

**COMMITTEE
ON
SUBORDINATE LEGISLATION**

(FOURTH LOK SABHA)

SIXTH REPORT

(Presented on the 3rd September, 1970)



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

September, 1970/Bhadra, 1892 (Saka)

Price : Re .1.50 Paisa

Corriganda to the Sixth Report
of the Committee on Subordinate
Legislation (Fourth Lok Sabha)

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COMPOSITION OF THE COMMITTEE ON SUBORDINATE
LEGISLATION (1970-71)

1. Shri Anand Narain Mulla—*Chairman*
2. Shri J. B. S. Bist
3. Shri Krishna Kumar Chatterji
4. Shri N. T. Das
5. Shri Tukaram Hurji Gavit
6. Shri Shri Chand Goyal
7. Shri K. M. Koushik
8. Shri V. Krishnamoorthi
- *9. Shri Vikram Chand Mahajan
10. Shri M. Meghachandra
11. Shri V. Viswanatha Menon
12. Shri N. K. Sanghi
13. Shri Shantilal Shah
14. Shri B. Shankaranand
15. Shri Ram Sewak Yadav

SECRETARIAT

Shri M.C. Chavla - Deputy Secretary.

* Nominated by the Speaker on the 31st July, 1970, *vice* Shri Bishwanath Roy ceased to be a member of the Committee on his appointment as a Deputy Minister.

SIXTH REPORT OF THE COMMITTEE ON SUBORDINATE LEGISLATION

(FOURTH LOK SABHA)

I

INTRODUCTION

I, the Chairman of the Committee on Subordinate Legislation, having been authorised by the Committee to present the Report on its behalf, present its sixth Report.

2. The Committee held five sittings on the 18th May, 13th, 14th and 30th July and 3rd September, 1970 and considered several 'Orders'. At its sitting held on the 3rd September, 1970, the Committee considered and adopted this Report. The minutes of the sittings which form part of the Report are appended to it.

3. At its sitting held on the 18th May, 1970, the Committee constituted, under Rule 263 of the Rules of Procedure and Conduct of Business in Lok Sabha, a Sub-Committee consisting of Sarvashri Shri Chand Goyal (Convener), Krishna Kumar Chatterji, N. T. Das, V. Krishnamoorthi, V. Viswanatha Menon, N. K. Sanghi and Ram Sewak Yadav, members, to consider and select for examination the type of rules, regulations, orders, etc. falling within the purview of the Committee on Subordinate Legislation under Rule 317, *ibid*. The Sub-Committee held three sittings on the 20th May, 3rd and 4th July, 1970 and selected for detailed examination 592 'Orders' listed in Appendix I.

4. During the course of examination of the various 'Orders', the Committee also took evidence of the representatives of the Ministries of Law (Legislative Department), Industrial Development, Internal Trade and Company Affairs (Department of Industrial Development) and Food, Agriculture, Community Development and Cooperation (Department of Agriculture) at its sittings held on the 17th April and 30th July, 1970.

5. Observations of the Committee on matters of special interest, which arose during the course of examination of 'Orders' and matters which required to be brought to the notice of the House have been included in this Report.

A statement showing the summary of recommendations/observations of the Committee is appended to the Report.

II

REVISION OF MODEL CLAUSE IN BILLS PROVIDING FOR LAYING OF STATUTORY RULES BEFORE BOTH HOUSES OF PARLIAMENT

6. The Committee on Subordinate Legislation (Second Lok Sabha) had approved the following formula regarding laying of Statutory rules before both the Houses of Parliament, *vide* para 45 of its Seventh Report:—

“Every rule made under this section 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 successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following 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.”

7. Accordingly, every rule made under the relevant Act is required to be laid on the Table of the House for a period of thirty days which may be comprised in one session or in two successive sessions. If, however, this period of 30 days is not completed in two successive sessions, the rule has to be re-laid on the Table under rule 234(2) of the Rules of Procedure and Conduct of Business in Lok Sabha.

8. The above formula was altered by Government in respect of the Warehousing Corporations Bill, 1962, the Petroleum Pipelines (Acquisition of Right of User in Land) Bill, 1962, and the Defence of India Bill, 1962. The matter was examined by the Committee on Subordinate Legislation (Third Lok Sabha) in all its aspects and it had recommended in para 14 of its Second Report that “the formula contained in paragraph 45 of the Seventh Report of the Committee on Subordinate Legislation, Second Lok Sabha, which has hitherto been adopted by the Government, should be followed in future also and if the Government consider it necessary to amend that formula in order to avoid relaying of rules under rule 234(2) of the Rules of Procedure and Conduct of Business in Lok Sabha, for

administrative convenience, it should clearly be provided therein that the right of the Houses to modify the rules shall extend to the session immediately following the session in which the said period of 30 days is completed."

9. The above recommendation of the Committee was accepted* by the Ministry of Law and it had assured that the usual formula for laying of rules before the Houses of Parliament, as contained in paragraph 45 of the Seventh Report of the Committee, would be followed in future in all cases.

10. The Rajya Sabha had experienced some administrative difficulties in connection with the compliance of requirements of the aforesaid model clause, because the first Parliament session of the year commenced sometime in February and the Lok Sabha continued to sit till all the financial business was completed in May, the session of the Rajya Sabha, generally lasted till the end of March or thereabout. The Rajya Sabha met again (generally in April) for a session of short duration principally to transact financial business. When, therefore, rules were laid towards the latter half of the February-March Session, the period of thirty days was not completed in even two successive sessions, viz. February-March and April-May, because of which such rules had to be re-laid on the Table in the monsoon session till the period of thirty days was completed as stipulated in the said clause.

11. In view of the above administrative difficulties, the matter was examined by the Committee on Subordinate Legislation of Rajya Sabha in 1968. The Committee recommended in para 25 of its Fifth Report that "the existing 'laying formula' should be modified so as to provide that—

- (i) the statutory period of 30 days might be completed in one session or two or more successive sessions; and
- (ii) the right to suggest modification in the 'Order' should extend to one additional session immediately following the session in which the period of 30 days is completed."

12. In this connection, the Committee considered the following letter of the then Deputy Minister of Law (Shri Mohd. Yunus Saleem):

*See para 62 of Fourth Report, Committee on Subordinate Legislation, Third Lok Sabha.

“The Committee on Subordinate Legislation of the Rajya Sabha, in its 5th Report, presented on 19-8-1968, recommended in Part III of its Report, that the existing formula of laying of statutory rules before both Houses of Parliament has to be slightly amended, so that the statutory period of 30 days as obtained in the existing formula may be completed in one Session or “two or more successive Sessions”. The existing formula was settled after the approval of the Committee on Subordinate Legislation of the Lok Sabha, by its 7th Report, presented on 22nd December, 1959. It is, therefore, necessary that the concurrence of the Committee on Subordinate Legislation of the Lok Sabha is obtained, before the Government consider to take steps to amend the formula in the manner suggested by the Committee on Subordinate Legislation of the Rajya Sabha.”

13. The Committee noted that there was no mention in the letter of the Deputy Minister of Law about the second part of the recommendation of the Committee on Subordinate Legislation of Rajya Sabha that the existing Model Clause should be modified so as to provide that the right of Members of Parliament to suggest modification in the 'Orders' should extend to one additional session immediately following the session in which the period of thirty days was completed.

14. The representative of the Ministry of Law (Legislative Department), who was examined by the Committee at its sitting held on the 17th April, 1970, to seek further elucidation on the above point stated that it would have the effect of unnecessarily prolonging the matter. While explaining the implications of the provisions of the existing Model Clause for laying of Statutory rules before both Houses of Parliament, he informed the Committee that no difficulty has been experienced by the Ministries in complying with the provisions of the Model Clause so far as Lok Sabha is concerned, since all its Sessions are of more than thirty days duration. A difficulty has, however, been experienced regarding Rajya Sabha as its sessions in February-May period are of short duration and, therefore, the rules had to be re-laid in order to complete the stipulated period of thirty days. He further stated that Ministries concerned did not complain about any such difficulties.

15. The Committee asked the representative the Ministry of Law to furnish a draft of the revised Model Clause for its consideration, together with a note discussing the following points:

- (a) whether there should be a Statutory Instruments Act on the British pattern;
- (b) whether the Model Clause should be included in the General Clauses Act; and
- (c) whether the Model Clause, as it existed should continue.

16. The Ministry of Law (Legislative Department), while ruling out the desirability of enacting a separate measure like the Statutory Instruments Act on the British pattern or incorporation of the Model Clause in the General Clauses Act, in its Note*, has come to the conclusion that "the procedure that has hitherto been followed in this country for ensuring effective Parliamentary control has worked well and there is no special reason for making a departure from the present practice except to the extent necessary for modifying the formula on the lines suggested by the Committee on Subordinate Legislation of the Rajya Sabha in view of the practical difficulties experienced by them, if the Committee on Subordinate Legislation of Lok Sabha concurs with the Committee of the Rajya Sabha."

17. The Committee has noted *vide* para 14 above that Ministries concerned did not complain about any difficulty being experienced by them regarding the re-laying of rules before both Houses of Parliament. Moreover, the Ministry of Law (Legislative Department) while dealing with the right of Members of Parliament to suggest modification in the 'Order' for an additional session immediately, following the session in which the period of thirty days is completed (as suggested by Committee on Subordinate Legislation of Rajya Sabha) has stated in its Note** that in the revised Model Clause ".....this right extends to the successive sessions during which the rules are to be laid before Parliament in order to complete the specified total period of 30 days. In the altered context, it would not be necessary nor would it be advisable to extend the right to modify or annul to one more session after the successive sessions also. This would only result in the element of uncertainty

* See para 15 of Appendix II.

** See para 6 of Appendix II.

being continued for a longer period than is reasonably necessary for the purpose of enabling Parliament to exercise its effective control over subordinate legislation.”

18. The Committee has further noted from the note furnished by the Ministry of Law (Legislative Department) that it did not consider necessary to accept the recommendation of the Committee on Subordinate Legislation of Rajya Sabha in its entirety. Moreover, if the Committee approves the revised* Model Clause as proposed by the Law Ministry, it is not clear what would be the position so far as the continuance of the present Model Clause in the existing Acts, which run into thousands, is concerned, particularly when the Law Ministry has ruled out the desirability of enacting a separate measure like the Instruments Act on the British pattern or inclusion of the Model Clause in the General Clauses Act, to obviate the necessity of its being repeated in all Statutes which provide for the framing of rules, for all times to come.

19. The Committee has considered the matter in all its aspects and desires that the present Model Clause providing for laying of rules before both Houses of Parliament as approved by the Committee on Subordinate Legislation in para 45 of its Seventh Report (Second Lok Sabha) should continue or in the alternative the recommendations made by the Rajya Sabha, Committee on Subordinate Legislation should be accepted in its entirety.

III

CENTRAL CIVIL SERVICES (CLASSIFICATION, CONTROL AND APPEAL) RULES, 1965

20. Dr. G. S. Melkote, M.P. and formerly a member of the Committee on Subordinate Legislation had raised the following points which were referred to the Ministry of Home Affairs and Department of Communications for furnishing their comments:

- (i) Appointment of Inquiry Officers to conduct oral inquiry into the charges levelled against delinquent officers under C.C.S. (C.C.A.) Rules, 1965; and
- (ii) Powers to suspend delinquent officers—scope and limitations—under rule 10 of C.C.S. (C.C.A.) Rules, 1965.

21. The Committee considered the following replies furnished by the Ministry of Home Affairs and Department of Communications respectively:

* See para 3 of Appendix II.

I. Ministry of Home Affairs

“(i) This Ministry is not aware of any cases where a Class III Officer had been appointed to inquire into charges against another Class III Officer. If there are any cases where this has happened, they could be looked into if specific instances are brought to notice.

The suggestion that all cases requiring inquiry under C.C.S. (C.C.A.) Rules, 1965, should be handled by the Central Vigilance Commission through the Commissioners for Departmental Inquiries will, in view of the number of such cases being very large, involve considerable expansion in the Central Vigilance Commission which may not be commensurate with the object to be achieved. Under the existing arrangements, even in the case of gazetted officers, only such cases are referred to the Central Vigilance Commission for inquiry in which integrity of the officer is involved. Other cases of even gazetted officers are handled in the Ministry/Department concerned through the agency of officers of appropriate rank appointed to conduct the inquiry.

Paragraph 22.4 of Chapter X of the Vigilance Manual provides that the officers to be selected as Inquiry Authority should be sufficiently senior in rank and one who is not suspected of any prejudice or bias against the accused officer and had not occasion to express opinion on merits of the particular case at any earlier stage. Instructions have also been issued, *vide* this Ministry's O.M. No. 39/40/52-Ests., dated the 4th October, 1952, which *inter alia* lay down that:—

- (i) in each Ministry or Department, a specified officer or officers of the appropriate rank shall be nominated and earmarked for the purpose of conducting all the departmental inquiries arising within that Ministry/Department.
- (ii) as soon as occasion arises for taking up such an inquiry, the nominated officer will be relieved of his normal duties to such extent as may be necessary to enable him to devote full and careful attention to the completion of the inquiry; and
- (iii) the nominated officers should familiarise themselves with the rules and essential procedural requirements

and maintain close personal contacts with the Ministry of Home Affairs to enable them quickly to resolve any doubts or difficulties which may arise.

In other words, there already exist instructions to the effect that there should be in each Ministry/Department officers especially nominated for the purpose of conducting departmental inquiries and that such officers can, when necessary, be made exclusively or largely concerned with the matter of conduct of inquiries alone.

- (ii) this Ministry has already issued orders *vide* O.M. No. 43/56/64-AVD, dated the 22nd October, 1964, 221/18/65-AVD, dated the 7th September, 1965, 16th February, 1966, regarding the circumstances under which a Government servant may be placed under suspension and the need for quick decision on cases of officers under suspension.

In respect of the treatment of the period of suspension under various circumstances after the conclusion of the inquiry the undersigned is directed to invite the attention to F.R. 54 and *Government of India decisions* thereunder which provide for the regularisation of the suspension period."

II. Department of Communications

- "(i) The authorities competent to place a Government servant under suspension are clearly laid down in Rule 10 of CCS (CCA) Rules 1965. The present position is that any authority which is competent to impose a minor penalty on a Government servant is competent to suspend him. It is not a fact that the suspensions are restored to as a matter of routine or that Government servants are kept under suspension indefinitely. In fact the entire position of the officials of the P&T Department continuing under suspension was reviewed recently at a high level under the directions of the Minister and it was seen that officials were not kept under suspension unnecessarily. Further, orders indicating the guidelines for placing an official under suspension already exist (*vide* Ministry of Home Affairs O.M. No. F. 43/56/64-AVD, dated 22nd October, 1964) which envisage that public interest should be the guiding factor in deciding to place a Government servant under suspension and the

disciplinary authority should have the discretion to decide this taking all factors into account. These orders even indicate broadly the circumstances in which a disciplinary authority may consider it appropriate to place a Government servant under suspension. Thus, it is clear that elaborate rules/orders already exist within the framework of which officials are placed under suspension. Again, under CCS (CCA) Rules these officials have got a right to appeal or to submit a petition against their suspension to the P&T Board/President. In a vast and widely spread public utility department like the P&T administration has to be widely decentralised. It is essential that in respect of officials dealing with the public, handling cash and valuables and the P&T Traffic, the powers to suspend should be exercised by the authority competent to impose minor penalties rather than remote authorities empowered to impose major penalties. A high standard of conduct on the part of the officials is essential in order to ensure public confidence in the P&T transactions. Since, every appointing authority is required to submit a monthly report of suspensions to the next higher authority and finally to the Heads of P&T Circles, the case is reviewed with a view to ensure that suspensions are not prolonged or resorted to unnecessarily. As regards the treatment of the period of suspension the provisions of F.R. 54 are quite clear. If after the conclusion of the disciplinary proceedings/criminal proceedings the competent authorities are of the opinion that the Government servant has been fully exonerated or that his suspension was wholly unjustified, the Government servant shall be given full pay and allowances to which he would have been entitled but for his suspension. The rate of subsistence allowance is also reviewed after 12 months of suspension under the provisions of F.R. 53 and if the period of suspension has been prolonged for reasons not directly attributable to the Government servant, the rate of subsistence allowance is increased. So far as the treatment of period of suspension as leave is concerned, proviso to sub-rule (5) of F.R. 54 clearly states that if the Government servant so desires the competent authority can direct the period of absence from duty to be converted into leave of any kind due and admissible to the Government servant.

From the above, it is clear that there are definite and positive detailed instructions/rules which have been laid down specifying the circumstances under which a Government servant may be placed under suspension and how the period of suspension should be treated. As such there does not appear to be any need to frame any additional rules to govern the procedure to be adopted in the matter of placing an official under suspension or for regulating the period of suspension.

- (ii) Rule 14(2) of CCS (CCA) Rules, 1965 envisages holding of an inquiry either itself by the disciplinary authority or appointing an authority to inquire into the truth of any imputations of misconduct or misbehaviour against a Government servant. Sub-rule 5(a) *ibid.*, states that on receipt of the written statement of defence the disciplinary authority may appoint an inquiring authority to enquire into such of the articles of charge as are not admitted by the Government servant in his written statement of defence. Thus the exact terminology used in the Rules is 'Inquiring authority' and not 'Inquiry Officer'. It does not, therefore, necessarily mean that the person appointed to inquire into the charges should invariably be a gazetted officer. In a vast organisation like the P&T spread over every nook and corner of the country it is obviously not possible to have all Inquiry Officers of the rank of gazetted officers especially when even the disciplinary authorities are non-gazetted officers. It is also not practicable to have Inquiry Officers on the pattern of Commissioners for Departmental Inquiries existing in the Central Vigilance Commission who are utilised for inquiring into the cases against gazetted officers involved in Vigilance cases to inquire into cases against Class III and Class IV officials of the P&T Department looking into a very large number of such cases and the vastness of the country. In a Postal Division with about 30-40 Supervising Officials in Class III, 300 clerks, and an equal number of Postmen and Class IV staff, there is only one gazetted officer to supervise the work of all the officials. Similar is the case in the Engineering and other Arms of the department though the number of Class III is less. It is not, therefore, physically possible to appoint a gazetted Officer as Inquiring Authority.

The present procedure of entrusting the enquiry to a Class III official (higher in status compared to the accused) has

stood the test of time and the department have not heard any complaints or defects from any circle so far. In fact, the principle of selecting a sufficiently senior officer in rank to the official against whom an inquiry is being conducted to function as Inquiring authority is invariably followed in the department. It is not a fact that the delinquents do not get full justice at the hands of inquiring authority of non-gazetted status for the simple reason that the latter has to base his findings on the basis of the evidence adduced before the inquiring authority before deciding to agree or disagree with the findings of the inquiring authority that the allegations|charges are established against the delinquent. Provision exists in CCS(CCA) Rules for preferring an appeal|petition and the points of injustice or irregularities committed during the inquiry can be brought out there. It is pertinent to mention here that even in the case of gazetted officers all cases are not entrusted to the Commissioners for Departmental Inquiries but only cases involving Vigilance angle or integrity of the delinquent officer are handled by them.

It is pertinent to mention here that recently the question of amending rule 14(2) of CCS(CCA) Rules, 1965 so that ordinarily an officer not lower in rank than the accused or an Inspector of Post Offices, whichever is higher, is appointed as the Inquiring authority, was considered in consultation with the Ministry of Home Affairs and it was held that though rule 14(2), *ibid*, did not specifically prohibit the appointment of an officer who is junior in rank to the delinquent officer against whom an inquiry is being conducted, the Central Vigilance Commission had already made it clear in their Vigilance Manual that the official selected to conduct an inquiry should be sufficiently senior in rank to the delinquent official. It was, therefore, felt that there was no necessity to amend rule 14(2) *ibid* as that might create difficulties in certain organisations in which senior officers may not be available for appointment as the Inquiring authority. In the circumstances, the suggestion made regarding appointment of Inquiring authority cannot also be accepted."

22. The Committee agrees that it may not be possible to entrust always inquiries against delinquent officers to Gazetted Officers as the Department of Communications has under its employment a

large number of persons spread over the entire country. But the Committee strongly feels that the inquiries should be conducted by an Officer who is sufficiently senior to the officer whose conduct is being inquired into. Inquiry by a junior officer, the Committee feels, cannot command confidence which it deserves.

IV

ALL-INDIA SERVICES (LAYING OF REGULATIONS BEFORE PARLIAMENT) BILL, 1969

23. The All-India Services (Laying of Regulations before Parliament) Bill, 1969 (as passed by the Rajya Sabha on the 25th November, 1969) and presently before Lok Sabha provide for laying before Parliament of the regulations made under the All-India Services Act, 1951 (61 of 1951), and for certain other matters connected therewith. The main purport of the Bill, as stated in the statement of Objects and Reasons appended to the Bill is as follows:

"Some of the rules made under the All-India Services Act, 1951, empower the Central Government to make regulations in respect of certain matters. Sub-section (2) of section 3 of the said Act provides only for the laying of rules before Parliament. Consequently regulations made up to 1st July, 1967, were not laid before Parliament.

As, however, the regulations form an integral part of the rules, it was felt that it would be appropriate to lay the regulations before Parliament in the same manner as the rules are laid. The Bill provides for the laying of regulations also before Parliament and, in addition, it seeks to validate the regulations (made prior to 1st July, 1967) which have not been laid before Parliament. Incidentally, the Bill also provides for the laying of the rules and regulations before Parliament for a period of thirty days instead of fourteen days as at present."

24. Clauses 2 and 3 of the aforesaid Bill provide as follows:

2. In this Act, 'regulation' means a regulation made before the commencement of this Act by the Central Government under any of the provisions of the rules framed under the All-India Services Act, 1951.

3. Every regulation shall be laid as soon as may be, after the commencement of this Act, before each House of

regulations
before
Parliament.

Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation 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 regulation:

Provided that nothing contained in this section shall apply to any such regulation which has already been laid before each House of Parliament."

25. The Committee noted that all regulations made by the Central Government before the commencement of the aforesaid Act, under any of the provisions of the rules framed under the All-India Services Act, 1951 and which have not been laid so far before each House of Parliament are also to be laid before each House of Parliament irrespective of the fact whether those regulations are still in force or not. The Committee felt that in the case of such regulations which would not be in force at the commencement of the Act, there appeared to be no necessity of their being laid on the Tables of both the Houses as it would be infructuous for the House or the Committee on Subordinate Legislation to exercise scrutiny over such regulations. The Ministry of Home Affairs who was asked to amend suitably the definition of 'regulation' as contained in clause 2 of the aforesaid Bill so as to make it clear that such regulations, which were made before the commencement of the Act and which were not in force, were not required to be laid on the Table of the House, stated as under:

"... the Bill has been introduced to provide for the laying of regulations before the Parliament and also to validate the regulations made prior to 1st July, 1967 which have not been laid before the Parliament. The definition of the term 'regulation' has been so worded as to cover all the regulations made before the commencement of the Act. Clause 3 of the Bill provides for the laying of all regulations which have not been so laid before irrespective of the fact whether the regulations are in force or not. Clause 4 affords validity to all such regulations and

also indemnity to the actions taken by the Central Government in accordance with such regulations. In case the definition of the term 'regulation' is modified, as suggested by the Committee on Subordinate Legislation to provide only for the laying of such regulations as are still operative at the time the Act comes into force, the validity and indemnity conferred by clause 4 will be restricted to those regulations which have been laid in pursuance of clause 3. In that case, those regulations, made prior to 1st July, 1967 and no longer in force, will not be covered by clause 4. It would thus be seen that the purpose for which the Bill has been introduced will not be fully served in case the suggestion to amend the definition of the term 'regulation' is accepted."

26. The matter was further examined in the light of the above reply and the Ministry of Home Affairs was requested to state whether the objective underlying the aforesaid observation of the Committee could be achieved, if clause 3, instead of the definition of 'regulation' as contained in clause 2 of the above Bill, was suitably modified so as to exclude the necessity of laying those regulations before the Houses which were no longer in force and were not laid earlier, without disturbing the protection granted to such regulations under clause 4 of the Bill. In this connection, the Committee has considered the following reply of the Ministry of Home Affairs, in which it has agreed with the foregoing suggestion:

"...the objective underlying the observation of the Committee on Subordinate Legislation, viz., that the regulations which are no longer in force need not be laid before the Parliament could be achieved by amending clause 3 of the Bill. The Lok Sabha Secretariat may please indicate whether action may accordingly be taken to move an amendment to clause 3 of the Bill."

27. The Committee recommends that the Ministry of Home Affairs should bring forward a suitable amendment to Clause 3 of the All-India Services (Laying of Regulations before Parliament) Bill, 1969 (as passed by Rajya Sabha on the 25th November, 1969) so that "laying" of regulations before Parliament which are no longer in force is avoided.

**RULES RELATING TO ISSUE ETC. OF LICENCES UNDER THE
EXPLOSIVES RULES, 1940**

28. During the course of examination of the Explosives Rules, 1940, as amended from time to time, the following two points were noticed:

- (i) there was no provision in Rules 92 and 93, *ibid*, requiring the licensing authority to give an opportunity of being heard to the applicant, before his application for amendment or renewal of licence was rejected or to a licence-holder before his licence was suspended or cancelled, and if the Central Government happened to be a licensing authority, even the requirement of recording the reasons in writing had been dispensed with; and
- (ii) the fee to be charged for the grant of licence, etc, for purposes specified in column 3 of Schedule IV of the said Rules, was not mentioned against serial Nos. 8 and 9 in column 5 thereof and it was left to be prescribed by the Central Government, but it was not clear whether such fee would be prescribed by a general notification published in the Gazette or prescribed from time to time by *ad hoc* Orders of the Central Government.

29. On 3rd May, 1968, the matter was referred to the erstwhile Ministry of Industrial Development and Company Affairs (Department of Industrial Development). Inviting its attention to the suggestion of the Committee on Subordinate Legislation in regard to the Paradip Port Harbour Craft Rules, 1967, contained in para 26 of its First Report (Fourth Lok Sabha), the Ministry was requested to provide in the Explosives Rules, 1940, that every licensing authority would give an opportunity to a licence-holder|applicant of being heard and record the reasons, in writing, for passing an order adversely affecting him. The Ministry was also requested to clarify whether the fee left to be prescribed by the Central Government in respect of serial Nos. 8 and 9 in column 5 of Schedule IV of the said Rules would be prescribed by a general notification published in the Gazette or by *ad hoc* orders issued from time to time by the Central Government.

30. After protracted correspondence, the Ministry had furnished the following reply on the 30th December, 1968:

"...in regard to the fees to be charged for the grant of a licence etc., the scale of fee has been given in Schedule IV to the Explosives Rules against each article, except in the case of licences in Special Form granted under articles 8 and 9. The Government of India had set up a committee to suggest, *inter alia* revision of the Explosives Acts and Rules. This Committee has already considered the matter and recommended that a standard scale of fee should be prescribed for the purpose. This recommendation is under consideration of this Ministry. In regard to the issue raised in paras 1 and 2 of the (L.S.3.) memorandum, a further communication will follow as the matter is being examined in consultation with the Ministry of Law."

31. On the matter being pursued further, the following reply was received from the Ministry on the 30th August, 1969:—

".....it has since been decided in consultation with the Ministries of Home Affairs and Law to amend the Explosives Rules, 1940 as suggested in their (Lok Sabha Sectt.) O.M. of 3rd May, 1968, to meet the observations of the Committee on Subordinate Legislation in this regard. Further steps are being taken to amend the rules as decided in consultation with the authorities concerned.

As regards the point relating to the fees to be charged for grant of licence etc. mentioned in para 2 of their (Lok Sabha Sectt.) O.M. of 3rd May, 1968, the position has already been intimated to them *vide* this Ministry's O.M. of even number dated the 30th December, 1968. In this connection it may further be stated that the recommendations of the Explosives Committee in this regard as mentioned in the above O.M. have since been accepted by Government and steps have already been initiated to implement the same."

32. As the above replies of the Ministry did not indicate any definite and clear line of action which the Ministry had decided to follow in respect of the aforesaid points, the matter was pursued further and the following reply was furnished by the Ministry on the 28th April, 1970:

"...As regards the point relating to the laying down of a standard scale of fees to be charged for the grant of a

licence etc., you may please refer to this Ministry's O.Ms. of even number dated the 30th December, 1968, and 30th August, 1969, from which it would be observed that the Explosives Rules, 1940, contain all the standard scales of fees to be charged for the grant of licences etc. except for special form licences under Article 8 of Schedule IV to these Rules. The Central Government have, however, separately prescribed fees for Special Form Licences with effect from 11th March, 1950, and the same are being charged for such licences. The fees for such licences are also proposed to be included in the rules itself when the Explosives Rules are revised on the basis of the recommendations of the Explosives Committee. If, however, it is felt that fees for Special Form licences should also be provided in the rules without waiting for the revision of the Explosives Rules, appropriate action will be taken immediately for amending the rules on hearing from you.

