not made within a period of three hundred days of such creation, the company shall seek extension of time in accordance with section 87: Provided also that any subsequent registration of a charge shall not prejudice any right acquired in respect of any property before the charge is actually registered. (2) Where a charge is registered with the Registrar under sub-section	In section 77 of the principal Act, in sub-section (1), for the first and second provisos, the following provisos shall be substituted, namely: — “Provided that the Registrar may, on an application by the company, allow such registration to be made— Amendment of section 14. Amendment of section 26. Amendment of section 29, 22 of 1996. Amendment of section 35. Amendment of section 53. Amendment of section 64. Amendment of section 77. 5 10 15 20 25 30 35 40 45 4 (a) in case of charges created before the commencement of the Companies (Amendment) Act, 2019, within a period of three hundred days of such creation; or (b) in case of charges created on or after the commencement of the Companies (Amendment) Act, 2019, within a period of sixty days of such creation, on payment of such additional fees as may be prescribed: Provided further that if the registration is not made within the period specified— (a) in clause (a) to the first proviso, the registration of the charge shall be made within six months from the date of commencement of the Companies (Amendment) Act, 2019, on payment of such additional fees as may be prescribed and different fees may be prescribed for different classes of companies; (b) in clause

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	<p>(1), he shall issue a certificate of registration of such charge in such form and in such manner as may be prescribed to the company and to the person in whose favor the charge is created.</p> <p>(3) Notwithstanding anything contained in any other law for the time being in force, no charge created by a company shall be considered by the liquidator or any other creditor unless it is duly registered under sub-section (1) and a certificate of registration of such charge is given by the Registrar under sub-section (2). (4) Nothing in sub-section (3) shall prejudice any contract or obligation for the repayment of the money secured by a charge.</p>	<p>(b) to the first proviso, the Registrar may, on an application, allow such registration to be made within a further period of sixty days after payment of such ad valorem fees as may be prescribed.”</p>
Beneficial ownership	<p>Section 90- investigation of beneficial ownership of shares in certain cases- where it appears to the central government that there are reasons so to do, it may appoint one or more competent persons to investigate ad report as to beneficial ownership with regard to any share or class of shares and the provision of section 216 shall, as far as may be, apply to such investigation as if it were an investigation ordered under that section.</p>	<p>In section 90 of the principal Act, — (i) after sub-section (4), the following sub-section shall be inserted, namely: —</p> <p>“(4A) Every company shall take necessary steps to identify an individual who is a significant beneficial owner in relation to the company and require him to comply with the provisions of this section.”;@ (ii) for sub-section (9), the following sub-section shall be substituted, namely: —</p> <p>“(9) The company or the person aggrieved by the order of the Tribunal may make an application to the Tribunal for relaxation or lifting of the restrictions placed under sub-section (8), within a period of one year from the date of such order: Provided that if no such application has been filed within a period of one year from the date of the order under sub-section (8), such shares shall be Amendment of section 86. Substitution of new section for section 87. Rectification by Central Government in Register of charges. Amendment of section 90. 5 10 15 20 25 30 35 40 45 5 transferred, without any restrictions, to the authority constituted under sub-section (5) of section 125, in such manner as may be prescribed.”;</p> <p>(iii) after sub-section (9), as so substituted, the following sub-section shall be inserted, namely:— “(9A) The Central Government may make rules for the purposes of this section.”; (iv) in sub-section (11), after the word, brackets and figure “sub-section (4)”, the words, brackets, figure and letter “or required to take necessary steps under sub-section (4A)” shall be inserted.</p>

