



फा.सं. 1-3/2021-ई.सी.(खंड 1)/ 4767-4828
राष्ट्रीय शैक्षिक अनुसंधान एवं प्रशिक्षण परिषद
श्री अरविंद मार्ग, नई दिल्ली -110016
(स्थापना समन्वय अनुभाग)

दिनांक : 19.08.2021

परिपत्र

विषय : Circulation of 247th report of the Committee of Subordinate Legislation, Rajya Sabha on Statutory Orders Laid on the Table of Rajya Sabha during its 253rd Session - reg.

उपरोक्त विषय पर Under Secretary (EE.1), Govt. of India, Ministry of Education, Department of School Education and Literacy, Shastri Bhawan, New Delhi से प्राप्त पत्र संख्या 6-1/2021-EE.1 दिनांक 12.08.2021 की प्रतिलिपि सूचना एवं आवश्यक कार्यवाही हेतु ई-ऑफिस (KMS) एवं ई-मेल द्वारा परिचालित की जा रही है।

यह सक्षम अधिकारी के अनुमोदन से जारी किया जा रहा है।

रजनी
19/8/21
(रजनी ढल)
अवर सचिव

संलग्नक: उपरोक्तनुसार

1. संयुक्त निदेशक, सी.आई.ई.टी.।
2. संयुक्त निदेशक, पी.एस.एस.सी.आई.वी.ई., श्यामला हिल भोपाल।
3. डीन, अकादमिक एन.सी.ई.आर.टी.।
4. एन.आई.ई. के सभी विभागों के अध्यक्ष।
5. प्राचार्य, क्षेत्रीय शिक्षा संस्थान, अजमेर/भोपाल/भुवनेश्वर/मैसूर/शिलांग।
6. मुख्य लेखाधिकारी, एन.सी.ई.आर.टी.।
7. सभी उपसचिव/अवर सचिव, एन.सी.ई.आर.टी.।
8. एन.आई.ई. के सभी अनुभाग/प्रकोष्ठ।
9. प्रशासनिक अधिकारी, प्रकाशन विभाग, एन.सी.ई.आर.टी.।
10. निदेशक, एन.सी.ई.आर.टी. के निजी सचिव।
11. संयुक्त निदेशक, एन.सी.ई.आर.टी. के निजी सचिव।
12. सचिव, एन.सी.ई.आर.टी. के निजी सहायक।
13. विभागाध्यक्ष, डी.आई.सी.टी., सी.आई.ई.टी. -- परिषद की वेबसाइट पर अपलोड करने हेतु।

director

From: ut1section@yahoo.com
Sent: Friday, August 13, 2021 4:08 PM
To: Manoj Ahuja; cm@nios.ac.in; kvs.commissioner@gmail.com; Vinayak Garg; commissioner@nios.ac.in; directorctsadelhi@gmail.com; Sridhar Srivastava; Sridhar Srivastava; Anurag Tripathi; secretary@nios.ac.in
Cc: Gaj Mohan Meena; Kham Ngaih Lun; Manoj Kumar US MHRD; SANTOSH KUMAR SINGH; SREEKALA; Subhendu Das; Tribhuwan Singh Rautela; VIBHUTI NARAIN SHUKLA; Vinayak Tulshiram Likhari
Subject: Fw: Circulation of 247th Report of the Committee on Subordinate Legislation, Rajya Sabha on Statutory Orders Laid on the Table of Rajya Sabha during its 253rd Session - reg.
Attachments: 6-1 2021 EE1.pdf

Sir/Madam,

Please find attached a copy O.M. No.LAFEAS-SL24/30/2021-CoSL-RSS dated 06.08.2021 received from the EE.1 Section of the Ministry along with observations and recommendations contained in the 247th report of the Committee on Subordinate Legislation, Rajya Sabha which are self explanatory, for information and compliance.

Dy. No. 178/EC

With regards,
 UT.1 Section,
 Department of SE&L,
 Ministry of Education,
 Shastri Bhawan,
 New Delhi.