As regards the amendment of the rules for making a provision that every licensing authority shall give an opportunity of being heard and record reasons, in writing, for passing an order adversely affecting a licence holder/applicant, the Lok Sabha Secretariat have been informed *vide* this Ministry's O.M. of even No. dated the 30th August, 1969, that a decision to this effect has been taken and further steps are being taken to amend the rules. In this connection, I am forwarding herewith a copy of notification No. 38(1)/67 LI(I), dated the 18th December, 1969, proposing amendments relating to the no-objection certificates issued by the District Authorities. This amendment will be finalised as soon as some suggestions received from the Government of West Bengal in this respect, have been examined and clarified.

Any other amendments which may be necessary to meet the observations of the Committee on Subordinate Legislation will also be made as soon as these points are further examined in consultation with the concerned authorities."

33. The Committee has noted from the above reply that even after two years of correspondence, the Ministry has not indicated any specific line of action which it intended to take to amend Rules 92 and 93 of the Explosives Rules, 1940. Nor has it furnished any clarification for not mentioning in column 5 of Schedule IV, the amount of fee to be charged for grant of licence etc. for purposes specified in column 3 against Serial Nos. 8 and 9. The Ministry has also not

explained whether such fees would be prescribed by general notifications or by *ad hoc* orders. As far back as on the 30th December, 1968, the Ministry had stated that the recommendation made by the Explosives Committee (which was set up by Government to suggest, *inter alia* revision of the Explosives Acts and Rules) to prescribe a standard scale of fee for the purpose was under consideration. But so far no action seems to have been taken by Government to provide a scale of fee in the Rules, as the Ministry has stated in its latest reply of 28th April, 1970 that "if, however, it is felt that fees for Special Form licences should also be provided in the rules, without waiting for the revision of the Explosives Rules, appropriate action will be taken immediately for amending the rules on hearing from you".

34. As regards the other point, the Committee has noted that the Ministry has stated in their O.M. of 30th August, 1969, that further steps are being taken to amend the Explosives Rules, 1940, with a view to meet the observations of the Committee on Subordinate Legislation, as decided in consultation with the authorities concerned. The Committee has also noted that the Ministry, while inviting attention to this O.M., has forwarded a copy of notification dated 18-12-69, containing draft amendment to the Rules relating to the refusal of 'No Objection Certificates' to be issued by the District Authorities, which has no relevance to the points referred to the Ministry and under consideration of the Committee.

35. The Committee examined the representative of the Ministry of Industrial Development, Internal Trade and Company Affairs (Department of Industrial Development) at its sitting held on the 30th July, 1970. During the course of his evidence, the representative agreed that rules 92 and 93 of the Explosives Rules, 1940 in their present form, denied certain rights to the applicants when their applications for amendment or renewal of licence were rejected or their licences were suspended or cancelled. He informed the Committee that the aforesaid rules were examined by the Ministry in consultation with the Ministries of Home Affairs and Law in the light of the observations made by the Committee on Subordinate Legislation in para 26 of its First Report (Fourth Lok Sabha) and necessary notifications were issued on 29-7-1970, which modified the existing provisions contained in rules 92 and 93 and Article Nos. 8 and 9 of Schedule IV appended to the Explosives Rules, 1940.

36. The representative of the Ministry further told the Committee that the draft rules had been published in the Gazette of India for the information of all persons likely to be affected thereby and calling for any objections or suggestions from them within a month.

In the Rules, it has now been provided that not only an opportunity of being heard should be given to the party whose application for licence was being refused or the licence was being suspended or cancelled, but the order so given should be recorded in writing and that person also had a right to appeal against such an order. But with a view to minimise unnecessary litigation, an opportunity of being heard was not to be given to a party (i) whose licence was being suspended for violation of any of the provisions of the principal Act or the Explosives Rules, 1940, or of any condition contained in such licence and if in the opinion of the licensing authority, such a violation was likely to cause danger to the public; and (ii) whose licence was being suspended or cancelled by the Central Government, if it considered that in the public interest or in the interests of the security of the State, such an opportunity should not be given. Again, no copy of the order suspending or cancelling a licence by the Central Government would be given to the licence-holder, if the reasons for such suspension or cancellation could not be disclosed in the public interest or in the interests of the security of the State.

37. When asked why it should not be made clear in the rules that it was necessary for the licensing authority to give a speaking order to the licence-holder at the time of suspension or cancellation of this licence in the public interest, the representative agreed that it would be examined and incorporated in the rules along with suggestions received from other persons in this behalf.

38. As regards dispensing with the practice of obtaining a 'No Objection Certificate' from the District Authority for the renewal of licences as suggested by the Explosives Committee, the representative of the Ministry stated that no final decision had been taken in this regard. But, generally the view of the Government in this particular matter was that the period of 'No Objection Certificate' must spread over a longer period than it was at present. He further assured the Committee that the Government did not want to suspend the rights of the individuals in respect of their trade and commerce and at the same time it was felt that if the licensing authority was wrong or had over-exceeded its authority, the aggrieved party must have a right to seek redress.

39. When asked to state the reasons for delay (more than two years) in amending the relevant rules, the representative of the Ministry explained that it took a longer time than it should have taken in getting the above rules vetted from two or three Ministries/Departments.

40. The Committee regrets to observe that it took Government more than two years to issue draft rules for amending rules 92 and 93 and Article Nos. 8 and 9 in Schedule IV appended to the Explosives Rules, 1940. Even the communications received from Government did not give straight replies to the queries raised by the Committee. The Committee deplors this tendency on the part of a Ministry of the Government of India to treat queries from a Parliamentary Committee in such a light-hearted manner.

41. The Committee is not convinced with the explanation given by the representative of the Ministry during the course of his evidence that 'it took a longer time than it should have taken in getting the rules vetted from two or three Ministries/Departments', particularly when the draft rules have been published in the Gazette only on the 29th July, 1970, i.e. one day before the Ministry was summoned to appear before the Committee for evidence. The Committee feels that Government should have taken prompt action when it was brought to its notice that the Rules framed by it denied the applicants/licence holders an opportunity of being heard when their applications for amendment or renewal of licences were rejected or their licences were suspended or cancelled.

42. In regard to 'No Objection Certificate', the Committee feels that Government should satisfy itself from all angles before the grant of a licence on the basis of such a Certificate. But once a 'No Objection Certificate' has been granted, Government should see that no hurdles are placed in the way of a licensee for setting up and running explosives factories. The Committee recommends that the period of 'No Objection Certificate' should spread over a longer period than what it is at present.

43. The Committee also recommends that a provision should be made in the Explosives Rules, 1940, making it incumbent on the Licensing Authority to give a speaking order to the licence-holder, whose licence is suspended or cancelled so that he may know the reasons for such an order and may seek legal remedies, if he so desires.

VI

THE SEEDS RULES, 1968 (G.S.R. 1632 of 1968)

44. During the course of examination of the Seeds Rules, 1968 (G.S.R. 1632 of 1968), it was noticed that no remedy had been provided for dealing with persons who sold or supplied seeds which did not conform to the minimum limits of germination and purity,

as specified by the Central Government under Section 6 of the Seeds Act, 1966. It was felt that the absence of such a penal provision might increase activities of such persons and thus lead to the devastation of crops of farmers. There was also no provision for dealing with the persons conniving with Seed Inspectors or other officers for securing false certificates regarding marking or labelling of seeds.

45. The Committee took up the matter with the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture), who in reply *inter alia* stated as below:

"...The Act does not provide for compensation for any losses suffered by the farmer who buys sub-standard seeds. Such compensation can be claimed by the suffering farmer only under the civil laws. The absence of such provisions is not on account of any error or short sightedness. Such a substantive provision cannot be introduced in the Rules without any provision in the Act to that effect.

The law seeks to protect the farmer upto the point of ensuring that seed of the important and significant kinds and varieties is sold under proper labelling observing minimum standards. It does not go beyond that.

There is also no punitive provision for dealing with persons conniving with officers for securing false certificates regarding labelling of seeds, etc. As far as the Government servants involved are concerned such punishment can be meted out under Departmental Rules and Regulations. Besides the general criminal laws are also applicable to these cases. The same goes for the non-officials involved in such practices. It does not appear to be necessary, therefore, to make separate provisions in the Act".

46. The representative of the Ministry of Food, Agriculture, C.D. and Cooperation (Department of Agriculture), who was examined by the Committee on the 30th July, 1970, on this issue stated that it was difficult to establish that the farmer had lost his crop or had sustained loss or damage only due to the supply of defective seeds. A crop could be damaged due to various other factors such as quality of soil, not storing of seeds under proper climatic conditions, etc. Citing an example of maize seeds, the witness stated that when the maize seed was introduced, instructions were that the

seeds should be planted 4cm. deep. But when some of the farmers planted those seeds 4" deep instead of 4cm., the result was that there was no germination.

47. Asked how it could be ensured that the farmer got seeds according to the 'Truthful Label' and that on the container, germination percentage, percentage of purity and lot number etc. were indicated so that in the case of a failure, the farmer could complain to the Seed Inspector, the representative of the Ministry stated that under section 6 of the Seeds Act, 1966, the dealer had to fulfil certain requirements. He had to show on the label what he was selling, the percentage of germination, etc. He told the Committee that till now there was no such legislation under which any action could be taken against the dealer for selling sub-standard seeds. The purpose of the present legislation was to protect the farmer from being exploited by an unscrupulous dealer who sold sub-standard seeds. Under the Seeds Act, the Inspectors were expected to take samples from the dealers' shops on the complaints made to them and after their analysis action under section 19 of the Act could be taken. The witness, however, admitted that it was very difficult to prove in a court of law that a farmer had suffered loss only because of defective seeds.

48. Asked whether it was possible to give any batch number etc. to the seed container as was being done in the case of drugs and pharmaceuticals where each drug had a batch number and if one sample was found defective then the whole batch was taken out of market and it was also being indicated on the drugs that these would not be effective after certain date, the representative of the Ministry stated that they would consider that. He, however, added that drugs stood slightly on a different footing because those were produced in a factory, whereas seeds were grown by a number of growers. It was difficult to trace out the origin of seeds. Moreover, the labels on the containers mentioned the period of viability and the dealers were required to get their seeds retested before they put them up for sale again and if in storage the viability had gone down, then the new percentage of germination had to be mentioned on the label. The measures like truthful labelling, selling of seeds in a container and voluntary certification were provided in the Seeds Act to protect the interest of a farmer.

49. Explaining the procedure for selling seeds, the representative of the Ministry stated that the dealer was not bound to sell seeds in a Government container. At present certification was

voluntary. A dealer was not bound to sell certified seeds only. The Seeds Act only prohibited the sale of seeds without truthful labelling. The label was not issued by the Government as the Act was modelled on U.S. lines where the accent was only on truthful labelling.

50. While the Committee agrees that failure of a crop cannot be attributed only to the quality of seeds as it could be due to many other reasons, nevertheless, it considers that Government should take all possible measures to ensure that a farmer is not supplied with defective seeds and some safeguard to this effect should be made in the Seeds Rules, 1968.

VII

IMPLEMENTATION OF RECOMMENDATIONS

(i) QUESTION OF TREATMENT OF EXPENSES INCURRED BY A MEMBER OF PARLIAMENT IN THE DISCHARGE OF HIS DUTIES AS SUCH MEMBER AS AN ALLOWABLE EXPENDITURE FOR PURPOSES OF INCOME-TAX

51. The Committee, after reconsidering the above matter had agreed *vide* para 17 of its Fifth Report (Fourth Lok Sabha) to the suggestion made by the then Minister of State in the Ministry of Finance (Shri P. C. Sethi) that a standard deduction of Rs. 100 per month as the minimum under Section 57 (iii) of the Income-tax Act, 1961, might be treated as an allowable expenditure incurred by a Member of Parliament in the discharge of his duties as such member for purposes of income-tax. **The Committee notes that the Ministry of Finance (Central Board of Direct Taxes) has issued instructions in this regard to all the Commissioners of Income-tax for their guidance.**

(ii) ALL-INDIA SERVICES (FIXATION OF CADRE STRENGTH) REGULATIONS PROVIDING FOR 'CENTRAL DEPUTATION RESERVE'

52. The Committee had observed in para 11 of its Fifth Report (Fourth Lok Sabha) that it should not be difficult for the Ministry of Home Affairs to lay down the nomenclature of the 'Central Deputation Reserve Posts' in each Regulation fixing cadre strength of various All India Services. This would go a long way in regulating properly the periods of tenure of officers brought from States on deputation for manning posts under the Central Government and to eliminate any element of favouritism which might creep

in at the time of allocation of such posts and the incumbents thereof to the various Central Ministries. The Committee also saw no reason why it should not be possible for Government to fix the tenure in respect of officers appointed to the posts above Joint Secretary's rank in the interest of providing healthy and clean administration. The Committee considered that the duration of tenure in one post should be kept in view while sanctioning another tenure to the same incumbent against the next higher post.

53. In this connection, the Committee considered the following reply received from the Ministry of Home Affairs :

"....the recommendation...that posts included in the Central Deputation Reserve should be shown by nomenclature has been re-examined and this Ministry is still of the view that it would not be feasible to give the precise nomenclature of the posts which would be manned by the officers brought on deputation to the Centre. Regarding the recommendation that tenure should also be fixed in the case of officers appointed to posts above the rank of Joint Secretaries the scheme for staffing the senior administrative posts under the Centre already lays down that officers who are borrowed for appointment to the posts of, or equivalent to, Joint Secretaries and Secretaries will revert to their cadres on the expiry of a period of five years. There were no posts in the State equivalent in pay and status to the post of Secretaries and Additional Secretaries in the Government of India. It is mainly because of this that this rule has not been enforced in the case of the posts of Additional Secretaries and above. The position regarding periods of tenure in various posts are now proposed to be fixed under statutory rules."

54. The Committee has considered the above reply of the Ministry of Home Affairs, but has not been able to agree to its views. The Committee, therefore, reiterates its earlier recommendation made in para 11 of Fifth Report (Fourth Lok Sabha) that the Ministry of Home Affairs should lay down the nomenclature of the 'Central Deputation Reserve Posts' in each Regulation fixing cadre strength of various All India Services. The Committee desires that necessary amendments in this regard be made in the All India Services (Fixation of Cadre Strength) Regulations and they may be laid on the Table of Lok Sabha within a period of three months.

(iii) IMPOSITION OF FEE ON CANCELLATION OF RAILWAY TICKETS

55. The Committee had observed in para 34 of its First Report (Fourth Lok Sabha) that charges like the one levied for cancellation of unused Railway Tickets should not be levied or collected without any specific authorisation by an Act of Parliament and so far as Section 47 of the Indian Railways Act, 1890 was concerned, there was nothing which authorised the Railway Administration to levy such cancellation charges. **The Committee notes with satisfaction that a Bill (No 27 of 1970) has been introduced in Lok Sabha on the 24th March, 1970, by the Minister of Railways for suitably amending Section 47 of the Indian Railways Act, 1890, and to validate the levy and collection of such charges made before the amended Section 47 becomes effective.**

(iv) RULES REGARDING RECRUITMENT OF MEMBER-SECRETARIES IN THE RAILWAY SERVICE COMMISSIONS

56. The Committee on Subordinate Legislation had made the following recommendation in para 49 of its Fourth Report (Fourth Lok Sabha):—

“The Committee feels that the revised notification regarding the recruitment of Member-Secretary in the Railway Service Commissions, which has been sent to the Union Public Service Commission for their acceptance is not satisfactory. The notification, as it is worded, leaves ample scope for appointing, serving or retired Railway Officer as member of a Railway Service Commission without having first-hand knowledge of the working of any of the Zonal Railways. The Committee feels that the recruitment rules should be suitably amended in order to provide that an officer of the Railway Board's Secretariat or of the Zonal Railway will be eligible for appointment as Member-Secretary provided he has held office on a Zonal Railway for at least five years.”

57. In this connection, the Committee has considered the following reply of the Ministry of Railways (Railway Board):

“Prior to February, 1968, each of the four Railway Service Commissions consisted of a Chairman and two Members, Recruitment Rules for the post of Member, Railway Service Commission, were framed in consultation with the Union Public Service Commission, and were notified

under the Ministry of Railways Notification No. E(GR)I-65RSC2, dated 15th January, 1966. The rules provided that the field of choice for the post of Member would ordinarily consist of:—

- (i) Retired Railway/Government Officers;
- (ii) Ex-Members of Parliament; and
- (iii) Men of repute, e.g. educationists, eminent lawyers, etc.,

The Union Public Service Commission originally suggested that a note as reproduced below should be appended under the Member, Railway Service Commission:

'One of the two Members in each Commission shall be a person who, at the date of his appointment, must have held office for at least 10 years under the Government of India or under the Government of a State.'

In the meanwhile, the Railway Accidents Enquiry Committee, vide their recommendation No. 49 of their Report recommended that at least one of the Members of each Railway Service Commission should be a serving or retired Railway Officer. This recommendation was accepted by the Government and the Commission were informed that there should be a stipulation in the Rules to the effect that at least one of the Members in each Commission should be a retired/serving Railway Officer. The Commission therefore, in the rules finally approved by them, amended the above-mentioned note on the following lines:—

'One of the two Members in each Commission shall be a serving or a retired Railway Officer who must have held office on the Railways for at least 10 years.'

The Railway Accident Enquiry Committee, however, did not prescribe any limit of service which one should have rendered for becoming eligible for the post of Member. The 10 years' limit was only prescribed by the Commission and the expression 'on the Railways' came to be used as advised by the Commission.

In February, 1968, the question of affecting some reduction in expenditure on Railway Service Commissions as a measure of economy and in view of the availability of surplus Class III staff on Railways and consequent reduction of recruitment, was considered and it was decided by this Ministry

that there should be only one Chairman and one Member-Secretary in each of the four Commissions. The posts of Secretary were abolished. It was also decided that the Member-Secretary would be drawn either from the Secretariat of the Railway Board or from the Zonal Railways. This decision was taken after detailed deliberations and had the approval of the Minister of Railways. There were a few complaints against the manner in which the Members of the Railway Service Commissions had performed their duties in the past and the Central Vigilance Commission had observed that the mode of choice had probably not resulted in the selection of right type of personnel as Members of the Commissions. The method of filling the post of Member-Secretary was, therefore, considered in detail in consultation with the Union Public Service Commission and it was decided that a panel of officers of the Railway Board Secretariat or of Zonal Railways who were considered suitable by the Ministry of Railways and who were within the age limits of 52 years and 58 years would be forwarded to the Commission who would select and recommend a candidate from that panel. Accordingly, retired officers were made ineligible for appointment as Member-Secretaries. This necessitated revision of the recruitment rules. . . . the rules now contain a note as under:

'A permanent officer of the Railway Board Secretariat or of Zonal Railways shall be eligible for appointment as Member-Secretary provided he has held office on the Zonal Railways and/or the Railway Board Secretariat for at least 10 years and has not more than 6 years to serve in his regular post and eventually retires in his capacity as such Member-Secretary.'

It will thus be seen that the Commission who had used the expression 'on the Railways' had intended only to convey the meaning 'Railway Officer with ten years service'.

As the designation of the post suggests, it will be observed that the Member-Secretary under the revised set-up has now to perform a dual function. As a Secretary to the Commission, he is to perform all the Secretariat duties and has to assist the Chairman in the proper functioning of the office establishment and his duties as such correspond to those performed by the officers of the Secretariat. As

such for the proper discharge of the functions as Secretary, it is essential that an officer has the full background of the Secretariat work and knowledge of the rules governing the recruitment to Class III posts. This aspect weighed with the Government and the Commission in including officers of the Railway Board Secretariat in the field of choice for the posts of Member-Secretaries.

As a Member, he has to deal exclusively with the recruitment side which involves testing, interview and selection of suitable candidates, keeping in view the provisions made in the recruitment rules. At this stage, he is assisted by an officer of the Railway for which recruitment has to be made. The posts of Secretary, Railway Service Commission, since 1961, have been continuously held by the officers of the Railway Board Secretariat Service and they have functioned satisfactorily.

The doubts expressed by the Committee on Subordinate Legislation *vide* Lok Sabha Secretariat's O.M. No. 49|CII| 68|dated 28th September, 24th October and 20th December, 1968, were specifically brought to the notice of the Commission. The Commission were also informed that it had been Clarified to the Committee that the term 'Railway Service' is comprehensive one and includes service in the Railway Board and consequently the expression 'on the Railways' would cover the Railway Board Secretariat also. The U.P.S.C. at whose instance the limit of 10 years service for eligibility to the post of Member in case of the retired Railway employees was incorporated in the original recruitment rules were satisfied and agreed to the suggestion.

The Railway Board Secretariat Service was constituted as a regular service in 1954. Posts of Joint Directors in the functional Directorates of the Railway Board are filled by drafting officers from the different Railway Services. Therefore, only a limited number of Selection Grade posts, Joint Directors|Deputy Secretaries (Scale Rs. 1100-1800|-) are available for promotion of the officers of the Railway Board Secretariat Service unlike the Central Secretariat Service where comparatively more selection grade posts, Deputy Secretaries or equivalent, and some other higher administrative posts are available for promotion. It had, therefore been represented to the Ministry of Railways that some more selection grade posts should be made available for promotion from the Railway Board Secretariat Ser-

vice. This Ministry, therefore, after careful consideration with a view to providing avenue of promotion to the officers of the Railway Board Secretariat Service, decided that the posts of Member-Secretaries in the Railway Service Commissions should also be thrown open to the officers of the service. Since the officers of the Railway Board Secretariat are not required to work on the Zonal Railways, these officers will not be eligible for the post of Member-Secretary in the Railway Service Commission in terms of the recommendation of the Committee on Subordinate Legislation. Therefore, the only additional avenue of promotion provided to them will also be closed.

In view of the considerations brought out above, this Ministry request that the matter may please be placed before the Committee on Subordinate Legislation for favour of reconsideration of the recommendation referred to above."

58. The Committee, after carefully considering the matter in all its aspects, would like to reiterate its earlier recommendation made in para 49 of its Fourth Report (Fourth Lok Sabha) that rules should be suitably amended in order to provide that an officer of the Secretariat of the Railway Board or of a Zonal Railway Will be eligible for appointment as Member-Secretary provided he has held office on a Zonal Railway for at least five years.

(v) FREE ENTRY TO PROTECTED MONUMENTS

59. The Committee had recommended in para 40 of its Fourth Report (Fourth Lok Sabha) that the Government should make an early appraisal of the feelings of the local people through local institutions and might even conduct a survey so as to find out when the poor folk visited the various protected monuments in large numbers and fix the days for free entry accordingly in respect of such monuments located at different places in the country.

60. The Committee has considered the following note furnished by the Ministry of Education and Youth Services after ascertaining the feelings of the local people through the Archaeological Survey of India:

".....the Archaeological Survey of India ascertained the feelings of local people in regard to continuance of Friday as free day through the staff of the Archaeological Survey

of India by making verbal enquiries from the visitors and local inhabitants and in some cases by making formal reference to local institutions and other authorities..... It has been decided to agree with the suggestions made by Director General and amend the Ancient Monuments and Archaeological Sites and Remains Rules, 1959 accordingly."

61. The Committee notes that the Ministry of Education and Youth Services after having ascertained the feelings of the local people through the Archaeological Survey of India has agreed to the suggestions made by the Director General, Archaeological Survey of India and has decided to amend the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, accordingly.

(vi) RECRUITMENT RULES UNDER THE TEA ACT, 1953

62. The Committee on Subordinate Legislation had recommended in para 52 of its First Report (Fourth Lok Sabha) in March, 1968, as under:

"While the Committee have now been assured by the representatives of the Ministry that the recruitment Rules under the Tea Act, 1953 would be finalised by the end of February, 1968, nevertheless, they are distressed at the lackadaisical manner in which both the Ministry of Commerce and Tea Board have acted in this case. It appears incredible that a period of more than 14 years should have elapsed without the recruitment rules having been framed and, in the meanwhile, files containing draft recruitment rules tossed to and fro between the Ministry and the Tea Board. The Committee need hardly point out that the main purpose of vesting autonomy in the Commodity Boards is to enable them to transact their business more efficiently and if red-tapism and chronic delays of this nature were to occur, the very object of setting up these Boards would be defeated.

The Committee are also unhappy over the dormant role played by the Ministry of Commerce in dealing with this case and they wonder how it did not strike them at all, at any stage, that some of their actions in the matter of appointments to the various posts in the higher echelons of Tea Board were vulnerable' in the absence of the Rules in question."

63. On 9th July, 1968, the erstwhile Ministry of Commerce was asked to intimate the details of action taken or proposed to be taken by it to implement the above recommendation for the information of the Committee. After protracted correspondence, the Ministry sent the following reply on the 12th May, 1970:

“.....the relevant rules have since been finalised. A draft notification has been sent to the Ministry of Law for vetting before issue of the draft. It is expected that the notification will be finally published shortly.”

64. On the matter being pursued further, the following reply has been received from the Ministry of Foreign Trade on the 18th August, 1970:

“.....We are awaiting the concurrence of the Ministry of Home Affairs in this case. That Ministry had called for some more details and these were furnished some time in the third week of July. We are expecting the return of this file, when orders will be issued. The delay which is beyond our control is, however, regretted.”

65. The Committee takes a serious view of such a long delay in the framing of recruitment rules under the Tea Act of 1953. The Committee deplors this sad state of affairs. In spite of an assurance given by the representatives of the erstwhile Ministry of Commerce as far back as in January, 1968, that the rules will be finalised by February, 1968, Government has not yet seen its way in pushing through the rules. The Committee trusts that the recruitment rules in question will be finalised and published in the Gazette without any further delay.

NEW DELHI;
The 3rd September, 1970.

ANAND NARAIN MULLA,
Chairman,
Committee on Subordinate Legislation.

SUMMARY OF RECOMMENDATIONS|OBSERVATIONS MADE BY THE COMMITTEE

S. No.	Para Numbers	Summary
(1)	(2)	(3)
1.	19	<p>The Committee desires that the present Model Clause providing for laying of rules before both Houses of Parliament, as approved by the Committee on Subordinate Legislation in para 45 of its Seventh Report (Second Lok Sabha), should continue or in the alternative the recommendations made by the Rajya Sabha Committee on Subordinate Legislation in para 25 of its Fifth Report that "the existing 'laying formula' should be modified so as to provide that (i) the statutory period of 30 days might be completed in one session or two or more successive sessions; and (ii) the right to suggest modification in the 'Order' should extend to one additional session immediately following the session in which the period of 30 days is completed", should be accepted in its entirety.</p>
2.	22	<p>The Committee agrees that it may not be possible to entrust always inquiries against delinquent officers to Gazetted Officers under the Central Civil Services (Classification, Control and Appeal) Rules, 1965, as the Department of Communications has under its employment a large number of persons spread over the entire country. But the Committee strongly feels that the inquiries should be conducted by an Officer who is sufficiently senior to the officer whose conduct is being inquired into. Inquiry by a junior officer, the Committee feels, cannot command confidence which it deserves.</p>

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3. 27 The Committee recommends that the Ministry of Home Affairs should bring forward a suitable amendment to Clause 3 of the All-India Services (Laying of Regulations before Parliament) Bill, 1969 (as passed by Rajya Sabha on the 25th November, 1969) so that "laying" of Regulations before Parliament which are no longer in force is avoided.

4. 40-43 The Committee regrets that it took Government more than two years to issue draft rules for amending rules 92 and 93 and Article Nos. 8 and 9 in Schedule IV appended to the Explosives Rules, 1940. Even the communications received from Government did not give straight replies to the queries raised by the Committee. The Committee deplores this tendency on the part of a Ministry of the Government of India to treat queries from a Parliamentary Committee in such a light-hearted manner.

The Committee is not convinced with the explanation given by the representative of the Ministry during the course of his evidence that 'it took a longer time than it should have taken in getting the rules vetted from two or three Ministries/Departments', particularly when the draft rules have been published in the Gazette only on the 29th July, 1970 i.e. one day before the Ministry was summoned to appear before the Committee for evidence. The Committee feels that Government should have taken prompt action when it was brought to its notice that the Rules framed by it denied the applicants/licence holders an opportunity of being heard when their applications for amendment or renewal of licences were rejected or their licences were suspended or cancelled.

