

COMMITTEE ON SUBORDINATE LEGISLATION

(2014-2015)

(SIXTEENTH LOK SABHA)

SEVENTH REPORT

(PRESENTED TO LOK SABHA ON 12.8.2015)

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LOK SABHA SECRETARIAT

NEW DELHI

August, 2015 / Sravana, 1937 (Saka)

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COMPOSITION OF THE COMMITTEE ON SUBORDINATE LEGISLATION

(2014-2015)

1. Shri Dilipkumar Mansukhlal Gandhi Chairperson
2. Shri Idris Ali
3. Shri C. R. Chaudhary
4. Shri P. P. Chaudhary
5. Shri Shyama Charan Gupta
6. Shri Jhina Hikaka
7. Shri S. P. Muddahanumegowda
8. Shri V. Panneerselvam
9. Shri Prem Das Rai
10. Shri Chandu Lal Sahu
11. Shri Ram Prasad Sarmah
12. Adv. Narendra Keshav Sawaikar
13. Shri Ram Kumar Sharma
14. Shri Nandi Yellaiah
15. Shri Birendra Kumar Chaudhary

SECRETARIAT

1. Shri Shiv Singh - Joint Secretary
2. Shri Ajay Kumar Garg - Director
3. Smt. Jagriti Tewatia - Deputy Secretary

INTRODUCTION

I, the Chairperson, Committee on Subordinate Legislation having been authorised by the Committee to submit the report on their behalf, present this Seventh Report.

2. The matters covered by this Report were considered by the Committee on Subordinate Legislation at their sittings held on 6.4.2015.

3. The Committee considered and adopted this Report at their sitting held on 4.8.2015.

4. For facility of reference and convenience, observations/recommendations of the Committee have been printed in thick type in the body of the Report and have also been reproduced in Appendix-I of the Report.

5. Extracts from the Minutes of the Eighth sitting of the Committee (2014-15) held on 6.4.2015 and Thirteenth Sitting of the Committee (2014-15) held on 4.8.2015 relevant to this Report are included in Appendix-II of the Report.

**New Delhi;
4 August, 2015
13 Sravana, 1937 (Saka)**

**DILIPKUMAR MANSUKHLAL GANDHI
Chairperson,
Committee on Subordinate Legislation**

REPORT

I

The Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) (Amendment) Scheme, 2013 (GSR 684-E of 2013).

The Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) (Amendment) Scheme, 2013 (GSR 684-E of 2013) was published in Gazette of India, Extraordinary in Part II Section 3, Sub Section (i). On scrutiny of the amendment it was noticed that the preamble to the scheme did not include the statutory authority under which the scheme was published. Accordingly, the Ministry of Finance were requested to clarify whether the scheme had been framed under any Act. If so, mention the Act and the section underlying the Act which empowers this scheme, and if no, then what was the basis of publishing the Scheme in the gazette under a GSR number.

1.2 The Ministry of Finance (Department of Economic Affairs) vide their OM dated 30 June, 2014 furnished their comments as follows:-

'The parent Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) Scheme, 1993 was notified under the General administrative powers of the Government as suggested by Ministry of Law. It was published in the Gazette of India Part-II, Section-3, Sub-section (i) in 1993. Subsequently, 12 amendments were made to the scheme, which were all notified in Part II, Section 3, Sub-section (i). "Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) (Amendment) Scheme, 2013 is only an amendment in one of the provisions of the parent FCCB scheme. Since the parent scheme was published in the Gazette of India Part II, Section 3, Sub-section (i), the amendment notification has also been issued in the same Part/Section/sub-section. It is assured that in future, correctness of all such technical aspects will be ensured in consultation with Ministry of Law at the draft stage itself.'