सी.एण्ड पी. अनुभाग
 C & P Section
 मु.उ.अ./C.P.O.
 डाकरी सं./Dy. No. 3156
 दिनांक/Date 16/08/2021



----- Forwarded Message -----

From: SREEKALA <sp.venugopal@nic.in>
To: Subhendu Das <subhendudas.edu@nic.in>; Gaj Mohan Meena <gmmeena.edu@nic.in>; ut1section <ut1section@yahoo.com>
Sent: Friday, August 13, 2021, 10:58:06 AM GMT+5:30
Subject: Fwd: Circulation of 247th Report of the Committee on Subordinate Legislation, Rajya Sabha on Statutory Orders Laid on the Table of Rajya Sabha during its 253rd Session - reg.

Please circulate.

Regards,
 Sreekala P. Venugopal
 Deputy Secretary
 D/o School Education & Literacy
 Shastri Bhawan
 New Delhi-110001

Secy. 14/18/14
 sh. Anil
 148
 16/8/2021
 May be forwarded to EC Section for circulation.
 16/08/21 US/EC

From: "L Sweetly Changsan" <lschangsan@nic.in>
To: "SREEKALA" <sp.venugopal@nic.in>, "VIBHUTI NARAIN SHUKLA" <vibhutin.shukla@gov.in>, Tribhuwan Singh Rautela <ts.rautela@nic.in>, "SANTOSH KUMAR SINGH" <sk.singh1971@nic.in>
Sent: Thursday, August 12, 2021 5:55:51 PM
Subject: Fwd: Circulation of 247th Report of the Committee on Subordinate Legislation, Rajya Sabha on Statutory Orders Laid on the Table of Rajya Sabha during its 253rd Session - reg.

From: "SHIPRA SHARMA" <ee1.section-edu@gov.in>

To: "Santosh sarangi" <santosh.sarangi@nic.in>, "L Sweety Changsan" <lschangsan@nic.in>, "MANEESH GARG IAS" <maneesh.garg@nic.in>, "Vipin Kumar" <jscord-mhrd@gov.in>, vipins1232002@yahoo.com, "R.C. Meena" <r.c.meena@gov.in>, "Santosh Kumar Yadav" <yadavsk.up@nic.in>, "Ms Geetu Joshi" <g.sjoshi@nic.in>

Sent: Thursday, August 12, 2021 5:08:41 PM

Subject: Circulation of 247th Report of the Committee on Subordinate Legislation, Rajya Sabha on Statutory Orders Laid on the Table of Rajya Sabha during its 253rd Session - reg.

Sir/Madam,

Please find attached a copy of note F.No 6-1/2021-EE.1 dated 12.08.2021 on the subject mentioned above for information and necessary action please.

--

सादर धन्यवाद/ Regards,

ओम प्रकाश सिंह / Om Prakash Singh

अनुभाग अधिकारी / Section Officer

ई.ई.1 अनुभाग / EE.1 Section

समन्वय प्रभाग / Coordination Division

स्कूल शिक्षा और साक्षरता विभाग / Department of School Education & Literacy

शिक्षा मंत्रालय / Ministry of Education

दूरभाष:- 011-23386024 / Tel: 011-23386024

email - ee1.section-edu@gov.in




F.No. 6-1/2021-EE.1
Government of India
Ministry of Education
Department of School Education and Literacy

Rm No.130-C, Shastri Bhawan
New Delhi, dated 12th August, 2021

Subject: Circulation of 247th Report of the Committee on Subordinate Legislation, Rajya Sabha on Statutory Orders Laid on the Table of Rajya Sabha during its 253rd Session.

Please find attached a copy O.M. No.LAFEAS-SL24/30/2021-CoSL-RSS dated 06.08.2021 along with observations and recommendations of the Committee, contained in 247th Report of the Committee on Subordinate Legislation received from the Rajya Sabha Secretariat on the subject mentioned above, content of which is self-explanatory for information and compliance.

[Encl. as above]


(Rajesh Samplay)
Under Secretary (EE.1)

AS (SEL)
JS (Inst.)
JS (SS.II)
JS (AE & Coord)
JS (EE.1)
JS (SS.I)
EA (SE&L)

भारतीय संसद
PARLIAMENT OF INDIA
राज्य सभा सचिवालय
RAJYA SABHA SECRETARIAT

संसद भवन/संसदीय सौध,
नई दिल्ली-110001
वेबसाईट : <http://rajyasabhaahindi.nic.in>

Parliament House/Annexe,
New Delhi-110001.
Website : <http://rajyasabha.nic.in>

No. LAFEAS-SI24/30/2021-CoSL-RSS.

