केन्द्रीय उत्पाद शुल्क, सीमा शुल्क एवं सेवा कर आयुक्त का कार्यालय
OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE, CUSTOMS & SERVICE TAX
केन्द्रीय राजस्व भवन, आई.एस.प्रेस रोड, कोचिन -682018
C.R.BUILDING, I.S.PRESS ROAD, COCHIN-682018
E-mail: cexcochi@nic.in FAX-0484-2390608 Phone: 0484-2390404

C.No.II/7/2/2014 - Estt. (PF) Dated 13.04.2015

ESTABLISHMENT CIRCULAR NO. 02 /2015

Attention is invited to the following letters received from Ministry of Finance:-

Sl. No.	Letter No. and date	Subject
1	F.No. O-21030/36/2010-Coord dated 05.03.2015	Strict compliance of the order relating to the national anthem of India.
2	F.No. 24021/17/2005-PM.I dated 26.12.2014	Engagement of Private Security Agencies by Central/State Government of organizations.
3	F.No.26/12/2014 - PPC dated 09.01.2015	Implementation of comprehensive end-to-end e-procurement.

Copies of the mentioned letters may be downloaded from the website of Cochin commissionerate - www.cenexcisekochi.gov.in for further necessary action and record.

13/04/15

[RANI C R]
ASSISTANT COMMISSIONER [P&V]

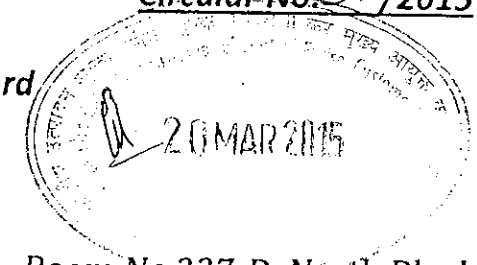
To

The Deputy Commissioner (CCO), Cochin
As per DL No.1 of Cochin Commissionerate
Notice Board

LCN0328/15

AO

Circular No. 31 /2015



F. No. O-21030/36/2010-Coord
Government of India
Ministry of Finance
Department of Revenue

20 MAR 2015

Room No.227-D, North Block
New Delhi, the 5th March, 2015

OFFICE MEMORANDUM,

Subject:- **Strict compliance of the Orders Relating to the National Anthem of India – regarding.**

The undersigned is directed to enclose a copy of letter No. 14/1/2014-Public, dated 5th January, 2015 along with a copy of orders relating to the National Anthem of India together with a copy of direction given by the Hon'ble High Court of Calcutta in its order dated 22-9-2014 in the Writ Petition No. 34289 (W) of 2013 titled Kamal Dey Vs. Union of India & others received from Ministry of Home Affairs, Public Section, on the above subject for information and Strict compliance.

Encl : As above

Narendra Kumar
05/03/2015
(Narendra Kumar)
Under Secretary (Coordination)
Telefax: 23095569

1. All officers & Section in the Department of Revenue.
2. All Heads of Attached and Subordinate Offices in CBDT.
3. All attached and Subordinate offices in CBEC.
4. All Heads of Attached and Subordinate offices in Revenue HQrs.
5. Pay and Accounts Offices Department of Revenue, Church Road, New Delhi.
6. Directorate of Income-Tax (RSP & PR), 2nd Floor, Hans Bhawan, Bahadur Shah Zafar Marg, New Delhi.
7. Directorate of Publicity & Public Relations, Customs & Central Excise, C.R. Building, New Delhi.
8. Guard File (two copies)
9. Ministry of Home Affairs (Public Section) wi.r.t. their letter quoted above.

No. 14/1/2014-Public
Government of India / Bharat Sarkar
Ministry of Home Affairs / Grih Mantralaya
*****

North Block, New Delhi
Dated the 5 January, 201

To

The Chief Secretaries / Administrators of
all State Governments / UT Administrations,
Secretaries of all Ministries/Departments of Govt. of India.

05 JAN 2015

Subject:- Strict compliance of the Orders Relating to the National Anthem of India reg.

Sir/Madam,

In compliance of the direction given by the Hon'ble High Court of Calcutta in it Order dated 22.09.2014 in the Writ Petition No. 34289 (W) of 2013 titled Kamal Dey Vs Union of India & Ors.(Copy Enclosed), a copy of Orders Relating to the Nationa Anthem is enclosed herewith for strict compliance.