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Com-pounding	<p>117. Resolutions and agreements to be filed-(2) If a company fails to file the resolution or the agreement under sub-section (1) before the expiry of the period specified under section 403 with additional fees, the company shall be punishable with fine which shall not be less than five lakh rupees but which may extend to twenty-five lakh rupees and every officer of the company who is in default, including liquidator of the company, if any, shall be punishable with fine which shall not be less than one lakh rupees but which may extend to five lakh rupees.</p>	<p>In section 117 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:— “(2) If any company fails to file the resolution or the agreement under sub-section (1) before the expiry of the period specified therein, such company shall be liable to a penalty of one lakh rupees and in case of continuing failure, with a further penalty of five hundred rupees for each day after the first during which such failure continues, subject to a maximum of twenty-five lakh rupees and every officer of the company who is in default including liquidator of the company, if any, shall be liable to a penalty of fifty thousand rupees and in case of continuing failure, with a further penalty of five hundred rupees for each day after the first during which such failure continues, subject to a maximum of five lakh rupees.”.</p>
Debarring auditors	<p>132. Constitution of Natural Financial Reporting Authority@For proven misconduct the National Financial Reporting Authority could debar a member or firm from practicing as a Chartered Accountant for a period between six months to 10 years</p>	<p>In section 132 of the principal Act— (a) after sub-section (1), the following sub-section shall be inserted, namely:—“(1A) The National Financial Reporting Authority shall perform its functions through such divisions as may be prescribed.”; (b) after sub-section (3), the following sub-sections shall be inserted, namely:— “(3A) Each division of the National Financial Reporting Authority shall be presided over by the Chairperson or a full-time Member authorized by the Chairperson. (3B) There shall be an executive body of the National Financial Reporting Authority consisting of the Chairperson and full-time Members of such Authority for efficient discharge of its functions under sub-section (2) [other than clause (a)] and sub-section (4).” (c) in sub-section (4), in clause (c), for sub-clause (B), the following sub-clause shall be substituted, namely:— “(B) debarring the member or the firm from– I. being appointed as an auditor or internal auditor or undertaking any audit in respect of financial statements or internal audit of the functions and activities of any company or body corporate; or II. performing any valuation as provided under section 247, for a minimum period of six months or such higher period not exceeding ten years as may be determined by the National Financial Reporting Authority.”.</p>

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Corporate social responsibility	If companies which must provide for CSR, do not fully spend the funds, they must disclose the reasons for non-spending in their annual report. (s.135)	In section 135 of the principal Act,— (a) in sub-section (5), — (i) after the words “three immediately preceding financial years,” the words “or where the company has not completed the period of three financial years since its incorporation, during such immediately preceding financial years,” shall be inserted; (ii) in the second proviso, after the words, “reasons for not spending the amount” occurring at the end, the words, brackets, figure and letters “and, unless the unspent amount relates to any ongoing project referred to in subsection (6), transfer such unspent amount to a Fund specified in Schedule VII, within a period of six months of the expiry of the financial year” shall be inserted; (b) after sub-section (5), the following sub-sections shall be inserted, namely:— “(6) Any amount remaining unspent under sub-section (5), pursuant to any ongoing project fulfilling such conditions as may be prescribed, undertaken by a company in pursuance of its Corporate Social Responsibility Policy, shall be transferred by the company within a period of thirty days from the end of the financial year to a special account to be opened by the company in that behalf for that financial year in any scheduled bank to be called the Unspent Corporate Social Responsibility Account, and such amount shall be spent by the company in pursuance of its obligation towards the Corporate Social Responsibility Policy within a period of three financial years from the date of such transfer, failing which, the company shall transfer the same to a Fund specified in Schedule VII, within a period of thirty days from the date of completion of the third financial year. (7) If a company contravenes the provisions of sub-section (5) or sub-section (6), the company shall be punishable with fine which shall not be less than fifty thousand rupees but which may extend to twenty-five lakh rupees and every officer of such company who is in default shall be punishable with imprisonment for a term which may extend to three years or with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees, or with both. (8) The Central Government may give such general or special directions to a company or class of companies as it considers necessary to ensure compliance of provisions of this section and such company or class of companies shall comply with such directions.”
Bar on holding office	The central government or certain shareholders can apply to the NCLT for relief against mismanagement of the affairs of the company. (s.241, 242, 243)	The government may also make a case against an officer of the company on the ground that he is not fit to hold office in the company, for reasons such as fraud or negligence. (s.241, 242, 243)

