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E- Office F.No. 2/5/2017-ME
Ministry of Parliamentary Affairs
Government of India

Chairman, Railway Board
FTS No. P 314699
Date 4/8

94, Parliament House,
New Delhi.

Dated: 01.08.2017

OFFICE OF MEMORANDUM

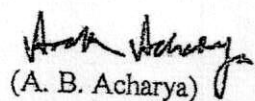
Subject: - Amendments in Para 11.2 of the Manual of Parliamentary Procedure as recommended by the Cabinet Secretariat- reg.

The undersigned is directed to inform you that Cabinet Secretary has held the meeting of Committee of Secretaries on 20th April, 2017, 21st April, 2017 and 24th April, 2017 regarding repeal of the obsolete and redundant laws and framing of subordinate legislation under various Acts. During the meetings it was decided that the para 11.2(Procedure where pre- publication of rules etc. is required) of the Manual of Parliamentary Procedure may be amended to avoid double consultation of Legislative Department so that the undue delay in the process of framing of subordinate legislation may be avoided. Ministry of Law and Justice, Legislative Department has accordingly requested Ministry of Parliamentary Affairs for carrying out the necessary amendments to the Manual of Parliamentary Procedure.

As per the suggestion of Cabinet Secretariat and Ministry of Law & Justice, Legislative Department, Ministry of Parliamentary Affairs has accepted the following amendments in para 11.2 (Procedure where pre- publication of rules etc. is required) of the Manual of Parliamentary procedure. The amendments are as follows: -

Existing provisions	Provisions after amendments
11.2 (a) Frame the draft rules in consultation with the Ministry of Law and Justice	11.2 (a) Frame the draft rules.
11.2(f) Finalise the rules in consultation with the Ministry of Law and Justice, where modifications are involved.	11.2(f) Finalise the rules in consultation with the Ministry of Law and Justice.

All Ministries/ Departments of Government of India are hereby requested to follow above procedure while framing subordinate legislation under various Acts. Accordingly, para 11.2 of Manual of Parliamentary Procedure may be treated as amended. Ministry of Parliamentary Affairs is in the process of bringing out the latest edition of this Manual which will be circulated/uploaded on the website of this Ministry shortly.


(A. B. Acharya)

Under Secretary to the Govt. of India
Tel# 23034732

To,

Ministry of Law and Justice,
Legislative Department,
(Dr. G. Narayana Raju, Secretary)
405-A, Shastri Bhawan,
New Delhi.

Contd./2 ...

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Chaitanya
Prakash

Copy for information and ~~reference~~ to:

1. Secretaries to all the Ministries/Departments of Government of India.
2. Shri Brijesh Pandey, Deputy Secretary, Prime Minister's Office (Political Section), South Block, New Delhi.
3. Smt. Veena Dunga, Under Secretary, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.
4. Shri Mahesh Tiwari, Director (COSL), Rajya Sabha Secretariat, 201, Parliament House Annexe, New Delhi.
5. Shri Ajay Kumar Garg, Director (COSL), Lok Sabha Secretariat, 608, Parliament House Annexe, New Delhi.
6. Copy for information to: Ministry of Law and Justice, Legislative Department (Dr. Reeta Vasishtha, Additional Secretary) w.r.t. their U. O. Note No. 13(26)/2014-L.I dated 09.05.2017.
7. Research Officer, Ministry of Parliamentary Affairs, Jam Nagar House, with a request to take further necessary action for carrying out necessary amendments in the Manual of Parliamentary Procedure.

Extracts of Para 11.2 of the Manual of Parliamentary Procedure

<p>Procedure where pre-publication of rules etc is required</p>	<p>11.2 Where an Act requires previous publication of rules, etc., made thereunder, the department concerned will:</p> <ol style="list-style-type: none"> (a) frame the draft rules in consultation *[with the Ministry of Law and Justice]; (b) get them published in the official gazette inviting objections and suggestions within a specified period of 30 days; (c) if suggestions have to be obtained from interests concerned who are likely to be affected by the legislation, attempt should be made to get their comments at the earliest by sending registered letters to them and, if necessary, by publication of the draft rules in the national or regional press/newspapers; (d) on expiry of the specified period of 30 clear days, which will be reckoned from the date on which the gazette is made available for sale to the public, consider the objections and suggestions received; (e) if the suggestions/objections received are large, the final rules should be notified within a period of six months from the last date of receiving the comments. If no objections/suggestions are received or the number of objections etc., so received is also small, the rules should be finally notified within a period of 3 months; and (f) finalise the rules in consultation with the Ministry of Law and Justice *[, where modifications are involved].
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**[...] deleted vide Ministry of Parliamentary Affairs' O.M No.2/5/2017-ME dated 01.08.2017*