Dated the 6th August, 2021

OFFICE MEMORANDUM

Subject:- Circulation of 247th Report of the Committee on Subordinate Legislation, Rajya Sabha on Statutory Orders Laid on the Table of Rajya Sabha during its 253rd Session.

The undersigned is directed to state that the 247th Report of the Committee on Subordinate Legislation, Rajya Sabha on the Statutory Orders laid on the Table of Rajya Sabha during its 253rd Session, was presented to the Rajya Sabha on the 2nd August, 2021. This Report contains the recommendations of the Committee on Subordinate Legislation on the laying of Statutory Orders on the Table of Rajya Sabha during its said Session.

2. A copy (in Hindi & English) of the Report, is forwarded herewith for information and for compliance with the recommendations contained therein, as per the directions of the Committee contained in its 131st and 135th Reports, as enumerated below:-

“Orders required to be laid before the House should be laid (i) if the House is not in Session, during the Session immediately following the date of publication of the Order in the Official Gazette, and (ii) if the House is in Session, on the date of the publication of the Order, during its continuance and in case the time lag between the date of publication and the date of the closing of the Session is less than 15 clear days, before the expiry of the Session immediately following the said Session. All the Ministries/Departments of Government of India should henceforth comply with this schedule in the matter of laying of the Orders issued under various Acts of Parliament on the Table of the Rajya Sabha”; and

“The Committee has, time and again, emphasized that it is essential that in case there is a delay in the laying of Statutory Orders, the concerned Ministry/Department should invariably append a delay statement along with the Notifications being laid so as to apprise Parliament of the causes of delay. The Committee desires all Ministries/Departments to take a note of this, since the intention is that through the process of formulation of a delay statement, the Ministry is able to introspect, identifying bottlenecks and devising remedial measures”.

Contd....2/-

भारतीय संसद
PARLIAMENT OF INDIA
राज्य सभा सचिवालय
RAJYA SABHA SECRETARIAT

संसद भवन/संसदीय सौध,
नई दिल्ली-110001
वेबसाईट : <http://rajyasabhaahindi.nic.in>

Parliament House/Annexe,
New Delhi-110001.
Website : <http://rajyasabha.nic.in>

: 2 :

3. The Ministries/Departments are, therefore, requested to issue necessary instructions to all concerned, to strictly adhere to the procedure and directions of the Committee laid down in the preceding paragraph, as well as the recommendations of the Committee contained in the Report enclosed herewith.

Sd/-
(RAVINDER KUMAR)
DIRECTOR
Room No. 16, Ground Floor,
B-Block, Parliament House Annexe Extn. Building,
New Delhi - 110001
Ph: 23034252(O) 23035790 (Section)
E-mail : rsc1sub@sansad.nic.in

To,

- i) The Ministry of Parliamentary Affairs,
(Shri Gyanesh Kumar, Secretary),
Room No. 40, Parliament House,
New Delhi.
- ii) The Cabinet Secretariat,
(Shri Rajiv Gauba, Cabinet Secretary),
Rashtrapati Bhawan,
New Delhi.

Copy forwarded to all Ministries/Department of Government of India, for information and necessary action.


(RAVINDER KUMAR)
DIRECTOR

OBSERVATIONS OF THE COMMITTEE

3.2 At the outset, the Committee would like to commend the Ministries/Departments of the Government of India for putting in a good effort in laying a total of 938 Notifications during the 253rd (Budget) Session, which is more than double, the number of Notifications generally laid during each Session in the past. The Committee notes and appreciates that efforts put in by the Ministries to overcome the difficulties during the Nation-wide lockdown due to covid-19 and hardships faced by all officials due to the disruption of their duties. However, despite this, the Ministries/Departments managed to lay 938 Gazette Notifications on the Table of Rajya Sabha, which is no easy task. However, out of the Notifications laid, 378 Notifications were delayed and 141 of them were delayed by a period of more than 11 months, some of which were delayed by more than 4 years.

3.3 The Committee observes that 141 Notifications, which account for 37.3% of all the delayed Notifications were late by more than 11 months; 33 Notifications, which come to 8.73% of all the delayed Notifications, were late by 10 months; 52 Notifications (13.76%) were late by 9 months; 66 Notifications (17.46%) were late by 8 months; 33 Notifications (8.73%) were late by 7 months; 29 Notifications (7.67%) were late by 6 months; and 3 Notifications (0.79%) were late by 5 months. This shows that though most of the Ministries/Departments have put in a good effort, more needs to be done to obviate delay in placing these Notifications on the Table of Rajya Sabha.

