

## CHAPTER VII MISCELLANEOUS

**52. Protection of action taken in good faith.**—No suit, prosecution or other legal proceeding shall lie against the Central Government or a State Government or any officer of the Central Government or of a State Government or the Chairperson, Directors, officers and other employees of the National Authority or any other person exercising any powers or discharging any functions or performing any duties under this Act, for anything in good faith done or intended to be done under this Act or any rule or order made thereunder.

**53. Power to delegate.**—(1) The Central Government may, by notification in the Official Gazette, delegate, subject to such conditions and limitations as may be specified in the notification, such of its powers and functions under this Act (except the power to make rules under section 56) as it may deem necessary or expedient, to the National Authority or the Committee referred to in section 11.

(2) The State Government may, by notification in the Official Gazette, delegate, subject to such conditions and limitations as may be specified in the notification, such of its powers and functions under this Act, as it may deem necessary or expedient, to any authority or officer of that Government.

**54. Officers to be public servants.**—The Chairperson, Directors, officers and other employees of the National Authority or any other person exercising any powers or discharging any functions under this Act shall be deemed to be the public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

**55. Removal of difficulties.**—If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of three years from the date on which this Act receives the assent of the President.

**56. Power to make rules.**—(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the salary and allowances payable to, and other terms and conditions of service of, the Chairperson and the Directors under sub-

section (3) of section 6, and the salary and allowances payable to and other terms and conditions of service of officers and other employees of the National Authority under sub-section (4) of that section;

(b) other functions of the National Authority that may be prescribed under clause (v) of sub-section (2) of section 7;

<sup>1</sup>[(ba) the criteria which the officers are required to fulfil under sub-section (1) of section 9;]

<sup>2</sup>[(c) the exemptions and thresholds under sub-sections (1) and (2) of section 18, the form of application, the particulars to be contained in the application form, the form of certificate of registration, the manner of making application, the amount of fee payable, the procedure to be followed in granting or cancelling certificate of registration under sub-section (3) of section 18, the terms and conditions for granting a certificate of registration under sub-section (4) of section 18, the period for which a renewed certificate of registration may be issued and the amount of fee payable therefor under sub-section (5) of sub-section 18, and information, declaration or return to be furnished under sub-section (6) of that section;]

(d) the time within which appeal may be preferred under sub-section (1) of section 50;

(e) the form for making appeal and the fee to be accompanied therewith under sub-section (3) of section 50;

(f) the procedure for disposing of appeal under sub-section (4) of section 50;

(g) any other matter which is to be, or may be, prescribed.

(3) Every notification issued under sub-section (2) of section 3, any declaration made under section 5, every order made under section 55 and every rule made under section 56 shall be laid, as soon as may be after it is issued or made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification, order or rule or both Houses agree that the notification, order or rule should not be issued or made, the notification, order or rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification, order or rule.

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1. Ins. by Act 36 of 2012, s. 6 (w.e.f. 23-11-2012).

2. Subs. by s. 6, *ibid.*, for clause (c) (w.e.f. 23-11-2012).