THE AIRPORT ECONOMIC REGULATORY AUTHORITY OF INDIA (AMENDMENT) ACT, 2019

Introduced in Rajya Sabha: -12.07.2019

Passed in Rajya Sabha: -16.07.2019

Passed in Lok Sabha: -02.08.2019

Assent of President: -06.08.2019

PARTICULARS	THE AIRPORTS ECONOMIC AUTHORITY OF INDIA ACT, 2008	THE AIRPORT ECONOMIC REGULATORY AUTHORITY OF INDIA (AMENDMENT ACT)
Definition of major airports	(Section 2 clause i) The act defines a major airport as or with annual passenger traffic over 15 lakhs, or any other airports as notified by the central government. ⁴⁰	In section 2 of the Airports Economic Regulatory Authority of India Act, 2008 (hereinafter referred to as the principal Act), in clause (i), for the words “one and a half million”, the words “three and a half million” shall be substituted. ⁴¹
Tariff determination by AERA	AERA is responsible for determining: <ul style="list-style-type: none"> •The tariff for aeronautical services at different airports every five years. •The development fees of major airports. •The passengers service fee. It can also call for necessary information to determine tariffs and perform any other tariff-related functions, including amending the tariffs if necessary, in the interim periods. 	In section 13 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:— “(1A) Notwithstanding anything contained in sub-sections (1) and (2), the Authority shall not determine the tariff or tariff structures or the amount of fees in respect of an airport or part thereof, if such tariff or tariff structures or the amount of development fees has been incorporated in the bidding document, which is the basis for award of operatorship of that airport: Provided that the Authority shall be consulted in advance regarding the tariff, tariff structures or the amount of development fees which is proposed to be incorporated in the said bidding document and such tariff, tariff structures or the amount of development fees shall be notified in the Official Gazette.

Civil Aviation Minister Hardeep Singh Puri said, that the threshold has been increased because the number of air traffic passenger has increased from 117 million in 2008 to 345 million now.⁴²

40. Anon, (2019). [online] Available at: <https://indiacode.nic.in/bitstream/123456789/2090/1/A2008-27.pdf> [Accessed 18 Oct. 2019].

41. Prsindia.org. (2019). [online] Available at: http://www.prsindia.org/sites/default/files/bill_files/The%20Airports%20Economic%20Regulatory%20Authority%20of%20India%20%28Amendment%29%20Bill%2C%202019.pdf [Accessed 18 Oct. 2019].

42. Newsonair.nic.in. (2019). Parliament passes Airports Economic Regulatory Authority of India, (Amendment) Bill - 2019. [online] Available at: <http://newsonair.nic.in/Main-News-Details.aspx?id=369553> [Accessed 23 Oct. 2019].

UNLAWFUL ACTIVITIES AMENDMENT ACT, 2019

Introduced in Lok Sabha: -08.07.2019

Passed in Lok Sabha: -24.07.2019

Passed in Rajya Sabha: -02.08.2019

Assent of President: -08.08.2019

BASIS	UNLAWFUL ACTIVITIES (PREVENTION) ACT, 1967	UNLAWFUL ACTIVITIES (PREVENTION) AMENDMENT ACT, 2019
Powers of investigating officer and designated authority and appeal against order of Designated Authority [Section 25]	Section 25—(1) If an officer investigating an offence committed under Chapter IV or Chapter VI, has reason to believe that any property in relation to which an investigation is being conducted, represents proceeds of terrorism, he shall, with the prior approval in writing of the Director General of the Police of the State in which such property is situated, make an order seizing such property and where it is not practicable to seize such property, make an order of attachment directing that such property shall not be transferred or otherwise dealt with except with the prior permission of the officer making such order, or of the Designated Authority before whom the property seized or attached is produced and a copy of such order shall be served on the person concerned. ⁴³	In section 25 of the principal Act, in sub-section (1), for the words “in which such property is situated, make an order”, the words “in which such property is situated, or where the investigation is conducted by an officer of the National Investigation Agency, with the prior approval of the Director General of National Investigation Agency, make an order” shall be substituted. ⁴⁴

43. *Prsindia.org.* (2019). [online] Available at: http://www.prsindia.org/sites/default/files/bill_files/THE%20UNLAWFUL%20ACTIVITIES%20%28PREVENTION%29%20AMENDMENT%20Bill%20Text.pdf [Accessed 18 Oct. 2019].

