

HARYANA VIDHAN SABHA
REPORT
OF
THE COMMITTEE
ON
SUBORDINATE LEGISLATION
FORTY NINTH REPORT
2021-2022



(Presented to the Haryana Vidhan Sabha on 14th March 2022)

HARYANA VIDHAN SABHA SECRETARIAT
CHANDIGARH
2022

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COMPOSITION OF THE COMMITTEE

(2021-22)

COMMITTEE ON SUBORDINATE LEGISLATION

[The Committee was constituted w e f 01 04 2021 vide Haryana Vidhan Sabha Secretariat Notification No HVS-SLC-1/2021-22/35 dated 30th March 2021]

1	Shri Ram Niwas MLA	Chairperson
2	Shri Jagbir Singh Malik MLA	Member
3	*Shri Bharat Bhushan Batra MLA	Member
4	Shri Jaiveer Singh MLA	Member
5	Shri Bishamber Singh MLA	Member
6	Shri Ram Kumar Kashyap MLA	Member
7	Shri Amit Sihag MLA	Member
8	Shri Balbir Singh MLA	Member
9	***Shri Sombir Sangwan MLA	Member
10	Advocate General Haryana	Member

Special Invitees

**Shri Kuldeep Vats MLA

****Shri Indu Raj MLA

Secretariat

Shri Rajender Kumar Nandal Secretary

Shri Vishnu Dev Under Secretary

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- * Shri Bharat Bhushan Batra M L A nominated as special invitee of the Committee dated 30 06 2021 vide Notification No HVS-SLC 1/2021 22/55 dated 30 06 2021 and again nominated as regular member of the Committee dated 10 09 2021 vide Notification No HVS-SLC 1/2021-22/79 dated 10 09 2021
- ** Shri Kuldeep Vats M L A nominated as special invitee of the Committee dated 30 06 2021 vide Notification No HVS SLC 1/2021-22/56 dated 30 06 2021
- *** Shri Sombir Sangwan, M L A has discharged from the membership of the Committee w e f 08 09 2021 and notified vide Notification No HVS SLC 1/2021-22/78 dated 09 09 2021
- **** Shri Indu Raj M L A nominated as special invitee of the Committee dated 10 09 2021 vide Notification No HVS SLC 1/2021-22/79 dated 10 09 2021

INTRODUCTION

- 1 I the Chairperson of the Committee on Subordinate Legislation having been authorized by the Committee to present the Report on their behalf present this Forty Ninth Report to the House
- 2 The matters covered by this Report were finally considered by the Committee at their sitting held on 23 02 2022 and adopted this Report
- 3 A brief record of the proceedings of each meeting of the Committee has been kept on record of the Haryana Vidhan Sabha Secretariat
- 4 The Committee also places on record their high appreciation for whole hearted co operation and valuable assistance given by the Secretary Under Secretary and Staff of the Legislation Branch

Chandigarh
The 23rd February 2022

Sd
RAM NIWAS
CHAIRPERSON
Committee on Subordinate Legislation

REPORT

- 1 The Committee on Subordinate Legislation for the year 2021-22 was nominated by the Hon ble Speaker Haryana Vidhan Sabha under Rule 249(1) of Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly on the 26th March 2021 and was notified in the official Gazette vide Notification No HVS SLC 1/2021-22/35 dated 30th March 2021
- 2 Shri Ram Niwas M L A was appointed as Chairperson of the Committee by the Hon ble Speaker
- 3 The Committee held 52 sittings till the presentation of the Report
- 4 Besides watching the implementation work relating to the earlier Reports the Committee scrutinized the following Rules
 - 1 The Haryana Rural Development Fund Rules 1987 framed under the Haryana Rural Development Fund Act 1986
 - 2 The Haryana State Seed Certification Agency Rules 1976

The Committee also orally examined the concerned Departments of the State Government and made its observations/recommendations on the relevant Rules under scrutiny

SCOPE AND FUNCTIONS OF THE COMMITTEE

The scope and functions of the Committee are set down in rules 248 256 and 257 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly Rule 248 enjoins upon the Committee to scrutinize and report to the House whether powers to make regulations rules sub rules bye-laws etc conferred by the Constitution or delegated by the legislature are being properly exercised within such delegation and consider such other matters as may be referred to it by the Speaker Further rule 256 of the said Rules lays down that while examining any such set of rules bye laws etc the Committee shall in particular consider

- (i) Whether it is in accord with the general objects of the Constitution or the Act pursuant to which it is made
- (ii) Whether it contains matters which in the opinion of the Committee should more properly be dealt within an Act of the Legislature
- (iii) Whether it contains imposition of any tax
- (iv) Whether it directly or indirectly bars the jurisdiction of the courts
- (v) Whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power
- (vi) Whether it involves expenditure from the consolidated fund of the state or the Public Revenues
- (vii) Whether it appears to make some unusual or unexpected use of the powers conferred by the constitution or the Act pursuant to which it is made
- (viii) Whether it appears to have been unjustifiable delay in the publication or laying it before Legislature and
- (ix) Whether for any reason its form or purport calls for any elucidation

