

**COMMITTEE ON SUBORDINATE LEGISLATION**  
**(2017-2018)**

**(SIXTEENTH LOK SABHA)**

**TWENTY FIFTH REPORT**

**[Action Taken by Government on the Observations/Recommendations contained in the Eighteenth Report of the Committee on Subordinate Legislation (Sixteenth Lok Sabha) on 'Discontinuation of Physical Printing of Gazette Notifications']**



**LOK SABHA SECRETARIAT**  
**NEW DELHI**

**December, 2017/ Pausa, 1939 (Saka)**

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**(PRESENTED TO LOK SABHA ON 28.12.2017)**



सत्यमेव जयते

**LOK SABHA SECRETARIAT**

**NEW DELHI**

**December, 2017/ Pausa, 1939 (Saka)**

## CONTENTS

	Page
COMPOSITION OF THE COMMITTEE .....	(iii)
INTRODUCTION .....	(v)
.....	
CHAPTER I Report	1
CHAPTER II Observations/Recommendations which have been accepted by the Government.....	3
CHAPTER III Observations/Recommendations which the Committee do not desire to pursue in view of the Government's replies.....	9
CHAPTER IV Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee.....	10
CHAPTER V Observations/Recommendations in respect of final replies of the Government are still awaited.....	11

## ANNEXURES

A	Ministry of Urban Development OM dated 30.6.2017 to all stakeholders	12 - 15
B	Ministry of Urban Development OM dated 30.6.2017 to all Ministries/Departments	16
C	Ministry of Urban Development OM dated 30.6.2017 for perusal by the Ministry of Parliamentary Affairs	17 - 18
D	Ministry of Parliamentary Affairs OM dated 27.6.2017 to all Ministries/Departments	19 - 20

## APPENDICES

I	Extracts from Minutes of the Sixth sitting of the Committee (2016-17) (16 <sup>th</sup> Lok Sabha) held on 18.12.2017	21
II	Analysis of the Action Taken by the Government on the Observations/Recommendations contained in the 18 <sup>th</sup> Report of Committee on Subordinate Legislation (Sixteenth Lok Sabha)	23

## COMPOSITION OF THE COMMITTEE ON SUBORDINATE LEGISLATION

(2017-2018)

1. Shri Dilipkumar Mansukhlal Gandhi      Chairperson

### MEMBERS

2. Shri Idris Ali
3. Shri Birendra Kumar Choudhary
4. Shri S. P. Muddahanumegowda
5. Shri Shyama Charan Gupta
6. Shri Jhina Hikaka
7. Shri Janardan Mishra
8. Shri Prem Das Rai
9. Shri Chandul Lal Sahu
10. Shri Alok Sanjar
11. Shri Ram Prasad Sarmah
12. Adv. Narendra Keshav Sawaikar
13. Shri V. Panneer Selvam
14. Shri Ram Kumar Sharma
15. Shri Nandi Yellaiah

### SECRETARIAT

- |    |                      |   |                      |
|----|----------------------|---|----------------------|
| 1. | Smt. Sudesh Luthra   | - | Additional Secretary |
| 2. | Shri Ajay Kumar Garg | - | Director             |
| 3. | Smt. Jagriti Tewatia | - | Deputy Secretary     |
| 5. | Smt. Vidya Mohan     | - | Committee Officer    |

## **INTRODUCTION**

I, the Chairman, Committee on Subordinate Legislation having been authorised by the Committee to present the Report on their behalf, present this Twenty Fifth Report of the Committee on action taken by the Government on the observations/recommendations contained in their Eighteenth Report (Sixteenth Lok Sabha) on the 'Discontinuation of Physical Printing of Gazette Notifications'.

2. The Eighteenth Report was presented to Lok Sabha on 29.03.2017. The Ministries of Parliamentary Affairs and Urban Development furnished their action taken replies on the recommendations contained in the Eighteenth Report (Sixteenth Lok Sabha) on 27.6.2017 and 30.6.2017.

3. The Committee on Subordinate Legislation considered and adopted the draft Eighteenth Report at their sitting held on 18.12.2017 (Appendix I)

4. An analysis of action taken by the Government on the recommendations contained in the Eighteenth Report of Committee on Subordinate Legislation (Sixteenth Lok Sabha) is given in Annexure - II.