2. It is also requested that suitable instructions in this regard may please be issued t all the concerned agencies.

Encls. : As above

Yours faithfully
(Shyamala Mohan
Director to the Govt. of India
Tel. No. 2309 258

Copy to:-

1. Cabinet Secretariat, New Delhi.
2. President's Secretariat, Rashtrapati Bhawan, New Delhi.
3. Vice-President's Secretariat, New Delhi.
4. Prime Minister's Office, South Block, New Delhi.
5. Election Commission of India, New Delhi
6. Lok Sabha Secretariat, New Delhi.
7. Rajya Sabha Secretariat, New Delhi.
8. Registrar, Supreme Court of India, New Delhi.
9. Delhi High Court, New Delhi.
10. Office of Comptroller and Auditor General of India, New Delhi
11. The Union Public Service Commission, New Delhi.
12. Central Vigilance Commission, New Delhi
13. Planning Commission, Yojana Bhawan, New Delhi
14. All attached & Subordinate Offices of the Ministry of Home Affairs.
15. 20 Spare copies

Copy for information to: Shri Kamal Dey, 478, Dakshin Behala Road, Kolkata-700061 w.r.t. his letter dated 17.11.2014.

ORDERS RELATING TO THE NATIONAL ANTHEM OF INDIA

The National Anthem of India is played or sung on various occasions. Instructions have been issued from time to time about the correct versions of the Anthem, the occasions on which these are to be played or sung, and about the need for paying respect to the anthem by observance of proper decorum on such occasions. The substance of these instructions has been embodied in this information sheet for general information and guidance.

I. THE NATIONAL ANTHEM - FULL AND SHORT VERSIONS

(1) The composition consisting of the words and music of the first stanza of the late poet Rabindra Nath Tagore's song known as "Jana Gana Mana" is the National Anthem of India. It reads as follows: -

Jana-gana-mana-adhinayaka jaya he
Bharata-bhagya-vidhata
Panjaba-Sindhu-Gujarata-Maratha
Dravida-Utkala-Banga
Vindhya-Himachala-Yamuna-Ganga
uchchala-jaladhi-taranga
Tava Subha name jage, tave subha asisa mage,
gahe tava jaya-gatha.
Jana-gana-mangala-dayaka jaya he
Bharata-bhagya-vidhata.
Jaya he, Jaya he, Jaya he,
jaya jaya jaya jaya he.

The above is the full version of the Anthem and its playing time is approximately 52 seconds.

(2) A short version consisting of the first and last lines of the National Anthem is also played on certain occasions. It reads as follows:

Jana-gana-mana-adhinayaka jaya he
Bharata-bhagya-vidhata.
Jaya he, jaya he, jaya he,
Jaya jaya jaya jaya he.

Playing time of the short version is about 20 seconds. (13)

(3) The occasions on which the full versions or the short version will be played have been indicated at the appropriate places in these instructions.

II. PLAYING OF THE ANTHEM

(1) The full version of the Anthem shall be played on the following occasions: -

i) Civil and Military investitures;

ii) When National Salute (which means the Command "Rashtriya Salute – Salami Shastr" to the accompaniment of the National Anthem is given on ceremonial occasions to the President or to the Governor/Lieutenant Governor within their respective States/ Union Territories;

iii) During parades – irrespective of whether any of the dignitaries referred to in (ii) above is present or not;

iv) On arrival of the President at formal State functions and other functions organized by the Government and mass functions and on his departure from such functions;

v) Immediately before and after the President addresses the Nation over All India Radio;

vi) On arrival of the Governor/Lieutenant Governor at formal State functions within his State/Union Territory and on his departure from such functions;

vii) When the National Flag is brought on parade;

viii) When the Regimental Colours are presented;

ix) For hoisting of colours in the Navy.

(2) The short version of the Anthem shall be played when drinking toasts in Messes.

(3) The Anthem shall be played on any other occasion for which special orders have been issued by the Government of India.

(4) Normally the Anthem shall not be played for the Prime Minister, though there may be special occasions when it may be played.

(5) When the National Anthem is played by a band, the Anthem will be preceded by a roll of drums to assist the audience to know that the National Anthem is going to be played, unless there is some other specific indication that the National Anthem is about to be played, as for example, when fanfares are sounded before the National Anthem is played, or when toasts are drunk to the accompaniment of the National Anthem or when the National Anthem constitutes the National Salute given by a Guard of Honour. The duration of the roll, in terms of marching drill, will be 7 paces in slow march. The roll will start slowly, ascend to as loud a volume as possible and then gradually decreases to original softness, but remaining audible until the seventh beat. One beat rest will then be observed before commencing the National Anthem.

