

PART I

GOVERNMENT OF PUNJAB

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

NOTIFICATION

The 17th September, 2014

No. 26-Leg./2014.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 26th Day of August, 2014, is hereby published for general information:-

**THE PUNJAB CO-OPERATIVE SOCIETIES (AMENDMENT)
ACT, 2014**

(Punjab Act No. 25 of 2014)

AN

ACT

further to amend the Punjab Co-operative Societies Act, 1961.

BE it enacted by the Legislature of the State of Punjab in the Sixty-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab Co-operative Societies (Amendment) Act, 2014. Short title and commencement.

(2) It shall come into force at once.

2. In the Punjab Co-operative Societies Act, 1961 (hereinafter referred to as the principal Act), in section 2,- Amendment in section 2 of Punjab Act 25 of 1961.

(i) in clause (k), at the end, the word "and" shall be omitted;

(ii) in clause (l), at the end, for the words and sign "this Act.", the words and sign "this Act; and" shall be substituted; and

(iii) after clause (l), the following clause shall be added, namely:-

“(m) “Public Sector Undertaking” means an organization owned by the Government or in which the Government has pervasive control or created by an Act of the Government.”.

3. In the principal Act, for section 6, the following section shall be substituted, namely:-

Substitution of section 6 of Punjab Act 25 of 1961.

“6. No member other than the Government, a Public Sector Undertaking or a co-operative society shall, Restrictions on holding of shares. hold more than such portion of the share capital of a co-operative society, as may be prescribed which in no case shall exceed one-tenth of the share capital:

Provided that in the case of milk producers co-operative society engaged in the marketing of such other perishable commodity, as may be notified by the Government, from time to time, in this behalf (hereinafter referred to as ‘society dealing in notified commodity’) registered after the commencement of the Punjab Co-operative Societies (Amendment) Act, 1978, no member shall have or claim any interest in the shares of such society exceeding one thousand rupees.”.

4. In the principal Act, for section 15, the following section shall be substituted, namely:-

Substitution of section 15 of Punjab Act 25 of 1961.

“15. No person shall be admitted as member of a co-operative society except the following, namely:-
Persons who may become members.

- (a) an individual competent to contract under section 11 of the Indian Contract Act, 1872 (9 of 1872);
- (b) any other co-operative society;
- (c) the Government;
- (d) a Public Sector Undertaking; and
- (e) such class or classes of persons or associations of persons as may be notified by the Government.”.

H.P.S. MAHAL,
Secretary to Government of Punjab,
Department of Legal and legislative Affairs.

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF HOME AFFAIRS AND JUSTICE

(Home-V Branch)

NOTIFICATION

The 16th September, 2014

No. G.S.R.49/P.A.2/2013/S.18/Amd.(1)/2014.-In exercise of the powers conferred by section 18 of the Punjab Prevention of Human Smuggling Act, 2012 (Punjab Act No. 2 of 2013), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Prevention of Human Smuggling Rules, 2013, namely:-

1. (1) These rules may be called the Punjab Prevention of Human Smuggling (Amendment) Rules, 2014.
(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. In the Punjab Prevention of Human Smuggling Rules, 2013 (hereinafter referred to as the said rules), in rule (1), in sub-rule (1), in the title, for the words, "Prevention of Human Smuggling", the words "Travel Professionals' Regulation" shall be substituted.
3. In the said rules, in rule 2, after clause (c), the following clause shall be inserted, namely:-

"(cc) "IELTS" means the International English Language Testing System;"
4. In the said rules, in rule 3, in sub-rule (2),-
 - (i) in clause (i), for items (a), (b) and (c), the following items shall be substituted, namely:-

“(a) a fee of rupees one lac, for the firms, which are running travel agency or coaching institutions of IELTS or consultancy, for a period of more than five years:

Provided that the consultancy firm may either deposit the said amount of rupees one lac in one installment or in five equal installments;

- (b) a fee of rupees twenty-five thousand, for the firms, which are running Travel Agency or Coaching Institutions of IELTS or Consultancy, for a period of less than five years:

Provided that the Consultancy firm may either deposit the said amount of rupees twenty-five thousand in one installment or an amount of rupees ten thousand in first installment and the balance amount in four equal installments;

- (c) a fee of rupees one lac for the Ticketing Agents, who are in the business of ticketing, for a period of more than five years:

Provided that the Ticketing Agents may either deposit the said amount of rupees one lac in one installment or in five equal installments:

Provided further that the Ticketing Agents, shall have to submit a monthly chart of the tickets sold by them, either on domestic or international airlines, on internet to the Deputy Commissioner concerned;

- (d) a fee of rupees twenty-five thousand, for the Ticketing Agents, who are in the business of ticketing, for a period of less than five years:

Provided that the Ticketing Agents, may either deposit the said amount of rupees twenty-five thousand in one installment or ten thousand in first installment and the balance amount in four equal installments:

Provided further that the Ticketing Agents, shall have to submit a monthly chart of the tickets, sold by them, either on domestic or international airlines, on internet to the Deputy Commissioner concerned;

- (e) a fee of rupees one lac for the firms, which are running the business of general sales agents, for a period of more than five years:

Provided that the said general sales agents, may

either deposit the said amount of rupees one lac in one installment or in five equal installments; and

- (f) a fee of rupees twenty-five thousand for the firms, which are running the business of general sales agents, for a period of less than five years:

Provided that the said general sales agents, may either deposit the said amount of rupees twenty-five thousand, in one installment or ten thousand in first installment and the balance amount in four equal installments.”.

- (ii) for clause (ii), the following clause shall be substituted, namely:-

“(ii) shall submit the documents, for obtaining a license, as specified in form I- A.”.

5. In the said rules, in rule 4,-

- (i) in sub-rule (1), in clause (vii), for the figures "15 ft. x 20 ft.", the words 100 sq.ft." shall be substituted;

- (ii) sub- rule (2) shall be omitted;

- (iii) in sub- rule (6),-

- (a) for the words, "license is granted", the words "license is granted for a travel agency" shall be substituted; and

- (b) for the words and sign "from said clients", the words and sign " from said clients:" shall be substituted, and thereafter, the following provisos shall be inserted, namely:-

“Provided that the person, to whom a license is given for a Consultancy Firm, shall inform the State Government on six monthly basis, giving details of his clients and the fee charged therefrom:

Provided further that the person, to whom a license is given for a Ticketing Agency, shall inform the Deputy Commissioner concerned, on monthly basis, giving a monthly chart of number of tickets sold by him for domestic or international airlines, as the case may be, in electronic mode on his official email id:

Provided further that each travel agent or

consultant or ticketing agent, who has obtained a license, shall maintain record of the fee charged and submit the same to the competent authority or the State Government, as the case may be, in case a complaint is received against such licensee.”.

6. In the said rules, after form-I, the following form shall be inserted, namely:-

“ FORM-I-A

[See rule 3 (2)]

PART-1

1. For proof of Residence (Copy of any one of the following)

- (i) Residence Certificate ;or
- (ii) Voter I.D. Card ;or
- (iii) Aadhar Card/UID ;or
- (iv) Arms License ;or
- (v) Passport.

2. For Proof of Identity (Copy of any one of the following)

- (i) Voter I.D. Card ;or
- (ii) PAN Card;or
- (iii) Aadhar Card/UID ;or
- (iv) Arms License ;or
- (v) Passport .

3. For Proof of Date of Birth (copy of any one of the following)

- (i) Birth Certificate ;or
- (ii) Matriculation Certificate ; or
- (iii) Passport,

That Only the Copy of Passport is also acceptable as a single proof towards proof of Identity, Address and Date of Birth.

4. Other Documents:

- (i) Three passport size photographs ;

- (ii) Copy of Pan Card;
- (iii) Income Tax Return for minimum 1 year and maximum 3 years;
and
- (iv) Bank Account Statement of previous year or since the
inception of business, whichever is lesser.