In regard to 'No Objection Certificate', the Committee feels that Government should satisfy

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itself from all angles before the grant of a licence on the basis of such a Certificate. But once a 'No Objection Certificate' has been granted, Government should see that no hurdles are placed in the way of a licensee for setting up and running explosives factories. The Committee recommends that the period of 'No Objection Certificate' should spread over a longer period than what it is at present.

The Committee also recommends that a provision should be made in the Explosives Rules, 1940, making it incumbent on the Licensing Authority to give a speaking order to a licensee, whose licence is suspended or cancelled so that he may know the reasons for such an order and may seek legal remedies, if he so desires.

5. 50 While the Committee agrees that failure of a crop cannot be attributed only to the quality of seeds as it could be due to many other reasons, nevertheless, it considers that Government should take all possible measures to ensure that a farmer is not supplied with defective seeds and some safeguard to this effect should be made in the Seeds Rules, 1968.
6. 51 The Committee notes that the Ministry of Finance (Central Board of Direct Taxes) has issued instructions to all the Commissioners of Income-tax for their guidance, regarding deductions to be allowed to Members of Parliament from their salaries and allowances while assessing income-tax.
7. 54 The Committee reiterates its earlier recommendation made in para 11 of Fifth Report (Fourth Lok Sabha) that the Ministry of Home Affairs should lay down the nomenclature of the 'Central Deputation Reserve Posts' in each Regulation
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		fixing cadre strength of various All India Services. The Committee desires that necessary amendments in this regard be made in the All-India Services (Fixation of Cadre Strength) Regulations and they may be laid on the Table of Lok Sabha within a period of three months.
8.	55	The Committee notes with satisfaction that a Bill (No. 27 of 1970) has been introduced in Lok Sabha on the 24th March, 1970 by the Minister of Railways for suitably amending Section 47 of the Indian Railways Act, 1890 and to validate the levy and collection of cancellation charges imposed on unused railway tickets before the amended Section 47 becomes effective.
9.	58	The Committee would like to reiterate its earlier recommendation made in para 49 of its Fourth Report (Fourth Lok Sabha) that rules regarding recruitment of Member Secretary in the Railway Service Commission should be suitably amended in order to provide that an officer of the Secretariat of the Railway Board or of a Zonal Railway will be eligible for appointment as Member-Secretary provided he has held office on a Zonal Railway for at least five years.
10.	61	The Committee notes that the Ministry of Education and Youth Services after having ascertained the feelings of the local people through the Archaeological Survey of India has agreed to the suggestions made by the Director General, Archaeological Survey of India and has decided to amend the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, accordingly.
11.	65	The Committee takes a serious view of such a long delay in the framing of recruitment rules under the Tea Act of 1953. The Committee deplores this sad state of affairs. In spite of an

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assurance given by the representatives of the erstwhile Ministry of Commerce as far back as in January, 1968 that the rules will be finalised by February, 1968, Government has not yet seen its way in pushing through the rules. The Committee trusts that the recruitment rules in question will be finalised and published in the Gazette without any further delay.

APPENDIX I

(Vide para 3 of the Report)

* List of 'Orders' selected for detailed examination by the Sub-Committee of Committee on Subordinate Legislation

Sl. No.	Number of 'Order'	Date of publication in the Gazette	Title of 'Order'
1	2	3	
1.	S.R.O. 2 of 1969 <hr/> 4-1-1969	Lower Division Clerk and Stenotypist (Defence Services) Recruitment Rules, 1968.	
2.	S.R.O. 4 of 1969 <hr/> 4-1-1969	Amendments in the Cantonment bye-laws published with the notification of the Government in the Ministry of Defence No. 453 dated 18th March, 1950.	
3.	G.S.R. 18 of 1969 <hr/> 4-1-1969	Fundamental (Seventh Amendment) Rules, 1968.	
4.	G.S.R. 47 of 1969 <hr/> 11-1-1969	National Archives of India (Recruitment to Class I and Class II Posts) Second Amendment Rules, 1968.	
5.	G.S.R. 50 of 1969 <hr/> 11-1-1969	Railway Protection Force (Superior Officers) Recruitment (Amendment) Rules, 1968.	
6.	G.S.R. 54 of 1969 <hr/> 11-1-1969	Coal Controller's Organisation (Class II Posts) Recruitment (Amendment) Rules, 1968.	
7.	G.S.R. 55 of 1969 <hr/> 11-1-1969	Ministry of Petroleum and Chemicals Chief Project Officer Recruitment Rules, 1969.	
8.	G.S.R. 69 of 1969 <hr/> 11-1-1969	Gas Cylinders (Amendment) Rules, 1968.	
9.	G.S.R. 70 of 1969 <hr/> 11-1-1969	Explosives (Second Amendment) Rules, 1968.	
10.	G.S.R. 80 of 1969 <hr/> 11-1-1969	Customs and Central Excise Duties Export Drawback (General) 1st Amendment Rules, 196	
11.	G.S.R. 81 of 1969 <hr/> 11-1-1969	Customs and Central Excise Duties Export Drawback (General) Second Amendment Rules, 1969.	

* 'Orders' at S. Nos. 1 to 204 were selected on 3-7-1970 and S. Nos. 206 to 592 on 4-7-1970.

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| <p>12. <u>G.S.R. 82 of 1969</u>
11-1-1969</p> | <p>Customs and Central Excise Export Drawback (General) Third Amendment Rules, 1969.</p> |
| <p>13. <u>G.S.R. 83 of 1969</u>
11-1-1969</p> | <p>Customs and Central Excise Duties Export Drawback (General) Rules, 1960 for Serial No. 6 and the entries relating thereto.</p> |
| <p>14. <u>S. O. 128 of 1969</u>
11-1-1969</p> | <p>Central Services (Medical Attendance) Amendment Rules, 1968.</p> |
| <p>15. <u>S.O. 133 of 1969</u>
11-1-1969</p> | <p>Visakhapatnam Unregistered Dock Workers (Regulation of Employment) Scheme, 1968.</p> |
| <p>16. <u>S.O. 163 of 1969</u>
11-1-1969</p> | <p>Tripura Employees (Revision of Pay and allowances) Amendment Rules, 1968.</p> |
| <p>17. <u>S.R.O. 20 of 1969</u>
18-1-1969</p> | <p>Ministry of Defence, Directorate-General, National Cadet Corps (Class I Gazetted Post) Recruitment Rules, 1968.</p> |
| <p>18. <u>S.R.O. 25 of 1969</u>
18-1-1969</p> | <p>Civilians in Defence Services (Field Service liability) Amendment Rules, 1969.</p> |
| <p>19. <u>S.R.O. 26 of 1969</u>
18-1-1969</p> | <p>Arms Medical Corps (Civilian) Class III and IV Posts Recruitment Rules, 1969.</p> |
| <p>20. <u>S.R.O. 27 of 1969</u>
18-1-1969</p> | <p>Bye-laws for regulating the registration of private sweepers and use of approved type of buckets/wheel barrows of galvanised iron for removal of night soil from private houses in Ferozepore Cantonment.</p> |
| <p>21. <u>G.S.R. 90 of 1969</u>
7-1-1969</p> | <p>Uttar Pradesh Foodgrains (Restriction on Boarder/Movement) Order, 1969.</p> |
| <p>22. <u>G.S.R. 92 of 1969</u>
8-1-1969</p> | <p>President's Pension (Maintenance of Secretarial Staff and Medical Attendance) (Amendment) Rules, 1969.</p> |
| <p>23. <u>G.S.R. 104 of 1969</u>
18-1-1969</p> | <p>Department of Health and Urban Development Senior Research Officer and Research Officer, Unani (Pharmacopoeia Committee) Recruitment Rules, 1969.</p> |
| <p>24. <u>G.S.R. 107 of 1969</u>
18-1-1969</p> | <p>Small Scale Industries Organisation (Class I and Class II Gazetted) Posts Recruitment (Third Amendment) Rules, 1968.</p> |
| <p>25. <u>G.S.R. 109 of 1969</u>
18-1-1969</p> | <p>Central Institute of Fisheries Operatives (Class III and Class IV Posts) Recruitment (Amendment) Rules, 1969.</p> |
| <p>26. <u>G.S.R. 110 of 1969</u>
18-1-1969</p> | <p>Central Institute of Fisheries Operatives (Class III & Class IV Posts) Recruitment (Amendment) Rules, 1969.</p> |
| <p>27. <u>G.S.R. 114 of 1969</u>
18-1-1969</p> | <p>Shipping/Seamen's Employment and Welfare Officer (Recruitment to Class I and II Posts) Second Amendment Rules, 1968.</p> |

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28.	G.S.R. 122 of 1969 18-1-1969	Films Division (Class I and Class II Posts) Recruitment (Amendment) Rules, 1969.
29.	G.S.R. 133 of 1969 18-1-1969	Fundamental (Eighth Amendment) Rules, 1968
30.	G.S.R. 141 of 1969 25-1-1969	Directorate of Export Promotion (Export Promotion Officers of at Ports) Ministry of Commerce Recruitment Rules, 1968.
31.	G.S.R. 143 of 1969 25-1-1969	Employees Provident Fund (Grant of Advances to Officers and Staff, other than Commissioners for Building/Purchasing of Houses) (Second Amendment) Rules, 1968.
32.	G.S.R. 150 of 1969 25-1-1969	Indian Railways (Specialist Surgeons) Recruitment Rules, 1968.
33.	G.S.R. 151 of 1969 25-1-1969	Indian Railways Stores Service Recruitment Rules, 1970.
34.	G.S.R. 152 of 1959 25-1-1969	Ministry of Information and Broadcasting Welfare Inspector Recruitment Rules, 1968.
35.	G.S.R. 157 of 1969 25-1-1969 J	Central Excise (First Amendment) Rules, 1969.
36.	S.R.O. 35 of 1969 25-1-1969	Department of Defence Production (Directorate General of Inspection) Class II Non-Gazetted (Non-Technical) Posts Recruitment Rules, 1968.
37.	S.R.O. 36 of 1969 25-1-1969	Department of Defence Production (Directorate General of Inspection) Class III Non-Gazetted (Cinema Operators Grade II) Posts Recruitment Rules, 1968.
38.	S.R.O. 37 of 1969 25-1-1969	Civilians in Defence Service Class III Non-Gazetted Non-Industrial Recruitment Rules, 1969.
39.	G.S.R. 180 of 1969 1-2-1969	Indian Post Office (Amendment) Rules, 1969.
40.	G.S.R. 183 of 1969 1-2-1969	Department of Agriculture (Agricultural Commissioner) Recruitment (Amendment) Rules, 1969.
41.	G.S.R. 188 of 1969 1-2-1969	Merchant Shipping (Carriage of Grain) Rules, 1969.
42.	G.S.R. 199 of 1969 1-2-1969	Customs and Central Excise Duties Export Drawback (General) Fifth Amendment Rules, 1969.
43.	G.S.R. 200 of 1969 1-2-1969	Customs and Central Excise Duties Export Drawback (General) Sixth Amendment Rules, 1969.

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44.	G.S.R. 210 of 1969 1-2-1969	Indian Meteorological Department (Class I and Class II) Posts Recruitment Rules, 1968.
45.	S.O. 411 of 1969 1-2-1969	Iron and Steel (Control) Amendment Order, 1968.
46.	G.S.R. 219 of 1969 8-2-1969	Central Secretariat Clerical Service (Competitive Examination) Amendment Regulations, 1969.
47.	G.S.R. 221 of 1969 8-2-1969	Ministry of Education/Investigator (Works Study) Recruitment Rules, 1969.
48.	G.S.R. 222 of 1969 8-2-1969	Indian Railways Service of Engineers Recruitment (Amendment) Rules, 1969.
49.	G.S.R. 223 of 1969 8-2-1969	Indian Railways Service of Signal Engineers Recruitment (Amendment) Rules, 1969.
50.	G.S.R. 224 of 1969 8-2-1969	Indian Railways Service of Electrical Engineers Recruitment (Amendment) Rules, 1969.
51.	G.S.R. 225 of 1969 8-2-1969	Ministry of Irrigation and Power, Hindi Officers Recruitment (Amendment) Rules, 1969.
52.	G.S.R. 228 of 1969 8-2-1969	Jawaharlal Nehru Ayurvedic Medicinal Plants Garden and Herbarium, Kothrud (Officer Incharge) Recruitment Rules, 1969.
53.	G.S.R. 232 of 1969 8-2-1969	Central Cattle Breeding Farms (Class I Posts) Recruitment Rules, 1969.
54.	G.S.R. 133 of 1969 8-2-1969	Department of Agriculture (Deputy Commissioner Poultry and Livestock Health), Recruitment (Amendment) Rules, 1968.
55.	G.S.R. 235 of 1969 8-2-1969	Directorate of Plant Protection, Quarantine and Storage (Class I Technical Post of Transport Engineers) Recruitment Rules, 1968.
56.	G.S.R. 236 of 1969 8-2-1969	Banking Companies (Amendment) Rules, 1969.
57.	G.S.R. 239 of 1969 8-2-1969	Customs and Central Excise Duties Export Drawback (General) Seventh Amendment Rules, 1969.
58.	G.S.R. 246 of 1969 8-2-1969	Indian Supply Service (Class I) Amendment Rules, 1969.
59.	G.S.R. 251 of 1969 8-2-1969	Planning Commission (Senior Hindi Translators) Recruitment Rules, 1969.
60.	S.O. 457 of 1969 1-2-1969	Expert of Vinyl Film and Sheeting (Inspection) Rules, 1969.
61.	S.O. 535 of 1969 8-2-1969	Delegation of Financial Powers (Amendment) Rules, 1969.
62.	G.S.R. 262 of 1969 15-2-1969	Delhi, Himachal Pradesh and Andaman and Nicobar Island Police Service (Amendment) Rules, 1969.

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63.	G.S.R. 263 of 1969 15-2-1969	Delhi, Himachal Pradesh and Andaman and Nicobar Islands Civil Service (Amendment) Rules, 1969.
64.	G.S.R. 264 of 1969 15-2-1969	Delhi, Himachal Pradesh and Andaman and Nicobar Islands Civil Service (Second Amendment) Rules, 1969.
65.	G.S.R. 265 of 1969 15-2-1969	Delhi, Himachal Pradesh and Andaman and Nicobar Islands Police Service (Second Amendment) Rules 1969.
66.	G.S.R. 272 of 1969 15-2-1969	Customs and Central Excise Duties Export Drawback (General) Eighth Amendment Rules, 1969.
67.	एस. ओ. 277 15-2-1969	पूति और निपटान प्रादेशिक निदेशालय तथा निरीक्षण प्रादेशिक निदेशालय (बर्ग 3 लिपिक वर्गीय लोक सम्पर्क आफिसर भर्ती नियम, 1968)
68.	G.S.R. 284 of 1969 15-2-1969	Small Scale Industries Organisations/Class I and Class II (Gazetted) Posts/Recruitment (Fourth Amendment) Rules, 1968.
69.	G.S.R. 286 of 1969 15-2-1969	Grant of Loans to Licensed Salt Manufacturers (Amendment) Rules, 1969.
70.	G.S.R. 293 of 1969 15-2-1969	Department of Parliamentary Affairs (Recruitment and Conditions of Service) Amendment Rules, 1969.
71.	G.S.R. 294 of 1969 8-2-1969	Class I and Class II Gazetted Posts (Office of the Textile Commissioner and the All India Handloom board) Recruitment (Second Amendment) Rules, 1968.
72.	G.S.R. 296 of 1969 15-2-1969	Ministry of Irrigation and Power, Hindi Officers Recruitment (Amendment) Rules, 1968.
73.	G.S.R. 300 of 1969 12-2-1969	Constitution (Distribution of Revenue (Amendment) Order, 1969.
74.	S. O. 584 of 1969 15-2-1967	Indian Patents and Designs (Amendment) Rules, 1967.
75.	S. O. 625 of 1969 14-2-1969	Income-tax (Second Amendment) Rules, 1969.
76.	S.O. 624 of 1969 14-2-1969	Income-Tax (Amendment) Rules, 1969.
77.	G.S.R. 422 of 1969 22-2-1969	Farakka Barrage Project (Class I and Class II Posts) Recruitment (Second Amendment) Rules, 1969.
78.	G.S.R. 438 of 1969 22-2-1969	Ex-Servicemen (Reservation of Vacancies in the Central Civil Services and Posts Class III and Class IV) Rules, 1969.
79.	G.S.R. 439 of 1969 22-2-1969	Railway Board (Class I Posts in Economic Cell) Recruitment Rules, 1969.
80.	G.S.R. 303 of 1969 17-2-1969	Constitution (Application to Jammu & Kashmir) Amendment Order, 1969.

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81.	S.R.O. 62 of 1969 22-2-1969	General Provident Fund (Defence Services) (First Amendment) Rules, 1969.
82.	S.O. 645 of 1969 22-2-1969	Jawaharlal Institute of Post-graduate Medical Education and Research, Pondicherry (Class I Gazetted) Recruitment Rules, 1969.
83.	G.S.R. 446 of 1969 21-2-1969	Wheat Roller Flour Mills (Licensing and Control) Amendment Order, 1969.
84.	G.S.R. 461 of 1969 1-3-1969	Officer on Special Duty (Internal Finance Ministry of External Affairs) Recruitment Rules, 1969.
85.	G.S.R. 463 of 1969 1-3-1969	Official Language (Legislative) Commission (Class III Non-Gazetted Posts) Amendment Rules, 1968.
86.	G.S.R. 468 of 1969 1-3-1969.	Supreme Court (Amendment) Rules, 1969.
87.	G.S.R. 471 of 1969 1-3-1969	Ministry of Food and Agriculture (Recruitment to Technical Non-Gazetted Class II and III Posts) Amendment Rules, 1969.
88.	G.S.R. 472 of 1969 1-3-1969	Directorate of Sugar and Vanaspati (Recruitment to Class I and Class II Posts) Amendment Rules, 1968.
89.	G.S.R. 576 of 1969 1-3-1969	Small Scale Industries Organisation [Class I and Class II (Gazetted) Posts) Recruitment (Third Amendment) Rules, 1968.
90.	G.S.R. 477 of 1969 1-3-1969	Small Scale Industries Organisation Class I and Class II (Gazetted) Posts Recruitment (Fourth Amendment) Rules, 1968.
91.	G.S.R. 486 of 1969 1-3-1969	Posts & Telegraphs (Linemen/Sub-Inspectors/Line Inspectors) Recruitment Rules, 1969.
92.	G.S.R. 527 of 1969 8-3-1969	Directorate of Sugar and Vanaspati (Recruitment to Class I and II Post) (Amendment) Rules, 1968.
93.	G.S.R. 770 of 1969 15-3-1969	Indian Forest Service (Pay) Amendment Rules, 1969.
94.	G.S.R. 775 of 1969 15-3-1969.	Central Excise (Second Amendment) Rules, 1969.
95.	G.S.R. 776 of 1969 15-3-1969	Central Excise (Third Amendment) Rules, 1969.
96.	G.S.R. 790 of 1969 15-3-1969	All India Handicrafts Board (Class I and Class II) (Gazetted Posts) Recruitment (Amendment) Rules 1969.
97.	G.S.R. 794 of 1969 15-3-1969	Department of Food (Class I and Class II Non-Secretariat Posts) Recruitment (Amendment) Rules-1969.

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98.	S.R.O. 66 of 1969 <hr/> 1-3-1969	Army Amendment Rules, 1969.
99.	G.S.R. 820 of 1969 <hr/> 22-3-1969	Central Information Service (Amendment) Rules, 1969.
100.	G.S.R. 823 of 1969 <hr/> 22-3-1969	Registration of Newspapers (Central Amendment) Rules, 1968.
101.	G.S.R. 824 of 1969 <hr/> 22-3-1969	Director (Economic Reserach) Directorate of E xport Promotion, Ministry of Foreign Trade and Supply (Deptt. of Foreign Trade) Recruitment Rules, 1969.
102.	G.S.R. 825 of 1969 <hr/> 22-3-1969	Indian Inspection Service (Class I) Amendment Rules, 1969.
103.	G. S. R. 833 of 1969 <hr/> 22-3-1969	Delhi, Himachal Pradesh and Andaman and Nicobar Islands Civil Service (Third Amendment) Rules, 1969.
104.	G.S.R. 834 of 1969 <hr/> 22-3-1969	Delhi, Himachal Pradesh and Andaman and Nicobar Islands Police Service (Third Amendment) Rules, 1969.
105.	S.O. 752 of 1969 <hr/> 1-3-1969	Authentication (Orders and Other Instruments) Amendment Rules, 1969.
106.	S.O. 756 of 1969 <hr/> 1-3-1969	Civil Service (First Amendment) Regulations, 1969.
107.	S.O. 757 of 1969 <hr/> 1-3-1969	Fundamental (First Amendment) Rules, 1969.
108.	S.O. 835 of 1969 <hr/> 1-3-1969	Delhi, Meerut and Bulandshahar Milk and Milk Products Control Order, 1969.
109.	S.O. 951 of 1969 <hr/> 15-3-1969	Central Civil Services (Conduct) First Amendment Rules, 1969.
110.	S.R.O. 114 of 1969 <hr/> 12-4-1969	Indian Air Force Act (Amendment) Rules, 1969.
111.	G.S.R. 760 of 1969 <hr/> 3-3-1969	Roller Mills Wheat Products (Price Control) Amend-ment Order, 1969.
112.	G.S.R. 761 of 1969 <hr/> 3-3-1969	Bihar Roller Mills Wheat Products (Price Control) Order, 1969.
113.	G.S.R. 881 of 1969 <hr/> 26-3-1969	Andhra Pradesh Public Employment (Requirement as to residence) Amendment Rules, 1969.
114.	G.S.R. 864 of 1969 <hr/> 29-3-1969	Explosives (Amendment) Rules, 1969.

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115.	<u>G.S.R. 872 of 1969</u> 29-3-1969	Central Information service (Second Amendment) Rules, 1969.
116.	<u>G.S.R. 873 of 1969</u> 29-3-1969	Central Information Service (Third Amendment) Rules, 1969.
117.	<u>G.S.R. 877 of 1969</u> 29-3-1969	Department of Co-operation (Class I and II Posts) Recruitment Rules, 1968.
118.	<u>G.S.R. 879 of 1969</u> 29-3-1969	Central Cattle Breeding Farms (Administrative Officers) Recruitment Rules, 1969.
119.	<u>G.S.R. 910 of 1969</u> 31-3-1969	The Constitution (Application to Jammu and Kashmir) Second Amendment Order, 1969.
120.	<u>G.S.R. 891 of 1969</u> 5-4-1969	High Court Judges Travelling Allowance (Amendment) Rules, 1969.
121.	<u>G.S.R. 894 of 1969</u> 5-4-1969	Central Secretariat Service Section Officers' Grade Limited Departmental Competitive Examination (Amendment) Regulations, 1969.
122.	<u>G.S.R. 905 of 1969</u> 5-4-1969	Indian Supply Service (Class I) Second Amendment Rules, 1969.
123.	<u>G.S.R. 937 of 1969</u> 12-4-1969	Town and Country Planning Organisation (Class I and II Posts) Recruitment (Amendment) Rules 1969.
124.	<u>G.S.R. 945 of 1969</u> 12-4-1969	Coal Mines (Amendment) Regulations, 1969.
125.	<u>G.S.R. 951 of 1969</u> 12-4-1969	Import and Export Trade Control Organisation (Class I and Class II Posts) Recruitment (Amendment) Rules, 1969.
126.	<u>G.S.R. 956 of 1969</u> 12-4-1969	Post Office Savings Banks (Amendment) Rules, 1969.
127.	<u>G.S.R. 957 of 1969</u> 12-4-1969	Post Office Savings Bank (Second Amendment) Rules, 1969.
128.	<u>G.S.R. 966 of 1969</u> 12-4-1969	Customs and Central Excise Duties Export Drawback (General) Ninth Amendment Rules, 1969.
129.	<u>G.S.R. 972 of 1969</u> 19-4-1969	Released Emergency Commissioned Officers and Short Service Commissioned Officers (Reservation of Vacancies) Amendment Rules, 1969.

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130.	G.S.R. 976 of 1969 <hr/> 19-4-1969	Indian Forest Service (Recruitment) Amendment Rules, 1969.
131.	G.S.R. 980 of 1969 <hr/> 19-4-1969	Amendment to the General Rules for all open lines of Railways in India administered by the Government, published with the notification of the Government of India, in the late Railway Department (Railway Board) No. 1078-I, dated the 9th March, 1924.
132.	G.S.R. of 987 of 1969 <hr/> 19-4-1969	Central Excise (Fourth Amendment) Rules, 1969.
133.	G.S.R. 994 of 1969 <hr/> 19-4-1969	Election Commission (Recruitment of Staff) Amendment Rules, 1969
134.	G.S.R. 1006 of 1969 <hr/> 26-4-1969	Jayanti Shipping Company (Board of Control) Amendment Rules. 1969.
135.	G.S.R. 1013 of 1969 <hr/> 26-4-1969	Ministry of Foreign Trade and Supply (Deptt. of Foreign Trade), Director in the Territorial Division, Recruitment Rules, 1969.
136.	G.S.R. 1017 of 1969 <hr/> 26-4-1969	Employees' Provident Funds (Amendment) Scheme, 1969.
137.	G.S.R. 1023 of 1969 <hr/> 26-4-1969	Central Excise (Fifth Amendment) Rules, 1969.
138.	G.S.R. 1033 of 1969	Ministry of Home Affairs (Secretariat Security Force) Recruitment Rules, 1969.
139.	एस० ओ० 1166 <hr/> 20-3-1969	मणीपुर कर्मचारी (वेतन पुनरीक्षण) संशोधन नियम, 1968.
140.	एस० ओ० 1304 <hr/> 31-3-1969	होम्योपैथी चिकित्सा पद्धति परिषद् (पुनर्गठन और पुनर्संगठन) आदेश, 1969
141.	एस० ओ० 1306 <hr/> 31-3-1969	पंजाब भूदान यज्ञ बोर्ड (पुनर्संगठन) आदेश, 1969
142.	S.O. 1395 of 1969 <hr/> 5-4-1969	Essential Commodities (Regulation of Production and Distribution for purposes of Export) (First Amendment) Order, 1969.
143.	S.O. 1397 of 1969 <hr/> 5-4-1969	Essential Commodities (Regulation of Production and Distribution for purposes of Export) (Second Amendment) Order, 1969.

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144.	S.O. 1259 of 1969 <hr/> 5-4-1969	Allotment of Government Residences (General Pool in Delhi) Amendment Rules, 1969.
145.	एस०प्र० 1327 <hr/> 12-4-1970	मणिपुर कर्मचारी (वेतन पुनरीक्षण) संशोधन नियम, 1968.
146.	S.O. 1329 of 1969 <hr/> 12-4-1969	Tripura Employees (Revision of Pay and Allowances) First Amendment Rules, 1969.
147.	S.O. 1333 of 1969 <hr/> 12-4-1969	Contributory Provident Fund Amendment Rules, (India), 1969.
148.	S.O. 1350 of 1969 <hr/> 12-4-1969	Indian Medical Council (Amendment) Rules, 1969.
149.	S.O. 1352 of 1969 <hr/> 12-4-1969	Allotment of Government Residences (General Pool in Delhi) Amendment Rules, 1969.
150.	S.O. 1425/DRA/18G/69 <hr/> 14-4-1969	Cement Control (Amendment) Order, 1969.
151.	S.O. 1529 of 1969 <hr/> 26-4-1969	Indian Post Office (Third Amendment) Rules, 1969.
152.	S.O. 1531 of 1969 <hr/> 26-4-1969	Railway Servants (Discipline and Appeal) Amendment Rules, 1969.
153.	S.O. 1572 of 1969 <hr/> 3-5-1969	Judges of the High Court of Punjab and Haryana (Allocation of salaries and Allowances) Order, 1969.
154.	S.O. 1634 of 1969 <hr/> 3-5-1969	Cement (Quality Control) Amendment Order, 1969.
155.	S.O. 1600 of 1969 <hr/> 3-5-1969	Iron and Steel (Control) Amendment Order, 1969.
156.	G.S.R. 1040 of 1969 <hr/> 26-4-1969	Kerosene (Fixation of Ceiling Prices) Second Amendment Order, 1969.
157.	G.S.R. 1049 of 1969 <hr/> 3-5-1969	Department of Communications (Hindi Officer) Recruitment Rules, 1969.
158.	G.S.R. 1050 of 1969 <hr/> 3-5-1969	Central Legal Services (Amendment) Rules, 1969.