3.4 The Committee observes that some of the Ministries, which had multiple delayed Notifications, e.g., Ministry of Commerce and Industry (Department of Commerce); Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs); Ministry of Corporate Affairs, Ministry of Environment, Forest and Climate Change; Ministry of Finance (Department of Revenue); Ministry of Health and Family Welfare; Ministry of Home Affairs; and Ministry of Petroleum and Natural Gas etc. need to review the procedure followed by them for laying of their Gazette Notifications and if necessary, issue instructions to all their Departments and subordinate/attached offices/organizations, impressing upon them the importance of laying all notifications within the stipulated time and if there is any delay, then to attach a delay statement, explaining cogent reasons for the delay and to take steps to obviate such delays in future. The Committee, after considering the above data, makes the following recommendations and directs that these recommendations may be circulated to all the Ministries/Departments for strict compliance. The Ministry of Parliamentary Affairs may take necessary step to co-ordinate with other Ministries/Departments on this serious issue.

4. RECOMMENDATIONS OF THE COMMITTEE

a) Delay in Laying of Orders/Rules/Regulations

4.1 The Committee notes that out of 378 delayed notifications laid by the Ministries/Departments of Government of India, during the 253rd Session of Rajya Sabha, 3 Notifications were delayed by 5 months; 29 Notifications were delayed by 6 months; 34 Notifications were delayed by 7 months; 67 Notifications were delayed by 8 months; 52 Notifications were delayed by 9 months; 52 Notifications by 10 months; and 141 Notifications by 11 or more months. The Committee would like to draw the attention of few Ministries, which laid large number of Notifications on the Table of Rajya Sabha after a considerable delay e.g., Commerce and Industry (Department of Commerce) – 32 Notifications delayed out of a total of 58 Notifications and 7 Notifications were delayed for more than 11 months; Corporate Affairs – 46 Notifications delayed out of a total of 83 Notifications and 24 Notifications were delayed for more than 11 months; Department of Higher Education – 8 Notifications delayed out of a total of 16 Notifications and 6 Notifications were delayed for more than 11 months; Environment, Forest and Climate Change – 18 Notifications delayed out of a total of 27 Notifications and 17 Notifications were delayed for more than 11 months; Finance (Department of Financial Services) – 23 Notifications delayed out of a total of 34 Notifications and 20 Notifications were delayed for more than 11 months; Finance (Department of Revenue) – 52 Notifications delayed out of a total of 222 Notifications and 11 Notifications were delayed for more than 11 months; Health and Family Welfare – 16 Notifications out of 43 Notifications and 2 were delayed beyond 11 months; and Road Transport and Highways – 92 Notifications delayed out of a total of 190 Notifications and 26 Notifications were delayed for more than 11 months. The Committee, once again, impresses upon all Ministries/Departments in general and specifically those mentioned above, to avoid such delays in the future. The Committee feels that such delays are totally avoidable and in violation of its recommendations contained in its 131st Report wherein it had recommended:-

“Orders required to be laid before the House should be laid (i) if the House is not in Session, during the Session immediately following the date of publication of the Order in the Official Gazette and (ii) if the House is in Session, on the date of the publication of the Order, during its continuance and in case the time lag between the date of publication and the date of the closing of the Session is less than 15 clear days, before the expiry of the Session immediately following the said Session. All the Ministries/Departments of Government of India should henceforth comply with this schedule in the matter of laying of the Orders issued under various Acts of Parliament on the Table of the Rajya Sabha.”