**New Delhi;  
18 December, 2017  
27 Agrahayana, 1939 (Saka)**

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

## CHAPTER I

### REPORT

This Report of the Committee on Subordinate Legislation (2016-17) deals with the action taken by Government on the observations/recommendations contained in the Eighteenth Report (Sixteenth Lok Sabha) of the Committee on the subject '**Discontinuation of Physical Printing of Gazette Notifications**' which was presented to Lok Sabha on 29.03.2017.

2. The Eighteenth Report Contained recommendations on the following issues:-
  - (i) Supply of Statutory orders by the concerned Ministries/Departments.
  - (ii) Need for spreading awareness about e-Gazette.
  - (iii) Compliance with laying requirement of Statutory orders.
3. Action Taken Replies in respect of all the three observations/recommendations contained in the Eighteenth Report have been received from the Ministries of Urban Development and Parliamentary Affairs on 30.06.2017 and 27.06.2017 respectively.
4. Replies to the observations/recommendations contained in the Report have broadly been categorised as follows:-

(i)	Observations/Recommendations which have been accepted by the Government	
	Sl. Nos. 1,2 and 3	Total Nos. 3 (Chapter II)
(ii)	Observations/Recommendations which the Committee do not desire to pursue in view of the Government's reply.	
	Sl. Nos. Nil	Total Nos. Nil (Chapter III)
(iii)	Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee	
	Sl. Nos. Nil	Total Nos. Nil (Chapter IV)
(iv)	Observations/Recommendations in respect of which final replies of the Government are still awaited	
	Sl. No. Nil	Total No. Ni (Chapter V)

5. The Committee in their original report on 'Discontinuation of Physical printing of Gazette Notification' made recommendations pertaining to issues such as supply of Statutory Orders by the concerned Ministries/Departments, Need for spreading awareness about e-Gazette and compliance with laying requirement of Statutory Orders. In this regard the action taken replies have been received from the Ministries concerned viz the Ministry of Urban Development & Ministry of Parliamentary Affairs. The Committee note with satisfaction that the Govt. have accepted all the three recommendations at Sl. No. 1 to 3. The Committee while taking note of the fact that necessary instructions have been issued to all the Ministries/Departments of the Government of India, express its satisfaction and also do hope & trust that utmost importance would be given in implementation of the observation/recommendations scrupulously. The observations/recommendations made by the Committee & the action taken replies received from the Ministries concerned have been reproduced & suitably categorized in the succeeding chapters of the Report.

## CHAPTER II

### **OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT**

#### Recommendation No.1

##### Supply of Statutory Orders by the concerned Ministries/Departments:

The Committee note that the legislature can lay down only the broad policy and principles of a piece of legislation leaving the details to be worked out by the Executive. Parliament has, however, the inherent right and obligation to see that the powers delegated under the laws enacted or conferred by the Constitution have been exercised by the Executive in accordance with the terms of the statute delegating such powers and also that they are in accordance with the general principles of delegation. The most effective control that Lok Sabha exercises over Subordinate Legislation is through its Scrutiny Committee i.e. Committee on Subordinate Legislation (hereinafter, the Committee) All rules, regulations, sub-rules, bye-laws, etc. hereinafter called 'statutory orders' whether laid on the Table of the House or not framed under delegated legislation fall within the purview of examination of the Committee mandated to scrutinize and report to the House whether the powers delegated by Parliament are being properly exercised within such delegation. In order that the Committee discharges their mandate efficiently and effectively relating to examination of all 'statutory orders', arrangements were made by the Government, asking the Ministry of Urban Development for supplying three sets of the Gazette of India (both Ordinary and Extra ordinary) published in the Gazette of India through their authorized sale counter, Kitab Mahal. This practice has been in vogue since many decades. Out of the three sets of the Gazette so received, one set is used for the purpose of examination and the other two sets are utilized for maintaining an up-to-date record of the 'Statutory Orders' in the Lok Sabha Secretariat. This has been a continuous practice followed for decades. Whenever an amendment Notification is taken up for scrutiny, the original/updated version maintained by the Secretariat is consulted and in the light of that, the new amendment to Notification is examined. The Library of Gazette Notifications maintained by the Secretariat of COSL facilitates the Committee in discharging their functions. However, the Ministry of Urban Development vide their Notification GSR 746-E dated



30.9.2015 discontinued physical printing of Gazette Notifications and started publishing e-Gazette w.e.f 1 October, 2015. According to the Ministry, the proposal to switch over to e-Gazette was initiated on the request of the stakeholders Ministries / Departments who were requesting for urgent publication of their Gazette Notifications. In addition, the Ministry of Law and Justice, Department of Legal Affairs, were also consulted in the matter for switching over to e-Gazette in terms of Section 8 of the Information Technology Act, 2000 which prescribes that the requirement of publishing of rules/regulation/bye-laws etc. in the official gazette shall be satisfied if the same are published in the Electronic Gazette and the new system has been fully accepted by all Administrative Departments and Ministries of the Government of India.