1.3 The General Statutory Rules (GSR), by its name itself reflects that only general rules which have the authority of an Act of Parliament or constitutional provision can be published under the GSR number in the Gazette of India, Extraordinary, Part-II, Section (3), Sub-Section (i). Contrary to this, the Foreign Currency Convertible Bonds and Ordinary Shares

(Through Depository Receipt Mechanism) (Amendment) Scheme, 2013 was published without a statutory backing in the Gazette of India, Extraordinary, Part II Section (3), Sub-Section (i). This Scheme was first published in the Gazette of India, Extraordinary, Part II Section (3), Sub-Section (i) *vide* GSR No. 700 (E) dated 12 November, 1993. Subsequently, 12 amendments to the scheme were published in the above part/section of the Gazette of India. Thus, the Scheme at its initiation itself i.e. in 1993 had not been published in the appropriate part/section of the Gazette of India and the error continued since then i.e. for almost 20 years.

1.4 The General Statutory Rules (including Orders, Bye-laws, etc. of general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) or by Central authorities (other than the Administration of Union Territories) are mandated to be published in the Gazette of India, Extraordinary, Part II Section (3), Sub-Section (i). The Committee note that the Ministry of Finance (Department of Economic Affairs) had notified the parent Foreign Currency Convertible Bonds & Ordinary Shares (Through Depository Receipt Mechanism) Scheme, 1993 and subsequent 12 amendments to this Scheme, without a statutory backing, in the particular part/section of the Gazette of India, which is primarily meant for publishing the piece of subordinate legislation which have the statutory backing of an Act of the Parliament or any constitutional provision. The Committee strongly contest the argument given by the Ministry that, the Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) (Amendment) Scheme, 2013 was only an amendment in one of the provisions of the parent Scheme viz. the Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) Scheme, 1993, which was first published in the Gazette of India, Extraordinary, Part II Section (3), Sub-Section (i) on 12 November, 1993 and therefore, the aforesaid amendment was also published in the above part/section of the Gazette of India. The Committee take a view that though the Scheme was originally not published in the specific part/section of the Gazette of India, in which it was supposedly mandated

to be published 20 years ago, in no manner can be referred to as a precedent which would justify for recurrence of the error till date. The Committee recommend that the Ministry should now seize the window of opportunity opened by the Committee, by pointing out the infirmity of printing of the Scheme in wrong part/section of the Gazette of India, to rectify the patent error. The Committee desire that this piece of subordinate legislation should be issued afresh by superseding the earlier version without hampering its practical applicability and without encroaching on the benefits of the scheme to anyone by publishing the same in the correct part/section of the Gazette of India.

1.5 The Committee note that as per Ministry of Finance submission, the parent Scheme was notified in 1993 under the General administrative powers of the Government as suggested by the Ministry of Law. The Committee also note that the role of Ministry of Law and Justice (Legislative Department) was crucial in the matter and correct advice regarding publishing of the Scheme in the correct part/section of the Gazette of India at its initiation i.e. in 1993, would have prevented the very genesis of such a patent errors because the Ministry of Law and Justice (Legislative Department) as compared to any other Ministry, is more well-versed and equipped regarding the nomenclature of various parts/sections of the Gazette of India and the content to be included in each and every part/section of the Gazette of India. The Committee, therefore, desire that the Ministry of Law and Justice (Legislative Department) should view this as an eye opener and should act as a guiding force for all Ministries in the matters relating to the subordinate legislation. The Committee desire that the Ministry of Law and Justice (Legislative Department) should be more cautious and vigilant in future in all such matters.

II

The Ministry of Law and Justice, Department of Legal Affairs, Group 'C' posts Recruitment Rules, 2013 (GSR 270 of 2013)

The Ministry of Law and Justice, Department of Legal Affairs, Group 'C' posts Recruitment Rules, 2013 (GSR 270 of 2013) were published in the Gazette of India, Part-II, Section 3(i) dated 7 December, 2013. On scrutiny of the rules, it was observed that the Ministry of Law & Justice (Department of Legal Affairs) had classified the post of Senior Court Clerk, Grade-I as Group 'C' inspite of the fact that the scale of pay attached to the post is Rs. 9300-34800 in Pay Band-2 with Grade pay of Rs. 4200/- which needs to be classified as Group 'B' post as per DoPT's Order dated 9th April, 2009 published vide SO 946 (E). The Ministry of Law and Justice (Department of Legal Affairs) were requested to furnish their comments in this regard.

