

WEAPONS OF MASS DESTRUCTION AND THEIR DELIVERY SYSTEMS, APPOINTMENT OF ADVISORY COMMITTEES AND THEIR POWERS AND DUTIES R

Rao-33004/99 REGD.NO.D.L.-33004D9 Che Gazette of •tidia 5621 No. 562) ATRAC)RDINARY em 11-
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gt ÄER-I(), etm* qrqå) T&q-ll). 6 [PART n—SEC. 30)) (9 (e) 9. 10. 11. 12. 13. iii iii ii iii 9 MNISTRY
OF EXTERNAL AFFAIRS NCI'IFICATION New Delhi. the 17th November, 2006 G.S.R. 71S(E)•— In
exercise of the powers conferred by clause (b) of sub-section (2) of section 26 of the Weapons of Mass
Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005 (21 of 2005), the
Central Government hereby makes the following rules, namely:- 1. Short title and commencement.- (1)
These rules may be called the Weapons of Mass Destruction and their Delivery Systems, Appointment of
Advisory Committees and their Powers and Duties Rules, 2006. (2) They shall come into force on the date
of their publication in the Official Gazette. 20 Definitions.- In these rules, unless the context otherwise
requires,- (a) "Act" means the Weapons of Mass Destruction and their Delivery Systems (Prohibition of
Unlawful Activities) Act, 2005; (b) "Advisory Committee" means the Advisory Committee appointed
under rule 3: (c) "member" means a member of the Advisory Committee and includes its Chairperson; (d)
"section" means a section of the Act; (e) "notification means a notification published in the Official
Gazette; (f) the words and expressions used in these rules and not defined but defined in the Act shall have
the meanings respectively assigned to them in the Act

3. Appointment of Advisory Committees.- The Centrat Government shall appoint the following
Advisory Committees, namely:- (iii) (iv) (v) gc 5561/0' the Advisory Committee on Weapons of Mass
Destruction and their Delivery System; the Advisory Committee on Nuclear and Nuclear Related Items;
the Advisory Committee on Chemical Weapons and Related Items; the Advisory Committee on Biological
Weapons and Related Items; thé Advisory Committee on Export Control of Dual-Use Items. 10
EXTRAORDNARY [PARTII—SEC

4. Composition of Advisory Committee on Weapons of Mass Destruction and their Delivery System.-
(I) The Advisory Committee on Weapons of Mass Destruction and their Delivery System shall consist the
following members. namely:- (a) (b) (c) (d) (e) (f) (g) (h) (k) (m) (n) (o) (p) the Additional Secretary in the
Ministry of External Affairs - ex officio Chairperson: the Joint Secretary (Disarmament and International
Security Affairs) in the Ministry of External Affairs - the Scientific Secretary, Department of Space - the
Joint Secretary, National Authority, Chemical Weapons Convention - the Chief Controller Research and
Development (Services Interaction) and Distinguished Scientist, Defence Research Development
Organisation, Ministry of Defence - the Joint Secretary (Customs). Department of Revenues Ministry of
Finance - the Additional Director Generals Directorate of Revenue Intelligence, Ministry of Finance the
Joint Secretary, Department of Chemicals and Petrochemicals, Ministry of Chemicals and Fertilizers- the
Joint Secretary (Disaster Management-I) in the Ministry of Home Affairs - the National Security Council
Secretariat - the Director (Hazardous Substances Management Division) in the Ministry of Environment
and Forests - the Scientific Officer, Department of Atomic Energy the Additional Director General of
Foreign Trade, Directorate General of Foreign Trade, Ministry of Commerce and Industry - the Director,
Department of Bio-technology, Ministry of Science and Technology - the Director (Nuclear Biological
Chemical). Head Quarters. Integrated Defence Staff in the Ministry of Defence - the Director
(Disarmament and Intemational Security Affairs) in the Ministry of External Affairs - ex officio member;
ex officio member, ex officio member; ex officio member; ex officio member; ex officio member: ex
officio member; ex officio member; ex Dfficio member: ex-officio member; ex officio member; ex officio
member; ex officio member: ex officio member, ex officio Member Secretary : (2) The Chairperson and
members of the Advisory Committee shall be appointed by a notification

5. Composition .bf the Advisory Committee on Nuclear and Nuclear Related Items.- (I) The Advisory
Committee on Nuclear and Nuclear Related Items shall consist of the following members, namely:- (a) (b)

member; ex officio member; ex officio member: (e) (t) (h) (i) (j) (k) (m) (n) Science and technology - the Director, Department of Chemicals and Petrochemicals. Ministry of Chemicals and Fertilizers - the Joint Director, National Authority. Chemical Weapons Convention - the Programme Director, Department of Space.- the Director (National Disaster Management-I') in the Ministry of Home Affairs - the Scientific Officer, Department of Atomic Energy - the Director (International Co-operation), Defence Research Development Organisation, Ministry of Defence - the Director (Bharat Earth Movers Limited and Export Promotion), of Defence Production in the Ministry of Defence the Joint Director, National Security Council Secretariat- the Deputy Secretary (Disarmament and International Security Affairs) in the Ministry of External Affairs - the Joint Director General of Foreign Trade. Directorate General of Foreign Trade, Ministry of Commerce and Industry 13 ex officio member; ex officio member; ex officio member; ex officio member: ex officio member; ex officio member; ex officio member; ex officio member; ex officio member; ex officio member; ex officio Member Secretary: (2) The Chairperson and members of the Advisory Committee shall be appointed by a notification