4.2 The Committee, while reiterating its above recommendations, once again recommends that the Ministries of Commerce and Industry (Department of Commerce); Corporate; Department of Higher Education; Environment, Forest and Climate Change; Finance (Department of Financial Services) and (Department of Revenue); Health and Family Welfare; and Road Transport and Highways should ensure that all its notifications are laid on the Table of Rajya Sabha within the prescribed time of 15 days.

b) Non-attachment of 'Delay Statements' to the delayed Notifications laid

4.3 The Committee feels that the most disconcerting point is that 100 Notifications out of a total 378 delayed Notifications that were laid during this Session, had no delay statement appended to them, which goes against the recommendation of the Committee contained in its earlier Report (135th Report) which recommended that:-

"The Committee has, time and again, emphasized that it is essential that in case there is a delay in the laying of Statutory Orders, the concerned Ministry/Department should invariably append a delay statement along with the Notifications being laid so as to apprise the Parliament of the causes of delay. The Committee desires all Ministries/Departments to take a note of this, since the intention is that through the process of formulation of a delay statement, the Ministry is able to introspect, identify bottlenecks and devise remedial measures".

4.4 The Committee recommends that all the Ministries/Departments must adhere to the time schedule for laying of Notifications as prescribed in Committee's 131st Report and in case, the delay in laying of Notifications is unavoidable, the Ministry should attach a delay statement from their Minister citing cogent reasons for the delay. The delay statement gives an opportunity, to the Ministry to clarify the reasons for the delay in laying of the Notification but also a reason for the Ministry/Department to introspect and improve their functioning. In case this longstanding recommendation of the Committee is not followed, then the accountability of the Ministries to the Parliament and the Constitutional Mandate of the Parliament to monitor the functioning of the Executive would become a futile exercise and the Committee has every right to take this matter very seriously.

c) Reasons for Delay Statements

4.5 The Committee observes that many of the Ministries/Departments, whose Notifications were delayed, has not made any sincere effort to identify the reasons for the delay in laying them by citing reasons like "unavoidable circumstances" or "administrative reasons", "inadvertently reasons" etc. The Committee, therefore, strongly recommends that the Ministries/Departments should cite cogent, logical and self explanatory reasons for the delay in the laying

of Notifications so that accountability of the Ministries/Departments to the Parliament is maintained in its true letter and spirit and to ensure that, it does not remain a mere formality. However, the Committee observes that the Ministry of Coal had furnished Delay Statements highlighting the difficulty faced by the Ministry in entering into the Parliament House Complex and also difficulty in delivering documents by Speed Post as the main reason for the delay. The Committee is aware of the difficulties faced by the Ministries due to the Covid restrictions put in place. However, the Committee also notes that 938 Notifications were successfully laid during this Session, which is one of the highest number of Gazette Notifications laid on the Table of Rajya Sabha in the recent past. Hence, the Ministry of Coal should put in more effort to ensure timely delivery of these Notifications and also to follow the guidelines issued by the Table Office, Rajya Sabha Secretariat to all the Ministries/Departments of Government of India on the eve of each Session so as to avoid such difficulties and also to facilitate the laying of Gazette Notifications on the Table of Rajya Sabha smoothly. The Committee would also like to re-iterate its earlier recommendations contained in *para 2(xii)* of its 189th Report, which is reproduced below:-

“The Committee is not happy at the casual manner in which the Ministries have treated its recommendations with regard to the delay in the laying of the Notifications despite the Committee’s reiteration in all its reports. The Committee takes serious note of the fact that, in most cases, the Ministries fail to append delay statements explaining the reasons for the delay. Therefore, the Committee reiterates, that the Ministries should take proactive measures so as to avoid any delay, whatsoever, in the laying of the Notifications and that the Committee is unable to accept the flimsy grounds given by the Ministries regarding the reasons for delay.”

4.6 The Committee, therefore, recommends these Ministries/Departments to not only ensure timely laying of Notifications but also follow the practice of enclosing a delay statement in case(s) of delays.

d) Need for proper Gazette Notification Numbering (G.S.R./S.O. No.) and nomenclature in Short Titles

4.7 The Committee notes that few of the Gazette Notifications of Ministries/Departments viz., Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH); Civil Aviation; Communications (Department of Telecommunications); Consumer Affairs (Department of Consumer Affairs); Education (Department of Higher Education); Electronics and Information Technology; Petroleum and Natural Gas etc., were published without their unique G.S.R./S.O. Nos. and the file numbers have been used as Notification numbers, which is against the guidelines issued by the Government of India in this regard. Further, few Notifications regarding amendments to

rules/regulations of certain Ministries viz., Ministry of Education (Department of Higher Education); Ministry of Environment, Forest and Climate Change etc., have been notified with proper nomenclature in the short title e.g., 1st amendment or 2nd amendment etc. has not been indicated in the short title thereby resulting in the same title in subsequent amendments to the rules/regulations. The Committee, therefore, recommends that:-