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159.	G.S.R. 1053 of 1969 <u>3-5-1969</u>	Employees' Provident Fund (Grant of Advances to Officers and Staffs, other than Commissioners, for Building-Purchasing of Houses) Amendment Rules, 1969.
160.	G.S.R. 1066 of 1969 <u>3-5-1969</u>	Central Excise (Seventh Amendment) Rules, 1969.
161.	सा० का० नि० 1071 <u>3-5-1969</u>	उच्च न्यायालय न्यायाधीश पात्रा भरता (संशोधन) नियम, 1969.
162.	G.S.R. 1104 of 1969 <u>10-5-1969</u>	Central Secretariat Service (Amendment) Rules, 1969.
163.	G.S.R. 1129 of 1969, <u>17-5-1969</u>	Central Secretariat Clerical Service (Amendment) Rules, 1969.
164.	G.S.R. 1134 of 1969 <u>17-5-1969</u>	Central Drugs Standard Control Organisation in the Directorate General of Health Services (Class I and Class II Posts) Recruitment Rules, 1969.
165.	G.S.R. 1138 of 1969 <u>17-5-1969</u>	Railway Servant (Hours of Employment) (Amendment) Rules, 1969.
166.	G.S.R. 1140 of 1969 <u>17-5-1969</u>	Andhra Pradesh Coal Mines Provident Fund (Amendment) Scheme, 1969.
167.	G.S.R. 1143 of 1969 <u>17-5-1969</u>	Neyveli Coal Mines Provident Fund (Amendment) Scheme, 1969.
168.	G.S.R. 1202 of 1969 <u>24-5-1969</u>	Company Law Board Service (Amendment) Rules, 1969.
169.	G.S.R. 1213 of 1969 <u>24-5-1969</u>	Indian Foreign Service Branch 'B' (Recruitment, Cadre, Seniority and Promotion) Amendment Rules, 1969.
170.	S.R.O. 159 of 1969 <u>31-5-1969</u>	Navy (Pension) (Second Amendment) Regulations, 1969.
171.	G.S.R. 1242 of 1969 <u>31-5-1969</u>	Central Information Service (Fourth Amendment) Rules, 1969.
172.	G.S.R. 1250 of 1969 <u>31-5-1969</u>	Indian Foreign Service (Recruitment Cadres, Seniority and Promotion) Amendment Rules, 1969.
173.	G.S.R. 1263 of 1969 <u>31-5-1969</u>	All India Services (Death-cum-Retirement Benefits Amendment) Rules, 1969.

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174.	<u>S.O. 2000 of 1969</u> 23-5-1969	Income-tax (Third Amendment) Rules, 1969.
175.	<u>S.O. 2018 of 1969</u> 31-5-1969	Authentication (Orders and Other Instruments) Second Amendment Rules, 1969.
176.	<u>S.O. 2103 of 1969</u> 31-5-1969	Indian Post Office (Seventh Amendment) Rules, 1969.
177.	<u>S.O. 2121 of 1969</u> 31-5-1969	Fundamental (Third Amendment) Rules, 1969.
178.	<u>S.O. 2122 of 1969</u> 31-5-1969	Civil Service (Fifth Amendment) Regulations, 1969.
179.	<u>G.S.R. 1290 of 1969</u> 7-6-1969	Central Health Service (Amendment) Rules, 1969.
180.	<u>G.S.R. 1303 of 1969</u> 7-6-1969	Indian Foreign Service (Conduct and Discipline) Amendment Rules, 1969.
181.	<u>G.S.R. 1307 of 1969</u> 7-6-1969	Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum and Chemicals) Deputy Petroleum Officer and Assistant Petroleum Officer Recruitment Rules 1969.
182.	<u>G.S.R. 1310 of 1969</u> 7-6-1969	Public Debt (Annuity Deposit Certificates) Amendment Rules, 1969.
183.	<u>G.S.R. 1317 of 1969</u> 7-6-1969	Customs and Central Excise Duties Export Drawback (General) Tenth Amendment Rules, 1969.
184.	<u>G.S.R. 1319 of 1969</u> 7-6-1969	Custom and Central Excise Duties Export Drawback (General) Eleventh Amendment Rules, 1969.
185.	<u>G.S.R. 1321 of 1969</u> 7-6-1969	Customs and Central Excise Duties Export Drawback (General) Twelfth Amendment Rules, 1969.
186.	<u>G.S.R. 1323 of 1969</u> 7-6-1969	Customs and Central Excise Duties Export Drawback (General) Thirteenth Amendment Rules, 1969.
187.	<u>G.S.R. 1329 of 1969</u> 7-6-1969	Customs and Central Excise Duties Export Drawback (General) Sixteenth Amendment Rules, 1969.

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188. सा० का० नि० 1353	7-6-1969	केन्द्रीय-उत्पाद-शुल्क (तेरहवाँ संशोधन) नियम, 1968
189. सा० का० नि० 1355	7-6-1969	केन्द्रीय-उत्पाद-शुल्क (पन्द्रहवाँ संशोधन) नियम, 1968
190. सा० का० नि० 1356	7-6-1969	केन्द्रीय-उत्पाद-शुल्क (सोलहवाँ संशोधन) नियम, 1968
191. सा० का० नि० 1357	7-6-1969	केन्द्रीय-उत्पाद-शुल्क (इक्कीसवाँ संशोधन) नियम, 1968
192. सा० का० नि० 1358	7-6-1969	केन्द्रीय-उत्पाद-शुल्क (बीसवाँ संशोधन) नियम, 1968
193. G.S.R. 1359 of 1969	7-6-1969	Hindi Officer (Ministry of Home Affairs) Recruitment Rules, 1969.
194. S.O. 2152 of 1969	28-5-1969	Authentication (Orders and Other Instruments) Third Amendment Rules, 1969.
195. S.O. 2154 of 1969	7-6-1969	Manipur Employees (Revision of Pay) Amendment Rules, 1969.
196. S.O. 2156 of 1969	7-6-1969	Delegation of Financial Powers (Second Amendment) Rules, 1969.
197. S.O. 2157 of 1969	7-6-1969	Fundamental (Second Amendment) Rules, 1969.
198. S.O. 2158 of 1969	7-6-1969	Civil Service (Fourth Amendment) Regulations, 1969.
199. S.O. 2159 of 1969	7-6-1969	Civil Service (Third Amendment) Regulations, 1969.
200. G.S.R. 1369 of 1969	14-6-1969	Central Institute of Fisheries Education (Recruitment to Class III and Class IV Posts) Amendment, Rules, 1969.

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201.	G.S.R. 1373 of 1969 <hr/> 14-6-1969	Ministry of Steel and Heavy Engineering (Class I Posts) Recruitment Rules, 1969.
202.	G.S.R. 1379 of 1969 <hr/> 14-6-1969	Investigator (Offices of the Director General, Backward Classes Welfare and the Commissioner for Scheduled Castes and Scheduled Tribes) Recruitment-Rules, 1969.
203.	G.S.R. 1275 of 1969 <hr/> 28-5-1969	Insurance (Amendment) Rules, 1969.
204.	G.S.R. 1362 of 1969 <hr/> 9-6-1969	Central Sales Tax (Registration and Turnover) Amendment Rules, 1969.
205.	G.S.R. 1425 of 1969 <hr/> 21-6-1969	Central Vigilance Commission Class III Posts (Recruitment of Staff) (Amendment) Rules, 1969.
206.	G.S.R. 1427 of 1969 <hr/> 21-6-1969	Central Bureau of Investigation (Income Tax, Customs and Central Excise Inspector) Recruitment Rules, 1969.
207.	G.S.R. 1429 of 1969 <hr/> 21-6-1969	Central Vigilance Commission Stenographers (Class II Posts) Recruitment Rules, 1969.
208.	G.S.R. 1431 of 1969 <hr/> 21-6-1969	Senior Staff Officers (Home Guards) Recruitment (Amendment) Rules, 1969.
209.	G.S.R. 1433 of 1969 <hr/> 21-6-1969	Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 1969.
210.	G.S.R. 1436 of 1969 <hr/> 21-6-1969	Manipur Civil Service (Amendment) Rules, 1969.
211.	G.S.R. 1439 of 1969 <hr/> 21-6-1969	National Police Academy (Non-Gazetted Staff) Recruitment (Amendment) Rules, 1969.
212.	G.S.R. 1465 of 1969 <hr/> 21-6-1969	Cost Accounting Records (Motor Vehicles) Rules, 1969.
213.	G.S.R. 1471 of 1969 <hr/> 21-6-1969	Films Division (Class I and Class II Posts) Recruitment (Sixth Amendment) Rules, 1969.
214.	G.S.R. 1473 of 1969 <hr/> 21-6-1969	All India Radio (Class I Posts) Recruitment (Amendment) Rules, 1969.
215.	S.O. 2335 of 1969 <hr/> 12-6-1969.	Export of Ceramic Products (Inspection) Rules, 1969.
216.	S.O. 2336 of 1969	Boarder Security Force Rules, 1969.

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217.	<u>S.O. 2357 of 1969</u> 21-6-1969	Cotton Grading and Marking (Amendment) Rules, 1968.
218.	<u>G.S.R. 1491 of 1969</u> 28-6-1969	Passport (Entry into India) Amendment Rules, 1969.
219.	<u>G.S.R. 1493 of 1969</u> 28-6-1969	Union Public Service Commission (Ex-Cadre Posts) Amendment Rules, 1969.
220.	<u>G.S.R. 1496 of 1969</u> 28-6-1969	Ministry of Home Affairs (Deptt. of Administrative Reforms) Recruitment Rules, 1969.
221.	<u>G.S.R. 1510 of 1969</u> 28-6-1969	Employees' Provident Funds (Second Amendment) Scheme, 1969.
222.	<u>G.S.R. 1512 of 1969</u> 28-6-1969	Employees' Provident Funds (Third Amendment) Scheme, 1969.
223.	<u>G.S.R. 1516 of 1969</u> 28-6-1969	Geological Survey of India (Class I and Class II Posts) Recruitment (Amendment) Rules, 1969.
224.	<u>G.S.R. 1517 of 1969</u> 28-6-1969	Geological Survey of India (Class I and II, Non-Technical) Posts Recruitment (Amendment) Rules 1969.
225.	<u>G.S.R. 1518 of 1969</u> 28-6-1969	Geological Survey of India (Class II Non Gazetted) Posts Recruitment (Amendment) Rules, 1969.
226.	<u>G.S.R. 1522 of 1969</u> 28-6-1969	Indian Posts and Telegraphs (Clerk) in Savings Bank Control and Internal Check Organisation) Recruitment (Amendment) Rules, 1969.
227.	<u>सा० का० नि० ५३०</u> २६-८-१९६९	एशियाई, शैक्षिक तथा प्रशासन (श्रेणी दो, तीन और चार पद) भारती नियम, १९६८
228.	<u>G.S.R. 1531 of 1969</u> 28-6-1969	All India Radio (Class I Posts) Recruitment (Second Amendment) Rules, 1969.
229.	<u>G.S.R. 1538 of 1969</u> 28-6-1969	Central Information Service (Sixth Amendment) Rules 1969.
230.	<u>G.S.R. 1543 of 1969</u> 28-6-1969	Customs and Central Excise Duties Export Drawback (General) 18th Amendment Rules, 1969.
231.	<u>G.S.R. 1545 of 1969</u> 28-6-1969	Customs and Central Excise Duties Export Drawback (General) 17th Amendment Rules, 1960,

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232.	G.S.R. 1547 of 1969 <u>28-6-1969</u>	Customs and Central Excise Duties Export Drawback (General) 19th Amendment Rules, 1969.
233.	G.S.R. 1551 of 1969 <u>30-6-1969</u>	Sugarcane Pressneed (Control) Amendment Order 1969.
234.	G.S.R. 1554 of 1969 <u>1-7-1969</u>	Kerosene (Fixation of Ceiling Prices) Third Amendment Order, 1969.
235.	G.S.R. 1555 of 1969 <u>5-7-1969</u>	Civil Aviation Department (Class I and Class II Posts) Recruitment Rules, 1969.
236.	सा० का० नि० 1556 <u>5-7-1969</u>	प्रशासन अधिकारी, नगर विमानन विभाग (भरती) नियम, 1969.
237.	G.S.R. 1560 of 1969 <u>5-7-1969</u>	Ministry of Finance (Deptt. of Revenue and Insurance (Class IV Posts) Recruitment Rules, 1969.
238.	G.S.R. 1566 of 1969 <u>5-7-1969</u>	Customs and Central Excise Duties Export Drawback (General) 21st Amendment Rules, 1969.
239.	G.S.R. 1568 of 1969 <u>5-7-1969</u>	Customs and Central Excise Duties Export Drawback (General) 22nd Amendment Rules, 1969.
240.	G.S.R. 1570 of 1969 <u>5-7-1969</u>	Customs and Central Excise Duties Export Drawback (General) 23rd Amendment Rules, 1969.
241.	G.S.R. 1572 of 1969 <u>5-7-1969</u>	Customs and Central Excise Duties Export Drawback (General) 24th Amendment Rules, 1969.
242.	G.S.R. 1574 of 1969 <u>5-7-1969</u>	Customs and Central Excise Duties Export Drawback (General) 25th Amendment Rules, 1969.
243.	G.S.R. 1576 of 1969 <u>5-7-1969</u>	Customs and Central Excise Duties Export Drawback (General) 26th Amendment Rules, 1969.
244.	G.S.R. 1578 of 1969 <u>5-7-1969</u>	Customs and Central Excise Duties Export Drawback (General) 27th Amendment Rules, 1969.
245.	G.S.R. 1587 of 1969 <u>5-7-1969</u>	Project Imports (Registration Contract) Amendment Regulations, 1969.
246.	सा० का० नि० 1589 <u>5-7-1969</u>	केन्द्रीय सचिवालय लिपिकीय सेवा (संशोधन) नियम, 1969.

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247. G.S.R. 1602 of 1969	12-7-1969	All India Radio (Class III Posts) Recruitment (Second Amendment) Rules, 1969.
248. G.S.R. 1606 of 1969	12-7-1969	Department of Company Affairs, Offices of the Regional Directors, Registrars of Companies and Official Liquidators (Class IV Posts) Recruitment Rules, 1969.
249. G.S.R. 1605 of 1969	12-7-1969	Secretary, Company Law Board Recruitment Rules, 1969.
250. सा० का० नि० 1607	12-7-1969	केन्द्रीय उत्पादक-शुल्क (सत्रहवां) सशोधन नियम 1968
251. G.S.R. 1615 of 1969	12-7-1969	Central Excise (9th Amendment) Rules, 1969.
252. G.S.R. 1620 of 1969	12-7-1969	Indian Posts and Telegraphs (Stenographers) Recruitment (Amendment) Rules, 1969.
253. G.S.R. 1625 of 1969	12-7-1969	Indian Bureau of Mines (Class III Non-Ministerial Posts) Recruitment (Amendment) Rules, 1969.
254. G.S.R. 1626 of 1969	12-7-1969	Post-Graduate Institute of Medical Education and Research, Chandigarh (Amendment) Rules, 1969.
255. G.S.R. 1630 of 1969	19-7-1969	Central Bureau of Investigation (Class III Posts) Recruitment Rules, 1969.
256. G.S.R. 1637 of 1969	19-7-1969	Central Bureau of Investigation (Central Forensic Science Laboratory, Delhi) Class III Non-Gazetted Posts Recruitment Rules, 1968.
257. G.S.R. 1644 of 1969	19-7-1969	Ministry of Home Affairs (Class IV Posts) Recruitment (Amendment) Rules, 1969.
258. G.S.R. 1646 of 1969	19-7-1969	Central Secretariat Service (Third Amendment) Rules, 1969.
259. G.S.R. 1647 of 1969	19-7-1969	Office of Controller General of Patents, Designs and Trade Marks Class I and II (Gazetted Posts) Recruitment (Amendment) Rules, 1969.
260. G.S.R. 1658 of 1969	19-7-1969	Ministry of Shipping and Transport (Transport Wing Director (Projects) Recruitment Rules, 1969.
261. G.S.R. 1659 of 1969	19-7-1969	Port of Bombay Passenger Boats (Amendment) Rules, 1969.

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262.	<u>G.S.R. 1659 of 1969</u> 19-7-1969	Calcutta Port (Second Amendment) Rules, 1969.
263.	<u>G.S.R. 1651 of 1969</u> 19-7-1969	Calcutta Port (Third Amendment) Rules, 1969.
264.	<u>G.S.R. 1667 of 1969</u> 19-7-1969	Central Water and Power Commission (Subordinate Offices) Ministerial posts (Class III) Recruitment (Amendment) Rules, 1969.
265.	<u>G.S.R. 1671 of 1969</u> 19-7-1969	Department of Rehabilitation (Senior Research Analyst) Recruitment Rules, 1969.
265.	<u>G.S.R. 1675 of 1969</u> 19-7-1969	Employees' Provident Fund (Staff and Conditions of Service) (Amendment) Regulations, 1969.
267.	<u>G.S.R. 1677 of 1969</u> 19-7-1969	Coal Mines Bonus (Amendment) Scheme, 1969.
268.	<u>G.S.R. 1682 of 1969</u> 19-7-1969	All India Radio (Class II Posts) Recruitment (First Amendment) Rules, 1969.
269.	<u>सा०का०नि० 1694</u> 19-7-1969	केन्द्रीय उत्पाद-शुल्क (उत्तीसवां संशोधन) नियम, 1968
270.	<u>सा०का०नि० 1696</u> 19-7-1969	केन्द्रीय उत्पाद-शुल्क (सातवां संशोधन) नियम, 1969
271.	<u>G.S.R. 1713 of 1969</u> 19-7-1969	Central Excise (8th Amendment) Rules, 1969.
272.	<u>सा०का०नि० 1714</u> 19-7-1969	केन्द्रीय उत्पाद-शुल्क (आठवां संशोधन) नियम, 1969
273.	<u>G.S.R. 1718 of 1969</u> 19-7-1969	Ministry of Law, Department of Legal Affairs (Junior Solicitors) Recruitment Rules, 1969.
274.	<u>S.R.O. 1790 of 1969</u> 28-6-1969	Department of Defence Production (Directorate General of Inspection) Class III Non-Gazetted (Technical, Scientific and Other Non-Ministerial) Posts, Recruitment (Second Amendment) Rules, 1969.

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275.	<u>S.R.O. 191 of 1969</u> 28-6-1969	Department of Defence Production (Directorate General of Inspection) Class III Non-Gazetted (Technical, Scientific and Other Non-Ministerial) Posts Recruitment (Fourth Amendment) Rules, 1969.
276.	<u>S.R.O. 192 of 1969</u> 28-6-1969	Department of Defence Production (Directorate General of Inspection) Class III Non-Gazetted (Photographer Grade I, Photographer Grade II/ Photostat Operator and Ferro Printers) Posts Recruitment Rules, 1969.
277.	<u>S.R.O. 205 of 1969</u> 5-7-1969	Ministry of Defence (Class III Posts) Recruitment Rules, 1969.
278.	<u>S.O. 2450 of 1969</u> 23-6-1969	Exports (Control) Twelfth. Amendment Order, 1969.
279.	<u>S.R.O. 212 of 1969</u> 12-7-1969	Ministry of Defence, General Staff Branch, Army Head Quarters (Class III Non-Gazetted, Non-Ministerial Posts) Recruitment (Amendment) Rules, 1969.
280.	<u>S.R.O. 229 of 1969</u> 19-7-1969	National Cadet Corps (Amendment) Rules, 1969.
281.	<u>S.O. 2480 of 1969</u> 28-6-1969	Post-Graduate Institute of Medical, Education and Research, Chandigarh (Amendment) Rules, 1969.
282.	<u>S.O. 2570 of 1969</u> 5-7-1969	Authentication (Orders and other Instruments) Fourth Amendment Rules, 1969.
283.	<u>S.O. 2582 of 1969</u> 5-7-1969	Indian Coinage Rules, 1969.
284.	<u>S.O. 2591 of 1969</u> 5-7-1969	Textiles (Production by Power-loom) Control Amendment Order, 1969.
285.	<u>S.O. 2592 of 1969</u> 5-7-1969	Cotton Textiles (Export Control) Amendment Order, 1969.
286.	<u>S.O. 2588 of 1969</u> 5-7-1969	Cotton Textiles (Control) Amendment Order, 1969.
287.	<u>S.O. 2593 of 1969</u> 5-7-1969	Cotton Textiles (Control of Movement) Amendment Order, 1969.
288.	<u>एस०ओ० 2594</u> 5-7-1969	सूती वस्त्र (नियंत्रण) संशोधन आदेश, 1969.

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289. एस०ओ० 2595	5-7-1969	वस्त्र (बुनाई, कशीदा, लैस बनाने वाली तथा मुद्रण मशीनों द्वारा उत्पादन) नियंत्रण संशोधन आदेश, 1969.
290. एस०ओ० 2596	5-7-1969	कपास नियंत्रण (संशोधन) आदेश, 1969.
291. एस०ओ० 2597	5-7-1969	वस्त्र (हथकरघा द्वारा उत्पादन) नियंत्रण संशोधन आदेश, 1969.
292. एस०ओ० 2598	5-7-1969	सूती वस्त्र (निर्यात नियंत्रण) संशोधन आदेश, 1969.
293. S.O. 2601 of 1969	5-7-1969	Textile Machinery (Production and Distribution) Control Amendment Order, 1969.
294. S.O. 2731 of 1969	12-7-1969	Cotton Textiles (Control) (Second Amendment) Order, 1969.
295. S.O. 2860 of 1969	19-7-1969	Civil Service (Sixth Amendment) Regulations, 1969.
296. S.O. 2699 of 1969	2-7-1969	Essential Commodities (Regulation of Production and Distribution for purposes of Export) (Third Amendment) Order, 1969.
297. S.O. 3029 of 1969	23-7-1969	Exports (Control) Fourteenth Amendment Order, 1969.
298. S.O. 3030 of 1969	23-7-1969	Exports (Control) Thirteenth Amendment Order, 1969.
299. S.O. 2983 of 1969	26-7-1969	Coir Industry (Amendment) Rules, 1969.
300. S.O. 3003 of 1969	26-7-1969	Civil Service (Seventh Amendment) Regulations 1969
301. S.O. 3084 of 1969	2-8-1969	Indian Post Office (Ninth Amendment) Rules, 1969.
302. G.S.R. 1596 of 1969	2-7-1969	Additional Duty Rules, 1969.

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303.	G.S.R. 1723 of 1969 <hr/> 14-7-1969	Central Excise (Tenth Amendment) Rules, 1969.
304.	G.S.R. 1722 of 1969 <hr/> 14-7-1969	Inter-Zonal Wheat and Wheat Products (Movement Control) Second Amendment Order, 1969.
305.	G.S.R. 1726 of 1969 <hr/> 17-7-1969	Northern Rice Zone (Movement Control) Amendment Order, 1969.
306.	G.S.R. 1727 of 1969 <hr/> 17-7-1969	Imported Foodgrains (Prohibition of Unauthorised Sale) Amendment Order, 1969.
307.	G.S.R. 1725 of 1969 <hr/> 17-7-1969	Foodgrains Prohibition of Use in Manufacture of Starch) Amendment Order, 1969.
308.	G.S.R. 1787 of 1969 <hr/> 25-7-1969	Central Secretariat Stenographers Service Rules, 1969.
309.	G.S.R. 1735 of 1969 <hr/> 26-7-1969	Inland Water Transport Directorate (Class III-Non-Gazetted and Ministerial Staff) Recruitment Rules, 1969.
310.	G.S.R. 1738 of 1969 <hr/> 26-7-1969	Cotton Textiles (Control) Third Amendment Order, 1969.
311.	G.S.R. 1747 of 1969 <hr/> 26-7-1969	All India Services (Death-cum-Retirement Benefit) Second Amendment Rules, 1969.
312.	G.S.R. 1748 of 1969 <hr/> 26-7-1969	Eighth Amendment of 1969 of the Indian Administrative Service (Pay) Rules, 1954.
313.	G.S.R. 1749 of 1969 <hr/> 26-7-1969	Union Public Service Commission (Ex-Cadre Posts Recruitment (Amendment) Rules, 1969.
314.	G.S.R. 1757 of 1969 <hr/> 26-7-1969	Ministry of Information and Broadcasting Hindi Officer Recruitment Rules, 1969.
315.	G.S.R. 1759 of 1969 <hr/> 26-7-1969	All India Radio (Class III Posts) Recruitment (Amendment) Rules, 1969.
316.	G.S.R. 1761 of 1969 <hr/> 26-7-1969	All India Radio (Class II Posts) Recruitment (Amendment) Rules, 1969.
317.	G.S.R. 1765 of 1969 <hr/> 26-7-1969	Company Law Board Service (Second Amendment) Rules, 1969.
318.	G.S.R. 1773 of 1969 <hr/> 26-7-1969	Central Cattle Breeding Farms (Class III and Class IV Posts) Recruitment (Amendment) Rules, 1969.

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319.	<u>G.S.R. 1774 of 1969</u> 26-7-1969	Central Cattle Breeding Farms (Class II Posts) Recruitment (Amendment) Rules, 1969.
320.	<u>G.S.R. 1797 of 1969</u> 2-8-1969	Foreign Privileged Persons (Regulations of Customs Privileges) Rules Amendment Regulations, 1969.
321.	<u>G.S.R. 1801 of 1969</u> 2-8-1969	Central Secretariat Service (Promotion to Grade I and Selection Grade) (Amendment) Regulations, 1969.
322.	<u>G.S.R. 1811 of 1969</u> 2-8-1969	Indian Posts and Telegraphs (Selection Grade Posts) Recruitment (Amendment) Rules, 1969.
323.	<u>सा० का० नि० 1613</u> 2-8-1969	भारतीय डाक तथा तार (स्टैनोग्राफर) भर्ती (संशोधन) नियम, 1969.
324.	<u>सा० का० नि० 1821</u> 2-8-1969	आकाशवाणी (द्वितीय श्रेणी पद) भर्ती (संशोधन) नियमावली, 1969. -
325.	<u>G.S.R. 1825 of 1969</u> 2-8-1969	Directorate of Emergency Risks Insurance Schemes Class II Posts Recruitment Rules, 1969.
326.	<u>G.S.R. 1789 of 1969</u> 25-7-1969	Southern States (Regulation of Export of Rice) Amendment Order, 1969.
327.	<u>G.S.R. 1838 of 1969</u> 1-1-1969	Kerosene (Fixation of Ceiling Prices) Fourth Amendment Order, 1969.
328.	<u>G.S.R. 1915 of 1969</u> 6-8-1969	Sugar (Control) Amendment Order, 1969.
329.	<u>G.S.R. 1844 of 1969</u> 9-8-1969	U.D.C. (Telegraphists) Rules, 1969.
330.	<u>G.S.R. 1849 of 1969</u> 9-8-1969	Director General, Backward Classes Welfare (Class IV) Recruitment Rules, 1969.
331.	<u>G.S.R. 1860 of 1969</u> 9-8-1969	Ministry of Education and Youth Services (Hindi Officer) Recruitment Rules, 1969.
332.	<u>G.S.R. 1861 of 1969</u> 9-8-1969	Department of Cooperation (Director, Farming Dairy & Poultry) Recruitment Rules, 1969.
333.	<u>G.S.R. 1862 of 1969</u> 9-8-1969	Department of Cooperation (Head Draftsman) Recruitment Rules, 1969.
334.	<u>G.S.R. 1865 of 1969</u> 9-8-1969	Department of Food (Class I & Class II Non-Secretarial Posts) Recruitment (Fifth Amendment) Rules, 1969.