44. *Mha.gov.in.* (2019). [online] Available at: https://mha.gov.in/sites/default/files/A1967-37_0.pdf [Accessed 18 Oct. 2019].

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<p>Amendment of Schedule [Section 35]</p>	<p>35. Amendment of Schedule, etc.— (1) The Central Government may, by 2 [notification], in the Official Gazette,— (a) add an organization to the 3 [First Schedule]; (b) add also an organization to the 3 [First Schedule], which is identified as a terrorist organization in a resolution adopted by the Security Council under Chapter VII of the Charter of the United Nations, to combat international terrorism; (c) remove an organization from the 3 [First Schedule]; (d) amend the 3 [First Schedule] in some other way. (2) The Central Government shall exercise its power under clause (a) of sub-section (1) in respect of an organization only if it believes that it is involved in terrorism. (3) For the purposes of sub-section (2), an organization shall be deemed to be involved in terrorism if it— (a) commits or participates in acts of terrorism, or (b) prepares for terrorism, or (c) promotes or encourages terrorism, or (d) is otherwise involved in terrorism. 1 [(4) The Central Government may, by notification in the Official Gazette, add to or remove or amend the Second Schedule or Third Schedule and thereupon the Second Schedule or the Third Schedule shall be deemed to have been amended accordingly. (5) Every notification issued under sub-section (1) or sub-section (4) shall, as soon as may be after it is issued, be laid before Parliament.]</p>	<p>In section 35 of the principal Act, — (i) in sub-section (1),— (A) in clause (a), after the words “First Schedule”, the words “or the name of an individual in the Fourth Schedule” shall be inserted; (B) in clause (b), after the words “United Nations”, the words “or the name of an individual in the Fourth Schedule” shall be inserted; (C) in clause (c), after the words “First Schedule”, the words “or the name of an individual from the Fourth Schedule” shall be inserted; (D) in clause (d), after the words “First Schedule”, the words “or the Fourth Schedule” shall be inserted; (ii) in sub-section (2), for the words “an organization only if it believes that it is”, the words “an organization or an individual only if it believes that such organization or individual is” shall be substituted; (iii) in sub-section (3), for the words “an organization shall be deemed to be involved in terrorism if it”, the words “an organization or an individual shall be deemed to be involved in terrorism if such organization or individual” shall be substituted</p>
<p>Denotification of a terrorist organization [Section 36]</p>	<p>Section 36— (1) An application may be made to the Central Government for the exercise of its power under clause (c) of sub-section (1) of section 35 to remove an organization from the Schedule. (2) An application under sub-section (1) may be made by— (a) the organization, or (b) any person affected by inclusion of the organization in the Schedule as a terrorist organization. (3) The Central Government may prescribe the procedure for admission and disposal of an application made under this section. (4) Where an application under sub-section (1) has been rejected, the applicant may apply for a review to the Review Committee constituted by the Central Government under sub-section (1) of section 37 within one month from the date of receipt of the order of such refusal by the applicant.</p>	<p>In section 36 of the principal Act,— (i) in the marginal heading, for the words “a terrorist organization”, the words “terrorist organization or individual” shall be substituted; (ii) in sub-section (1), for the words “an organization from the Schedule”, the words “an organization from the First Schedule, or as the case may be, the name of an individual from the Fourth Schedule” shall be substituted; (iii) in sub-section (2),— (A) in clause (b) for the words “Schedule as a terrorist organization”, the words “First Schedule as a terrorist organization, or” shall be substituted; (B) after clause (b), the following clause shall be inserted, namely:—</p>