5. Proof of occupancy of business place (Copy of any one of the following)

- (i) Copy of the ownership of the accommodation; or
- (ii) Rent deed (if available) ; or
- (iii) Certificate from bank-certifying holding of a current account
and the business address on record; or
- (iv) Copy of registration under Shops and Establishments Act (if
available); or
- (v) Copy of Utility bills,
 - (a) Electricity; or
 - (b) Telephone/Broadband; or
 - (c) Property Tax Receipts.

6. Proof of constitution/operations of business:

(1) In case of Sole Proprietorship.-

- (a) Certificate from Chartered Accountant regarding sole
proprietorship ; and
- (b) Certificate from Bank, certifying sole proprietorship;

(2) In case of Partnership Firm (Only the managing partner shall apply).-

- (a) Copy of Partnership Deed; and
- (b) Certificate from other partners authorizing at least one partner/
Manager to apply for and comply with the requirements of
licensing under the Act;

**(3) In case of a Private Limited Company or a Limited Company,
incorporated under the Companies Act, (only one of the Directors
or an Authorized Manager shall apply, for the license along with
required documents).**

PART-II

Affidavit

I, _____ S/o _____ R/o _____
District _____, do hereby solemnly affirm and declare as
under:

1. That I am a *Citizen of India or a Non- Resident Indian, as the case may be, and my date of birth is _____.
2. That I am operating as *ticketing and travel agent/ overseas education advisor/immigration consultant since _____, as and the *owner/proprietor/director/ Manager of the company _____, with its registered/head/main office located at: _____.
3. That I am applying for grant of license under the Punjab Travel Professionals' Regulation Act, 2012. I undertake to comply with all the provisions of the Act.
4. That I have neither been *convicted or involved in any criminal case or complaints, as the case may be, related to my trade/profession, nor there is any criminal proceeding pending against me in any court of law till date.
5. That I have not been barred from carrying out this profession by any agency regulating this profession.
6. That I am a person of sound mind and was never declared as insolvent or bankrupt.
7. That I do not hold any office of profit either under the Government of India or any State Government.
8. That I have adequate space/accommodation, for running the said profession which is easily accessible.
9. That I have sufficient arrangement to maintain records of my clients in electronic form, and will make available soft copy of the same to any client or to any authorized person/ department, when demanded.
10. That I will do this business on my own and not through any other person. If I would intend to carry out my profession through an authorized person, then I will get the antecedents of such person verified through the police of the area concerned, and shall also obtain a bond from the said person

duly witnessed by two persons, who are income tax assesees.

11. That I undertake that in case of any advertisement or publicity with reference to my profession or to hold seminar in respect thereof, I shall prominently display my license number and will refrain from giving any misleading advertisements/ claims.

Date: _____ **Deponent**

Place: _____

Verification:

Verified _____ day of _____ 20____, that the information contained above are true and correct to the best of my knowledge and nothing has been concealed therein.

Date: _____ **Deponent**

Place: _____

*(Tick (✓)); whichever is applicable)

PART III

RESOLUTION

(On letter head of the company concerned)

It is hereby resolved on _____ Day of _____ 2014, in the board meeting of (Name of the Company),-

- 1) that the company shall comply with the provisions of the Punjab Travel Professionals' Regulation Act, 2012, and further resolves that the license application, be made to the competent authority, in whose jurisdiction, the head office of the company, is located.
- 2) that the Director of the company (Name of the Director/Manager), be authorized, to apply for the license in his/her name and complete all the formalities as prescribed under the Act.

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- 3) that Mr./Ms. (_____ name _____), will act on the behalf of the company and ensure that the operations of the company, across all branch offices in Punjab, would comply with the procedure prescribed under the Act and the rules.

For NAME OF THE COMPANY

NAME AND SIGNATURES OF ALL THE DIRECTORS

Date:

Place:

COMPANY
SEAL/STAMP.”.

JAGPAL SINGH SANDHU,
Principal Secretary to Government of Punjab,
Department of Home Affairs and Justice.



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