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335. <u>G.S.R. 1866 of 1969</u> 9-8-1969	Food and Nutrition Board (Non-secretarial Gazetted Posts) Recruitment Second Amendment Rules, 1969.	
336. <u>G.S.R. 1846 of 1969</u> 9-8-1969	Social Welfare and Rehabilitation Directorate (Class II Posts) Recruitment Rules, 1969.	
337. <u>G.S.R. 1868 of 1969</u> 9-8-1969	Cashewnut Development Regional Offices (Class III and Class IV Posts) Recruitment (Amendment) Rules, 1969.	
338. <u>G.S.R. 1878 of 1969</u> 9-8-1969	Textile Committee (Second Amendment) Rules, 1969.	
339. <u>G.S.R. 1879 of 1969</u> 9-8-1969	Department of Company Law Administration (Class I, II & III Posts) Recruitment Rules, 1969.	
340. <u>G.S.R. 1884 of 1969</u> 9-8-1969	I.A.S. (Fixation of Cadre Strength) Fourth Amendment Regulations, 1969.	
341. <u>G.S.R. 1885 of 1969</u> 9-8-1969	Seventh Amendment of 1969 to I.A.S. (Pay) Rules, 1954.	
342. <u>G.S.R. 1887 of 1969</u> 9-8-1969	I.A.S. (Fixation of Cadre Strength) Amendment Regulation, 1969.	
343. <u>G.S.R. 1904 of 1969</u> 9-8-1969	Fundamental (Fourth Amendment) Rules, 1969.	
344. <u>G.S.R. 1906 of 1969</u> 9-8-1969	Fundamental (Fifth Amendment) Rules, 1969.	
345. <u>G.S.R. 1917 of 1969</u> 16-8-1969	Ministry of External Affairs (External Publicity Division) (Class III Posts of Foremen) Rules, 1969.	
346. <u>G.S.R. 1921 of 1969</u> 16-8-1969	Coal Mines Labour Housing & General Welfare Fund (Recruitment to Class III and IV) Posts (Amendment) Rules, 1969.	
347. <u>G.S.R. 1922 of 1969</u> 16-8-1969	Employees Provident Fund (Fourth Amendment) Scheme, 1969.	
348. <u>G.S.R. 1923 of 1969</u> 16-8-1969	Central Institute for Research & Training in Employment Service (Class I & II Posts) Recruitment Rules, 1969.	
349. <u>G.S.R. 1926 of 1969</u> 16-8-1969	Calcutta Port Trust (Fourth Amendment) Rules, 1969.	

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350. <u>G.S.R. 1929 of 1969</u> 16-8-1969	Merchant Shipping (Examination for Shipping and Second Hand of a Fishing Vessel) Amendment Rules, 1969.	
351. <u>G.S.R. 1932 of 1969</u> 16-8-1969	P & T (Assistant Supdts. & Inspectors of Post Offices & R.M.S) Recruitment (Second Amendment) Rules, 1969.	
352. <u>G.S.R. 1936 of 1969</u> 16-8-1969	Cardamom (Licensing & Registration) Amendment Rules, 1969.	
353. <u>G.S.R. 1940 of 1969</u> 16-8-1969	Exploratory Tube-wells Organisation (Drilling Engineer) Recruitment Rules, 1969.	
354. <u>G.S.R. 1942 of 1969</u> 16-8-1969	Indo-Norwegian Project (Class I & II Posts) Recruitment Rules, 1969.	
355. <u>G.S.R. 1949 of 1969</u> 16-8-1969	Central Information Service (Fifth Amendment) Rules, 1969.	
356. <u>G.S.R. 1953 of 1969</u> 16-8-1969	Planning Commissions - (Hindi Officer) Recruitment Rules, 1969.	
357. <u>G.S.R. 1956 of 1969</u> 16-8-1969	Mdellor Central Water & Power Commission (PW) Recruitment Rules, 1969.	
358. <u>G.S.R. 1958 of 1969</u> 16-8-1969	Central Water & Power Commission (Power Wing) Head Draftsman Recruitment Rules, 1969.	
359. <u>G.S.R. 1978 of 1969</u> 16-8-1969	Food Corporation (Second Amendment) Rules, 1969.	
360. <u>G.S.R. 1981 of 1969</u> 23-8-1969	Central Legal Service (Second Amendment) Rules, 1969.	
361. <u>G.S.R. 1985 of 1969</u> 23-8-1969	I.A.S. (Probation) Third Amendment Rules, 1969.	
362. <u>G.S.R. 1986 of 1969</u> 23-8-1969	I.P.S. (Probation) Second Amendment Rules, 1969.	
363. <u>G.S.R. 1987 of 1969</u> 23-8-1969	I.P.S. (Fixation of Cadre Strength) (Sixth Amendment) Regulations, 1969.	
364. <u>G.S.R. 1988 of 1969</u> 23-8-1969	Ninth Amendment of 1969 to I.P.S. (Pay) Rules, 1954.	

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365.	<u>G.S.R. 1989 of 1969</u> dt. 23-8-1969	Eight's Amendment of 1969 to I.P.S. (Pay) Rules, 1954.
366.	<u>G.S.R. 1990 of 1969</u> dt. 23-8-1969	I.P.S. (fixation of Cadre Strength) Fifth Amendment Regulations, 1969.
367.	<u>G.S.R. 1991 of 1969</u> dt. 23-8-1969.	Ninth Amendment of 1969 to the I.A.S. (Pay) Rules 1954.
368.	<u>G.S.R. 1995 of 1969</u> dt. 23-8-1969.	Indian Forest Service (Probation) Third Amendment Rules, 1969.
369.	<u>G.S.R. 1999 of 1969</u> dt. 23-8-1969.	Railway Protection Force (Superior Officers) Recruitment, Rules, 1969.
370.	<u>G.S.R. 2001 of 1969</u> dt. 23-8-1969	Indian Posts and Telegraphs (Postmen/Mailguards Head Mailguards) Recruitment Rules, 1969.
371.	<u>G.S.R. 2009 of 1969</u> dt. 23-8-1969	Directorate of Enforcement (Class I & II Posts) Recruitment Rules, 1969.
372.	<u>G.S.R. 2012 of 1969</u> dt. 23-8-1969	Customs & Central Excise Duties Export Drawback (General) Twenty-eighth Amendment Rules, 1969.
373.	<u>G.S.R. 2014 of 1969</u> dt. 23-8-1969	Customs & Central Excise Duties Export Drawback (General) 29th Amendment Rules, 1969.
374.	<u>G.S.R. 2016 of 1969</u> dt. 23-8-1969	Customs and Central Excise Duties Export Drawback (General) 30th Amendment Rules, 1969.
375.	<u>G.S.R. 2018 of 1969</u> dt. 23-8-1969	Customs & Central Excise Duties Export Drawback (General) Thirty Second Amendment Rules, 1969.
376.	<u>G.S.R. 2020 of 1969</u> dt. 23-8-1969	Customs & Central Excise Duties Export Drawback (General) 33rd Amendment Rules, 1969.
377.	<u>G.S.R. 2022 of 1969</u> dt. 23-8-1969	Customs & Central Excise Duties Export Drawback (General) 31st Amendment Rules, 1969.
378.	<u>G.S.R. 2024 of 1969</u> dt. 23-8-1969	Customs & Central Excise Duties Export Drawback (General) 34th Amendment Rules, 1969.
379.	<u>G.S.R. 2039 of 1969</u> dt. 23-8-1969	Cashewnut Development Regional Office (Class III & IV Posts) Recruitment (Second Amendment) Rules, 1969.

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380. <u>G.S.R. 2042 of 1969</u> dt. 23-8-1969	Department of Agriculture, Counsellor (Agriculture), Embassy of India, Rome, Recruitment Rules, 1969.	
381. <u>G.S.R. 2054 of 1969</u> dt. 23-8-1969	Madhya Pradesh Rice (Movement Control) Amendment, Order, 1969.	
382. <u>G.S.R. 2058 of 1969</u> 30-8-1969	Ministry of Education of Youth services (Class IV Posts) Recruitment Rules, 1969.	
383. <u>G.S.R. 2059 of 1969</u> dt. 30-8-1969	The Cochin Shipyard Project Office, Cochin (Class II, Class III and Class IV Posts) recruitment Rules, 1969.	
384. <u>सा. का. नि. 2061</u> दिनांक 30-8-1969	लोक सेवा आयोग (परामर्श से छूट) अनुरूप विनियम, 1969	
385. <u>G.S.R. 2062 of 1969</u> dt. 30-8-1969	Cinematograph (Censorship) Third Amendment Rules, 1969.	
386. <u>सा. का. नि. 2067</u> दिनांक 30-8-1969	स्वास्थ्य, परिवार नियोजन, निर्माण, आवास एवं नगर विकास मंत्रालय (स्वास्थ्य विभाग) भर्ती नियम, 1969	
387. <u>सा. का. नि. 2069</u> दिनांक 30-8-1969	कोचीन पोत प्रांगण परियोजना कार्यालय कोचीन (बर्ग दो, बर्ग-तीन और बर्ग-चार पद) भर्ती नियम, 1969	
388. <u>G.S.R. 2068 of 1969</u> dt. 30-8-1969	Prevention of Food Adulteration (Second Amendment) Rules, 1969.	
389. <u>S.R.O. 242 of 1969</u> dt. 9-8-1969	The Army Medical Corps (Civilian Class II Posts) Recruitment Rules, 1969.	
390. <u>S.R.O. 248 of 1969</u> dt. 23-8-1969	Ministry of Defence, Class III (non-Gazetted/non ministerial) Posts Recruitment (Amendment) Rules, 1969.	
391. <u>S.R.O. 249 of 1969</u> dt. 23-8-1969	Class IV Civilians (Defence Services) Recruitment Rules, 1969.	
392. <u>S.O. 3146 of 1969</u> dt. 9-8-1969	Central Warehousing Corporation (Staff) Second Amendment Regulations, 1969.	
393. <u>S.O. 3149 of 1969</u> dt. 9-8-1969	Cotton Control (Second Amendment) Order, 1969.	
394. <u>S.O. 3181 of 1969</u> dt. 9-8-1969	Vizakhapatnam Dock Workers (Regulation Employment) Third Amendment Scheme, 1969.	

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395.	S.O. 3182 of 1969 dt. 9-8-1969	Kandla Unregistered Dock Workers (Regulation of Employment) First Amendment Scheme, 1969.
396.	S.O. 3302 of 1969 dt. 14-8-1969	Presidential and Vice-Presidential elections (Amendment) Rules, 1969.
397.	S.O. 3307 of 1969 dt. 16-8-1969	Registration of Electors (Second Amendment) Rules, 1969.
398.	S.O. 3318 of 1969 dt. 23-8-1969	Authentication (Orders and other Instruments) Fifth Amendment Rules, 1969.
399.	S.O. 3474 of 1969 dt. 26-8-1969	The Exports Control Fifteenth Amendment Order, 1969.
400.	S.O. 3477 of 1969 dt. 27-8-1969	Criminal Courts & Border Security Force Courts (Adjustment of jurisdiction) Rules, 1969.
401.	S.O. 3434 of 1969 dt. 30-8-1969	The Council (Institutes of Technology) First Amendment Rules, 1969.
402.	S.O. 3441 of 1969 dt. 30-8-1969	Indian Post Office (Eighth Amendment) Rules, 1969.
403.	G.S.R. 2108 of 1969 dt. 6-9-1969	Amendment to the Open Lines (Railways in India) General Rules, 1929.
404.	G.S.R. 2109 of 1969 dt. 6-9-1969	Open Lines (Railways in India) Amendment General Rules, 1969.
405.	G.S.R. 2117 of 1969 dt. 6-9-1969	Manipur Police Service (Amendment) Rules, 1969.
406.	G.S.R. 2119 of 1969 dt. 6-9-1969	Indian Administrative Service (Fixation of Cadre Strength) Fifth Amendment Regulations, 1969.
407.	G.S.R. 2120 of 1969 dt. 6-9-1969	Twelfth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
408.	G.S.R. 2123 of 1969 dt. 6-9-1969	Delhi Milk Scheme (Class III & Class IV Posts) Recruitment (Amendment) Rules, 1969.
409.	G.S.R. 2125 of 1969 dt. 6-9-1969	Forest Research Institute and Colleges (Class I & Class II non-tenure posts) Recruitment (Fifth Amendment) Rules, 1969.
410.	सा०का०नि० 2126 दिनांक 6-9-1969.	शर्करा (नियंत्रण) संशोधन आदेश, 1969.
411.	G.S.R. 2138 of 1969 dt. 6-9-1969	Central Excise (Eleventh Amendment) Rules, 1969.
412.	G.S.R. 2148 of 1969 dt. 6-9-1969	Customs & Central Excise Duties Export Drawback (General) 35th Amendment Rules, 1969.

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413. G.S.R. 2150 of 1969 dt. 6-9-1969		Customs & Central Excise Duties Export Drawback (General) 36th Amendment Rules, 1969.
414. G.S.R. 2154 of 1969 dt. 6-9-1969		The Specified Goods (Prevention of Illegal Export) Amendment Rules, 1969.
415. G.S.R. 2162 of 1969 dt. 6-9-1969		Indian Telegraph (Fourteenth Amendment) Rules, 1969.
416. G.S.R. 2169 of 1969 dt. 6-9-1969		Indian Foreign Service Branch 'B' (Recruitment Cadre, Seniority & Promotion) Second Amendment) Rules, 1969.
417. G.S.R. 2171 of 1969 dt. 13-9-1969		The Textile Committee (Amendment) Rules, 1969.
418. G.S.R. 2172 of 1969 dt. 6-9-1969		The Textile Committee (Third Amendment) Rules, 1969.
419. G.S.R. 2179 of 1969 dt. 13-9-1969		Indian Wireless Telegraphy (Possession) Amendment Rules, 1969.
420. G.S.R. 2180 of 1969 dt. 13-9-1969		Overseas Communications Service (Class III Posts) Recruitment (Amendment) Rules, 1969.
421. G.S.R. 2187 of 1969 dt. 13-9-1969		Films Division (Class I & II posts) Recruitment (Seventh Amendment) Rules, 1969.
422. G.S.R. 2189 of 1969 dt. 13-9-1969		Press Information Bureau Regional & Branch Offices Class III (Non-Gazetted) Recruitment (Amendment) Rules, 1969.
423. G.S.R. 2193 of 1969 dt. 13-9-1969		Department of Community Development (Class III- Ministerial & Non-Ministerial Posts) Recruitment (Amendment) Rules, 1969.
424. G.S.R. 2195 of 1969 dt. 13-9-1969		Department of Community Development and Co-operation (Class II Ministerial Posts) Recruitment Rules, 1969.
425. G.S.R. 2197 of 1969 dt. 13-9-1969		Directorate of Extension (Class III & Class IV Posts) Recruitment (Amendment) Rules, 1969.
426. G.S.R. 2198 of 1969 dt. 13-9-1969		Jawaharlal Institute of Post Graduate Medical Education & Research, Pondicherry (Class II Gazetted) Recruitment Rules, 1969.
427. G.S.R. 2200 of 1969 dt. 13-9-1969		JawaharLal Institute of Post Graduate Medical Education & Research Pondicherry (Class II Gazetted) Recruitment Rules, 1969.
428. G.S.R. 2203 of 1969 dt. 13-9-1969		Department of Works, Housing and Urban Development (Hindi Officer) Recruitment Rules, 1969.
429. G.S.R. 2205 of 1969 dt. 13-9-1969		Central Drugs Laboratory (Class III & Class IV Posts) Recruitment (Amendment) Rules, 1969.
430. G.S.R. 2206 of 1969 dt. 13-9-1969		Central Engineering Service, Class I, Recruitment (Amendment) Rules, 1969.

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431.	G.S.R. 2207 of 1969 dt. 13-9-1969	Central Electrical Engineering Service, Class I, Recruitment (Amendment) Rules, 1969.
432.	G.S.R. 2208 of 1969 dt. 13-9-1969	Central Public Works Department (Subordinate Offices) Engineer Supervisor Recruitment Rules, 1969.
433.	G.S.R. 2212 of 1969 dt. 13-9-1969	Customs and Central Excise Duties Exports Drawback (General) 38th Amendment Rules, 1969.
434.	G.S.R. 2214 of 1969 dt. 13-9-1969	Customs & Central Excise Duties Export Drawback (General) 37th Amendment Rules, 1969.
435.	G.S.R. 2220 of 1969 dt. 15-9-1969	The Passport (Second Amendment) Rules, 1969.
436.	G.S.R. 2227 of 1969 dt. 20-9-1969	Indian Forest Service (Recruitment) Second Amendment Rules, 1969.
437.	G.S.R. 2228 of 1969 dt. 20-9-1969	Indian Forest Service (Initial Recruitment) Amendment Regulations, 1969.
438.	G.S.R. 2229 of 1969 dt. 20-9-1969	Indian Administrative Service (Fixation of Cadre Strength) Seventh Amendment Regulations, 1969.
439.	G.S.R. 2230 of 1969 dt. 20-9-1969	Tenth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
440.	G.S.R. 2231 of 1969 dt. 20-9-1969	I.A.S. (Probationers Final Examination) Second Amendment Regulations, 1969.
441.	G.S.R. 2236 of 1969 dt. 20-9-1969	Central Reserve Police Force (Amendment) Rules, 1969.
442.	G.S.R. 2238 of 1969 dt. 20-9-1969	Employees Provident Fund (Grant of Advances to officers and Staff, other than Commissioner for Building Purchasing of Houses) Second Amendment Rules, 1969.
443.	G.S.R. 2241 of 1969 dt. 20-9-1969	Central Warehousing Corporation (Amendment) Rules, 1969.
444.	G.S.R. 2246 of 1969 dt. 20-9-1969	Salar Jung Museum (Second Amendment) Rules, 1969.
445.	G.S.R. 2247 of 1969 dt. 20-9-1969	Salar Jung Museum (Third Amendment) Rules, 1969.
446.	G.S.R. 2248 of 1969 dt. 20-9-1969	National Museum, New Delhi (Class I & II Posts) Recruitment (Amendment) Rules, 1969.
447.	G.S.R. 2252 of 1969 dt. 20-9-1969	All India Radio (Class III posts) Recruitment (Second Amendment) Rules, 1969.
448.	G.S.R. 2253 of 1969 dt. 20-9-1969	All India Radio (Class I Posts) Recruitment (Second Amendment) Rules, 1969.
449.	G.S.R. 2257 of 1969 dt. 20-9-1969	Cinematograph (Censorship) Fourth Amendment Rules, 1969.

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450. G.S.R. 2274 of 1969 dt. 20-9-1969	Customs & Central Excise Duties Export Drawback (General) 39th Amendment Rules, 1969.	
451. G.S.R. 2278 of 1969 dt. 27.9.1969	Central Secretariat Sports Control Board (Secretary) Recruitment Rules, 1969.	
452. G.S.R. 2280 of 1969 dt. 27.9.1969	Railway Servants (Hours of Employment) Amend- ment Rules, 1969.	
453. G.S.R. 2281 of 1969 dt. 27.9.1969	Indian Wireless Telegraphy (Possession) Amendment Rules, 1969.	
454. G.S.R. 2282 of 1969 dt. 27.9.1969	Tariff Commission (Class I & II) Recruitment (Amendment) Rules, 1969.	
455. G.S.R. 2292 of 1969 dt. 27.9.1969	The Passengers (Non-Tourist) Baggage (Second Amend- ment) Rules, 1969.	
456. G.S.R. 2301 of 1969 dt. 27.9.1969	Department of Agriculture (Deputy Commissioner Education & Trade) Recruitment Rules, 1969.	
457. G.S.R. 2303 of 1969 dt. 27.9.1969	Central Cattle Breeding Farms (Class III & Class IV Posts) Recruitment (Second Amendment Rules, 1969.	
458. G.S.R. 2304 of 1969 dt. 27.9.1969	Food and Nutrition Board (Non-Secretariat Gazetted Posts) Recruitment (Fourth Amendment Rules, 1969	
459. G.S.R. 2309 of 1969 dt. 27.9.1969	JawaharLal Institute of Post Graduate Medical Education & Reserch Pondicherry (Lecturer in Chemistry) Recruitment Rules, 1969.	
460. G.S.R. 2311 of 1969 dt. 27.9.1969	Central Water and-Power Commission (W.W.) Non- Ministerial (Class III Posts) Recruitment Rules 1969.	
461. G.S.R. 2312 of 1969 dt. 27.9.1969	Central Water Engineering Class-I Service (Amend- ment) Rules 1969.	
462. G.S.R. 2314 of 1969 dt. 27.9.1969	Central Power Engineering Class I Service (Amend- ment) Rules, 1969.	
463. G.S.R. 2360 of 1969 dt. 27.9.1969	Open Lines (Railways in India) Fourth Amendment General Rules, 1969.	
464. G.S.R. 2364 of 1969 dt. 30.9.1969	Central Sales Tax (Registration & Turnover) Second Amendment Rules, 1969.	
465. S.R.O. 253 of 1969 dt. 6.9.1969	Army Medical Corps (Civilian Class III Posts Re- cruitment (Amendment) Rules, 1969.	
466. S.R.O. 269 of 1969 dt. 27.9.1969	National Cadet Corps (Girls Division) Amendment Rules, 1969.	
467. S.O. 3625 of 1969 dt. 5.9.1969	Export (Control) Sixteenth Amendment Order, 1969.	
468. S.O. 3499 of 1969 dt. 6.9.1969	Authentication (Orders and other Instruments) Sixth Amendment Rules, 1969.	

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469. S.O. 3650 of 1969 dt. 13.9.1969.		Fundamental (Sixth Amendment) Rules, 1969.
470. S.O. 3651 of 1969 dt. 13.9.1969		The Civil Service (Tenth Amendment) Regulations, 1969.
471. S.O. 3652 of 1969 dt. 13.9.1969		The Civil Service (Eleventh Amendment) Regulations, 1969.
472. S.O. 3665 of 1969 dt. 13.9.1969		Central Warehousing Corporation (Staff) Third Amendment Regulations, 1960.
473. S.O. 3776 of 1969 dt. 20.9.1969		Civil Service (Ninth Amendment) Regulations, 1969.
474. S.O. 3916 of 1969 dt. 27.9.1969		Cotton Central (Amendment) Order, 1969.
475. S.O. 3919 of 1969 dt. 27.9.1969.		Coir Retting (Licensing) Amendment Order, 1969.
476. S.O. 3961 of 1969 dt. 27.9.1969		Fundamental (Seventh Amendment) Rules, 1969.
477. G.S.R. 2327 of 1969 dt. 4.10.1969		I.A.S. (Appointment by Promotion) Fourth Amendment Regulations, 1969.
478. G.S.R. 2328 of 1969 dt. 4.10.1969		I.P.S. (Appointment by Promotion) Third Amendment Regulations, 1969.
479. G.S.R. 2337 of 1969 dt. 4.10.1969		Open Lines (Railways in India) Third Amendment General Rules, 1969.
480. G.S.R. 2338 of 1969 dt. 4.10.1969		Indian Railways Computer Organisation (Gazetted Posts) Recruitment Rules, 1969.
481. G.S.R. 2344 of 1969 dt. 4.10.1969		National Cooperative Development Corporation (First Amendment) Rules, 1969.
482. G.S.R. 2351 of 1969 dt. 4.10.1969		Bureau of Public Enterprises, Department of Expenditure (Civil) Ministry of Finance (Class III Posts) Recruitment Rules, 1969.
483. G.S.R. 2374 of 1969 dt. 11.10.11969		Railway Board Secretariat Service Rules, 1969.
484. G.S.R. 2379 of 1969 dt. 11.10.1969		Aircraft (Fifth Amendment) Rules, 1969.
485. G.S.R. 2382 of 1969 dt. 11.10.1969		Central Excise (Twelfth Amendment) Rules, 1969.
486. G.S.R. 2404 of 1 69 dt. 11.10.1969		Union Public Service Commission (Members) Regulations, 1969.
487. G.S.R. 2405 of 1969 dt. 11.10.1969		Social Welfare and Rehabilitation Directorate (Class III & Class IV Posts) Recruitment Rules, 1969.
488. G.S.R. 2416 of 1969 dt. 11.10.1969		Central Secretariat Service (Third Amendment) Rules 1969.

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489. G.S.R. 2422 of 1969 dt. 11.10.1969	Jawahar Lal Institute of Post Graduate Medical Education and Research, Pondicherry (Class I Gazetted) Recruitment (Amendment) Rules, 1969.	
490. G.S.R. 2440 of 1969 dt. 25.10.1969	Indian Forest Service (Cadre) Amendment Rules, 1969.	
491. G.S.R. 2449 of 1969 dt. 25.10.1969	Ministry of Information & Broad-casting (Class II-Non-Gazetted Posts) Recruitment (Amendment Rules, 1969.	
492. G.S.R. 2452 of 1969 dt. 25.10.1969	Fundamental (Eighth Amendment) Rules, 1969.	
493. G.S.R. 2453 of 1969 dt. 25.10.1969	The Roller Mills Wheat Products (Ex-Mill) Price Control (Third Amendment) Order, 1969.	
494. S.O. 3988 of 1969 dt. 4.10.1969	Civil Services (Second Amendment) Service Regulations, 1969.	
495. S.O. 3995 of 1969 dt. 4.10.1969	Central Secretariat Service Rules, (Second Amendment) 1969.	
496. S.O. 4103 of 1969 dt. 11.10.1969	Arecanuts Grading & Marking (Amendment) Rules ⁴ 1969.	
497. S.O. 4222 of 1969 dt. 14.10.1969	Exports (Control) Eighteenth Amendment Order, 1969.	
498. S.O. 4232 of 1969 dt. 17.10.1969.	Press Consultative Committee Rules, 1969.	
499. S.O. 4170 of 1969 dt. 18.10.1969	The Authentication (Orders and other Instruments) Seventh Amendment Rules, 1969.	
500. S.O. 4306 of 1969 dt. 25.10.1969	Scooters (Distributions and Sale) Control (Amendment) Order, 1969.	
501. S.O. 4427 of 1969 dt. 29.10.1969	Income-tax (Fifth Amendment) Rules, 1969.	
502. S.O. 4431 of 1969 dt. 29.10.1969	Export of Coir Yarn (Inspection) Second Amendment Rules, 1969.	
503. G.S.R. 2472 of 1969 dt. 1.11.1969	Indian Economic Service (Second Amendment) Rules, 1969.	
504. G.S.R. 2473 of 1969 dt. 1.11.1969	Central Secretariat clerical Service (Competitive Examination) Second Amendment Regulations, 1969.	
505. G.S.R. 2475 of 1969 dt. 1.11.1969	Arms (Fourth Amendment) Rules, 1969.	
506. G.S.R. 2483 of 1969 dt. 1.11.1969	Coal Mines Provident Fund (Second Amendment) Scheme, 1969.	
507. G.S.R. 2484 of 1969 dt. 1.11.1969	Andhra Pradesh Coal Mines Provident Fund (Second Amendment) Scheme, 1969.	

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508.	G.S.R. 2485 of 1969 dt. 1.11.1969	Rajasthan Coal Mines Provident Fund (Second Amendment) Scheme 1969.
509.	G.S.R. 2486 of 1969 dt. 1.11.1969	Neyveli Coal Mines Provident Fund (Third Amendment) Scheme, 1969.
510.	G.S.R. 2491 of 1969 dt. 1.11.1969	Coal Mines Provident Fund (Third Amendment) Scheme, 1969.
511.	G.S.R. 2492 of 1969 dt. 1.11.1969	Andhra Pradesh Coal Mines Provident Fund (Third Amendment) Scheme, 1969.
512.	G.S.R. 2493 of 1969 dt. 1.11.1969	Rajasthan Coal Mines Provident Fund (Third Amendment) Scheme, 1969.
513.	G.S.R. 2494 of 1969 dt. 1.11.1969	Neyveli Coal Mines Provident Fund (Fourth Amendment) Scheme, 1969.
514.	G.S.R. 2532 of 1969 dt. 1.11.1969	Explosives (Third Amendment) Rules, 1969.
515.	S.R.O. 2534 of 1969 dt. 1-11-1969	Explosives (Second Amendment) Rules, 1969.
516.	G.S.R. 2536 of 1969 dt. 1.11.1969	Cinematograph (Censorship) Fifth Amendment Rules, 1969.
517.	G.S.R. 2539 of 1969 dt. 1.11.1969	All India Radio (Class III Posts) Recruitment (Sixth Amendment) Rules, 1969.
518.	G.S.R. 2558 of 1969 dt. 1.11.1969	Fertilizer (Control) Amendment Order, 1969.
519.	G.S.R. 2608 of 1969 dt. 4.11.1969	Foodgrains (Prohibition of use in Manufacture of Starch) Amendment Order, 1969.
520.	G.S.R. 2562 of 1969 dt. 8.11.1969	I.A.S. (Fixation of Cadre Strength) Twelfth Amendment Regulations, 1969.
521.	G.S.R. 2563 of 1969 dt. 8.11.1969	Fourteenth Amendment of 1969 to the I.A.S. (Pay) Rules, 1954.
522.	G.S.R. 2581 of 1969 dt. 8.11.1969	Port of Cochin (Port Dues and other charges) Amendment Rules, 1969.
523.	G.S.R. 2583 of 1969 dt. 8.11.1969	Hindi Translator (Class III) Recruitment (Amendment) Rules, 1969.
524.	G.S.R. 2607 of 1969 dt. 8.11.1969	Delhi Milk Scheme (Generator cum-Senior Plant Operator) Recruitment Rules, 1969.
525.	G.S.R. 2639 of 1969 dt. 12.11.1969	Constitution (Distribution of Revenues) Order, 1969.
526.	G.S.R. 2643 of 1969 dt. 14.11.1969	Foreign Exchange Regulation (Amendment) Rules, 1969.
527.	G.S.R. 2614 of 1969 dt. 15.11.1969	I.A.S. (Fixation of Cadre Strength) Eighth Amendment Regulations, 1969.