Rule 257 lays down as follows

257 (1) If the Committee is of opinion that any order should be annulled wholly or in part or should be amended in any respect it shall report that opinion and the grounds thereof to the House

(2) If the Committee is of the opinion that any other matter relating to any order should be brought to the notice of the House it may report that opinion and matter to the House

In short the functions of the Committee are to see if the rules framed by the Executive are within the scope of the delegation made under the Act and do not go beyond the scope of such delegation If the Committee finds that any rules is beyond the scope of the powers delegated under the Act by the Legislature the Committee can recommend that the rule be suitably amended or omitted

There are certain rules which are required by the statute to be laid before the Legislature. But the Committee is competent to examine all the Rules, Regulations/By-laws etc. framed under various Acts irrespective of the fact whether these have been laid on the Table of the House or not.

The Committee is competent to send for persons, papers or records if such a course is considered necessary for the discharge of its duties. In this connection attention is invited to rule 254 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly which reads as under:

254 (1) The Committee on Subordinate Legislation shall have power to require the attendance of persons or the production of papers or records if such a course is considered necessary for the discharge of its duties.

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker whose decision shall be final.

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) A witness may be summoned by an order signed by the Secretary and shall produce such documents as are required for the use of the Committee.

(3) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(4) No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

The Committee has framed the internal working rules wherein the detailed procedure has been laid down. Generally the Committee from time to time selects a set of rules framed under the various Acts for their scrutiny and examines these at the first instance at their own level with the assistance of the law department and the Vidhan Sabha Secretariat. The Committee then invites the Administrative Secretary concerned for oral examination to explain the discrepancies found in the various rules/orders.

However, the Chairperson of the Committee may, on a request being made to him, permit in exceptional circumstances any other senior officer to represent the department before the Committee. After the rules/orders and the departmental representatives have been examined, the Committee prepares the report and presents it to the House. Copies of the report, after its presentation to the House, are forwarded to the concerned departments for taking further action on the observations/recommendations of the Committee. The action taken by the Departments is watched by the Committee from time to time. In case where any Department is not in a position to implement or feels a difficulty in giving effect to a

recommendation made by the Committee the Department is required to place its views before the Committee which may if it thinks fit present further observations/recommendations to the House after considering the views of the Department in the matter

Some of the Parliamentary conventions established in connection with the scrutiny of Rules Regulations Bye laws etc are given below

1 The Committee would scrutinize only such rules which have been finally published in the Gazette and not the draft rules

2 The Department of the Govt would ensure that rules are framed under an Act as early as possible after the enactment of the Act and in no case this period should exceed six months If the rules are not framed within six months the Committee may ask the Department about the reason for the delay in framing the rules This is only by convention

3 Executive should ensure that no rule goes beyond the power delegated by legislature If the rules go beyond the powers delegated by legislature the Committee may examine the same and report to the House

4 The Executive should be impressed upon that whenever rules are framed or amendments are made in the existing rules those should be serially and centrally numbered and should indicate in the margin of each rule the reference of the section under which the rules are framed

However some of the broad principles established by the Committee for the guidance of the Executive are given below

- (i) As far as possible guidelines/criteria to be followed by the authority concerned for the exercise or discretionary power vested in it should be laid down in the rules
- (ii) In case where the authority concerned deviates from a norm it should be required to record in writing the reasons for such deviation
- (iii) Before any adverse action is taken against a party it should be given a reasonable opportunity of being heard and after a decision adversely affecting a party has been taken it should have the right of appeal or representation as the case may be
- (iv) In order that the persons similarly placed are not treated differently the powers of exemption/relaxation should be exercisable in respect of categories or class of persons as contra distinguished from individuals
- (v) In cases where an authority concerned is vested with the power to suspend a license or supplies pending institution or regular proceedings a maximum time limit for suspension should be laid down in the rules

- (vi) The provisions of rules which may make a citizen liable to a penalty should be well defined and not worded vaguely
 - (vii) In case of seizures and searches suitable safeguards like the presence of witness preparation of inventories of seized goods and giving a copy thereof to the persons concerned should be provided
 - (viii) In case of rules relating to disciplinary proceedings not only the punishing powers of the competent authority should be precisely defined but the procedure to be followed by the competent authority be also laid down in the rules
 - (ix) Statutory rules should be amended by Statutory rules only and not by executive orders
 - (x) The rules made in exercise of powers delegated under statute are precise and free from ambiguity instead of being cryptic sketchy or skeleton or needing further interpretations It should be in simple language so that different people cannot put different interpretations For example expressions like unreasonable large quantity reasonable intervals etc should be avoided
 - (xi) Generally Rules should not be made applicable from retrospective effect adversely affecting the rights of any class or category unless specifically permitted by the Act
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GENERAL OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