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	<p>(5) The Review Committee may allow an application for review against rejection to remove an organization from the Schedule, if it considers that the decision to reject was flawed when considered in the light of the principles applicable on an application for judicial review.</p> <p>(6) Where the Review Committee allows review under sub-section (5) by or in respect of an organization, it may make an order to such effect.</p> <p>(7) Where an order is made under sub-section (6), the Central Government shall, as soon as the certified copy of the order is received by it, make an order removing the organization from the Schedule.</p>	<p>“(c) any person affected by inclusion of his name in the Fourth Schedule as a terrorist.”; (iv) in sub-section (5), for the words “an organization from the Schedule”, the words “an organization from the First Schedule or the name of an individual from the Fourth Schedule” shall be substituted; (v) in sub-section (6), after the words “an organization”, the words “or an individual” shall be inserted (vi) in sub-section (7), for the word “Schedule”, the words “First Schedule or the name of an individual from the Fourth Schedule” shall be substituted</p>
Officers competent to investigate offences under Chapters IV and VI [Section 43]	<p>Section 43—Notwithstanding anything contained in the Code, no police officer,— (a) in the case of the Delhi Special Police Establishment, constituted under sub-section (1) of section 2 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), below the rank of a Deputy Superintendent of Police or a police officer of equivalent rank; (b) in the metropolitan areas of Mumbai, Kolkata, Chennai and Ahmedabad and any other metropolitan area notified as such under sub-section (1) of section 8 of the Code, below the rank of an Assistant Commissioner of Police; (c) in any case not relatable to clause (a) or clause (b), below the rank of a Deputy Superintendent of Police or a police officer of an equivalent rank, shall investigate any offence punishable under Chapter IV or VI</p>	<p>In section 43 of the principal Act,— (i) after clause (b), the following clause shall be inserted, namely:— “(be) in the case of National Investigation Agency, below the rank of Inspector;”; (ii) in clause (c), after the words, brackets and letter “or clause (b)”, the words, brackets and letters “or clause (be)” shall be inserted.</p>

THE INDIAN MEDICAL COUNCIL (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: 27.06.2019

Passed in Lok Sabha: -02.07.2019

Passed in Rajya Sabha: -04.07.2019

Assent of President: -16.07.2019

OBJECTIVE:

For curbing an arbitrary action by the Council disregarding the provision of the Act and regulations made under it, expedited measures must be taken by the Government for putting a substitute machinery after replacing the council is most desirable for maintaining the transparency, answerability and quality in the good governance of medical education in the country. In order to achieve the objectives as delineated above, Board of Governors comprising of renowned doctors will supersede Medical Council of India for a period of two years or till a new council is reconstituted, whichever is prior.⁴⁵

BASIS	THE INDIAN MEDICAL COUNCIL ACT, 1956	THE INDIAN MEDICAL COUNCIL (AMENDMENT) ACT, 2019
Suppression of the MCI	Act provides for supersession of the MCI and its reconstitution within a period of three years from the date of its supersession. In the interim period, the Act requires the central government to constitute a Board of Governors, to exercise the powers of the MCI.	The Amended Act amends the Act to reduce the time period for supersession of the MCI from three years to two years. ⁴⁶
Board of governors	The Act provides for the Board of Governors to consist of up to seven members including persons of eminence in medical education, appointed by the central government.	The Amended Act amends this provision to increase the strength of the Board from seven members to 12 members. ⁴⁷

45. *The Hindu*. (2019). Indian Medical Council Amendment Bill cleared. [online] Available at: <https://www.thehindu.com/news/national/indian-medical-council-amendment-bill-cleared/article27891351.ece> [Accessed 21 Oct. 2019].

46. *PRS India*. (2019). Chapter at A Glance. [online] Available at: <https://www.prsindia.org/node/842238/chapters-at-a-glance> [Accessed 18 Oct. 2019].

47. *Mciindia.org*. (2019). [online] Available at: <https://www.mciindia.org/CMS/wp-content/uploads/2017/10/Complete-Act-1.pdf> [Accessed 18 Oct. 2019].