2.2 The Ministry of Law and Justice (Department of Legal Affairs) vide their OM dated 28 May, 2014 stated as under:-

"The purpose of notification of even number dated 26th November, 2013 (published on 7th December, 2013) was amending Recruitment Rules for the post of Court Clerk. This had been done in consultation with the Legislative Department. However, the posts of Senior Court Clerk Grade - I and Senior Court Clerk Grade - II have also been a part of the same notification and therefore had been published simultaneously as existing on the aforesaid dates. The Recruitment Rules for the posts of Senior Court Clerk Grade - I and Senior Court Clerk Grade - II had been amended consequent to the acceptance of the recommendations of the 6th CPC on 18th July, 2011, wherein, without modifying the Group of the post of Senior Court Clerk Grade - I, its Grade Pay had been revised to Rs. 4200/-. Therefore, while notifying the amended Recruitment Rules for the post of Court Clerk, Group of the post of Senior Court Clerk Grade - I has been retained as Group 'C'. The post of Senior Court Clerk Grade - I in the Department of Legal Affairs has been continuing as a Group 'C' post for quite long".

2.3 Further, comments of DOPT were sought in the matter with reference to their OM No. 11012/7/2008-Estt. (A) dated 17.4.2009 regarding classification of posts under the CCS (CCA) Rules, 1965, which *inter-alia* states:-

“In some Ministries/Departments, posts may exist which are not classified as per the norms laid down by this Department. If, for any specific reason, a Ministry/Department proposes to classify the posts differently, it would be necessary for that Department to send a specific proposal to Department of Personnel and Training giving full justification in support of the proposal within three months of this OM so that the exceptions to the norms of classification laid down in S.O. 946 (E) dated 9.4.2009 can be notified”.

2.4 In response, the Ministry of Personnel, Public Grievances & Pensions (Department of Personnel & Training) *vide* their OM dated 6 August, 2014 submitted that:-

“This Department’s Order on Classification of Posts under the CCS (CCA) Rules, 1965, acknowledges that in some Ministries/Department, posts may exist which are not classified as per these norms. The Recruitment Rules are Statutory Rules while the Notification under CCS (CCA) Rules, 1965 is only a Statutory Order. In case of difference between the two, the provision of Statutory Rules would prevail.

It is also stated that in view of the DoPT’s Notification dated 9.4.2009, the post of Sr. Court Clerk, Grade-I is a Group ‘B’ post. However the Department of Legal Affairs has retained the post as a Group ‘C’ post in the Recruitment Rules notified in 2013. The same, therefore, is not in order. Further, the Department of Legal Affairs appears not to have approached this Department for deviating from the notification dated 9.4.2009.

In view of the above, Department of Legal Affairs is required to amend the Recruitment Rules and classify the post of Sr. Court Clerk, Grade-I as Group ‘B’ post. For amendment in the Recruitment Rules to this effect, they have to move a proposal to this Department. However, if it is still proposed to retain the classification as Group ‘C’ then also exemption from the general classification would need to be obtained from this Department”.

2.5 The Committee note that the Ministry of Law and Justice, Department of Legal Affairs, Group ‘C’ posts Recruitment Rules, 2013 (GSR 270 of 2013) were published in the Gazette of India, Part-II, Section 3(i) dated 7 December, 2013. On scrutiny of the rules, it was observed that the Ministry of Law & Justice (Department of Legal Affairs)

had classified the post of Senior Court Clerk, Grade-I as Group 'C' inspite of the fact that the scale of pay attached to the post is Rs. 9300-34800 in Pay Band-2 with Grade pay of Rs. 4200/- which needs to be classified as Group 'B' post as per DoPT's order dated 9th April, 2009 published vide SO 946 (E). The reply given by the Ministry of Law & Justice (Department of Legal Affairs) is not convincing.