III. MASS SINGING OF THE ANTHEM

(1) The full version of the Anthem shall be played accompanied by mass singing on the following occasions: -

(i) On the unfurling of the National Flag, on cultural occasions or ceremonial functions other than parades. (This could be arranged by having a choir or adequate size, suitably stationed, which would be trained to coordinate its singing with the band etc. There should be an adequate public audition system so that the gathering in various enclosures can sing in unison with the choir);

(ii) On arrival of the President at any Government or Public function (but excluding formal State functions and mess functions) and also immediately before his departure from such functions.

(2) On all occasions when the National Anthem is sung, the full version shall be recited accompanied by mass singing.

(3) The Anthem may be sung on occasions which, although not strictly ceremonial, are nevertheless invested with significance because of the presence of Ministers etc. The singing of the Anthem on such occasions (with or without the accompaniment of an instruments) accompanied by mass singing is desirable.

(5)

(4) It is not possible to give an exhaustive list of occasions on which the singing (as distinct from playing) of the Anthem can be permitted. But there is no objection to the singing of the Anthem accompanied by mass singing so long as it is done with due respect as a salutation to the motherland and proper decorum is maintained.

(5) In all schools, the day's work may begin with community singing of the Anthem. School authorities should make adequate provision in their programmes for popularising the singing of the Anthem and promoting respect for the National Flag among students.

IV. PLAYING OF FOREIGN ANTHEMS

(1) At receptions to foreign dignitaries in India at which the giving of National Salute has been prescribed, full version of the National Anthem of the visiting dignitary's country should be played first, followed by the full version of the National Anthem of India.

(2) At dramatic, film or other cultural festivals organised by a diplomatic or consular representative of a foreign country in India, the National Anthem of the foreign country concerned may be played with the National Anthem of India. The foreign Anthem should be played first followed immediately by the Indian Anthem.

(3) At functions arranged by foreign Missions for celebrating their National Days, the National Anthem of the country holding the function may be played or sung. On theses occasions if the President of India is represented by a Chief Guest not below the rank of a Cabinet Minister of the Central Government or by the Lieutenant Governor of Delhi (if the function is held in Delhi) the National Anthem of India may be played first followed by the playing of the National Anthem of the country hosting the function. This procedure will also be followed if the function includes proposing of the toasts to Heads of States i.e. the Indian Anthem should be played immediately after the toast has been proposed to the President of India and the National Anthem of the foreign country should be played immediately after the toast to Head of that country is proposed. In case National Anthem of India and of the country hosting the function have been played at the beginning of the function, there will be no need to play the Anthem of either or both the countries if any toasts are proposed.

Note: When the National Anthem is required to be played immediately before or after the National Anthem of a foreign country, as laid down in Section IV above, there should be no simultaneous singing of the National Anthem. However, mass singing of the National Anthem should be required when it is played immediately before or after the Anthem of another country in the event that the visiting dignitary and his delegation are singing their own National Anthem.

V. GENERAL

(1) Whenever the Anthem is sung or played, the audience shall stand to attention. However, when in the course of a newsreel or documentary the Anthem is played as a part of the film, it is not expected of the audience to stand as standing is bound to interrupt the exhibition of the film and would create disorder and confusion rather than add to the dignity of the Anthem.

(2) As in the case of the flying of the National Flag, it has been left to the good sense of the people not to indulge in indiscriminate singing or playing of the Anthem.

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Ministry of Home Affairs
Public Section

M. 10

Noting by Office or Advocate	Serial No.	Date	Office notes, reports, Orders or proceedings with signature
	5 ns	22.09.2014	**W.P. 34289 (W) of 2014** **Kamal Dey.** **Versus** **Union of India & ors.** Mr. Kamal Dey .... Petitioner (in person). Mr. Srijan Nayek, Mr. Raja Saha .... For the Union of India. Mr. R. N. Bag ..... for the respondent no.12. The writ petitioner is before us in person. He has approached this Court mainly complaining against the respondent nos.5 to 12, heads of the schools / institutions that they are not complying with the mandate and the obligation provided under the Prevention of Insults to National Honour Act, 1971, specially they are not complying with the orders relating to the Anthem and Emblem of India by encouraging and / or starting days' work with community singing of National Anthem. According to him, if the educational institutions are not following the above mandate, the students will not develop properly and thereby, they will not have any respect to the National Anthem, Emblem, etc by the future generation of this country. With these averments, he has sought the following reliefs:- *"a) Writ in the nature of Mandamus directing the Respondent nos. 1 to 4 including Respondent Nos.5 to 12 (head of the Schools/Institutions) requiring them to observe the direction / directions given in the Constitution of India in Articles 21A and 51A(a) including "The Prevention of Insults to National Honour Act, 1971 and Orders relating to the national Anthem of India respect of the National Anthem.*