THE MOTOR VEHICLES (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: -15.07.2019

Passed in Lok Sabha: -23.07.2019

Passed in Rajya Sabha: -31.07.2019

Assent of President: -08.08.2019

Inordinate delay caused in issuing of driving licenses, utter ignorance of rules framed for traffic regulation on roads and spike in the cases of road accidents were reported to the ministry from different concerned members along with various suggestion to tackle this problem. For redressal of these issues, road safety was required to be improved and a robust transport system was needed to come in place. Amendment of Motor Vehicles Act, 1988 has tried to take care of such safety issues in the transport sector. The necessity to amend the act has come up due to reasons mentioned above, the amendment Act works towards that very objective and seeks to address road safety, public transportation and computerization of the infrastructure has been aspired.⁴⁸

BASIS	The Motor Vehicles Act, 1988	THE MOTOR VEHICLES (AMENDMENT) ACT, 2019
General [Section 177]	Rs 100	Rs .500
Rules of road regulationviolation [Section 177A]	Rs 100	Rs. 500
Travel without ticket [Section 178]	Rs 200	Rs 500
Disobedience of orders of authorities [Section 179]	Rs 500	Rs 2000
Unauthorized use of vehicles without license [Section 180]	Rs 1000	Rs 5000
Driving without license [Section 181]	Rs 500	Rs 5000
Driving despite disqualification [Section 182]	Rs 500	Rs 10,000
Oversize vehicles [Section 182B]	New	Rs 5000, Rs 1000 for LMV (Light Motor Vehicle)

48. Firstpost. (2019). Motor Vehicle Amendment Act 2019: Road safety legislation takes effect today; list of new traffic rules, penalties - Firstpost. [online] Available at: <https://www.firstpost.com/india/motor-vehicle-amendment-act-2019-road-safety-legislation-takes-effect-today-list-of-new-traffic-rules-penalties-7263441.html> [Accessed 21 Oct. 2019].

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Over speeding [Section 183] passenger vehicle	Rs 400	Rs 1000 for LMV Rs 2000 for Medium
Dangerous driving penalty [Section 184]	Rs 1000	Up to Rs 5000
Drunken driving [Section 185]	Rs 2000	Rs 10,000
Speeding / Racing [Section 189]	Rs 500	Rs 5,000
Vehicle without permit [Section 192A]	up to Rs 5000	Up to Rs 10,000
Aggregators (violations of licensing conditions) [Section 193]	New	Rs 25,000 to Rs 1,00,000
Overloading [Section 194]	Rs 2000 and Rs 1000 per extra ton	Rs 20,000 and Rs 2000 per extra tone
Overloading of passengers [Section 194A]	Rs 100	Rs 2000, Disqualification of licensee for 3 months
Seat belt [Section 194b]	Rs 100	Rs 1000
Overloading of two-wheeler [Section 194C]	Rs 100	Rs 2000, Disqualification of licensee for 3 months
Helmets [Section 194D]	Rs. 100	Rs 1000 Disqualification for 3 months for licensee
Not providing way for emergency vehicles [Section 194E]	No such provision	Rs 10,000
Driving Without Insurance [Section 196]	Rs 1000	Rs 2000
Offences by Juveniles [Section 199]	No such provision	Guardian / owner shall be deemed to be guilty. Rs 25,000 with 3 yrs imprisonment. @For Juvenile to be tried under JJ Act. @Registration of Motor Vehicle to be cancelled
Power of Officers to impound documents [Section 206]	No such provision	Suspension of driving licenses u/s 183, 184, 185, 189, 190, 194C, 194D, 194E. ⁴⁹

49. PRS India. (2019). Chapter at A Glance. [online] Available at: <https://www.prsindia.org/node/842238/chapters-at-a-glance> [Accessed 18 Oct. 2019].

THE RIGHT TO INFORMATION (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: -19.07.2019

Passed in Lok Sabha: -22.07.2019

Passed in Rajya Sabha: -25.07.2019

Assent of President: -01.08.2019

OBJECTIVE:

The nature of operations carried out by the Election Commission of India and Central and State Information Commission is drastically distinct. As per Article 324 clause 1 of the Constitution of India, Election Commission is an authority which primarily functions for the observation, direction and superintendence of the creation of the electoral rolls for smooth conduct of elections to the different state legislature and parliament and elections to the office of President and Vice-President under the Constitution. There is a clear distinction between a statutory body and an authority established under the act. Central Information Commission and State Information Commissions are statutory authorities created as per the mandate of Right to Information Act, 2005. Such distinct of mandates can be clearly seen from the nature of the Act of which these bodies are part of. Hence, it can be argued that their working and service conditions must be rationalized consequently. Changes to the Right to Information Act, 2005 are suggested keeping the objective of rationalization and uniformity in relation to the term of office and salaries, allowances and different clauses of service of the Chief Information Commissioner and State Chief Information Commissioner. These criteria of functionality may be set by the Central Government.⁵⁰