The Committee, however, are concerned to note that with the discontinuation of physical printing of Gazette Notifications, the existing arrangement of supply of three sets of the same by Ministry of Urban Development has been suspended and the Committee is getting copies of only those Gazette Notifications which are being laid on the Table of the House. These copies, as per the laid down procedure, are to be used for circulation to the Members of the Committee. As a result, the 'Statutory Orders' including those framed under Article 309 of the Constitution of India which are not being laid on the Table of the House, are now not being received by the Committee. Thus due to non-availability of printed copies of such 'Statutory Orders', it is no longer possible for the Committee Secretariat to keep and update the records thereby hampering the functioning of the Committee in discharging their main function of scrutinizing the 'Statutory Order'. As regards their e-availability, the Committee feel that many Gazette Notifications are voluminous also and it will be an arduous task for the Lok Sabha Secretariat, to take print out of all such Notifications from the e-portal of the Ministry as a substitute of printed copies available earlier. Under such circumstances, the Committee feel that as an alternative arrangement the best course of action could be if each administrative Ministry whosoever notify any Statutory Order, also supply 3 copies of the same to Committee on Subordinate Legislation Branch of the Lok Sabha Secretariat. The Committee, therefore, recommend that the Ministry of Parliamentary Affairs in coordination with the Ministry of Urban Development may issue necessary instructions to all administrative Ministries/ Departments of the Government of India to supply to the Lok Sabha Secretariat, three hard copies of all statutory orders and to also send a soft copy on the email at [cosl-iss@sansad.nic.in](mailto:cosl-iss@sansad.nic.in) simultaneously with their notification in e-Gazette format including those framed under Article 309 of the Constitution of India and those published in Part II Section 3 (i), (ii) & 4 of Gazette for scrutiny and upkeep of records. The Committee further recommend that in the case of Notifications amending the earlier statutory orders, the concerned Ministry should also supply by way of suitable annexure the relevant extracts of the provisions which have been amended by the said Notification for the sake of reference during their scrutiny. The Committee would like the Ministry of Urban Development to intimate the final action taken in the matter.

### **Reply of the Ministry**

The Ministry of Urban Development has in the past also issued an O.M. No. 0-17034/6/2017/PSP-II dated 25/2/2016 clarifying that the administrative Ministry/Department submitting the request for publishing the Gazette notification shall be solely responsible for submitting and circulating the Gazette notification wherever required by law or otherwise. This Ministry, in light of the specific necessities being raised by the Committee in their recommendations/observations, issued an O.M. No. O-17034/6/2017/PSP-II dated 30.6.2017 (Annexure-A) addressed to all the stakeholders in continuation of the previous O.M dated 25.2.2016 cited above, to clearly highlight the necessities being raised by the Committee.

**(Ministry of Urban Development O.M. No. 0-17034/6/2017/PSP-II dated 30<sup>th</sup> June, 2017.)**

On the above recommendation/observation of the Committee, Ministry of Parliamentary Affairs vide its E-office O.M. No. 2/4/2014-ME, dated 27/6/2017 has circulated the copy of the 18<sup>th</sup> Report (16<sup>th</sup> Lok Sabha) to all the Ministries/Departments of Government of India for strict compliance drawing their attention on the following points as under:-

1. The Lok Sabha Secretariat may be supplied three hard copies of all statutory orders and to also send a soft copy on email at [cosl-iss@sansad.nic.in](mailto:cosl-iss@sansad.nic.in) simultaneously with their notification in e-Gazette format including those framed under Article 309 of the Constitution of India and those published in part II Section 3(i), (ii) & 4 of Gazette for scrutiny and upkeep of records.
2. In the case of Notifications amending the earlier statutory orders, the concerned Ministry should also supply by way of suitable annexure the relevant extracts of the provisions which have been amended by the said Notification for the sake of reference during their scrutiny by the Committee on Subordinate Legislation.

