

Foreign Contribution (Regulation) Act, 2010

Chapter 7 - CHAPTER 7 : APPEAL AND REVISION

SECTION 31 : Appeal(1) Any person aggrieved by any order made under Sec. 29 may prefer an appeal,- (a) where the order has been made by the Court of Session, to the High Court to which such Court is subordinate; or (b) where the order has been made by any officer specified under clause (b) of sub-sec. (1) of Sec. 29, to the Court of Session within the local limits of whose jurisdiction such order of adjudication of confiscation was made, within one month from the date of communication to such person of the order: Provided that the appellate court may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of one month, allow such appeal to be preferred within a further period of one month, but not thereafter. (2) Any organisation referred to in clause (f) of sub-sec. (1) of Sec. 3, or any person or association referred to in Sec. 6 or Sec. 9, aggrieved by an order made in pursuance of Sec. 5 or by an order of the Central Government refusing to give permission under this Act, or by any order made by the Central Government under sub-sec. (2) or sub-sec. (4) of Sec. 12, or sub-sec. (1) of Sec. 14, as the case may be, may, within sixty days from the date of such order, prefer an appeal against such order to the High Court within the local limits of whose jurisdiction the appellant ordinarily resides or carries on business or personally works for gain, or, where the appellant is an organisation or association, the principal office of such organisation or association is located. (3) Every appeal preferred under this section shall be deemed to be an appeal from an original decree and the provisions of Order XLI of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), shall, as far as may be, apply thereto as they apply to an appeal from an original decree.**SECTION 32 : Revision of orders by Central Government**(1) The Central Government may, either of its own motion or on an application for revision by the person registered under this Act, call for and examine the record of any proceeding under this Act in which any such order has been passed by it and may make such inquiry or cause such inquiry to be made and, subject to the provisions of this Act, may pass such order thereon as it thinks fit. (2) The Central Government shall not of its own motion revise any order under this section if the order has been made more than one year previously. (3) In the case of an application for revision under this section by the person referred to in sub-sec. (1), the application must be made within one year from the date on which the order in question was communicated to him or the date on which he otherwise came to know of it, whichever is earlier: Provided that the Central Government may, if it is satisfied that such person was prevented by sufficient cause from making the application within that period, admit an application made after the expiry of that period. (4) The Central Government shall not revise any order where an appeal against the order lies but has not been made and the time within which such appeal may be made has not expired or such person has not waived his right of appeal or an appeal has been filed under this Act. (5) Every application by such person for revision under this section" shall be " accompanied by such fee, as may be prescribed. Explanation.- An order by the Central Government declining to interfere shall, for the purposes of this section, be deemed not to be an order prejudicial to such person.