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528.	G.S.R. 2615 of 1969 dt. 15.11.1969	Fifteenth Amendment of 1969 to the I.A.S. (Pay) Rules, 1954.
529.	G.S.R. 2621 of 1969 dt. 15.11.1969	Central Engineering Service (Roads) Class II Posts Recruitment Rules, 1969.
530.	G.S.R. 2627 of 1969 dt. 15.11.1969	Department of Communications (Hindi Translator, Junior) Recruitment Rules, 1969.
531.	G.S.R. 2633 of 1969 dt. 15.11.1969	Indian Gram Storage Institute, Hapur (Non Gazetted Posts) Recruitment (Amendment) Rules, 1969.
532.	G.S.R. 2647 of 1969 dt. 22.11.1969	Central Institute of Research & Training in Employment Service (Class I & II Posts) Recruitment (Amendment) Rules, 1969.
533.	G.S.R. 2648 of 1969 dt. 22.11.1969	Central Information Service (Seventh Amendment) Rules, 1969.
534.	G.S.R. 2653 of 1969 dt. 22.11.1969	Ministry of External Affairs Officers of Special Duty (Hindi) Recruitment Rules, 1969.
535.	G.S.R. 2659 of 1969 dt. 22.11.1969	Customs and Central Excise Duties Export Drawback (General) 40th Amendment Rules, 1969.
536.	G.S.R. 2670 of 1969 dt. 29.11.1969	I.P.S. (Fixation of Cadre Strength) Seventh Amendment Regulations, 1969.
537.	G.S.R. 2671 of 1969 dt. 29.11.1969	Tenth Amendment of I.P.S. (Pay) Rules, 1954.
538.	G.S.R. 2677 of 1969 dt. 29.11.1969	I.P.S. (Probationers Final Examination) Regulations 1968.
539.	G.S.R. 2678 of 1969 dt. 29.11.1969	Central Secretariat Stenographers Service (Competitive Examination) Regulations, 1969.
540.	G.S.R. 2686 of 1969 dt. 29.11.1969	Employees Provident Funds (Fifth Amendment) Scheme, 1969.
541.	G.S.R. 2697 of 1969 dt. 29.11.1969	Customs & Central Excise Duties Export Drawback (General) 41st Amendment Rules, 1969.
542.	S.O. 341 of 1969 dt. 1.11.1969	Civil Service (Twelfth Amendment) Regulations, 1969.
543.	S.O. 4368 of 1969 dt. 1.11.1969	Indian Post Office (Eleventh Amendment) Rules, 1969.
544.	S.O. 4534 of 1969 dt. 4.11.1969	Exports (Control) Nineteenth Amendment Order, 1969.
545.	S.O. 4540 of 1969 dt. 6.11.1969	Registration of Electors (Third Amendment) Rules, 1969.
546.	S.O. 4491 of 1969 dt. 8.11.1969	Madras Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1969.
547.	S.O. 4509 of 1969 dt. 8.11.1969	Civil Pensions (Commuted on) Amendment Rules, 1969.

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548.	S.O. 4531 of 1969 dt. 8.11.1969	Authentication (Orders and other Instruments) Eighth Amendment Rules, 1969.
549.	S.O. 4632 of 1969 dt. 14.11.69	Central Industrial Security Force Rules, 1969.
550.	S.O. 4667 of 1969 dt. 22.11.69	Cement Control (Third Amendment) Order, 1969.
551.	S.R.O. 310 of 1969 dt. 1.11.1969	Air Force Rules, 1969.
552.	S.R.O. 321 of 1969 dt. 22.11.1969	General Provident Fund (Defence Services) Twenty Ninth Amendment Rules, 1969.
553.	S.R.O. 323 of 1969 dt. 22.11.1969	Navy (Class IV Posts) Recruitment Rules, 1969.
554.	S.R.O. 324 of 1969 dt. 22.11.1969	Navy (Class III Posts) Recruitment Rules, 1969.
555.	S.R.O. 332 of 1969 dt. 29.11.1969	College of Military Engineering (Selection Grade Professor) Recruitment Rules, 1969.
556.	G.S.R. 2709 of 1969 dt. 6.12.1969.	Released Emergency Commissioned Officers and Short Service Commissioned Officers (Reservation of vacancies) Second Amendment Rules, 1969.
557.	G.S.R. 2710 of 1969 dt. 6.12.1969	Indian Medical & Health Service (Initial Recruitment) Amendment Regulations, 1969.
558.	G.S.R. 2711 of 1969 dt. 6.12.1969	Central Secretariat Service (Fourth Amendment) Rules, 1969.
559.	G.S.R. 2712 of 1969 dt. 6.12.1969	Central Secretariat Clerical Service (Second Amendment) Rules, 1969.
560.	G.S.R. 2713 of 1969 dt. 6.12.1969	Central Secretariat Stenographers Service (Amendment) Rules, 1969.
561.	G.S.R. 2714 of 1969 dt. 6.12.1969	I.A.S. (Fixation of Cadre Strength) Twentieth Amendment Regulations, 1969.
562.	G.S.R. 2715 of 1969 dt. 6.12.1969	I.P.S. (Fixation of Cadre Strength) Tenth Amendment Regulations, 1969.
563.	G.S.R. 2718 of 1969 dt. 6.12.1969	I.A.S. (Fixation of Cadre Strength) Fifteenth Amendment Regulations, 1969.
564.	G.S.R. 2719 of 1969 dt. 6.12.1969	Seventeenth Amendment of 1969 to I.A.S. (Pay) Rules, 1954.
565.	G.S.R. 2720 of 1969 dt. 6.12.1969	I.A.S. (Fixation of Cadre Strength) Sixteenth Amendment Regulations, 1969.
566.	S.R.O. 347 of 1969 dt. 6.12.1969	Navy (Class I Gazetted Posts) Recruitment Rules, 1969.
567.	G.S.R. 2754 of 1969 dt. 20.12.1969	Assistant Commissioner for Scheduled Castes/Tribes (Office of the Commissioner for Scheduled Castes/Tribes) Recruitment Rules, 1969.

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568. G.S.R. 2755 of 1969 dt. 20.12.1969		Indian Administrative Service (Appointment by promotion) Fifth Amendment Regulations, 1969.
569. G.S.R. 2756 of 1969 dt. 20.12.1969		Nineteenth Amendment of 1969 to the I.A.S. (Pay) Rules, 1954.
570. G.S.R. 2757 of 1969 dt. 20.12.1969		I.P.S. (Appointment by promotion) Fourth Amendment Regulations, 1969.
571. G.S.R. 2768 of 1969 dt. 20.12.1969		Recruitment Rules for Hindi Translators, 1969.
572. G.S.R. 2770 of 1969 dt. 20.12.1969		Salar Jung Museum (Third Amendment) Regulations, 1969.
573. G.S.R. 2771 of 1969 dt. 20.12.1969		Exploratory Tubewells Organisation (Economist) Recruitment Rules, 1969.
574. G.S.R. 2778 of 1969 dt. 20.12.1969		The Customs & Central Excise Duties Export Drawback (General) 44th Amendment Rules, 1969.
575. G.S.R. 2788 of 1969 dt. 20.12.1969		Union Public Service Commission (Ex-Cadre Posts) Recruitment (Amendment) Rules, 1969.
576. G.S.R. 2789 of 1969 dt. 27.12.1969		Central Secretariat Stenographers Service (Second Amendment) Rules, 1969.
577. G.S.R. 2790 of 1969 dt. 27.12.1969		Central Secretariat Clerical Service (Third Amendment) Rules, 1969.
578. G.S.R. 2791 of 1969 dt. 27.12.1969		Central Secretariat Clerical Service (Lower Division Grade Competitive Examination for Class IV Staff) Amendment Regulations, 1969.
579. G.S.R. 2792 of 1969 dt. 27.12.1969		Central Bureau of Investigation (Overseer & Sectional Officer) Recruitment Rules, 1969.
580. G.S.R. 2795 of 1969 dt. 27.12.1969		Citizenship (Second Amendment) Rules, 1969.
581. G.S.R. 2801 of 1969 dt. 27.12.1969		Customs and Central Excise Duties Export Drawback (General) 45th Amendment Rules, 1969.
582. S.O. 4922 of 1969 dt. 16.12.1969		Synthetic Rubber (Price Control) Order, 1969.
583. S.O. 5002 of 1966 dt. 20.12.1969		Ancient Monuments and Archeological Sites and Remains (Amendment Rules, 1969.
584. S.O. 5008 of 1969 dt. 27.12.1969		Central Civil Services (Classification, Control & Appeal) Amendment Rules, 1969.
585. S.O. 5056 of 1969 dt. 29.12.1969		Income Tax (Sixth Amendment) Rules,
586. S.O. 5059 of 1969 dt. 30.12.1969		Exports (Control) Twenty-Second Amendment Order 1969.
587. S.O. 5061 of 1969 dt. 31.12.1969		Exports (Control) Twenty-Third Amendment Order 1969.

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588.	S.R.O. 358 of 1969 dt. 20.12.1969	Class IV Civilians (Defence Services) Recruitment (Second Amendment) Rules, 1969.
589.	S.R.O. 359 of 1969 dt. 20.12.1969	Civilians in the Army Ordnance Corps Class III (Highly Skilled Tradesman) Recruitment Rules, 1969.
590.	S.R.O. 361 of 1969 dt. 20.12.1969	Civilians in the Army Ordnance Corps Recruitment Rules, 1969.
591.	S.R.O. 363 of 1969 dt. 20.12.1969	Navy (Class I Gazetted Posts) Recruitment Rules, 1969.
592.	S.R.O. 367 of 1969 dt. 27.12.1969	Navy (Class II Gazetted Posts) Recruitment Rules, 1969.

APPENDIX II

(vide paras 16 to 18 of the Report)

MINISTRY OF LAW

(LEGISLATIVE DEPARTMENT)

A Note regarding the Model Clause providing for laying of Statutory Rules before both Houses of Parliament

One of the safeguards to prevent abuse of the power conferred on the executive under a subordinate legislation is the provision for laying of the rules, regulations etc. before Parliament for a specified period during which period it shall be open to Parliament to move a motion for annulment or modification of the rules so laid.

2. The formula which has been standardized by the Ministry of Law after ascertaining the views of all concerned and which is being inserted in every Central Act is on the following lines :

“Every rule made under this section 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 successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, 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.”

3. Recently the Committee on Subordinate Legislation of the Rajya Sabha has pointed out certain practical difficulties arising under the present formula in the case of Rajya Sabha. It is pointed out that during the Budget session when Rajya Sabha meets for a while during February-March and adjourns and meets again towards the fag-end of April for a further short session, the period of 30 days specified in the statute for the laying of rules may not,

in certain cases, be completed during the two successive sessions. Therefore, the Committee expressed the adoption of the formula with a slight variation on the following lines :

Proposed Model Clause.—“Every rule made 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 30 days which may be comprised in one session or in *two or more successive sessions*, and if, before the expiry of the session in which it is so laid or the *successive sessions aforesaid*, both Houses agree in making any modification to the rule or both Houses agree that the rule should not be made, the rules 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”.

4. The formula thus suggested by the Committee on subordinate legislation of the Rajya Sabha provides for the laying of the rules before the Houses of Parliament for a total period of 30 days which period may be comprised not in two successive sessions as per the present formula but in *two or more successive sessions* and as a logical corollary it has also been suggested that the right of the Houses to annul or modify the rules in question would extend not merely to the session in which the rules are placed and the session immediately following but would *extend to the successive sessions*. In view of the practical difficulty pointed out by the Rajya Sabha, it would appear that there is no harm in adopting the formula as suggested.

5. Exception was however taken by the Committee on Subordinate Legislation of the Lok Sabha to this modified version of the formula which was adopted in a few of the Central enactments during 1962-63, such as, the Defence of India Act, the Warehousing Corporations Act, etc.

6. Evidently there has been some mis-conception about the scope of the modified version of the rule laying formula *vis-a-vis* the right of Parliament to annul or modify the rules laid before them. In the present formula which is hitherto being followed, this right to move or annul, as has already been pointed out earlier, extends to the session in which the rules are laid and to one more successive session immediately following thereafter. In the modified version this right extends to the successive sessions during which the rules

are to be laid before Parliament in order to complete the specified total period of 30 days. In the altered context, it would not be necessary nor would it be advisable to extend the right to modify or annul to one more session after the successive sessions also. This would only result in the element of uncertainty being continued for a longer period than is reasonably necessary for the purpose of enabling Parliament to exercise its effective control over subordinate legislation.

7. In the light of the foregoing if the Committee on Subordinate Legislation of the Lok Sabha has no objection, the rule laying formula, which is currently being included in every Central enactment, may be modified in the manner suggested by the Rajya Sabha in view of the difficulties pointed out by them. When so modified, the right to annul or modify the rules placed before Parliament would extend to the successive sessions in which the rules are laid so as to complete the specific total period of 30 days.

8. In this connection, we may have to consider the feasibility as well as the desirability of the following three courses of action :

- (1) Inclusion of the rule laying formula provision in the General Clauses Act.
- (2) Enactment of a separate piece of legislation on the lines of the Statutory Instruments Act, 1946, of the U.K. so as to regulate the rule laying procedure and matters connected therewith.
- (3) The continuance of the present practice, namely, of incorporating the rule laying formula provision in every Central Act.

9. The General Clauses Act, 1897, though not termed as an Interpretation Act, is essentially a code on the interpretation of statutes. Courts also look to the General Clauses Act to interpret statutes, apart from taking the aid of accepted rules of interpretation as laid down in decided cases. Its value lies in avoiding superfluity of language and Courts have not hesitated to apply the principles of the General Clauses Act not only to subordinate legislation but also to private document on considerations of equity, justice and good conscience. In short, it serves as a key to unlock the mysteries of legislation. That being so, it may not be proper to incorporate the rule laying formula in the General Clauses Act. For, as has already been explained in detail, the function of the

rule-laying formula is to secure parliamentary control over subordinate legislation and the General Clauses Act is a measure for the interpretation of statutes. As such, the rule-laying formula provision will be like a square peg in a round hole if it were to be included in the General Clauses Act.

10. So far as the next alternative is concerned, we have to examine the scope and content of the Statutory Instruments Act, 1946, in force in the United Kingdom. Prior to 1893, in England subordinate legislation was required to be published in the London Gazette and has formed part of the voluminous miscellaneous contents of the Gazette. Carr in his book "Concerning English Administrative Law" observed that subordinate legislation thus published in the Gazette was "buried rather than revealed" (page 57). The Rules Publication Act of 1893 (56 and 57 Victoria, Chapter 66) provided for the publication of statutory rules by the Queens Printer. Under this Act, the rules and orders with some exceptions were to be sent to Queens Printer and to be numbered by him and subject to regulations, printed and put on sale. While not all the rules and regulations were printed, every instrument, which was officially numbered, was mentioned in a classified list at the end of the annual volume of the statutory instruments printed by the Queens Printer. The Committee on Ministers' powers after reviewing the working of the 1893 Act recommended that publication should be made a condition precedent for the coming into force of all instruments except those that have been published in draft under the pre-publication rules and subsequently issued in substantially the same form as in that draft. In those cases, the Committee suggested that public notification of the enforcement would be sufficient. Only in 1946, in the U.K. the Statutory Instruments Act (9 and 10 George V, Chapter 36) was passed repealing and replacing the 1893 Act. It will be seen that section 3(3) of the Rules Publication Act of 1893 has been re-enacted in the Statutory Instruments Act, 1946. It makes provision for the publication in the London, Edinburgh and Belfast Gazette of a notice stating that a statutory instrument has been made and specifying where copies thereof may be purchased [See sections 12(1 and 2)]. Section 4 of the Act relates to statutory instruments which are required to be laid before Parliament while section 5 deals with statutory instruments which are subject to annulment by a resolution of either House of Parliament and under the provisions of the Act a statutory instrument must lie before Parliament for a uniform period of 40 days during which period notice for its annulment may be moved. In calculating the period of 40 days, no action shall be

taken for any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days (See sections 6 and 7).

11. Rules must now be laid before the Instrument comes into operation. But, however, where it is essential that an instrument should come into operation before copies of it can be laid, then the Speaker of the House as well as the Lord Chancellor must be notified accordingly together with the reasons for such an action (Please see section 4).

12. The Statutory Instruments Act, 1946, contains provisions for an affirmative approval of the rules proposed to be made as well as for annulment of the rules already made and laid before the House. But it has not been exactly provided therein as to the circumstances in which recourse could be had to either of these two methods, namely the affirmative resolution or a motion for annulment of the rules.

13. From the foregoing, it would be evident that the scope and extent of the Statutory Instruments Act is far too wide and it covers many things other than publication of subordinate legislation and the laying of such legislation before Parliament. Our object is very much limited, namely, to ensure that the power conferred on the executive authority by means of subordinate legislation is not abused. This is achieved in India by providing for the publication of the rules in the Gazette and for the laying of the rules before each House of Parliament for a specified period of 30 days. Moreover, the Statutory Instruments Act encompasses within its scope concepts like orders in Council etc. which are out of place in our scheme. Hanson and Wiseman in their case book on Parliament Procedure in the U.K. entitled "Parliament at Work" in the 1962 edition at pages 203 to 215 have discussed at length the use to which the provisions contained in the Statutory Instruments Act are being put to. After adverting to the two procedures obtaining under the Statutory Instruments Act, namely, the affirmative approval of Parliament by way of resolution and the procedure for annulment within a time limit, the learned authors point out the prayers for annulment are called "exempted business" which means, in practice, that they are "moved at the completion of the day's business, immediately before the moving of the half hour adjournment motion". They further proceed to add that *this rule has enabled the right of 'praying' on certain occasions, to be used as a parliamentary tactic that can be variously described as 'delaying', 'harrying' or filibustering*. They had cited a number of interesting

incidents connected with the invoking of the procedure for annulment which takes place at such unearthly hours as well near midnight and extending to the early hours of the dawn when members seek to satisfy their "nocturna thirst for information".

14. From the foregoing it would be obvious that in India the principle followed has always been not a condition precedent but a condition subsequent which enables Parliament to annul or modify a rule or regulation placed before the Houses. It cannot be contended that this procedure has not worked satisfactorily or has not ensured effective parliamentary control at the hands of the ever Vigilant Committees on Subordinate Legislation of both the Houses of Parliament. The procedure followed in the U.K. does not, in any way, commend itself as being a preferable alternative to be followed by us. Therefore, there seems to be no special advantage in having recourse to an enactment like the Statutory Instruments Act of 1946 of the U.K. in India.

15. The first two alternatives having been ruled out, namely, incorporation of the rule-laying formula provision in the General Clauses Act and the enactment of a separate measure like the Statutory Instruments Act, we come to the conclusion that the procedure that has hitherto been followed in this country for ensuring effective parliamentary control has worked well and there is no special reason for making a departure from the present practice except to the extent necessary for modifying the formula on the lines suggested by the Committee on Subordinate Legislation of the Rajya Sabha in view of the practical difficulties experienced by them, if the Committee on Subordinate Legislation of Lok Sabha concurs with the Committee of the Rajya Sabha.

APPENDIX III
MINUTES OF THE COMMITTEE

XXVII

MINUTES OF THE TWENTY-SEVENTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Committee met on Thursday, the 9th April, 1970 from 17.00 to 18.00 hours.

PRESENT

Shri Anand Narain Mulla—*Chairman.*

MEMBERS

2. Shri Shri Chand Goyal
3. Shri Narendrasingh Mahida
4. Shri N. Meghachandra
5. Shri N. K. Sanghi
6. Shri G. Viswanathan.

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee considered Memoranda Nos. 65 to 75 on the following subjects and 'Orders':—

(i) Model clause providing for laying of Statutory rules before both Houses of Parliament.

(ii) and (iii) * * * *

(iv) All-India Services (Laying of Regulations before Parliament) Bill, 1969 (As passed by Rajya Sabha on the 25th November, 1969).

(v) —(xi). * * * *

(i) *Model clause providing for laying of statutory rules before both Houses of Parliament.* totalfu

3. The Committee on Subordinate Legislation (Second Lok Sabha) had approved the following model clause providing for laying of Sta-

*Omitted portions of the Minutes are not covered by the Sixth Report. The relevant portions of the Minutes of the twenty-seventh sitting were appended to the Fifth Report of the Committee.

tutory rules before both Houses of Parliament, *vide* para 45 of its Seventh Report:—

“Every rule made under this section 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 successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, 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.”

4. The Rajya Sabha had experienced some administrative difficulties in connection with the compliance of requirements of the aforesaid model clause, because the first Parliament session of the year commenced sometime in February and the Lok Sabha continued to sit till all the financial business was completed in May, the session of the Rajya Sabha, generally lasted till the end of March or thereabout. The Rajya Sabha met again (generally in April) for a session of short duration principally to transact financial business. When, therefore, rules were laid towards the latter half of the February-March Session, the period of thirty days was not completed in even two successive session, *viz* February-March and April-May, because of which such rules had to be re-laid on the Table in the monsoon session till the period of thirty days was completed as stipulated in the said clause.

5. In view of the above administrative difficulties, the matter was examined by the Committee on Subordinate Legislation of Rajya Sabha in 1968. The Committee recommended in para 25 of its Fifth Report that “the existing ‘laying formula’ should be modified so as to provide that—

- (i) the statutory period of 30 days might be completed in one session or two or more successive sessions; and
- (ii) the right to suggest modification in the ‘Order’ should extend to one additional session immediately following the session in which the period of 30 days is completed.”

6. In this connection, the Committee perused the following letter of the Deputy Minister of Law (Shri Mohd. Yunus Saleem):

“...The existing formula was settled after the approval of the Committee on Subordinate Legislation of the Lok Sabha, by its 7th Report, presented on 24th December, 1959. It is, therefore, necessary that the concurrence of the Committee on Subordinate Legislation of the Lok Sabha is obtained, before the Government consider to take steps to amend the formula in the manner suggested by the Committee on Subordinate Legislation of the Rajya Sabha.”

7. The Committee noted that there was no mention in the letter of the Deputy Law Minister about the second part of the recommendation of the Committee on Subordinate Legislation of Rajya Sabha, which was equally important. After some discussion, the Committee decided that the Ministry of Law (Legislative Department) might be asked to send its representatives to appear before the Committee on Friday, the 17th April, 1970 to enable it to seek elucidation on the above point.

8.—18. * * * *

(iv) *The All-India Services (Laying of Regulations before Parliament) Bill, 1969 (as passed by Rajya Sabha on the 25th November, 1969).*

19. The All-India Services (Laying of Regulations before Parliament) Bill, 1969 (as passed by the Rajya Sabha on the 25th November, 1969) and presently before Lok Sabha provided for laying before Parliament of the regulations made under the All-India Services Act, 1951 (61 of 1951), and for certain other matters connected therewith. The main purport of the Bill, as stated in the statement of Objects and Reasons appended to the Bill was as follows:

“... Some of the rules made under the All-India Services Act, 1951, empower the Central Government to make regulations in respect of certain matters. Sub-section (2) of section 3 of the said Act provides only for the laying of rules before Parliament. Consequently, regulations made up to 1st July, 1967, were not laid before Parliament. As however, the regulations form an integral part of the rules, it was felt that it would be appropriate to lay the regulations before Parliament in the same manner as the

*Omitted portions of the Minutes are not covered by the Sixth Report.

rules are laid. The Bill provides for the laying of regulations also before Parliament, and in addition, it seeks to validate the regulations (made prior to 1st July, 1967) which have not been laid before Parliament. Incidentally, the Bill also provides for the laying of the rules and regulations before Parliament for a period of thirty days instead of fourteen days as at present."

20. Clauses 2 and 3 of the aforesaid Bill provided as follows:

"Definition 2. In this Act, "regulation" means a regulation made before the commencement of this Act by the Central Government under any of the provisions of the rules framed under the All-India Services Act, 1951.

Laying of regulations before Parliament 3. Every regulation shall be laid, as soon as may be, after the commencement of this Act, 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 successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation 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 regulation:

Provided that nothing contained in this section shall apply to any such regulation which has already been laid before each Houses of Parliament."

21. The Committee noted that all regulations made by the Central Government before the commencement of the aforesaid Act, under any of the provisions of the rules framed under the All-India Services Act, 1951 and which had not been laid till then before each House of Parliament would also be laid before each House of Parliament irrespective of the fact whether those regulations were still in force or not. The Committee felt that in the case of such regulations which would not be in force at the commencement of the Act, there appeared to be no necessity of their being laid on the Tables of both the Houses as it would be infructuous for the House or the Committee on Subordinate Legislation to exercise scrutiny over such regulations.

22. The Committee decided that the Ministry of Home Affairs might be asked to amend suitably the definition of "regulation" as contained in Clause 2 of the aforesaid Bill so as to make it clear that

such regulations, which were made before the commencement of the Act and which were not in force, were not required to be laid on the Table of the House.

23.—41. * * * * *

The Committee then adjourned to meet again on the 17th April, 1970 to hear the evidence of the representatives of the Ministry of Law (Legislative Department) regarding the revision of the model clause providing for laying of statutory rules before both Houses of Parliament.

XXVIII

MINUTES OF THE TWENTY-EIGHTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Committee met on Friday, the 17th April, 1970 from 10.00 hours to 11.00 hours.

PRESENT

Shri Srinibas Mishra—*In the Chair.*

MEMBERS

2. Shri J.B.S. Bist
3. Shri Shri Chand Goyal
4. Shri Viswanatha Menon
5. Shri Bishwanath Roy
6. Shri G. Viswanathan

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

REPRESENTATIVES OF THE MINISTRY OF LAW (LEGISLATIVE DEPARTMENT)

1. Shri N.D.P. Namhoodiripad—*Joint Secretary and Legislative Counsel.*
2. Shri A. K. Srinivasamurthy—*Deputy Legislative Counsel.*

(The Representatives of the Ministry of Law, Legislative Department were called in.)

2. In the absence of Chairman, Shri Srinibas Mishra was chosen to act as Chairman for the sitting in terms of Rule 258(3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

*Omitted portions of the Minutes are not covered by the Sixth Report.

3. The representatives of the Ministry of Law were examined in connection with the proposal received from the Deputy Minister of Law for revising the existing model clause providing for laying of statutory rules before both Houses of Parliament.

4. While explaining the implications of the provisions of the existing model clause for laying of statutory rules before both Houses of Parliament, Shri Namboodiripad stated that no difficulty was experienced by the Ministries in complying with the provisions of the model clause so far as Lok Sabha was concerned since all its Sessions were of more than 30 days duration but difficulty was experienced regarding Rajya Sabha as its sessions in February—May period were of short duration and therefore the rules had to be relaid in order to complete the stipulated period of 30 days. He further stated that Ministries concerned had not complained about any such difficulties, but the Committee on Subordinate Legislation of Rajya Sabha had in their Fifth Report, recommended for the revision of the model clause so as to provide that the period of thirty days might be completed in one, two or more sessions so as to obviate the necessity of relaying the rules before the House.

5. Tracing the history of the existing model clause, Shri Namboodiripad stated that in pursuance of the recommendation of the Committee on Subordinate Legislation (First Lok Sabha) a model clause was first devised in 1956 and there was no condition precedent or condition subsequent for computing 30 days period. Subsequently a new model clause was evolved with the approval of the Lok Sabha Committee on Subordinate Legislation and circulated to Rajya Sabha and all State Governments in 1959. Again the words "two or more Sessions" were included in one or two Bills. When the Committee on Subordinate Legislation of Lok Sabha expressed the view that there was no justification for the deviation the approved model clause was resorted to.

6. In reply to a question Shri Namboodiripad stated that problem of relaying would be solved if the period of 30 days comprised in one, two or more sessions.

7. Regarding extension of the statutory right of Members to suggest modifications in orders to one additional Session Shri Namboodiripad stated that it would have the effect of unnecessarily prolonging of the matter.

8. Concluding his evidence, Shri Namboodiripad promised to send a draft of the revised model clause for laying of rules before both

Houses of Parliament together with a note covering the following points:

- (a) whether there should be a Statutory Instruments Act on the British pattern;
- (b) whether the Model Clause should be included in the General Clauses Act; and
- (c) whether the Model Clause, as it was obtaining should continue.

(The witnesses withdrew)

The Committee then adjourned.

XXX

***MINUTES OF THE THIRTIETH SITTING OF THE COMMITTEE
ON SUBORDINATE LEGISLATION**

The Committee met on Monday, the 18th May, 1970 from 15.00 to 15.30 hours.