**(Ministry of Parliamentary Affairs  
O.M. No. 2/4/2017-ME Dated 27/6/2017)**

### **(Recommendation No. 2)**

#### **Need For Spreading Awareness About E-Gazette:**

The Committee concur in the submission of the Ministry of Urban Development that e-Gazette would help in achieving time saving, cost saving, paper saving, easy accessibility, wider reach-ability and better e-governance besides an environmentally friendly step supporting the concept of 'paperless office' which would help in saving of 90 tons of paper

— 5 —

annually. Moreover, it has also enabled the instant availability of the printed copies of all the Gazette Notifications at the official website [www.egazette.nic.in](http://www.egazette.nic.in) which can be downloaded free of cost and the same is treated as authentic version as per the Information Technology Act, 2000. The Committee, however, express their unhappiness at the delayed implementation of e-Gazette publication although the same was made authorized many years earlier after coming into force of the Information Technology Act, 2000. In the considered opinion of the Committee the Ministry could have resorted to e-Gazette publication much earlier. The Committee, however, desire that due publicity be given to this initiative for making the public aware of availability of e-Gazette on the web-portal of the Ministry.

### **Reply of the Ministry**

It is understood that the Section 8 of the IT Act, 2000 is in existence since the promulgation of the Act. Once the digitization of past Gazette was completed, Ministry launched e-Gazette portal in 2012 where simultaneous physical printing and e-publishing was being done. Finally in 2015, switching over to exclusive e-Gazette publishing was achieved.

This Ministry already provides a link to e-Gazette in its web portal. Regarding the publicity of e-Gazette notifications, the Ministry has issued an O.M. No. O-17034/6/2017/PSP-II number dated 30.9.2015 (Annexure-B ) requesting all the Ministries and Departments to give wide publicity to bring e-publishing of Gazette notifications to the notice of all attached & subordinate offices, PSUs etc., as well as various stakeholders including all private users.

(Ministry of Urban Development O.M. No. O-17034/6/2017/PSP-II dated 30<sup>th</sup> June, 2017.)

### **Recommendation No. 3**

#### **Compliance With Laying Requirement Of Statutory Orders:**

Laying of the statutory orders before each House of Parliament is an important safeguard against assumption of arbitrary powers by the Executive. In pursuance of the recommendation of the Committee (Second Report/ 5th Lok Sabha) made in this regard, the following provision has been incorporated in all the Acts passed by the Parliament as well as in the Bills to be introduced, involving provision for delegation of Rule making power:-

"Every Rule made by the Central Government under this Act shall be laid as soon as may be after it is made, before each House of Parliament, while it is in Session, for a total period of thirty days which may be comprised in one session or in two or

more successive sessions, and if, before the expiry of session immediately following the session or the successive session aforesaid, both Houses agree in making any modification to 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."

However, despite their above recommendation, the Committee are seriously concerned that many Statutory Orders and more particularly those notified under Article 309 of the Constitution are not laid before Parliament by the concerned administrative Ministries. The Committee are, therefore, apprehensive that stoppage of physical printing of 'statutory order' may result in further deterioration of the existing compliance level. In this regard, the Committee note that as per the instructions issued by the Ministry of Urban Development, the concerned administrative Ministries have to provide a written undertaking in the prescribed Performa for compliance of timely 'submitting and circulating ' the Gazette Notification, wherever required by law or otherwise, vide their OM dated 25.2.2016 directing that the responsibility of timely submission of copies to all authorities mandated by any law or regulation lies with the concerned administrative Ministry. The Committee, taking note of the instructions issued by the Ministry of Urban Development, recommend that the Ministry of Parliamentary Affairs should also issue necessary instructions to all the Ministries/ Departments of the Government of India drawing their attention to the abovementioned recommendation of the Committee regarding requirement of laying of the statutory orders before the Parliament and also stressing that they will be held responsible for non-compliance. The Committee further recommend that the Ministry may also evolve a mechanism to ensure that their instructions regarding laying of statutory orders before Parliament and supplying of three copies of the same to the Lok Sabha Secretariat, COSL Branch are fully complied with by all the Ministries/ Departments of the Government of India. The Committee would like the Ministry of Parliamentary Affairs to apprise the Committee about the final action taken in the matter.

#### **Reply of the Ministry**

Since the particular recommendation/observation pertains to Ministry of Parliamentary Affairs, this Ministry has issued an O.M. No. 0-17034/6/2017/PSP-II dated 30.6.2017 (Annexure-B) to apprise of the recommendation/observations of the Committee to do needful in this regard. Moreover, reply of this Ministry is also enclosed for perusal by the Ministry of Parliamentary Affairs.