2.6 The clarification given by the Department of Legal Affairs for retention of the post of Sr. Court Clerk Grade – I in Group 'C' vide their communication dated 28 May, 2014 is not tenable and the same has also been corroborated by clarification furnished by DOPT vide their OM dated 6 August, 2014 which *inter-alia* stated that -

“In view of DOPT's Notification dated 9.4.2009, the post of Sr. Court Clerk, Grade-I is a Group 'B' post. However the Department of Legal Affairs has retained the post as a Group 'C' post. The same is not in order. The Ministry of Law & Justice (Department of Legal Affairs) have not approached the Department of Personnel and Training for deviating from the notification dated 9.4.2009. The Department of Legal Affairs is required to amend the Recruitment Rules and classify the post of Sr. Court Clerk, Grade-I as Group 'B' post with the approval of the Department of Personnel and Training. However, if it is still proposed to retain the classification as Group 'C' then also exemption from the general classification would need to be obtained from the Department of Personnel and Training”.

2.7 In view of the above, the Committee are of the view that provisions contained in the Recruitment Rules should conform to the guidelines formulated by DOPT vide their OM dated 17.4.2009 on the aspect of classification of posts under the CCS (CCA) Rules, 1965. The Committee, therefore, recommend that the Ministry should take initiative to amend the Recruitment Rules and classify the post of Sr. Court Clerk, Grade – I as Group B Post, and, consequent to this amendment, the period of probation under Col.9 of the relevant GSR will also be required to be changed from 'not applicable' to 2 years because promotion to the post of Sr. Court Clerk Grade – I is to be made from Senior Court Clerks, Grade – II which has been classified as Group 'C' and as per DOPT

guidelines in case of promotion from one Group to another Group probation of 2 years is to be prescribed. The Committee expect the Ministry to initiate a proposal to this effect to the DOPT in a time bound manner and apprise the Committee of action taken in this regard.

III

The Defence Research and Development Service (Amendment) Rules, 2013 (SRO 11 of 2014).

The Defence Research and Development Service (Amendment) Rules, 2013 (SRO 11 of 2014) were published in the Gazette of India, Part-II, Section 4 dated 8 February, 2014. On scrutiny of the rules, it was observed that the year in short title did not tally with the year of its publication. Due to mismatch in the year in short title with the year of publication, the referencing becomes difficult and cumbersome. The Committee have time and again emphasized that the year in the short title should tally with the year of publication of rules for easy referencing. The Ministry of Defence (Department of Defence Research and Development) were, therefore, requested to state whether they have any objection to issue a corrigendum to rectify the error in the short title of the rules.

3.2 The Ministry of Defence (Department of Defence Research and Development) vide their OM dated 5 August, 2014 stated as under:-

“The Draft Defence Research and Development Service (amendment) Rules, 2013, got signature of Shri S.D.Bhasor, Under Secretary to the Govt. of India on 20th December, 2013. Thereafter, the same had been forwarded to MoD/D(Coord) for publication of the notification in the Gazette. MoD/D(Coord) had issued S.R.O. No. 11 and given date of publication in the Gazette as 8th February, 2014. This is the reason that the year in the short title does not tally with the year of its publication. Moreover, every publication of notification requires almost three months. Under this circumstance, the notification would have been signed by September of each year so that publication could be taking place in the same year. The Department cannot stop amending Recruitment Rules after the month of September each year.

In view of the above, it is submitted that issuing of corrigendum may not be required in this case. However, in future, this Department will comply with the

observations raised by the Committee on Subordinate Legislation (Lok Sabha Secretariat). This has the approval of DHRD”.

3.3 In this connection, it is pertinent to mention here that the Committee have time and again emphasized that the ‘year’ indicated in the short title of Rules, Regulations, Bye-Laws etc. should be in conformity with the ‘year’ of their publication in the Gazette of India so as to facilitate easy location and referencing of such statutory ‘Order’ by all concerned. [Para 27 & 28 of 5th Report (5LS) & Para 8.3 of 2nd Report (13LS)]. If the year indicated in the short-title is at variance with the ‘year’ of publication, there may be difficulty in locating the rules and regulations from year-wise lists.

3.4 The Committee note that on scrutiny of Rules (SRO 11 of 2014) it has been observed that the year in the short title does not tally with the year of its publication. A reference dated 24 July, 2014 was made to the Ministry of Defence wherein besides pointing out the infirmity, it was also mentioned that the Committee have time and again emphasized that the year in the short title should tally with the year of publication of rules for easy referencing.