- i. All Gazette Notification must have a unique G.S.R./S.O./S.R.O. number and giving file number as Gazette Notification numbers must be discontinued;
- ii. The short title of amendments to rules/regulations etc. must indicate whether the amendment is 1st or 2nd or so on for easy identification.

e) Measures to avoid last minute rush

4.8 The Committee is aware that the working of Government offices has been disrupted and profoundly affected due to covid-19 related restrictions. However, the Committee feels that covid-19 related constraints are here to stay and the Ministries will have to make appropriate preparations and administrative adjustments in order to meet the new set of challenges posed by the present scenario. The Committee, thus recommends that the Ministries should ensure that their notifications are laid as early as possible, ideally in the 1st half of the session itself, so as to avoid last minute rush and any unforeseen administrative exigencies.

f) EARLIER IMPORTANT RECOMMENDATIONS OF THE COMMITTEE ON SUBORDINATE LEGISLATION, RAJYA SABHA

4.9 The Committee in its earlier recommendations, for strict compliance by all the Ministries/Departments of the Government of India, had stated that:-

Formula for laying of Statutory Rules

The Committee approve the following draft revised formula for laying of Statutory Rules before both Houses of Parliament which the Ministry of Law and Justice propose to incorporate in all future legislation which provide for making of rules by the Central Government:—

"Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is 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 rule

or both Houses agree that the rule should not be made, the 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 rule."

The Committee recommends that the revised formula should be incorporated not only in new legislation but also in the existing Acts as and when Bills to amend them are brought before Parliament. The Ministry should also incorporate the new formula in the Bills pending before Parliament. This will, in the opinion of the Committee, bring about uniformity in the matter expeditiously.

(10th Report)
(Presented on 24th May, 1971)

Incorporating corrections and amendments in the order

"The Committee desires that for the convenience of the public and Members, Ministries should henceforth send copies of 'order' duly authenticated by the Ministers concerned, incorporating therein all the corrections and amendments issued till date of laying such 'orders' instead of laying the uncorrected copy along with corrigenda. The Committee feels that to obviate any legal or technical difficulty, Ministries should examine whether there is any necessity of assigning a separate G.S.R. No. to a corrigendum at the time of its publication in the Gazette and whether such a corrigendum should not be published without assigning any G.S.R. No. The Committee would, therefore, like to impress upon all Ministries of the Government of India that the present practice of laying the rules without incorporating corrigenda in the body of the rules is not a healthy one. The Committee hopes that the Ministries will ensure supply of only corrected copies of the rules for laying on the Table so that they depict a true and correct picture and serve the desired purpose."

(7th Report)
(Presented on 12th May, 1969)

Assigning distinctive number to each Notification

"In the opinion of the Committee, every notification should be assigned a distinctive number in order to give it a separate identity and similarly, no notification should be published/laid which does not carry a notification number. The Committee expects all Ministries/Departments of Government of India to exercise caution in this regard. In case where there are more than one Notifications under a single file, the Ministries/Departments should ensure that the file number on each notification should be suitably distinguished from one another."

(152nd Report)
(Presented on 26th August, 2004)

Time limit for rule making process

“The Committee feels that the rule-making process could well have been completed within the time limit of six months which the Committee has laid down for making of rules under an Act after coming into force of that Act. Where however, a Ministry does not find it possible to adhere to the time limit, they should inform the Committee of the reasons why they cannot make rules within the time limit and seek extension of time for completing the rule-making process.”

(47th Report)

(Presented on 14th September, 1981)

“In addition to the concern expressed by the Committee over delay in laying of Notifications on the Table of the House, the Committee also express their deep concern over delay in framing of rules/regulations under different Acts. The Committee in its 47th report presented to the House on 14.9.1981 has recommended that the rule-making process should be completed within a period of six months of the coming into force of an Act. The Committee has further recommended that in case a Ministry is not able to adhere to this time limit, it should seek extension of time for completing the rule-making process. The recommendation of the committee reads as follows:-

“The Committee feels that the rule-making process could well have been completed within the time limit of six months which the Committee has laid down for making of rules under an Act after coming into force of that Act. Where however, a Ministry does not find it possible to adhere to the time limit, they should inform the Committee of the reasons why they cannot make rules within the time limit and seek extension of time for completing the rule-making process.”