— 57 —

**(Ministry of Urban Development O.M. No. 0-17034/6/2017/PSP-II dated 30<sup>th</sup> June, 2017.)**

On the above recommendation/observation of the Committee, Ministry of Parliamentary Affairs vide its E-office O.M. No. 2/4/2017-ME, dated 27/6/2017 has circulated the copy of the 18<sup>th</sup> Report (16<sup>th</sup> Lok Sabha) to all the Ministries/Departments of Government of India for strict compliance drawing their attention on the following points as under-

1. Statutory order, more particularly those notified under Article 309 of the Constitution must be laid before Parliament by the concerned administrative Ministries and they will be held responsible for non-compliance of the same.
2. Administrative Ministries will be held responsible for non-compliance of timely 'submitting and circulating' the Gazette Notification wherever required by law or otherwise as has been advised by Ministry of Urban Development vide their O.M. No. 0-17022/1/2015-PSP-1, dated 25<sup>th</sup> February, 2016.

The copy of Ministry of parliamentary Affairs E-office O.M. No. 2/4/2017-ME, dated 27/6/2017 is at Annexure-C.

**(Ministry of Parliamentary Affairs  
O.M. No. 2/4/2017-ME Dated 27/6/2017)**

### CHAPTER III

**OBSERVATIONS/RECOMMENDATIONS WHICH THE COMMITTEE DO NOT  
DESIRE TO PURSUE IN VIEW OF THE GOVERNMENTS REPLIES**

**-----NIL-----**

#### CHAPTER IV

**OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF  
THE GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE**

**-----NIL-----**

**CHAPTER V**

**OBSERVATION/RECOMMENDATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE  
GOVERNMENT ARE STILL AWAITED**

**----- NIL -----**

**New Delhi;  
18 December, 2017  
27 Agrahayana, 1939 (Saka)**

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



Annexure A

No. O-17034/5/2017/PSP-II  
Government of India  
Ministry of Urban Development  
(PSP Division)

New Delhi, the 30<sup>th</sup> June 2017

OFFICE MEMORANDUM

Subject: Regarding Observations / Recommendations of the Committee on Subordinate Legislation (Sixteenth Lok Sabha) Eighteenth Report on discontinuation of physical printing of Gazette Notifications.

The undersigned is directed to refer to recommendations/ observations contained in the report of Committee of Subordinate Legislation on the subject mentioned above.

2. Attention is invited to the requirements of submission of three copies of any statutory order to Committee on Subordinate Legislation Branch of the Lok Sabha Secretariat by the concerned Administrative Ministry. Moreover, a soft copy on the email at [cosl-lss@sansad.nic.in](mailto:cosl-lss@sansad.nic.in) simultaneously with their notification in e-Gazette format including those framed under Article 309 of the Constitution of India and those published in Part II Section 3 (i), (ii) & 4 of Gazette of India for scrutiny and upkeep of records are also to be submitted. The concerned Ministry should also supply by way of suitable annexure the relevant extracts of the provisions which have been amended by the said Notification for the sake of reference during their scrutiny. Above requirements are only mentioned as an illustration and are not exhaustive.

3. The Ministry of Urban Development vide Gazette Notification no. G.S.R. 746(E) in Part II-Section-3-Sub-Section-(i) Extraordinary dated 30/09/2015 (copy enclosed) had discontinued the practice of physical printing of all Gazette Notifications and subsequent to the decision, all Gazette notifications were decided to be published electronically by uploading the same on the official website. This was done in accordance with the provisions of Section 8 of Information Technology Act, 2000 and in consultation with Department of Legal Affairs.

4. This Ministry vide O.M. dated 25/02/2016 (copy enclosed) clarified that *"The Administrative Ministry / Department submitting the request for publishing the Gazette notification shall be solely responsible for submitting and circulating the Gazette notification wherever required by Law or otherwise. It is further clarified that published Gazette notification are instantly uploaded on the official website [www.egazette.nic.in](http://www.egazette.nic.in) and the downloaded electronic version as well as the downloaded and printed version of these Gazette Notifications are to be treated as electronic versions for all official purposes as per Section 4 and Section 8 of Information Technology Act, 2000."*

contd...../-

...continued

5. Accordingly, the concerned administrative Ministry submitting the request for Gazette notification shall be solely responsible for submitting and circulating the copies of Gazette wherever required by Law or otherwise within the prescribed time frame.