3.5 The Committee are surprised to note that the Ministry, instead of taking serious note of Committee’s earlier recommendation, have furnished a very casual reply by stating that “.....every publication of notification requires almost three months. Under this circumstance, the notification would have been signed by September of each year

so that publication could be taking place in the same year. The Department cannot stop amending Recruitment Rules after the month of September each year. In view of this, it is submitted that issuing of corrigendum may not be required in this case”.

3.6 The Committee, therefore, while taking serious note of the lackadaisical approach of the Ministry towards the whole issue, expect the Ministry to be more careful and calculative henceforth so that it pays attention to all aspects of rule making and to ensure that technical flaws of this nature do not recur in future. The Committee also recommend that the Ministry may issue a corrigendum rectifying the error in the short title in order to make it consistent with the ‘year’ of publication. The Ministry should ensure that the ‘year’ in the short title tally with the year of publication especially when the rules are sent for printing in the Gazette of India during the latter part of December.

New Delhi;
4 August, 2015
13 Sravana, 1937 (Saka)

DILIPKUMAR MANSUKHLAL GANDHI
Chairperson,
Committee on Subordinate Legislation

APPENDIX I

(Vide Para 4 of the Introduction of the Report)

SUMMARY OF RECOMMENDATIONS MADE IN THE SEVENTH REPORT OF THE COMMITTEE ON SUBORDINATE LEGISLATION

(SIXTEENTH LOK SABHA)

Sl.No.	Reference to Para No. in the Report	Summary of Recommendations
1	2	3
1.	1.4	<p>The Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) (Amendment) Scheme, 2013 (GSR 684-E of 2013).</p> <p>The General Statutory Rules (including Orders, Bye-laws, etc. of general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) or by Central authorities (other than the Administration of Union Territories) are mandated to be published in the Gazette of India, Extraordinary, Part II Section (3), Sub-Section (i). The Committee note that the Ministry of Finance (Department of Economic Affairs) had notified the parent Foreign Currency Convertible Bonds & Ordinary Shares (Through Depository Receipt Mechanism) Scheme, 1993 and subsequent 12 amendments to this Scheme, without a statutory backing, in the particular part/section of the Gazette of India, which is primarily meant for publishing the piece of subordinate legislation which have the statutory backing of an Act of the Parliament or any constitutional provision. The Committee strongly contest the argument given by the Ministry that, the Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) (Amendment) Scheme, 2013 was only an amendment in one of the provisions of the parent Scheme viz. the Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) Scheme, 1993, which was first published in the Gazette of India, Extraordinary, Part II Section (3), Sub-Section (i) on 12 November, 1993 and therefore, the aforesaid amendment was also published in the above part/section of the Gazette of India. The Committee take a view that though the Scheme was originally not published in the</p>

2	1.5	<p>specific part/section of the Gazette of India, in which it was supposedly mandated to be published 20 years ago, in no manner can be referred to as a precedent which would justify for recurrence of the error till date. The Committee recommend that the Ministry should now seize the window of opportunity opened by the Committee, by pointing out the infirmity of printing of the Scheme in wrong part/section of the Gazette of India, to rectify the patent error. The Committee desire that this piece of subordinate legislation should be issued afresh by superseding the earlier version without hampering its practical applicability and without encroaching on the benefits of the scheme to anyone by publishing the same in the correct part/section of the Gazette of India.</p>
		<p>The Committee note that as per Ministry of Finance submission, the parent Scheme was notified in 1993 under the General administrative powers of the Government as suggested by the Ministry of Law. The Committee also note that the role of Ministry of Law and Justice (Legislative Department) was crucial in the matter and correct advice regarding publishing of the Scheme in the correct part/section of the Gazette of India at its initiation i.e. in 1993, would have prevented the very genesis of such a patent errors because the Ministry of Law and Justice (Legislative Department) as compared to any other Ministry, is more well-versed and equipped regarding the nomenclature of various parts/sections of the Gazette of India and the content to be included in each and every part/section of the Gazette of India. The Committee, therefore, desire that the Ministry of Law and Justice (Legislative Department) should view this as an eye opener and should act as a guiding force for all Ministries in the matters relating to the subordinate legislation. The Committee desire that the Ministry of Law and Justice (Legislative Department) should be more cautious and vigilant in future in all such matters.</p>
		<p>The Ministry of Law and Justice, Department of Legal Affairs, Group 'C' posts Recruitment Rules, 2013 (GSR 270 of 2013).</p> <p>2.5</p> <p>The Committee note that the Ministry of Law and Justice, Department of Legal Affairs, Group 'C' posts Recruitment Rules, 2013 (GSR 270 of 2013) were published in the Gazette of India,</p>