The Committee is constrained to take note of the fact that the Ministries/Departments of Government of India are not complying with the Committee's recommendation to complete the process of framing of subordinate legislation contemplated under various Acts of Parliament within a period of six months. At the same time, the Committee also does not receive requests for extension of time for completing the rule-making process in terms of its recommendations as above from most of the Ministries/Departments. The Committee takes a serious note of the prevailing situation in which the Ministries/Departments are neither able to complete the task of framing rules/regulations under different Acts within the given six months' period nor do they *suo-motu* approach the Committee for seeking extension of time. The Committee further notes that in order to ensure timely framing of rules/regulations it has taken an initiative to monitor the progress of framing of subordinate legislation in respect of all legislations brought about by different Ministries/Departments of Government of India from the year 2003 onwards

with a view to ensure that the framing of subordinate legislation is not delayed. The Committee, however, finds that the responses from the Ministries/Departments have not been prompt in this monitoring exercise undertaken on behalf of the Committee.

In view of the above position, the Committee once again reiterates its recommendation that the Ministries/Departments should ensure putting in place subordinate legislation positively within a period of six months of coming into force of the Act. The Committee further recommends that in case the Ministry fails to meet with this deadline, they should invariably approach the Committee for seeking extension of time. The Committee further recommends that in cases where the time limit of six months is not adhered to, they should, while laying rules/regulations before the Parliament invariably lay a statement explaining the reasons why the framing of rules/regulations was delayed beyond six months so as to keep the Parliament apprised of the compliance of the Parliament's mandate conferred upon the Executive."

(192nd Report)
(Presented on 26th August, 2011)

The Committee observes that the whole process of enacting laws is defeated if rules are not framed and laid on the Table of the House in time. A reasonable delay could be understood but unjustifiably long delays should be avoided and the Ministries should work towards improving this position. The Committee hopes that Ministry would strive to keep the delay to the minimum and take care that Notifications are laid on the Table of the House at the first available opportunity after publication of Notifications.

The Committee would like to impress upon the Ministry that it is their responsibility to ensure that copies of the Notifications are printed timely and for this purpose, they need to evolve a suitable mechanism to ensure that notifications are laid in time. The Committee is happy that the Ministry has evolved an internal mechanism/ procedure for this purpose. The Committee hopes that it would take action accordingly in order to comply with the prescribed schedule in the matter of laying of statutory Notifications.

The Ministry must take appropriate step to remove lacuna, if any, administrative or otherwise, causing such long delay by being little proactive and prompt. Further, the Ministries should take it up with the Ministry of Urban Development for late receiving of printed copies of the Notification.

212th Report
(Presented on 3rd September, 2013)

Planning to lay papers during the initial stages of the Session

"The Committee recommends that Ministries should plan to lay their papers during the initial/middle stages of the session rather than scheduling this work towards the close of the session in order to avoid such happenings."

173rd Report
(Presented on 22nd April, 2008)

Uploading Notifications on websites

Rules/Regulations/Orders/bye-laws are laid by different Ministries on the Table of the House under various provisions of parent Acts passed by Parliament. These Rules/ Regulations/Orders/bye-laws are published in the official Gazette before being laid on the Table of the House. Even after they are laid, it is very difficult to get access to these Notifications. The Committee recommends that such Rules/Regulations/Orders, etc. laid on the Table of the House should be invariably uploaded on the websites of respective Ministries immediately on the same day when they have been laid on the Table of the House, for information of Members of Parliament and people at large for their easy access.

201st Report
(Presented on 14th December, 2012)

Late availability of printed copies

"The Committee is not inclined to accept the late availability of printed copies of Notifications from the Government of India Press as the reason for delay in laying of the Notifications. The Committee directs all the Ministries that in case there is a delay in procuring printed copies in time, they may obtain G.S.R. and S.O. numbers from the Government of India Press and prepare requisite number of copies in cyclostyled form for laying in the Parliament. The Committee also recommends that this process may be adopted by Ministries *suomoto* on immediate basis so as to avoid such delays henceforth".

213th Report
(Presented on 19th February, 2014)

The Committee recommends that all the Ministries/Departments should follow the above recommendations meticulously.