6. This issues with the approval of the competent authority.

Encl: As above

  
(T. K. MAJUMDAR)  
Director (PSP)  
Tel: 011-2306 1559

To

The Secretary  
All Ministries / Departments of Govt. of India

Copy to:

1. The Chief Secretary, all State Governments.
2. The Administrator, All Union Territories
3. President's Secretariat, Rashtrapati Bhawan, New Delhi
4. Vice President Secretariat, New Delhi
5. Prime Minister's Office, South Block, New Delhi
6. Cabinet Secretariat, New Delhi
7. Comptroller and Auditor General of India, New Delhi
8. Central Vigilance Commissioner, New Delhi
9. Secretary, Union Public Service Commission, New Delhi
10. Secretary, Staff Selection Commission, New Delhi
11. Director, Central Bureau of Investigation, New Delhi
12. Chief Secretary / Chief Administrator of all Union Territories
13. Registrar, Supreme Court of India, New Delhi
14. Registrar, High Courts

No. O-17022/1/2015-PSP-I  
Government of India  
Ministry of Urban Development  
(PSP Division)

Nirman Bhawan, New Delhi  
Dated : 25<sup>th</sup> February, 2016

OFFICE MEMORANDUM

Subject : E-publishing of Government of India Gazette Notification –  
Discontinuing of the practice of physical printing.

The undersigned is directed to refer Ministry of Urban Development Gazette Notification no. G.S.R. 746(E) in Part II Section (3) (i) Extra Ordinary dated 30.09.2015, according to which all the Gazette notifications shall be henceforth only e-published by uploading on the official website and do away with physical printing and sale of hard copies. This was done in accordance with the provisions of Section 3 of Information Technology Act, 2000 and in consultation with Department of Legal Affairs.

2. It is brought to the notice of all concerned that there may be statutory or otherwise requirements mandating submission of the Government of India Gazette notifications to various authorities, etc. In particular attention is invited towards requirements of submission of such notifications to Committee on Subordinate Legislation, other requirements of laying such notifications on the Table of both the Houses of Parliament, making these Gazette notifications available for various record keeping purposes including Committee Branch Library, Lok Sabha for updation of principle rules, etc. Above mentioned requirements are only mentioned as an illustration and are not exhaustive.

3. It is clarified that the administrative Ministry/ Department submitting the request for publishing the Gazette notification shall be solely responsible for submitting and circulating the Gazette notification wherever required by Law or

Contd...-2-

otherwise. It is further clarified that published Gazette notification are instantly uploaded on the official website www.egazette.nic.in and the downloaded electronic version as well as the downloaded and printed version of these Gazette notifications are to be treated as electronic versions for all official purposes as per Section 4 and Section 8 of Information Technology Act, 2000.

4. Accordingly, the concerned administrative Ministry submitting the request for Gazette notification shall be solely responsible for submitting and circulating the copies of Gazette wherever required by Law or otherwise within the prescribed time frame.

5. This issues in consultation with Department of Legal Affairs.

*S. K. Ram*  
25/10/11

(S. K. Ram)

Joint Secretary to the Govt. of India

To

The Secretary  
All Ministries / Departments of Govt. of India

Copy to :

1. The Chief Secretary, all State Governments,
2. The Administrator, All Union Territories,
3. President's Secretariat, Rashtrapati Bhawan, New Delhi
4. Vice-President Secretariat, New Delhi
5. Prime Minister's Office, South Block, New Delhi.
6. Cabinet Secretariat, New Delhi
7. Comptroller and Auditor General of India, New Delhi
8. Central Vigilance Commissioner, New Delhi
9. Secretary, Union Public Service Commission, New Delhi.
10. Secretary, Staff Selection Commission, New Delhi
11. Director, Central Bureau of Investigation, New Delhi
12. Chief Secretary/ Chief Administrator of all Union Territories
13. Registrar, Supreme Court of India
14. Registrar, High Court

Annexure B

No. O-17034/5/2017/PSP-II  
Government of India  
Ministry of Urban Development  
(PSP Division)

New Delhi, the 30<sup>th</sup> June 2017

OFFICE MEMORANDUM

Subject: Regarding Committee of Subordinate Legislation (Sixteenth Lok Sabha)  
Eighteenth Report on Discontinuation of Physical Printing of Gazette  
Notifications

This refers to the Recommendations/ observations contained in the Report of Committee on Subordinate Legislation on the subject cited above. The Committee needs Ministry of Parliamentary Affairs to issue necessary instructions to all the Ministries/ Departments of the Government of India drawing their attention to the issue highlighted by the Committee in their recommendation at serial number 3.