		<p>Part-II, Section 3(i) dated 7 December, 2013. On scrutiny of the rules, it was observed that the Ministry of Law & Justice (Department of Legal Affairs) had classified the post of Senior Court Clerk, Grade-I as Group 'C' inspite of the fact that the scale of pay attached to the post is Rs. 9300-34800 in Pay Band-2 with Grade pay of Rs. 4200/- which needs to be classified as Group 'B' post as per DoPT's order dated 9th April, 2009 published vide SO 946 (E). The reply given by the Ministry of Law & Justice (Department of Legal Affairs) is not convincing.</p> <p>2.6 The clarification given by the Department of Legal Affairs for retention of the post of Sr. Court Clerk Grade – I in Group 'C' <u>vide</u> their communication dated 28 May, 2014 is not tenable and the same has also been corroborated by clarification furnished by DOPT <u>vide</u> their OM dated 6 August, 2014 which <i>inter-alia</i> stated that -</p> <p style="text-align: center;">“In view of DOPT's Notification dated 9.4.2009, the post of Sr. Court Clerk, Grade-I is a Group 'B' post. However the Department of Legal Affairs has retained the post as a Group 'C' post. The same is not in order. The Ministry of Law & Justice (Department of Legal Affairs) have not approached the Department of Personnel and Training for deviating from the notification dated 9.4.2009. The Department of Legal Affairs is required to amend the Recruitment Rules and classify the post of Sr. Court Clerk, Grade-I as Group 'B' post with the approval of the Department of Personnel and Training. However, if it is still proposed to retain the classification as Group 'C' then also exemption from the general classification would need to be obtained from the Department of Personnel and Training”.</p> <p>2.7 In view of the above, the Committee are of the view that provisions contained in the Recruitment Rules should conform to the guidelines formulated by DOPT vide their OM dated 17.4.2009 on the aspect of classification of posts under the CCS (CCA) Rules, 1965. The Committee, therefore, recommend that the Ministry should take initiative to amend the Recruitment Rules and classify the post of Sr. Court Clerk, Grade – I as Group B Post, and, consequent to this amendment, the period of</p>
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		<p>probation under Col.9 of the relevant GSR will also be required to be changed from 'not applicable' to 2 years because promotion to the post of Sr. Court Clerk Grade – I is to be made from Senior Court Clerks, Grade – II which has been classified as Group 'C' and as per DOPT guidelines in case of promotion from one Group to another Group probation of 2 years is to be prescribed. The Committee expect the Ministry to initiate a proposal to this effect to the DOPT in a time bound manner and apprise the Committee of action taken in this regard.</p>
<p>3.</p>	<p>3.4</p> <p>3.5</p> <p>3.6</p>	<p>The Defence Research and Development Service (Amendment) Rules, 2013 (SRO 11 of 2014).</p> <p>The Committee note that on scrutiny of Rules (SRO 11 of 2014) it has been observed that the year in the short title does not tally with the year of its publication. A reference dated 24 July, 2014 was made to the Ministry of Defence wherein besides pointing out the infirmity, it was also mentioned that the Committee have time and again emphasized that the year in the short title should tally with the year of publication of rules for easy referencing.</p> <p>The Committee are surprised to note that the Ministry, instead of taking serious note of Committee's earlier recommendation, have furnished a very casual reply by stating that ".....every publication of notification requires almost three months. Under this circumstance, the notification would have been signed by September of each year so that publication could be taking place in the same year. The Department cannot stop amending Recruitment Rules after the month of September each year. In view of this, it is submitted that issuing of corrigendum may not be required in this case".</p> <p>The Committee, therefore, while taking serious note of the lackadaisical approach of the Ministry towards the whole issue, expect the Ministry to be more careful and calculative henceforth so that it pays attention to all aspects of rule making and to ensure that technical flaws of this nature do</p>