1 Delay in framing the Rules

The Committee reiterates the recommendations made in its previous Forty fifth Report and observes that ordinarily rules should be framed as early as possible after the enactment of an Act and in no case the period should exceed six months

The Committee further recommends that whenever an ordinance for amending the Act or bringing new legislation involving provisions for making the Rules if promulgated the rules should be prepared simultaneously so that there should not be wide gap between the Ordinance/Act and the Rules

The Committee further recommends that whenever any Act is amended it should be looked that the relevant rules and forms also amended so as to bring them in consonance with the change in the Act

2 Reference of Section under which Rules are framed

The Committee is of the view that giving of reference of the section in the margin of each rule under which the rule has been framed is essential to know under what precise authority each rule has been framed

The Committee reiterates the recommendations made in its earlier Reports that whenever rules are supplied to it the authority or the relevant section under which a particular rule or set of rules has/have been framed should also be mentioned in the margin of each rule

The Committee further recommends that whenever several amendments are made in a set of rules the same may be republished after incorporating all the amendments made from time to time This recommendation of the Committee should be observed meticulously

3 (i) Supply of printed and up to date corrected copies of the Rules

The Committee recommends that copies of the rules to be supplied to it by the Department should be in the printed form or in the form of Gazette in which they are published If however it is not possible for the Department to do so it should be ensured that the copies of the rules etc are up to date meticulously compared and duly corrected before supplying these to the Committee to save its valuable time in pointing out such mistakes

The Committee further recommends that it is the duty of the Department concerned to see that the rules supplied to the Committee are amended up to date and ensure that the suggestions/recommendations/ observations made by the Committee from time to time and agreed to by the concerned Department are implemented by the department and incorporated in the rules expeditiously

(ii) Footnote in the Act and Rules

It came to notice of the Committee that sometimes it is laid down in the Act and Rules that such Act and Rules shall come into force on such date as may be specified in the notification by the State Government. The Committee is of the view that in such circumstances that date of commencement of the Act and Rules should invariably be given in the footnote so that legislators in particular and the public in general may come to know as to from which date the Act and Rules had come into force.

The Committee further recommends that whenever any amendment is made in an Act or Rules framed there under it should also invariably be stated in the footnote the reference of the Act or Rules by which amendment has been made.

4 Publishing the Act and Rules in Hindi

The Committee recommends that sincere efforts be made to publish the Acts and Rules in Hindi also so that the copies of the Acts and Rules may be available in Hindi easily at reasonable price.

5 Delay in laying on the Table of the House

The Committee recommends that where the rules, orders, etc. are required to be laid on the Table of the House before the State Legislature under any statute, the same should be laid on the Table of the House as early as possible immediately following such publication in the Gazette so that the House may statutorily modify or annul such rules.

6 Implementation of recommendations of the Committee

Implementation of recommendations of the Committee has not been prompt comprehensively by the Department. So intended results are not being achieved fully. A new Rule 256 A of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly in this regard is added, reads as under -

256 A The Department of Government to send statement of action taken on recommendations of the Committee

(1) The Department of Government concerned with the recommendations made by Committee shall furnish within 30 days to the Haryana Vidhan Sabha Secretariat statement of final action taken by Government on the recommendations.

(2) Where it is considered by any Department of Government that the final action is likely to take long time, it shall give an interim reply stating the position at that time and the approximate time likely to be taken in taking the final action.

(3) The statement of action taken shall be accompanied by a copy of the order if any issued by the Government to implement the recommendations of the Committee.

The Departments are required to furnish from time to time statements of action taken or proposed to be taken by them on the recommendations/observations of the Committee made in its Reports. With a view to ensuring speedy implementation of their recommendations the Departments should implement the recommendations expeditiously.

The Committee recommends that the action on the outstanding recommendations and observations contained in its earlier reports should be given top priority and expedited. The Committee also recommends that when a recommendation is implemented by the Government the Department concerned should supply a copy of the notification containing the amendment in the rules alongwith the statement showing the action taken by the Government in the implementation of the recommendations/observations.

7 Availability of Copies of Acts and Rules to Public

The Committee is of the view that copies of all the Acts and Rules framed there under as amended up to date are generally not available in the Government Press for the use of the Public. The Committee therefore recommends that copies of all the Acts and Rules made thereunder should be kept up-to date by the Department and should get the Acts and the Rules printed/reprinted from the Government Press from time to time so that these may be made available for sale to the General Public also at reasonable price.

At present the old edition of 1975 of Haryana Code(s) available for the use of the Committee are not much useful as several amendments have taken place in the State Acts contained therein.