2. Accordingly, a copy of the report is being sent to Ministry of Parliamentary Affairs to do needful in this regard, along with a copy of reply by the Ministry of Urban Development for kind perusal.
3. This issues with the approval of the competent authority.

  
T.K. MAJUMDAR  
Director (PSP)  
Tel: 011-23061559

To,

Shri A. Manoharan,  
Director,  
Ministry of Parliamentary Affairs,  
Room No. 85-B, Parliament House,  
Saraisad Marg, New Delhi 110001

Annexure C

No. D-17022/1/2015-PSP-I  
Government of India  
Ministry of Urban Development  
(PSP Division)

Nirman Bhawan, New Delhi  
Dated : 30<sup>th</sup> September, 2015

OFFICE MEMORANDUM

**Subject:** E-publishing of Government of India Gazette Notification –  
Discontinuing of the practice of physical printing.

In compliance with the provisions of Section 3 of the Information Technology Act, 2000, it has been decided in consultation with Department of Legal Affairs to switch over to exclusive e-publishing of the Government of India Gazette Notification on its official website with effect from 01.10.2015 and to do away with the physical printing of Gazette Notification. The date of publishing shall be the date of e-publication on official website by way of electronic gazette in respect of Gazette Notifications. The Gazette Notification can be accessed and downloaded/printed from the official e-Gazette website i.e. [www.e-gazette.nic.in](http://www.e-gazette.nic.in) free of cost.

All the Ministries and Departments are requested to give wide publicity to bring this to the notice of all attached & subordinate offices, PSU, etc., as well as various stakeholders including all private users.

This issues with the approval of competent authority.

Kailash Choudhary  
(Kailash Choudhary)

Under Secretary to the Govt. of India

To

The Secretary  
All Ministries / Departments of Govt. of India

Copy to :

1. The Chief Secretary, All State Governments.
2. The Administrator, All UTs.

*Copies also for information to:*

1. President's Secretariat, Rashtrapati Bhawan, New Delhi
2. Vice-President Secretariat, New Delhi
3. Prime Minister's Office, South Block, New Delhi
4. Cabinet Secretariat, New Delhi
5. Comptroller and Auditor General of India, New Delhi
6. Central Vigilance Commissioner, New Delhi
7. Secretary, Union Public Service Commission, New Delhi
8. Secretary, Staff Selection Commission, New Delhi
9. Director, Central Bureau of Investigation, New Delhi
10. Chief Secretary/Chief Administrator of all Union Territories
11. Secretary, Lok Sabha/Rajya Sabha Secretariat.
12. Registrar, Supreme Court of India
13. Registrar, High Court
14. Director (Technical), NIC, Ministry of Urban Development for uploading on the Websites of the Ministry of Urban Development – [www.urbanindia.nic.in](http://www.urbanindia.nic.in) and Directorate of Printing – [www.dopge.v.in](http://www.dopge.v.in)
15. Controller of Publications, MoUD, Civil Lines, Delhi-110054 with the request to upload & flash the message on the website of Department of Publications
16. Planning Commission
17. Election Commission of India
18. Comptroller & Auditor General of India
19. All Public Sector Undertakings/Public Enterprises
20. PS to Secretary (UD)

E-Office F.No. 2/4/2017-ME  
Ministry of Parliamentary Affairs  
Government of India

94, Parliament House,  
New Delhi  
Dated: - 27th June, 2017

OFFICE MEMORANDUM

Subject:- Implementation of recommendations contained in Eighteenth Report (Sixteenth Lok Sabha) of the Committee on Subordinate Legislation on discontinuation of physical printing of Gazette Notification etc.

The undersigned is directed to forward herewith a copy of the Lok Sabha Secretariat O.M. No. 11/51(3)/COSL/2016 dated 30-03-2017 and U.O. No. 14/18R/COSL/2016 dated 29-03-2017 along with a copy of the Eighteenth Report (Sixteenth Lok Sabha) of the Committee on Subordinate Legislation reg. discontinuation of physical printing of Gazette Notifications presented to Lok Sabha on 29-03-2017. The Report is also available on the website of the Committee viz. <http://164.100.47.194/Loksabha/Committee/reports>. Specific attention of all the Ministries/Departments of Government of India is drawn towards Part-II of the Report containing Observations/Recommendations of the Committee for strict compliance.