BASIS	THE RIGHT TO INFORMATION ACT, 2005	THE RIGHT TO INFORMATION (AMENDMENT) ACT, 2019
Term of information commissioners	Chief Information Commissioner (CIC) and Information Commissioners (ICs) are appointed at the national and state level to implement the provisions of the Act. The Act states that the CIC and other ICs (appointed at the central and state level) will hold office for a term of five years. ⁵¹	The Amended Act removes this provision and states that the central government will notify the term of office for the CIC and the ICs.

50. PRS India. (2019). author-blog-list. [online] Available at: <https://www.prsindia.org/theprsblog/explainer-right-information-amendment-bill-2019https://www.prsindia.org/theprsblog/explainer-right-information-amendment-bill-2019> [Accessed 21 Oct. 2019].

51. Rti.gov.in. (2019). [online] Available at: <https://rti.gov.in/rti-act.pdf> [Accessed 18 Oct. 2019].

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Determination of salary	The Act states that the salary of the CIC and ICs (at the central level) will be equivalent to the salary paid to the Chief Election Commissioner and Election Commissioners, respectively. Similarly, the salary of the CIC and ICs (at the state level) will be equivalent to the salary paid to the Election Commissioners and the Chief Secretary to the state government, respectively.	The Amended Act seeks to amend these provisions to state that the salaries, allowances, and other terms and conditions of service of the central and state CIC and ICs will be determined by the central government.
Deductions in salary	The Act states that at the time of the appointment of the CIC and ICs (at the central and state level), if they are receiving pension or any other retirement benefits for previous government service, their salaries will be reduced by an amount equal to the pension. (Previous government service includes service under: (i) the central government, (ii) state government, (iii) corporation established under a central or state law, and (iv) government company owned or controlled by the central or state government.)	The Amended Act removes these provisions.

NATIONAL INVESTIGATION AGENCY (AMENDMENT) ACT, 2019

Introduced in Lok Sabha: -08.07.2019

Passed in Lok Sabha: -15.07.2019

Passed in Rajya Sabha: -17.07.2019

Assent of President: -24.07.2019

SECTION	THE INVESTIGATION AGENCY ACT, 2008	NATIONAL INVESTIGATION AGENCY (AMENDMENT) ACT, 2019
Short Title, extent and application [Section 1]	i. Citizens of India outside India ii. Persons in service of Government iii. Persons on ships and aircrafts registered in India ⁵³	Addition of new clause: to persons who commit a scheduled offence beyond India against the Indian citizens or affecting the interest of India. ⁵⁴

53. Mha.gov.in. (2019). [online] Available at: https://mha.gov.in/sites/default/files/The%20National%20Investigation%20Agency%20Act%2C%202008_1.pdf [Accessed 18 Oct. 2019].

54. Egazette.nic.in. (2019). [online] Available at: <http://egazette.nic.in/WriteReadData/2019/208281.pdf> [Accessed 18 Oct. 2019].

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Définition [Section 2(h)]	No designation of hierarchy to Special Courts	Clarified that a Court of Session is designated as a Special Court.
Constitution of National Investigation Agency [Section 3]	Power of investigation to officers was restricted to India	Increased the scope of investigation by subjecting officers to any international treaty or domestic law of the concerned country, outside India
Investigation of Scheduled Offences [Section 6]	Power to investigate was restricted to India	Power to investigate was expanded to outside India and allowed the officers to register a case and investigate as if the offence was committed in India. It gave the Special Court in New Delhi the jurisdiction to try the case.
Schedule	Did not include Certain acts and offences	Offences under these Acts are now triable under NIA act: i. Explosive Substances Act ii. Cyber Terrorism@iii. Trafficking of Person iv. Exploitation of a trafficked person v. Currency Notes and Bank Notes (489A-E) vi. Manufacturing, selling, transferring of prohibited arms or ammunition

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Published By:

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