(8)

'M. 10

Noting by Office or Advocate	Serial No.	Date	Office notes, reports, Orders or proceedings with signature

b) An order or direction upon the Respondent nos.1 to 4 including Respondent Nos.5 to 12 and each of them and their sub-ordinates and / or agents to give proper respect to the national Anthem in its true form and envisages in the Constitution of India including the Prevention of Insults to National Honour Act, 1971 and Orders relating to the National Anthem of India.

c) Rule NISI in terms of prayers (a) and (b) above;

d) Rule be made absolute;

e) And to pass such other or further orders as Your Lordships may deem fit and proper."

Learned counsel representing the Union of India submits, ~~that~~ not only the respondent nos.5 to 12 but also every school is under an obligation to follow the order pertaining to National Anthem. Therefore, why the petitioner is making allegations only against certain schools, is not made clear. Therefore, according to him, there must be some intention behind the same.

So far as the stand of the respondent no.12 representing Kendriya Vidyalaya, they are strictly adhering to the directions issued in the orders pertaining to National Anthem and they are following all other procedure enumerated under various orders under the Prevention of Insults to National Honour Act, 1971.

As a matter of fact, when we go through the contents of the writ petition though we understand the anxiety and the commitment the petitioner has towards his nation, National Flag and National Anthem, etc, we do not find any particular allegation against any particular school on a particular day or a particular time. After/

Noting by Office or Advocate	Serial No	Date	Office notes, reports, Orders or proceedings with signature

reproducing the order pertaining to National Anthem, though he says every citizen of this country specially the educational institutions have to follow the mandate, has not explained why he is before this Court. From reading of the entire pleadings, we only understand and appreciate the feelings of the petitioner expressed, but however in the absence of any particular incident or particular complaint for violation of particular procedure at a particular time, we cannot direct initiation of any proceedings against any of the respondent nos.5 to 12. However, the sincere approach of the petitioner is to see, National Anthem is respected and sung as required under the orders relating to the National Anthem of India, we direct the appropriate authorities under the Central Government and also State Government to see that the educational institutions strictly follow the orders pertaining to National Anthem of India.

With these observations, we dispose of the petition without any order as to costs.

Sd/- M. Chellur. C.J.

(Manjula Chellur, Chief Justice)

Sd/- A. K. Banerjee. J.

(Banerjee, J.)

5/11/14

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2. Date of notifying the charger .....24/10/14.....
3. Date of Putting in charges in Court fee Stamps.....2/11/14
4. Date of which the Certified Xerox Copy was ready for delivery .....5/11/14.....
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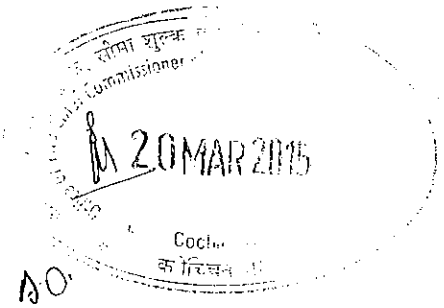
5/11/14

Assistant Registrar/~~Section Officer~~
High Court, Appellate Side Calcutta
Authorised Under Section 76 of the
Indian Evidence Act. 1872
(Act 1 of 1872)

ICN0310/15

F.NO.C-30013/08/2015-Ad.IV-A
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs



New Delhi dated 11th February, 2015

To

All Chief Commissioners/Directors General and Heads of Department under the Central Board of Excise and Customs.

Sub: Engagement of Private Security Agencies by Central/State Government Organization – reg. – reg.

Sir,

I am directed to enclose herewith a copy of OM No. 24021/1/2005-PM-I dated 26.12.2014 received from Ministry of Home Affairs on the subject mentioned above, for information and necessary action.

Yours faithfully,

Encl. As above:

(B. Ginkhan Mang)
Under Secretary to the Govt. of India
Tel: 2616 2673

DTO

(7)

(?)