Committee has also noted that with the discontinuation of physical printing of Gazette Notifications, main function of the Committee regarding scrutiny of statutory orders is getting hampered due to non availability of printed copies and in this regard the Committee has drawn the attention of all the Ministries/Departments that-

(i) the Lok Sabha Secretariat may be supplied with three hard copies of all statutory orders and to also send a soft copy on email ID [cosl-iss@sansad.nic.in](mailto:cosl-iss@sansad.nic.in) simultaneously with their notification in e-Gazette format including those framed under Article 309 of the Constitution of India and those published in Part II Section 3(i), (ii) & 4 of Gazette for scrutiny and upkeep of records.

(ii) in the case of Notifications amending the earlier statutory orders, the concerned Ministry should also supply, by way of suitable annexure, the relevant extracts of the provisions which have been amended by the said Notification for the sake of reference during their scrutiny.



(iii) statutory orders, more particularly those notified under Article 309 of the Constitution must be laid before the Parliament by the concerned administrative Ministries and they will be held responsible for non-compliance of the same .

(iv) the administrative Ministries will be held responsible for non-compliance of directions of the Committee if instructions regarding timely 'submitting and circulating' the Gazette Notification wherever required by law or otherwise as has been advised by Ministry of Urban Development vide their O.M. No. O-17022/1/2015-PSP-I, dated 25<sup>th</sup> February, 2016 has not been done.

(A.B. Acharya)

Under Secretary to the Government of India

Tele: 011-23034732

To

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

Copy for information and necessary action to:-

1. Secretary, Ministry of Urban Development, Government of India, Nirman Bhawan, New Delhi.
2. Secretary, Legislative Department, Ministry of Law and Justice, Government of India, Shastri Bhawan, New Delhi.
3. Shri Mahesh Tiwari, Director (COSL), Rajya Sabha Secretariat, 201, Parliament House Annexe, New Delhi.
4. Shri Ajay Kumar Garg, Director (COSL), Lok Sabha Secretariat, 608, Parliament House Annexe, New Delhi.

Signature valid

Digitally signed by ASOK

BEHARY ACHARYA

Date: 2017.06.27 16:39:31 IST

Reason: Spelling

**APPENDIX I**  
**(Vide Para 3 of the Introduction)**

**EXTRACTS FROM MINUTES OF THE SIXTH SITTING OF THE COMMITTEE ON  
SUBORDINATE LEGISLATION (2016-2017)**

The Sixth sitting of the Committee (2017-18) was held on Monday, the 18 December,  
2017 from 1500 to 1615 hours in Committee Room No. 2, Parliament House Annexe  
Extension Building, New Delhi .

**PRESENT**

1. Dilip Kumar Mansukhlal Gandhi - Chairperson

**MEMBERS**

2. Shri Idris Ali
3. Shri Birendra Kumar Chaudhary
4. Shri Shyama Charan Gupta
5. Shri Prem Das Rai
6. Shri Chandulal Sahu
7. Shri Alok Sanjar
8. Shri Ram Prasad Sarmah
9. Adv. Narendra Keshav Sawaikar

**SECRETARIAT**

1. Smt Sudesh Luthra - Additional Secretary
2. Shri Ajay Kumar Garg - Director
3. Smt Jagriti Tewatia - Deputy Secretary

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2. At the outset, the Chairperson welcomed the members to the sitting of the Committee (2017-18). The Committee, then, considered the draft Twenty fourth Report and Twenty fifth Action Taken Report and adopted the same without modifications. The Committee also authorized the Chairperson to present the same to the House.

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The Committee then adjourned.

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

**APPENDIX II**  
**(Vide Para 4 of the Introduction)**

ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE  
OBSERVATIONS/RECOMMENDATIONS CONTAINED IN THE  
EIGHTEENTH REPORT OF THE COMMITTEE ON  
SUBORDINATE LEGISLATION  
(SIXTEENTH LOK SABHA)

I	Total number of recommendations:	3
II	Recommendations that have been accepted by the Government [ <i>vide</i> recommendations at SI Nos. 1, 2 & 3	
	Percentage of total:	100%
III	Recommendations which the Committee do not desire to pursue in view of Government's replies at SI Nos. Nil	
	Percentage of total:	0%
IV	Recommendations in respect of which replies of the Government have not been accepted by the Committee at SI Nos. Nil]	
	Percentage of total:	0%
V	Recommendations in respect of which final replies of the Government are still awaited at SI Nos. Nil	
	Percentage of total:	0%