9. Term of office.- The term of office of a member shall come to an end as soon as he ceases to hold the office by Virtue of which he was so nominated. IO. Meetings of the Advisory Committee.- The Advisory Committee shall meet-as and when the Chairperson deems necessary

11. Presiding at meetings.- The Chairperson shall preside at the meetings of the Advisory Committee

12. Decision by Consensus.- All questions at the meeting of the Advisory Committee shall be decided by a general consensus of the members present

13. Powers and duties of the Advisory Committee on Weapons of Mass Destruction and their Delivery System.- (1) The powers and duties of the Advisory Committee on Weapons of Mass Destruction and their Delivery System shall be - (a) to advise the Central Government regarding the formulation and implementation of a national policy in relation to matters relating to the Weapons of Mass Destruction and their means of Delivery; (b) to recommend measures which should be taken for proper implementation and regulation of the provisions relating to the Weapons of Mass Destruction and their means of Delivery; 14 OF : EXTRAORDINARY (c) to coordinate the activities of other Advisory Committees; [PART IPSEC. (d) to give such directions to any other Advisory Committee, as may be necessary or expedient, relating to any matter under the Act: (e) to seek assistance from the other Advisory Committees with regard to any matter relating to the Weapons of Mass Destruction and their means of Delivery

14. Powers and duties of the Advisory Committee on Nuclear and Nuclear Related Items.- The powers and duties of the Advisory Committee on Nuclear and Nuclear Related Items shall be - (a) to make recommendation to the Central Government regarding the steps to be taken to harmonise the provisions of the Atomic Energy Act. 1962 with that of the provisions of the Act; (b) to make recommendations to the Central Government regarding prosecution of offences relating to nuclear weapons or other nuclear explosive devices and their means of delivery or any other related activity; (c) to make recommendations on such matters relating to nuclear weapons or other nuclear explosive devices and their means of delivery or any other related activity as may be requested by the Advisory Committee on Weapons of Mass Destruction and their means of Delivery; (d) to comply with and carry out such directions as may be issued by the Advisory Committee on Weapons of Mass Destruction and their means of Delivery

15. Powers and duties of the Advisory Committee on Chemical Weapons and Related Items.- The powers and duties of the Advisory Committee on Chemical Weapons and Related items shall be - (a) to make recommendation to the Central Government regarding the steps to be taken to harmonise the provisions of the Chemical Weapons Convention Act, 2000 with that of the provisions of the Act; (b) to make recommendations to the Central Government regarding prosecution of offences relating to chemical weapons and their means of delivery or any other related activity; (c) to make recommendations on such matters relating to chemical weapons and their means of delivery or any other related activity as may be requested by the Advisory Committee on Weapons of Mass Destruction and their means of Delivery; (d) to comply with and carry out such directions as may be issued by the Advisory Committee on Weapons of Mass Destruction and their means of Delivery. 15 16. Powers and duties of the Advisory Committee on Biological Weapons and Related Items.- The powers and duties of the Advisory Committee on Biological Weapons and Related Items shall be - (a) to make recommendation to the Central Government regarding the steps to be taken to harmonise the provisions of the Environment Protection Act, 1986 with that of the

provisions of the Act; (b) to make recommendations to the Central Government regarding prosecution of offences relating to biological weapons and their means of delivery or any other related activity; (c) to make recommendations on such matters relating to biological weapons and their means of delivery or any other related activity as may be requested by the Advisory Committee on Weapons of Mass Destruction and their means of Delivery; (d) to comply with and carry out such directions as may be issued by the Advisory Committee on Weapons of Mass Destruction and their means of Delivery

17. Powers and duties of the Advisory Committee on Export Control of Dual-use Items.- The powers and duties of the Advisory Committee on Export Control of Dual-use Items shall be - (a) to make recommendation to the Central Government regarding the steps to be taken to harmonise the provisions of the Foreign Trade (Development and Regulation Act, [1992 with that of the provisions of the Act; (b) to make recommendations to the Central Government regarding prosecution of offences relating to export controls of dual-use items or any other related activity; (c) to make recommendations on such matters relating to export controls of dual-use items or any other related activity as may be requested by the Advisory Committee on Weapons of Mass Destruction and their means of Delivery; (d) to comply with and carry out such directions as may be issued by the Advisory Committee on Weapons of Mass Destruction and their means of Delivery. [F. No. AE-i/1060/6/2(MI HAND ALI RAO, Jt. Secy. (Disarmament and International Security Affairs) Printed by MMager, Govt of India Press Ring Road, Mayapuri, New Delhi-110064 and Published by the Controlii% of Publications, Delhi-110054.