PRESENT

Shri Anand Narain Mulla—*Chairman.*

MEMBERS

2. Shri J. B. S. Bist
3. Shri Krishna Kumar Chatterji
4. Shri V. Krishnamoorthi
5. Shri M. Meghachandra
6. Shri Bishwanath Roy
7. Shri N. K. Sanghi
8. Shri Shantilal Shah

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee considered its future programme and decided to sit at 10.30 hours on the 13th July and at 15.00 hours on the 14th July, 1970 to consider the various memoranda setting forth the result of examination of Rules|Orders, etc.

*Relevant portions of the Minutes of the Twenty-ninth Sitting were appended to the Fifth Report of the Committee.

3. The Committee then constituted, under Rule 263 of the Rules of Procedure and Conduct of Business in Lok Sabha, a Sub-Committee consisting of the following Members of the Committee on Subordinate Legislation to consider and select for examination the type of rules, regulations, orders, etc. falling within the purview of the Committee under Rule 317, *ibid*:—

1. Shri Shri Chand Goyal—*Convener*.
2. Shri Krishna Kumar Chatterji
3. Shri N. T. Das
4. Shri V. Krishnamoorthi
5. Shri V. Viswanatha Menon
6. Shri N. K. Sanghi
7. Shri Ram Sewak Yadav.

The Committee then adjourned.

XXXI

MINUTES OF THE THIRTY-FIRST SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION (1970-71)

The Committee met on Monday, the 13th July, 1970 from 10.30 to 12.00 hours.

PRESENT

Shri Anand Narain Mulla—*Chairman*.

MEMBERS

2. Shri Krishna Kumar Chatterji
3. Shri N. T. Das
4. Shri Tukaram Hurji Gavit
5. Shri K. M. Koushik
6. Shri V. Viswanatha Menon
7. Shri Shantilal Shah
8. Shri Ram Sewak Yadav

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*.

2. The Committee considered Memoranda Nos. 77 to 85 on the following subjects and Orders:—

S. No.	Memorandum No.	Subject
(i)	77	Revision of Model Clause providing for laying of Statutory Rules before both Houses of Parliament.
(ii)	78	Implementation of recommendation contained in para 34 of the First Report of Committee on Subordinate Legislation (Fourth Lok Sabha)—Imposition of fee on cancellation of Railway tickets.
(iii)	79	Rules relating to issue, etc. of Licences under the Explosives Rules, 1940.
(iv)	80	* * * *
(v)	81	The Seeds Rules, 1968 (G.S.R. 1632 of 1968).
(vi)- (vii)	82-83	* * * *
(viii)	84	(i) Appointment of Inquiry Officers to conduct oral inquiry into the charges levelled against delinquent officers under the C.C.S. (C.C.A.) Rules, 1965, and (ii) Powers to suspend delinquents—scope and limitations rule 10 of C.C.S. (C.C.A.) Rules, 1965.
(ix)	85	Rules regarding recruitment of Member-Secretaries in the Railway Service Commissions—Implementation of recommendation made in Fourth Report of Committee on Subordinate Legislation (Fourth Lok Sabha).

(i) *Revision of Model Clause providing for laying of Statutory rules before both Houses of Parliament (Memorandum No. 77)*

3. The Committee on Subordinate Legislation, at its sitting held on the 9th April, 1970, had considered the suggestion made by the Deputy Minister of Law for revising the existing Model Clause providing for laying of Statutory rules before both Houses of Parliament, in the light of the recommendation made by the Committee on Subordinate Legislation of Rajya Sabha in para 25 of its Fifth Report.

4. The Committee had noted that there was no mention in the letter of the Deputy Minister of Law about the second part of the recommendation of the Committee on Subordinate Legislation of Rajya Sabha that the existing Model Clause should be modified so as to provide that the right of Members of Parliament to suggest modification in the 'Orders' should extend to one additional session

* Omitted portions of the Minutes are not covered by the Sixth Report.

Immediately following the session in which the period of thirty days was completed.

5. The representative of the Ministry of Law (Legislative Department), who was examined by the Committee at its sitting held on the 17th April, 1970, to seek further elucidation on the above point had stated that it would have the effect of unnecessarily prolonging the matter. While explaining the implications of the provisions of the existing Model Clause for laying of Statutory rules before both Houses of Parliament, he informed the Committee that no difficulty was experienced by the Ministries in complying with the provisions of the Model Clause so far as Lok Sabha was concerned, since all its Sessions were of more than thirty days duration, but difficulty was experienced regarding Rajya Sabha as its Sessions in February—May period were of short duration and, therefore, the rules had to be re-laid in order to complete the stipulated period of thirty days. He further stated that Ministries concerned had not complained about any such difficulties.

6. The Committee had asked the representative of the Ministry of Law to furnish a draft of the revised Model Clause for its consideration, together with a note discussing the following points:

- (a) whether there should be a Statutory Instruments Act on the British pattern;
- (b) whether the Model Clause should be included in the General Clauses Act; and
- (c) whether the Model Clause, as it existed should continue.

7. The Ministry of Law (Legislative Department), while ruling out the desirability of enacting a separate measure like the Statutory Instruments Act on the British pattern or incorporation of the Model Clause in the General Clauses Act, in its Note, had come to the conclusion that "the procedure that has hitherto been followed in this country for ensuring effective Parliamentary control has worked well and there is no special reason for making a departure from the present practice except to the extent necessary for modifying the formula on the lines suggested by the Committee on Subordinate Legislation of the Rajya Sabha in view of the practical difficulties experienced by them, if the Committee on Subordinate Legislation of Lok Sabha concurs with the Committee of the Rajya Sabha."

8. The Committee noted *vide* para 5 above that Ministries concerned had not complained about any difficulty being experienced by them regarding the re-laying of rules before both Houses of Parliament. Moreover, the Ministry of Law (Legislative Department)

while dealing with the right of the Members of Parliament to suggest modification in the 'Order' for an additional session immediately following the session in which the period of thirty days was completed (as suggested by Committee on Subordinate Legislation of Rajya Sabha) had stated in its note that in the revised Model Clause "...this right extends to the successive sessions during which the rules are to be laid before Parliament in order to complete the specified total period of 30 days. In the altered context, it would not be necessary nor would it be advisable to extend the right to modify or annul to one more session after the successive sessions also. This would only result in the element of uncertainty being continued for a longer period than is reasonably necessary for the purpose of enabling Parliament to exercise its effective control over subordinate legislation."

9. The Committee further noted that the Ministry of Law (Legislative Department) did not consider it necessary to accept the recommendation of the Committee on Subordinate Legislation of Rajya Sabha in its entirety. Moreover, if the revised Model Clause as proposed by the Law Ministry was approved by the Committee, it was not clear what would be the position so far as the continuance of the present Model Clause in the existing Acts, which run into thousands, was concerned, particularly when the Law Ministry had ruled out the desirability of enacting a separate measure like the Instruments Act on the British pattern or inclusion of the Model Clause in the General Clauses Act, to obviate the necessity of its being repeated in all Statutes which provide for the framing of rules, for all times to come. The Committee also noted that when the Model Clause was modified in respect of certain Bills in 1962, the Committee on Subordinate Legislation, while taking note of the modified version of Model Clause, had insisted that "the formula contained in paragraph 45 of the Seventh Report of Committee on Subordinate Legislation (Second Lok Sabha), which has hitherto been adopted by the Government, should be followed in future also. If the Government, consider it necessary to amend that formula in order to avoid relaying of rules under rule 234(2) of the Rules of Procedure and Conduct of Business in Lok Sabha for administrative convenience, it should clearly be provided therein that the right of the House to modify the rules shall extend to the session immediately following the session in which the said period of 30 days is completed", but the Government did not seem to be willing to accept that recommendation or that of the Rajya Sabha Committee on Subordinate Legislation in its entirety.

10. After considering the matter in all its aspects, the Committee decided that the present Model Clause providing for laying of rules before both Houses of Parliament as approved by the Committee on Subordinate Legislation in para 45 of its Seventh Report (Second Lok Sabha) might continue or in the alternative the recommendations made by the Rajya Sabha Committee on Subordinate Legislation might be accepted in its entirety.

- (ii) *Implementation of recommendation contained in para 34 of the First Report of the Committee on Subordinate Legislation (Fourth Lok Sabha)—Imposition of fee on cancellation of Railway tickets (Memorandum No. 78).*

11. The Committee on Subordinate Legislation had observed in para 34 of its First Report (Fourth Lok Sabha) that charges like the one levied for cancellation of unused Railway Tickets should not be levied or collected without any specific authorisation by an Act of Parliament and so far as Section 47 of the Indian Railways Act, 1890 was concerned, there was nothing which authorised the Railway Administration to levy such cancellation charges. The Committee noted that a Bill (No. 27 of 1970) had been introduced in Lok Sabha on the 24th March, 1970, by the Ministry of Railways (Railway Board) for suitably amending Section 47 of the Indian Railways Act, 1890, and to validate the levy and collection of such charges made before the amended Section 47 became effective.

- (iii) *Rules relating to issue etc. of licences under the Explosives Rules, 1940 (Memorandum No. 79).*

12. During the course of examination of the Explosives Rules, 1940 as amended from time to time, the following two points were noticed:

- (i) There was no provision in Rules 92 and 93 *ibid*, requiring the licensing authority to give an opportunity of being heard to the applicant, before his application for amendment or renewal of licence was rejected or to a licenceholder before his licence was suspended or cancelled, and if the Central Government happened to be a licensing authority, even the requirement of recording the reasons in writing had been dispensed with;
- (ii) The fee to be charged for the grant of licence, etc. for purposes specified in column 3 of Schedule IV of the said Rules, was not mentioned against serial Nos. 8 and 9 in column 5 thereof and it was left to be prescribed by the

Central Government, but it was not clear whether such fee would be prescribed by a general notification published in the Gazette or prescribed from time to time by *ad hoc* Orders of the Central Government.

13. On 3rd May, 1968, the matter was referred to the erstwhile Ministry of Industrial Development and Company Affairs (Department of Industrial Development) inviting its attention to the observation of the Committee on Subordinate Legislation in regard to the Paradip Port Harbour Craft Rules, 1967, contained in para 26 of its First Report (Fourth Lok Sabha), the Ministry was requested to provide in the Explosives Rules, 1940 that every licensing authority would give an opportunity of being heard and record the reasons, in writing, for passing an order adversely affecting a licence-holder/applicant. The Ministry was also requested to clarify whether the fee left to be prescribed by the Central Government in respect of serial Nos. 8 and 9 in column 5 of Schedule IV of the said Rules would be prescribed by a general notification published in the Gazette or by *ad hoc* orders issued from time to time by the Central Government.

14. After prolonged correspondence, the Ministry had furnished the following reply on the 30th December, 1968:

“...in regard to the fees to be charged for the grant of a licence etc., the scale of fee has been given in Schedule IV to the Explosives Rules against each article, except in the case of licences in Special Form granted under articles 8 and 9. The Government of India had set up a committee to suggest, *inter alia* revision of the Explosives Acts and Rules. This Committee has already considered the matter and recommended that a standard scale of fee should be prescribed for the purpose. This recommendation is under consideration of this Ministry. In regard to the issue raised in paras. 1 and 2 of the (Lok Sabha Secretariat) memorandum, a further communication will follow as the matter is being examined in consultation with the Ministry of Law.”

15. On the matter being pursued further, the following reply was received from the Ministry on the 30th August, 1969:—

“...it has since been decided in consultation with the Ministries of Home Affairs and Law to amend the Explosives Rules, 1940 as suggested in their O.M. of 3rd May, 1968, to

meet the observations of the Committee on Subordinate Legislation in this regard. Further steps are being taken to amend the rules as decided in consultation with the authorities concerned.

As regards the point relating to the fees to be charged for grant of licence etc. mentioned in para 2 of their O.M. of 3rd May, 1968, the position has already been intimated to them *vide* this Ministry's O.M. of even number dated the 30th December, 1968. In this connection it may further be stated that the recommendations of the Explosives Committee in this regard as mentioned in the above O.M. have since been accepted by Government and steps have already been initiated to implement the same."

16. As the above replies of the Ministry did not indicate any definite and clear line of action which the Ministry had decided to follow in respect of the aforesaid points, the matter was pursued further. In this connection, the Committee pursued the following reply furnished by the Ministry:

".....As regards the point relating to the laying down of a standard scale of fees to be charged for the grant of a licence etc., you may please refer to this Ministry's O.Ms. of even number dated the 30th December, 1968. and 30th August, 1969 from which it would be observed that the Explosives Rules, 1940 contain all the standard scales of fees to be charged for the grant of licences etc. except for special form licences under Article 8 of Schedule IV to these Rules. The Central Government have, however, separately prescribed fees for Special Form Licences with effect from 11th March, 1950 and the same are being charged for such licences. The fees for such licences are also proposed to be included in the rules itself when the Explosives Rules are revised on the basis of the recommendations of the Explosives Committee. If, however, it is felt that fees for Special Form Licences should also be provided in the rules without waiting for the revision of the Explosives Rules, appropriate action will be taken immediately for amending the rules on hearing from you.

As regards the amendment of the rules for making a provision that every licensing authority shall give an opportunity of being heard and record reasons, in writing, for passing

an order adversely affecting a licence holder/applicant, the Lok Sabha Secretariat have been informed *vide* this Ministry's O.M. of even No. dated the 30th August, 1969, that a decision to this effect has been taken and further steps are being taken to amend the rules. In this connection I am forwarding herewith a copy of notification No. 38(1)/67-LI(I) dated the 18th December, 1969, proposing amendments relating to the no-objection certificates issued by the District Authorities. This amendment will be finalised as soon as some suggestions received from the Government of West Bengal in this respect, have been examined and clarified.

Any other amendments which may be necessary to meet the observations of the Committee on Subordinate Legislation will also be made as soon as these points are further examined in consultation with the concerned authorities."

17. The Committee noted from the above reply that even after two years of correspondence, the Ministry had not indicated any specific line of action which would result in amendment of Rules 92 and 93 of the Explosives Rules, 1940, nor had it furnished any clarification for not mentioning in column 5 of Schedule IV, the amount of fee to be charged for grant of licence etc. for purposes specified in column 3 against serial Nos. 8 and 9. The Ministry had also not explained whether such fees would be prescribed by general notifications or by *ad hoc* orders. All the replies received from the Ministry so far, had been conspicuous by their vagueness. As far back as the 30th December, 1968, the Ministry had stated that the recommendation made by the Explosives Committee (which was set up by Government to suggest, *inter alia* revision of the Explosives Acts and Rules) to prescribe a standard scale of fee for the purpose was under their consideration, but no action had been taken by the Government to provide the scale of fee in the Rules. Rather on the other hand, after a period of two years, the Ministry had started in their latest reply that "if, however, it is felt that fees for Special Form licences should also be provided in the rules, without waiting for the revision of the Explosives Rules, appropriate action will be taken immediately for amending the rules on hearing from you", without indicating as to when the Explosives Rules were likely to be revised.

18. As regards the other point, the Committee noted that the Ministry had stated in their O.M. of 30th August, 1969, that further steps were being taken to amend the Explosives Rules, 1940, with a

view to meet the observations of the Committee on Subordinate Legislation, as decided in consultation with the authorities concerned. The Committee also noted that the Ministry, while inviting attention to this O.M., had forwarded a copy of notification dated 18th December, 1969, containing draft amendment to the Rules relating to the refusal of 'No Objection Certificates' to be issued by the District Authorities, which had no relevance to the points referred to the Ministry and under consideration of the Committee.

19. The Committee after some discussion decided to examine the representatives of the Ministry on the desirability of suitably amending the Rules in the light of the observations made by the Committee on Subordinate Legislation in para 26 of its First Report (Fourth Lok Sabha).

20—23. * * * * *

(v) *The Seeds Rules, 1968* (G.S.R. 1632 of 1968) (Memorandum No. 81)

24. During the course of examination of the Seeds Rules, 1968 (G.S.R. 1632 of 1968) it was noticed that no remedy had been provided for dealing with persons who sold or supplied seeds which did not conform to the minimum limits of germination and purity as specified by the Central Government under Section 6 of the Seeds Act, 1966. It was felt that the absence of such a penal provision might increase activities of such persons and thus lead to the devastation of crops of farmers. There was also no provision for dealing with the persons conniving with officers for securing false certificates regarding marking or labelling of seeds.

25. In this connection, the Committee perused the following reply submitted by the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture):

"...The Act does not provide for compensation for any losses suffered by the farmer who buys sub-standard seeds. Such compensation can be claimed by the suffering farmer only under the civil laws. The absence of such provisions is not on account of any error or short-sightedness. Such a substantive provision cannot be introduced in the Rules without any provision in the Act to that effect.

*Omitted portions of the Minutes are not covered by the Sixth Report.

The law seeks to protect the farmer upto the point of ensuring that seed of the important and significant kinds and varieties is sold under proper labelling observing minimum standards. It does not go beyond that.

There is also no punitive provision for dealing with persons conniving with officers for securing false certificates regarding labelling of seeds etc. As far as the Government servants involved are concerned such punishment can be meted out under Departmental Rules and Regulations. Besides, the general criminal laws are also applicable to these cases. The same goes for the non-officials involved in such practices. It does not appear to be necessary, therefore, to make separate provisions in the Act."

26. The Committee after considering the matter at some length decided to examine the representatives of the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture) in connection with (i) the provisions of compensation for any losses suffered by the farmer who buys sub-standard seeds and (ii) for making punitive provision for dealing with persons conniving with officers for securing false certificates regarding labelling of seeds etc.

27—28. * * * * *

- (viii) (a) *Appointment of Inquiry Officers to conduct oral inquiry into the charges levelled against delinquent officers under the C.C.S. (C.C.A.) Rules, 1965; and*
- (b) *Powers to suspend delinquents—scope and limitations—rule 10 of C.C.S. (C.C.A.) Rules, 1965 (Memorandum No. 84).*

29. Dr. G. S. Melkote, M.P. and formerly a Member of the Committee on Subordinate Legislation had raised the following points which were referred to the Ministry of Home Affairs and Department of Communications for furnishing their comments:

- (i) *Appointment of Inquiry Officers to conduct oral inquiry into the charges levelled against delinquent officers under C.C.S. (C.C.A.) Rules, 1965; and*

*Omitted portions of the Minutes are not covered by the Sixth Report.

- (ii) Powers to suspend delinquent officers—scope and limitations—under rule 10 of C.C.S. (C.C.A.) Rules, 1965.

30. The Committee perused the following replies furnished by the Ministry of Home Affairs and Department of Communications respectively:

Ministry of Home Affairs

- “(i) This Ministry is not aware of any cases where a Class III Officer had been appointed to inquire into charges against another Class III officer. If there are any cases where this has happened, they could be looked into if specific instances are brought to notice.

The suggestion that all cases requiring inquiry under C.C.S. (C.C.A.) Rules, 1965, should be handled by the Central Vigilance Commission through the Commissioners for Departmental Inquiries will, in view of the number of such cases being very large, involve considerable expansion in the Central Vigilance Commission which may not be commensurate with the object to be achieved. Under the existing arrangements, even in the case of gazetted officers, only such cases are referred to the Central Vigilance Commission for inquiry in which integrity of the officer is involved. Other cases of even gazetted officers are handled in the Ministry|Department concerned through the agency of officers of appropriate rank appointed to conduct the inquiry.

Paragraph 22.4 of Chapter X of the Vigilance Manual provides that the officer to be selected as Inquiring Authority should be sufficiently senior in rank and one who is not suspected of any prejudice or bias against the accused officer and had not had occasion to express opinion on merits of the particular case at any earlier stage. Instructions have also been issued *vide* this Ministry's O.M. No. 39|40|52-Ests., dated the 4th October, 1952, which *inter alia* lay down that:—

- (i) in each Ministry or Department, a specified officer or officers of the appropriate rank shall be nominated and earmarked for the purpose of conducting all the departmental inquiries arising within that Ministry|Department.

- (ii) as soon as occasion arises for taking up such an inquiry, the nominated officer will be relieved of his normal duties to such extent as may be necessary to enable him to devote full and careful attention to the completion of the inquiry; and
- (iii) the nominated officers should familiarise themselves with the rules and essential procedural requirements and maintain close personal contacts with the Ministry of Home Affairs to enable them quickly to resolve any doubts or difficulties which may arise.

In other words, there already exist instructions to the effect that there should be in each Ministry/Department officers especially nominated for the purpose of conducting departmental inquiries and that such officers can, when necessary, be made exclusively or largely concerned with the matter of conduct of inquiries alone.

- (i) this Ministry have already issued orders *vide* O.M. No. 43|56|64-AVD, dated the 22nd October, 1964, 221|18|65-AVD dated the 7th September, 1965, 16th February, 1966, regarding the circumstances under which a Government servant may be placed under suspension and the need for quick decision on cases of officers under suspension.
- (ii) In respect of the treatment of the period of suspension under various circumstances after the conclusion of the inquiry, the undersigned is directed to invite the attention to F.R. 54 and *Government of India decisions thereunder* which provides for the regularisation of the suspension period."

Department of Communications

- "(i) The authorities competent to place a Government servant under suspension are clearly laid down in Rule 10 of CCS(CCA) Rules, 1965. The present position is that any authority which is competent to impose a minor penalty on a Government servant is competent to suspend him. It is not a fact that the suspensions are resorted to as a matter of routine or that Government servants are kept under suspension indefinitely. In fact the entire position of the officials of the P & T. Department continuing under suspension was reviewed recently at a high level under the directions of the Minister and it was seen that officials were not kept

under suspension unnecessarily. Further, orders indicating the guidelines for placing an official under suspension already exist (*vide* Ministry of Home Affairs O.M. No. F. 43|56|64-AVD, dated 22nd October, 1964) which envisage that public interest should be the guiding factor in deciding to place a Government servant under suspension and the disciplinary authority should have the discretion to decide this taking all... factors into account. These orders even indicate broadly the circumstances in which a disciplinary authority may consider it appropriate to place a Government servant under suspension. Thus, it is clear that elaborate rules|orders already exist within the framework of which officials are placed under suspension. Again, under CCS (CCA) Rules, these officials have got a right to appeal or to submit a petition against their suspension to the P & T Board|President. In a vast and widely spread public utility department like the P & T administration has to be widely decentralised. It is essential that in respect of officials dealing with the public, handling cash and valuables and the P & T Traffic, the powers to suspend should be exercised by the authority competent to impose minor penalties rather than remote authorities empowered to impose major penalties. A high standard of conduct on the part of the officials is essential in order to ensure public confidence in the P & T transactions. Since, every appointing authority is required to submit a monthly report of suspensions to the next higher authority and finally to the Heads of P & T Circles, the case is reviewed with a view to ensure that suspensions are not prolonged or resorted to unnecessarily. As regards the treatment of the period of suspension the provisions of F.R. 54 are quite clear. If after the conclusion of the disciplinary proceedings|criminal proceedings the competent authorities are of the opinion that the Government servant has been fully exonerated or that his suspension was wholly unjustified, the Government servant shall be given full pay and allowances to which he would have been entitled but for his suspension. The rate of subsistence allowance is also reviewed after 12 months of suspension under the provisions of F.R. 53 and if the period of suspension has been prolonged for reasons not directly attributable to the Government servant, the rate

of subsistence allowance is increased. So far as the treatment of the period of suspension as leave is concerned, proviso to sub-rule (5) of F.R. 54 clearly states that if the Government servant so desires the competent authority can direct the period of absence from duty to be converted into leave of any kind due and admissible to the Government servant.

From the above it is clear that there are definite and positive detailed instructions/Rules which have been laid down specifying the circumstances under which a Government servant may be placed under suspension and how the period of suspension should be treated. As such there does not appear to be any need to frame any additional rules to govern the procedure to be adopted in the matter of placing an official under suspension or for regulating the period of suspension.

- (ii) Rule 14(2) of CCS (CCA) Rules, 1965 envisages holding of an enquiry either itself by the disciplinary authority or appointing an authority to inquire into the truth of any imputations of misconduct or misbehaviour against a Government servant. Sub-rule 5(a) *ibid*, states that on receipt of the written statement of defence the disciplinary authority may appoint an inquiring authority to inquire into such of the articles of charge as are not admitted by the Government servant in his written statement of defence. Thus the exact terminology used in the Rules is 'Inquiring authority' and not 'Inquiry Officer'. It does not, therefore, necessarily mean that the person appointed to inquire into the charges should invariably be a gazetted officer. In a vast organisation like the P & T spread over every nook and corner of the country it is obviously not possible to have all Inquiry Officers of the rank of gazetted officers especially when even the disciplinary authorities are non-gazetted officers. It is also not practicable to have Inquiry Officers on the pattern of Commissioners for Departmental Enquiries existing in the Central Vigilance Commission who are utilised for inquiring into the cases against gazetted officers involved in Vigilance cases to inquire into cases against class III and Class IV officials of the P & T Department looking into a very large number, of such cases and the vastness of the country. In a postal Division with about 30-40 Supervising Officials in Class III, 300 clerks, and an

equal number of Postmen and Class IV staff, there is only one gazetted officer to supervise the work of all the officials. Similar is the case in the Engineering and other Arms of the department though the number of Class III is less. It is not, therefore physically possible to appoint a gazetted Officer as Inquiring authority.

The present procedure of entrusting the enquiry to a Class III official (higher in status compared to the accused) has stood the test of time and the department have not heard any complaints or defects from any circle so far. In fact the principle of selecting a sufficiently senior officer in rank to the official against whom an inquiry is being conducted to function as Inquiring authority is invariably followed in the department. It is not a fact that the delinquents do not get full justice at the hands of inquiring authority of non-gazetted status for the simple reason that the latter has to base his findings on the basis of the evidence adduced before him during the enquiry. The enquiry report, as a whole, is gone through by the disciplinary authority together with the evidence deposed before the inquiring authority before deciding to agree or disagree with the findings of the inquiring authority that the allegations|charges are established against the delinquent. Provision exists in CCS(CCA) Rules for preferring an appeal|petition and the points of injustice or irregularities committed during the enquiry can be brought out there. It is pertinent to mention here that even in the case of gazetted officers all cases are not entrusted to the Commissioners for Departmental Enquiries but only cases involving vigilance angle or integrity of the delinquent officer are handled by them.

It is pertinent to mention here that recently the question of amending rule 14(2) of CCS(CCA) Rules 1965 so that ordinarily an officer not lower in rank than the accused or an Inspector of Post Offices, whichever is higher, is appointed as the Inquiring authority, was considered in consultation with the Ministry of Home Affairs and it was held that though rule 14(2) *ibid* did not specifically prohibit the appointment of an officer who is junior in rank to the delinquent officer against whom

an enquiry is being conducted, the Central Vigilance Commission had already made it clear in their Vigilance Manual that the official selected to conduct an enquiry should be sufficiently senior in rank to the delinquent official. It was, therefore, felt that there was no necessity to amend rule 14 (2) *ibid.* as that might create difficulties in certain organisations in which senior officers may not be available for appointment as the Inquiring authority. In the circumstances the suggestion made regarding appointment of inquiring authority cannot also be accepted."

31. The Committee after considering the matter in all its aspects decided that the Department of Communications might be asked to appoint only senior officers for the purpose of conducting enquiries against the delinquent officials.

(ix) *Rules regarding recruitment of Member-Secretaries in the Railway Service Commissions—Implementation of recommendation made in Fourth Report of Committee on Subordinate Legislation (Fourth Lok Sabha) (Memorandum No. 85).*

32. The Committee on Subordinate Legislation had made the following recommendation in para 49 of its Fourth Report (Fourth Lok Sabha):—

"The Committee feels that the revised notification regarding the recruitment of Member-Secretary in the Railway Service Commissions, which has been sent to the Union Public Service Commission for their acceptance is not satisfactory. The notification, as it is worded, leaves ample scope for appointing serving or retired Railway Officer as member of a Railway Service Commission without having first-hand knowledge of the working of any of the Zonal Railways. The Committee feels that the recruitment rules should be suitably amended in order to provide that an officer of the Railway Board's Secretariat or of the Zonal Railway will be eligible for appointment as Member-Secretary provided he has held office on a Zonal Railway for at least five years".

33. In this connection, the Committee perused the following reply of the Ministry of Railways (Railway Board):

"Prior to February 1968, each of the four Railway Service Commissions consisted of a Chairman and two Members

Recruitment Rules for the post of Member, Railway Service Commission, were framed in consultation with the Union Public Service Commission, and were notified under the Ministry of Railways Notification No. E(GR)I-65RSC2 dated 15.1.66. The rules provided that the field of choice for the post of Member would ordinarily consist of:

- (i) Retired Railway|Government Officers;
- (ii) Ex-Members of Parliament; and
- (iii) Men of repute, e.g. Educationists, eminent lawyers, etc.