		<p>not recur in future. The Committee also recommend that the Ministry may issue a corrigendum rectifying the error in the short title in order to make it consistent with the 'year' of publication. The Ministry should ensure that the 'year' in the short title tally with the year of publication especially when the rules are sent for printing in the Gazette of India during the latter part of December.</p>
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APPENDIX II

(Vide Para 5 of the Introduction of the Report)

MINUTES OF THE EIGHTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION (2014-2015)

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The eighth sitting of the Committee (2014-15) was held on Monday, the 6th April, 2015 from 1500 to 1600 hours in Chairperson's Chamber, Room No. 146, Parliament House, New Delhi.

PRESENT

1. Shri Dilipkumar Mansukhlal Gandhi Chairperson

MEMBERS

2. Shri Idris Ali
3. Shri C.R.Chaudhary
4. Shri P.P. Chaudhary
5. Shri S. P. Muddahanumegowda
6. Shri Prem Das Rai
7. Adv. Narendra Keshav Sawaikar
8. Shri Ram Kumar Sharma
9. Shri Nandi Yellaiah
10. Shri Birendra Kumar Chaudhary

SECRETARIAT

1. Shri Shiv Singh - Joint Secretary
2. Shri Ajay Kumar Garg - Director
3. Shri Raju Srivastava - Additional Director
4. Smt. Jagriti Tewatia - Deputy Secretary

2. At the outset, the Chairperson welcomed the members to the sitting of the Committee (2014-15). The Committee, thereafter, considered the following Memoranda:-

- (i) Memorandum No. 11 – The Foreign Currency Convertible Bonds and Ordinary Shares (Through Depository Receipt Mechanism) (Amendment) Scheme, 2013 (GSR 684-E of 2013)
- (ii) Memorandum No. 12 – The Ministry of Law and Justice, Department of Legal Affairs, Group 'C' posts Recruitment Rules, 2013 (GSR 270 of 2013)
- (iii) Memorandum No. 13 – The Defence Research and Development Service (Amendment) Rules, 2013 (SRO 11 of 2014)

3. After deliberations, the Committee decided to incorporate the points raised in the Memoranda Nos. 11 to 13 in their Report to be formulated in this regard.

The Committee then adjourned.

EXTRACTS FROM MINUTES OF THE THIRTEENTH SITTING OF THE COMMITTEE ON
SUBORDINATE LEGISLATION (2014-2015)

The Thirteenth sitting of the Committee (2014-15) was held on Tuesday, the 4th August, 2015 from 1500 to 1630 hours in Committee Room No. 62, Parliament House, New Delhi.

PRESENT

1. Shri Dilipkumar Mansukhlal Gandhi Chairperson

MEMBERS

2. Shri C.R. Chaudhary
3. Shri P.P. Chaudhary
4. Shri Jhina Hikaka
5. Shri Chandulal Sahu
6. Shri Ram Prasad Sarmah
7. Adv. Narendra Keshav Sawaikar
8. Shri Birendra Kumar Chaudhary

SECRETARIAT

1. Shri Ajay Kumar Garg - Director
2. Smt. Jagriti Tewatia - Deputy Secretary

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- 3. XX XX XX XX
- 4. XX XX XX XX
- 5. XX XX XX XX
- 6. XX XX XX XX

7. The Committee, thereafter, considered and adopted the draft 'Sixth, Seventh, Eighth and Ninth Reports' of the Committee without any modification. The Committee also authorised the Chairperson to present these reports to the House.

- 8. XX XX XX XX

The Committee then adjourned.

**Omitted portion of the Minutes are not relevant to this Report