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FTS - 25049

31/12/

F. No. 24021/17/2005-PM. I
Government of India
Ministry of Home Affairs
(PM Division)

.....

Jaisalmer House, 26, Mansingh Road,
New Delhi, dated the 26th December, 2014

OFFICE MEMORANDUM

Subject: Engagement of Private Security Agencies by Central / State Government organisations regarding.

.....

The Private Security Agencies (Regulation) (PSAR) Act was enacted in the year 2005 and Central Model Rules were framed in the year 2006. Accordingly, all the States / Union Territories have also framed their respective rules under Section 24 of the PSAR Act, 2005. The State Governments have also appointed Controlling Authorities under the PSAR Act, 2005. A list of Controlling Authorities is attached.

PS - On leave

2. The matter regarding engagement of unlicensed Private Security Agencies (PSAs) by some establishments has been brought to the notice of MHA. As PSAR Act, 2005 is a relatively new legislation, it is possible that some of the Autonomous bodies, PSUs, Societies and Attached / Subordinate officers may not have insisted on production of a valid license prior to engagement of such PSAs. However, it is essential that all PSAs must be in possession of a valid license from the respective State Controlling Authority.

AS(R) - on leave

JS(R)

3. All the Central Ministries / Departments are requested to impress upon the organisations under their administrative control to ensure that Private Security Agencies engaged by them comply with PSAR Act, 2005.

Pl circulate

US/(C)

(V. Vumlunmang)
Joint Secretary to the Government of India
Tel No. 2338 3827
26.12.2014

To,

All Secretaries of the Ministries / Departments of Government of India.

Pl forward to all the concerned Subordinate/Attached offices of DOR.

5/1/2015

SO(Coord)

5/1/15

Sh. DK

2938/2015/Coord.

PTO

(8)

No.26/12/2014-PPC
Ministry of Finance
Department of Expenditure
Public Procurement Cell
****

Room No.168-C,
North Block, New Delhi
Dated the 9th January, 2015

OFFICE MEMORANDUM

Subject: Implementation of comprehensive end-to-end e-procurement

This has reference to this Department O.M. of even No. dated 30th March, 2012 vide which it was conveyed that the Ministries / Departments of the Central Government, their attached and subordinate offices would need to commence e-procurement in respect of all procurements with estimated value of Rs. 10.00 lakh or more. It was further informed vide this Department O.M. dated 9th January, 2014 that the tender value limit of Rs. 10.00 lakhs, in respect of e-procurement is to be brought down to Rs.5 lakhs w.e.f. 1.4.2015 and further down to Rs. 2.0 lakhs w.e.f. 1.4.2016. Ministries /Departments are requested to ensure compliance of these instructions.

12.1.15

(Sanjay Aggarwal)
Director (PPD)
T.No.23094961
e-mail sanjay.aggarwal68@nic.in

Secretaries of all Ministries/Departments

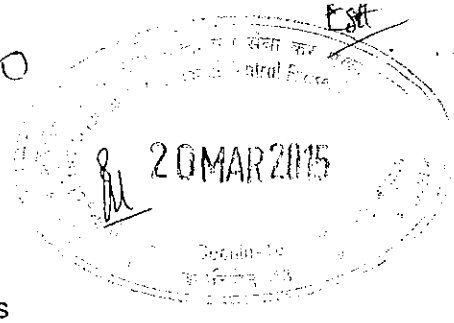
FAs of all Ministries/Departments

Copy to :
DG (NIC), CGO Complex, New Delhi.

PTO

I.C.No 337/15

AO



F.No. C 30013/2/2012-Ad.IVA
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise and Customs
*****

5th Floor, HUDCO Vishala Bldg,
Bhikaji Cama Place, New Delhi,
Dated the 19th February, 2015

To

All Chief Commissioners/ Directors General and
Commissioner-in-charge of Directorates under CBEC

Subject: Implementation of comprehensive end-to-end e-procurement.

Sir/ Madam,

I am directed to enclose herewith a copy of an O.M No. 26/12/2014-PPC dated 09.01.2015 from Department of Expenditure, Ministry of Finance on the subject mentioned above for information and strict compliance of the instructions contained therein.

Encl: As above

Yours faithfully,

(B.Ginkhan Mang)
Under Secretary to the Govt of India
Tel. No. 011-26162673

Copy to: (i) DG HRD, Saket, New Delhi
(ii) Commissioner, Directorate of Logistics, New Delhi.

P.T.C