The Union Public Service Commission originally suggested that a note as reproduced below should be appended under the Member, Railway Service Commission:

“One of the two Members in each Commission shall be a person who, at the date of his appointment, must have held office for at least 10 years under the Government of India or under the Government of a State.”

In the meanwhile, the Railway Accidents Enquiry Committee, *vide* their recommendation No. 49 of their Report recommended that at least one of the Members of each Railway Service Commission should be a serving or retired Railway Officer. This recommendation was accepted by the Government and the Commissions were informed that there should be a stipulation in the Rules to the effect that at least one of the Members in each Commission should be a retired/serving Railway Officer. The Commission therefore, in the rules finally approved by them, amended the above mentioned note on the following lines:—

“One of the two Members in each Commission shall be a serving or a retired Railway Officer, who must have held office on the Railways for at least 10 years”.

The Railway Accident Enquiry Committee, however, did not prescribe any limit of service which one should have rendered for becoming eligible for the post of Member. The 10 years' limit was only prescribed by the Commission and the expression “on the Railways” came to be used as advised by the Commission.

In February 1968, the question of effecting some reduction in expenditure on Railway Service Commission as a measure of economy and in view of the availability of surplus Class III staff on

Railways and consequent reduction of recruitment, was considered and it was decided by this Ministry that there should be only one Chairman and one Member-Secretary in each of the four Commissions. The posts of Secretary were abolished. It was also decided that the Member-Secretary would be drawn either from the Secretariat of the Railway Board or from the Zonal Railways. This decision was taken after detailed deliberations and had the approval of the Minister of Railways. There were a few complaints against the manner in which the Member of the Railway Service Commissions had performed the duties in the past and the Central Vigilance Commission had observed that the mode of choice had probably not resulted in the selection of right type of personnel as Members of the Commissions. The method of filling the post of Member-Secretary was, therefore, considered in detail in consultation with the Union Public Service Commission and it was decided that a panel of officers of the Railway Board Secretariat or of Zonal Railways who were considered suitable by the Ministry of Railways and who were within the age limits of 52 years and 58 years would be forwarded to the Commission who would select and recommend a candidate from the panel. Accordingly, retired officers were made ineligible for appointment as Member-Secretaries. This necessitated revision of the recruitment rules...the rules now contain a note as under:

"A permanent officer of the Railway Board Secretariat or of Zonal Railways shall be eligible for appointment as Member-Secretary provided he has held office of the Zonal Railways and/or the Railway Board Secretariat for at least 10 years and has not more than 6 years to serve in his regular post and eventually retires in his capacity as such Member-Secretary."

It will thus be seen that the Commission who had used the expression "on the Railways" had intended only to convey the meaning "Railway Officer with ten years Service".

As the designation of the post suggests, it will be observed that the Member-Secretary under the revised set-up has now to perform a dual function. As a Secret to the Commission, he is to perform all the Secretariat duties and has to assist the Chairman in the proper functioning of the office establishment and his duties as such correspond to those performed by the officers of the Secretariat. As such for the proper discharge of functions as Secretary, it is essential that an officer has the full background of the Secretariat

work and knowledge of the rules governing the recruitment to class III posts. This aspect weighed with the Government and the Commission in including officers of the Railway Board Secretariat in the field of choice for the posts of Member-Secretaries.

As a Member, he has to deal exclusively with the recruitment side which involves testing, interview and selection of suitable candidates, keeping in view the provisions made in the recruitment rules. At this stage, he is assisted by an officer of the Railway for which recruitment has to be made. The posts of Secretary, Railway Service Commission, since 1961, have been continuously held by the officers of the Railway Board Secretariat Service and they have functioned satisfactorily.

The doubts expressed by the Committee on Subordinate Legislation *vide* Lok Sabha, Secretariat's O.M. No. 49/CII.68 dated 28th September, 1968, 24th October, 1968 and 20th December, 1968 were specifically brought to the notice of the Commission. The Commission were also informed that it had been clarified to the Committee that the term 'Railway Service' is comprehensive one and includes service in the Railway Board and consequently the expression 'on the Railways' would cover the Railway Board Secretariat also. The U.P.S.C. at whose instance the limit of 10 years service for eligibility to the post of Member in case of the retired Railway employees was incorporated in the original recruitment rules were satisfied and agreed to the above suggestion.

The Railway Board Secretariat Service was constituted as a regular service in 1954. Posts of Joint Directors in the functional Directorates of the Railway Board are filled by drafting officers from the different Railway Services. Therefore, only a limited number of Selection Grade posts, Joint Directors/Deputy Secretaries, (Scale Rs. 1100-1800) are available for promotion of the officers of the Railway Board Secretariat Service unlike the Central Secretariat Service where comparatively more Selection Grade posts, Deputy Secretaries or equivalent, and some other higher administrative posts are available for promotion. It had, therefore, been represented to the Ministry of Railways that some more Selection Grade posts should be made available for promotion from the Railway Board Secretariat Service. This Ministry, therefore, after careful consideration with a view to providing avenue of promotion to the officers of the Railway Board Secretariat Service, decided that the posts of Member-Secretaries in the Railway Service Commissions should also be thrown open to the officers of the service. Since the officers of the Railway Board Secretariat are not required

to work on the Zonal Railways, these Officers will not be eligible for the post of Member-Secretary in the Railway Service Commission in terms of the recommendation of the Committee on Subordinate Legislation. Therefore the only additional avenue of promotion provided to them will also be closed.

In view of the considerations brought out above, this Ministry request that the matter may please be placed before the Committee on Subordinate Legislation for favour of reconsideration of the recommendation referred to above."

34. The Committee discussed the matter at some length and decided to reiterate its earlier recommendation made in para 49 of its Fourth Report (Fourth Lok Sabha) that rules should be suitably amended in order to provide that an officer of the Sectt. of the Railway Board or of a Zonal Railway would be eligible for appointment as Member-Secretary provided he had held office on a Zonal Railway for at least five years.

The Committee then adjourned to meet again on Tuesday, the 14th July, 1970 at 16.00 hours.

XXXII

MINUTES OF THE THIRTY-SECOND SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION (1970-71)

The Committee met on Tuesday, the 14th July, 1970 from 16.00 to 16.45 hours.

PRESENT

Shri Anand Narain Mulla—*Chairman*.

MEMBERS

2. Shri Krishna Kumar Chatterji
3. Shri N. T. Das
4. Shri Tukaram Hurji Gavit
5. Shri K. M. Koushik
6. Shri V. Viswanatha Menon
7. Shri N. K. Sanghi
8. Shri Shantilal Sah
9. Shri Ram Sewak Yadav

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee considered Memoranda Nos. 86 to 91 on the following subjects and "Orders":—

S. No.	Memorandum No.	Subject
(i)	86	* * * *
(ii)	87	Free entry to protected monuments—Implementation of recommendations made in Fourth Report of Committee on Subordinate Legislation (Fourth Lok Sabha).
(iii)	88	* * * *
(iv)	89	All India Services (Fixation of Cadre Strength) Regulations providing for 'Central Deputation Reserve'—(Implementation of recommendations made in Fifth Report of Committee on Subordinate Legislation (Fourth Lok Sabha).
(v)	90	Question of treatment of expenses incurred by a Member of Parliament in the discharge of his duties as such member as an allowable expenditure for purposes of income-tax—Implementation of recommendation made in Fifth Report of Committee on Subordinate Legislation (Fourth Lok Sabha).
(vi)	91	All India Services (Laying of Regulations before Parliament) Bill, 1969 (as passed by Rajya Sabha on the 25th November, 1969).
3—5.	*	* * * *

- (ii) Free entry to protected monuments—Implementation of recommendation made in Fourth Report of Committee on Subordinate Legislation (Fourth Lok Sabha) (Memorandum No. 87)

6. The Committee on Subordinate Legislation had recommended in para 40 of its Fourth Report (Fourth Lok Sabha) that the Government should make an early appraisal of the feelings of the local people through local institutions and might even conduct a survey so as to find out when the poor folk visited the various protected monuments in large numbers and fix the days for free entry accordingly in respect of such monuments located at different places in the country.

7. In this connection, the Committee perused the following reply furnished by the Ministry of Education and Youth Services who had ascertained the feelings of local people through the Archaeological Survey of India:

".....the Archaeological Survey of India ascertained the

* Omitted portions of the Minutes are not covered by the Sixth Report.

the feelings of local people in regard to continuance of Friday as free day through the staff of the Archaeological Survey of India by making verbal enquiries from the visitors and local inhabitants and in some cases by making formal reference to local institutions and other authorities.....It has been decided to agree with the suggestions made by Director General and amend the Ancient Monuments and Archaeological Sites and Remains Rules, 1959 accordingly."

8. The Committee noted that the Ministry of Education and Youth Services after ascertaining the feelings of the local people through the Archaeological Survey of India had decided to agree to the suggestions made by the Director General, Archaeological Survey of India and amend the Ancient Monuments and Archaeological Sites and Remains Rules, 1959 accordingly.

9.—12. * * * * *

(iv) All-India Services (Fixation of Cadre Strength) Regulations providing for 'Central Deputation Reserve'— Implementation of recommendations made in Fifth Report of Committee on Subordinate Legislation (Fourth Lok Sabha) (Memorandum No. 89).

13. The Committee on Subordinate Legislation had made the following recommendations in para 11 of its Fifth Report (Fourth Lok Sabha):

"The Committee after considering the matter in all its aspects feels that it should not be difficult for the Ministry of Home Affairs to lay down the nomenclature of the 'Central Deputation Reserve Posts' in each Regulation fixing cadre strength of various All India Services. This will go a long way in regulating properly the periods of tenure of officers brought from States on deputation for manning posts under the Central Government and to eliminate any element of favouritism which might creep in at the time of allocation of such posts and the incumbents thereof to the various Central Ministries. The Committee also sees no reason why it should not be possible for Government to fix the tenure in respect of officers appointed to the posts above Joint Secretary's rank in the interest of providing healthy and clean administration. It also considers that the duration of tenure in one

* Omitted portions of the Minutes are not covered by the Sixth Report.

post should be kept in view while sanctioning another tenure to the same incumbent against the next higher post”.

14. In this connection, the Committee perused the following reply received from the Ministry of Home Affairs:

“.....the recommendation.... that posts included in the Central Deputation Reserve should be shown by nomenclature has been re-examined and this Ministry is still of the view that it would not be feasible to give the precise nomenclature of the posts which would be manned by the officers brought on deputation to the Centre. Regarding the recommendation that tenure should also be fixed in the case of officers appointed to posts above the rank of Joint Secretaries, the scheme for staffing the senior administrative posts under the Centre already lays down that officers who are borrowed for appointment to the posts of, or equivalent to, Joint Secretaries and Secretaries will revert to their cadres on the expiry of a period of five years. There were no posts in the State equivalent in pay and status to the post of Secretaries and Additional Secretaries in the Government of India. It is mainly because of this that this rule has not been enforced in the case of the post of Additional Secretaries and above. The position regarding periods of tenure in various posts are now proposed to be fixed under statutory rules.”

15. After some discussion, the Committee decided to reiterate its earlier recommendations made in para 11 of its Fifth Report (Fourth Lok Sabha) and desired that the Ministry of Home Affairs might be asked to amend the All-India Services (Fixation of Cadre Strength) Regulations accordingly and lay them on the Table of the House within a period of three months.

(v) Question of treatment of expenses incurred by a Member of Parliament in the discharge of his duties as such member as an allowable expenditure for purposes of income-tax—Implementation of recommendation made in Fifth Report of the Committee on Subordinate Legislation (Fourth Lok Sabha) (Memorandum No. 90).

16. The Committee on Subordinate Legislation, after reconsidering the above matter had agreed, *vide* para 17 of its Fifth Report

(Fourth Lok Sabha), to the suggestion made by the Minister of State in the Ministry of Finance (Shri P. C. Sethi) that a standard deduction of Rs. 100 per month as the minimum under Section 57(iii) of the Income-tax Act, 1961, might be treated as an allowable expenditure incurred by a Member of Parliament in the discharge of his duties as such member for purposes of income-tax. The Committee noted that the Ministry of Finance (Central Board of Direct Taxes) had issued instruction in this regard to all the Commissioners of Income-tax for their guidance. The Committee desired that these instructions should also be published in Bulletin Part II for the information of Members.

- (vi) All-India Services (Laying of Regulations before Parliament) Bill, 1969 (as passed by Rajya Sabha on the 25th November, 1969) (Memorandum No. 91).

17. The Committee on Subordinate Legislation, at its sitting held on the 9th April, 1970, had noted that all regulations made by the Central Government before the commencement of the above noted Act, under any of the provisions of the rules framed under the All-India Services Act, 1951 and which had not been laid till then before each House of Parliament would also be laid before the Houses irrespective of the fact whether those regulations were still in force or not. The Committee was of the view that in the case of such regulations which would not be in force at the commencement of the Act, there appeared to be no necessity of their being laid before both the Houses as it would be infructuous for the House or the Committee on Subordinate Legislation to exercise scrutiny over such regulations. The Committee had, therefore, desired that the Ministry of Home Affairs might be asked to amend suitably the definition of 'regulation' as contained in clause 2 of the aforesaid Bill so as to make it clear that such regulations, which were made before the commencement of the Act and which were not in force, were not required to be laid on the Table of the House.

18. The Ministry of Home Affairs, to whom the matter was referred for furnishing its comments on the points raised above, had stated as under:

"...the Bill has been introduced to provide for the laying of regulations before the Parliament and also to validate the regulations made prior to 1st July, 1967 which have not been laid before the Parliament. The definition of the term 'regulation' has been so worded as to cover all the regulations made before the commencement of the

Act. Clause 3 of the Bill provides for the laying of all regulations which have not been so laid before irrespective of the fact whether the regulations are in force or not. Clause 4 affords validity to all such regulations and also indemnity to the actions taken by the Central Government in accordance with such regulations. In case the definition of the term 'regulation' is modified, as suggested by the Committee on Subordinate Legislation to provide only for the laying of such regulations as are still operative at the time the Act comes into force, the validity and indemnity conferred by clause 4 will be restricted to those regulations which have been laid in pursuance of clause 3. In that case, those regulations, made prior to 1st July, 1967 and no longer in force, will not be covered by clause 4. It would thus be seen that the purpose for which the Bill has been introduced will not be fully served in case the suggestion to amend the definition of the term 'regulation' is accepted."

19. The matter was further examined and the Ministry of Home Affairs was requested to state whether the objective underlying the aforesaid observation of the Committee could be achieved if clause 3, instead of the definition of 'regulation' as contained in clause 2 of the above Bill, was suitably modified so as to exclude the necessity of laying those regulations before the Houses which were no longer in force and were not laid earlier without disturbing the protection granted to such regulations under clause 4 of the Bill. The Committee perused that following reply of the Ministry of Home Affairs, in which it had agreed with the foregoing suggestion:

"... the objective underlying the observation of the Committee on Subordinate Legislation, viz., that the regulations which are no longer in force need not be laid before the Parliament could be achieved by amending clause 3 of the Bill. The Lok Sabha Secretariat may please indicate whether action may accordingly be taken to move an amendment to clause 3 of the Bill."

20. The Committee, after considering the matter in all its aspects, decided that the Ministry of Home Affairs might be asked to move a suitable amendment to clause 3 of the All-India Services (Laying

of regulation before Parliament) Bill, 1969 (as passed by Rajya Sabha on the 25th November, 1969) in order to avoid "laying" of those regulations which were no longer in force.

The Committee then adjourned.

XXXIII

MINUTES OF THE THIRTY-THIRD SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION (1970-71)

The Committee met on Thursday, the 30th July, 1970 from 16.00 to 17.00 hours.

PRESENT

Shri Anand Narain Mulla—*Chairman*.

MEMBERS

2. Shri Tukaram Hurji Gavit
3. Shri Shri Chand Goyal
4. Shri N. K. Sanghi
5. Shri Shantilal Shah
6. Shri Ram Sawak Yadav

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*.

WITNESSES

I. Representative of the Ministry of Industrial Development, Internal Trade and Company Affairs (Department of Industrial Development)

Shri Abid Hussain—*Joint Secretary*.

II. Representatives of the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture)

1. Shri S. M. H. Burney—*Joint Secretary*.
2. Shri R. C. Kapila—*Deputy Secretary*.

[*The representative of the Ministry of Industrial Development, Internal Trade and Company Affairs (Department of Industrial Development) was called in*].

2. The Committee examined Shri Abid Hussain, Joint Secretary, Ministry of Industrial Development, Internal Trade and Company Affairs (Department of Industrial Development), regarding the desirability of suitably amending rules 92 and 93 (Refusal of licence and Suspension and cancellation of licence) and entries relating to prescription of fees to be charged in column 5 against Article Nos. 8 & 9 of Schedule IV appended to the Explosives Rules, 1940, in the light of the observations made by the Committee on Subordinate Legislation in para 26 of its First Report (Fourth Lok Sabha).

3. During the course of his evidence, Shri Abid Hussain agreed that rules 92 and 93 of the Explosives Rules, 1940 in their present form, denied certain rights to the applicants when their applications for amendment or renewal of licence were rejected or their licences were suspended or cancelled. He informed the Committee that the aforesaid rules were examined by the Ministry in consultation with the Ministries of Home Affairs and Law in the light of the observations made by the Committee on Subordinate Legislation in para 26 of its First Report (Fourth Lok Sabha) and necessary notifications were issued on 29-7-1970, which modified the existing provisions contained in rules 92 and 93 and Article Nos. 8 and 9 of Schedule IV appended to the Explosives Rules, 1940.

4. He further stated that the draft rules have been published in the Gazette of India for the information of all persons likely to be affected thereby and calling for any objections or suggestions from them within a month. In the Rules, it has now been provided that not only an opportunity of being heard should be given to the party whose application for licence was being refused or the licence was being suspended or cancelled, but the order so given should be recorded in writing and that person also had a right to appeal against such an order. But with a view to minimise unnecessary litigation, an opportunity of being heard was not to be given to a party (i) whose licence was being suspended for violation of any of the provisions of the principal Act or the Explosives Rules, 1940, or of any condition contained in such licence and if in the opinion of the licensing authority, such a violation was likely to cause danger to the public; and (ii) whose licence was being suspended or cancelled by the Central Government, if it considered that in the public interest or in the interest of the security of the State, such an opportunity should not be given. Again, no copy of the order suspending or cancelling a licence by the Central Government would be given to the licence-holder, if the reasons for such suspension or cancellation could not be disclosed in the public interest or in the interests of the security of the State.

5. When asked why it should not be made clear in the rules that it was necessary for the licensing authority to give a speaking order to the licence-holder at the time of suspension or cancellation of his licence in the public interest, the representative agreed that it would be examined and incorporated in the rules along with suggestions received from other persons in this behalf.

6. As regards the amendment of Article Nos. 8 and 9 of Schedule IV to the Explosives Rules, the representative of the Ministry stated that notification containing the necessary changes was issued on the 29th July, 1970, wherein Article 8 was suitably amended and Article 9 was omitted to meet the suggestion of the Explosives Committee.

7. While reading out certain portions from the draft rules, the witness explained that the words 'other than the Central Government' occurring in Sub-rule (1) of Rule 92, *ibid.* had been omitted in the light of the suggestion of the Committee on Subordinate Legislation that every licensing authority should give an opportunity to an applicant/licence-holder of being heard and record the reasons, in writing, for passing an order adversely affecting him.

8. As regard dispensing with the practice of obtaining a 'No Objection Certificate' from the District Authority for the renewal of licences as suggested by the Explosives Committee, the representative of the Ministry stated that no final decision had been taken in this regard. But, generally the view of the Government in this particular matter was that the period of 'No Objection Certificate' must spread over a longer period than it was at present. He further assured the Committee that the Government did not want to suspend the rights of the individuals in respect of their trade and commerce and at the same time it was felt that if the licensing authority was wrong or had over-exceeded its authority, the aggrieved party must have a right to seek redress.

9. When asked to state the reasons for delay (more than two years) in amending the relevant rules, the representative of the Ministry explained that it took a longer time than it should have taken in getting the above rules vetted from two or three Ministries/Departments.

(The witness withdrew)

[The representatives of the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture) were called in.]

10. The Committee examined Shri S. M. H. Burney, Joint Secretary, Ministry of Food, Agriculture, C.D. and Cooperation (Department of Agriculture) regarding making (i) a provision of compensation for any losses suffered by the farmer on account of sub-standard seeds supplied to him and (ii) a punitive provision for dealing with persons conniving with officers for securing false certificates regarding labelling of seeds, etc., in the Seeds Rules, 1968, framed under the Seeds Act, 1966.

11. The representative of the Ministry explained to the Committee that it was difficult to establish that the farmer had lost his crop or had sustained loss or damage only due to the supply of defective seeds. A crop could be damaged due to various other factors such, as quality of soil, storing of seeds under proper climatic conditions, etc. Citing an example of maize seeds, the witness stated that when the maize seed was introduced, instructions were that the seeds should be planted 4 cm. deep. But when some of the farmers planted those seeds 4" deep instead of 4 cm., the result was that there was no germination.

12. Asked how it could be ensured that the farmer got seeds according to the 'Truthful Label' and that on the container germination percentage, percentage of purity and lot number etc. were indicated so that in the case of a failure, the farmer could complain to the Seed Inspector, Shri Burney replied that under section 6 of the Seeds Act, 1966, the dealer had to fulfil certain requirements. He was to show on the label what he was selling, the percentage of germination etc. He further stated that till now there was no such legislation under which any action could be taken against the dealer for selling sub-standard seeds. The purpose of the present legislation was to protect the farmer from being exploited by an unscrupulous dealer who sold sub-standard seeds. Under the Seeds Act, the Inspectors were expected to take samples from the dealer's shops on the complaints made to them and after their analysis action under section 19 of the Act could be taken. The witness; however, admitted that it was very difficult to prove in a court of law that a farmer had suffered loss only because of defective seeds.

13. The Committee enquired whether to protect the farmer from the failure of the crop, it would be desirable if seeds were sold to four or five consumers at a time from one container and if the crops failed at all the four or five places, then it would be difficult to convince the court or any body else that all the farmers mis-managed and the result of the crop would itself indicate whether it

was the fault of the farmer or the dealer, Shri Burney stated that the Act provided for the selling of seeds in containers and previously they used to be sold in loose form.

14. Asked whether it was possible to give any batch number etc. to the seeds as was being done in the case of drugs and pharmaceuticals where each drug had a batch number and if one sample was found defective then the whole batch was taken out of market and it was also being indicated on the drugs that these would not be effective after certain date, Shri Burney stated that they would consider that. He, however, added that drugs stood slightly on a different footing because those were produced in a factory, whereas seeds were grown by a number of growers. It was difficult to trace out the origin of seeds. Shri Burney also stated that the labels on the containers mentioned the period of viability and the dealers were required to get their seeds retested before they put them up for sale again and if in storage the viability had gone down, then the new percentage of germination had to be mentioned on the label. Shri Burney added that measures like truthful labelling, selling of seeds in a container and voluntary certification were provided in the seeds Act to protect the interest of a farmer.

15. When asked whether any complaint about the supply of sub-standard seeds had been received by Government, Shri Burney stated that complaints were not received by the Central Government as the statute was administered by the State Governments.

16. Asked about the feasibility of including a provision for punishment to those officers who connived with the dealers and sub-standard seeds were supplied to the farmer, Shri Burney replied that action against an officer who might not have discharged his duty in connection with the certification of seeds could be taken under Prevention of Corruption Act or Criminal Law. The witness added that he could not visualise any contingency in which an officer would connive with the dealer in putting up the labels as the labels were put by the dealer himself.

17. Explaining the procedure for selling seeds, Shri Burney stated that the dealer was not bound to sell seeds in a Government container. At present certification was voluntary. A dealer was not bound to sell certified seeds only. He further stated that the Seeds

Act only prohibited sale of seeds without truthful labelling. The label was not issued by the Government as the Act was modelled on U.S. lines where the accent was only on truthful labelling.

(The witnesses withdrew)

The Committee then adjourned.

XXXIV

MINUTES OF THE THIRTY-FOURTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION (1970-71)

The Committee met on Thursday, the 3rd September, 1970 from 17.00 to 17.30 hours.

PRESENT

Shri Anand Narain Mulla—*Chairman*

MEMBERS

2. Shri Krishna Kumar Chatterji
3. Shri N. T. Das
4. Shri Shri Chand Goyal
5. Shri V. Krishnamoorthi
6. Shri M. Meghachandra
7. Shri N. K. Sanghi
8. Shri Shantilal Shah

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Committee considered Memorandum No. 92 regarding framing of Recruitment Rules under the Tea Act, 1953. The Committee had observed in para 52 of its First Report (Fourth Lok Sabha) in March, 1968 that while it had been assured by the representatives of the Ministry of Commerce that the Recruitment Rules under the Tea Act, 1953 would be finalised by the end of February, 1968, nevertheless, it was distressed at the lackadaisical manner in which both the Ministry of Commerce and Tea Board had acted in this case. The Committee was appalled to observe that a period of more than fourteen years should have elapsed without the recruitment rules having been framed and, in the meanwhile, files containing draft recruitment rules tossed to and fro between the Ministry and the Tea Board.

The Committee expressed the hope that the recruitment rules in question would be finalised and published in the Gazette without any further delay.

3. The Committee then considered its draft Sixth Report and adopted it.

4. The Committee authorised the Chairman and, in his absence, Shri Shri Chand Goyal to present the Report to the House on its behalf today.

5. The Committee also authorised the Chairman to fix a date for the next meeting of the Committee sometime during the first week of November, 1970.

The Committee then adjourned.

APPENDIX IV

Minutes of the Sub-Committee

I

MINUTES OF THE FIRST SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON SUBORDINATE LEGISLATION (1970-71)

The Sub-Committee met on Wednesday, the 20th May, 1970 from 16.00 to 16.30 hours.

PRESENT

Shri Shri Chand Goyal—*Convener.*

MEMBERS

2. Shri N. T. Das
3. Shri V. Viswanatha Menon
4. Shri N. K. Sanghi
5. Shri Ram Sewak Yadav

SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Sub-Committee considered its future programme of work and decided to hold its sittings on the 3rd and 4th July, 1970 to select for examination the type of rules, regulations, orders, etc., from amongst the 'Orders' which were pending for scrutiny upto May, 1970.

The Sub-Committee then adjourned.

II

MINUTES OF THE SECOND SITTING OF THE SUB-COMMITTEE
OF THE COMMITTEE ON SUBORDINATE LEGISLATION
(1970-71)

The Sub-Committee sat on Friday, the 3rd July, 1970 from 10.00 to 12.00 hours.

PRESENT

Shri Shri Chand Goyal—*Convener.*

MEMBERS

2. Shri Krishna Kumar Chatterji
3. Shri N. T. Das
4. Shri V. Viswanatha Menon
5. Shri Ram Sewak Yadav.

SECRETARIAT

Shri D. C. Pande—*Under Secretary.*

2. The Sub-Committee perused the list of Statutory Rules and Orders published in the Gazette of India, Part II, Sections 3 and 4 during the year 1969 and selected the Statutory Rules and Orders set forth in the Annexure* for their detailed examination.

3. The Sub-Committee then adjourned to meet again on Saturday, the 4th July, 1970 at 10.00 hours.

III

MINUTES OF THE THIRD SITTING OF THE SUB-COMMITTEE
OF THE COMMITTEE ON SUBORDINATE LEGISLATION
(1970-71)

The Sub-Committee sat on Saturday, the 4th July, 1970 from 10.00 to 12.00 hours.

PRESENT

Shri Shri Chand Goyal—*Convener.*

MEMBERS

2. Shri Krishna Kumar Chatterji
3. Shri N. T. Das

4. Shri V. Viswanatha Menon
5. Shri Ram Sewak Yadav.

SECRETARIAT

Shri D. C. Pande—*Under Secretary.*

2. The Sub-Committee further perused the list of Statutory Rules and Orders published in the Gazette of India, Part II, Sections 3 and 4 during the year 1969 and selected the Statutory Rules and Orders set forth in the Annexure* for their detailed examination.

3. The Sub-Committee then adjourned.

*See S. Nos. 205—592 of Appendix I to the Report.

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PUBLISHED UNDER RULE 382 OF THE RULES OF PROCEDURE AND CONDUCT OF
BUSINESS IN LOK SABHA (FIFTH EDITION) AND PRINTED BY THE GENERAL
MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI.