The Committee is of the view that as and when the copies of the Haryana Code are reprinted the same may be supplied to the Committee by the Controller Printing and Stationery Haryana at the earliest. The Law and Legislative Department Haryana is expected to ensure supply of up to date 25 copies of the Haryana Code(s) to the Committee from time to time as per above observations/recommendations.

**Further observations/recommendations made by the Committee in respect of
Non implementation of its earlier recommendations in respect of**

39TH REPORT 2010 2011

(THE FORESTS AND WILD LIFE DEPARTMENT)

**The Wild Life (Protection) Haryana Rules, 1974 framed under the Wild Life
(Protection) Act, 1972**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Wild Life (Protection) Haryana Rules 1974 framed under the Wild Life (Protection) Act 1972 as contained in its 39th to 48th Reports

The 47th Report was sent to the Department concerned vide letter dated 09 04 2019 to implement the observations/recommendations at the earliest In respect to the aforesaid communication the department supplied the reply of recommendations/observations of the Committee vide their memo No 1365 Ft 4-2019/5900 dated 25 04 2019 and the same was placed before the Committee in its meeting held on 15 05 2019 A letter received from the Principal Chief Conservator of Forests & Chief Wildlife Warden Haryana Panchkula enclosed annotated comments of Forest & Wildlife Department Haryana on the recommendations contained in the 39th Report of the Committee on Subordinate Legislation of Haryana Vidhan Sabha along with the draft Wildlife (Protection) Rules Har ana 2020 and the same was placed before the Committee in its meeting held on 19 08 2020 The 48th Report was sent to the Department concerned vide letter dated 06 04 2021 and The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far

In view of the above facts and circumstances the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee

**Further observations/recommendations made by the Committee in respect of
Non implementation of its earlier recommendations in respect of**

40TH REPORT 2010 2011

(FOOD AND SUPPLIES DEPARTMENT)

**The Haryana Public Distribution System (Licensing and Control) Order, 2009
framed under the Essential Commodities Act, 1955**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Haryana Public Distribution System (Licensing and Control) Order 2009 framed under the Essential Commodities Act 1955 as contained in its 40th to 48th Reports

The Committee observed that 47th Report was sent to the Department concerned vide letter dated 09 04 2019 to implement the recommendations/observations of the Committee at the earliest. In respect to the aforesaid communication the department supplied the reply of recommendations/observations of the Committee vide their memo No FG-1 2019/9172 dated 09 05 2019 and the same was placed before the Committee in its meeting held on 15 05 2019 in which intimate that the Department constituted a Committee regarding the necessary amendments to be incorporated in the existing PDS Control Order 2009. The constituted Committee has gone through the entire Control Order 2009 identified the necessary amendments and the same are incorporated in the new PDS Control Order (amended)

The 48th Report was sent to the Department concerned vide letter dated 30 03 2021 to implement the recommendations/observations of the Committee at the earliest. In this regard the Committee orally examined the department representatives in its meeting held on 16 06 2021. The Department further requested that the final draft will be approved from the Hon ble Chief Minister Haryana and after compared the requisite entire process it will be implemented within ten days. Therefore as and when finalized the new Haryana Public Distribution System (Licensing and Control) same will be informed accordingly.

The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far.

In view of above position the Committee expects that necessary action in the matter will be taken by the department on priority basis and final notification after amendment of the relevant rules implementing the observations/recommendations of the Committee may be sent to the Committee at an early date.

**Further observations/recommendations made by the Committee in respect of
Non implementation of its earlier recommendations in respect of**

42ND REPORT 2013 2014

(TOWN & COUNTRY PLANNING DEPARTMENT)

- (i) The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965 framed under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules 1965 framed under the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act 1963 as contained in its 42nd to 48th Reports

The Committee observed that 48th Report was sent to the Department concerned vide letter dated 06 04 2021 to implement the recommendations/observations made by the Committee at the earliest

The Committee orally examined the Departemental representatives on 30 06 2021 The department ensured to the action will be taken as early as possible The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far

In view of above facts and circumstances the Committee expects that Department would take up the matter on priority basis and supply a copy of the notification after amending the rules as per observations/recommendations of the Committee expeditiously

**Further observations/recommendations made by the Committee in respect of
Non-implementation of its earlier recommendations in respect of**

42ND REPORT 2013 2014

(REVENUE AND DISASTER MANAGEMENT DEPARTMENT)

**(ii) The Haryana Kisan Pass Book Rules, 1996 framed under the Haryana
Kisan Pass Book Act, 1994**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Haryana Kisan Pass Book Rules 1996 framed under the Haryana Kisan Pass Book Act 1994 as contained in its 41st to 48th Reports

The Committee observed that 48th Report was sent to the Department vide letter dated 30 03 2021 to implement the recommendations/observations made by the Committee at the earliest In respect to the aforesaid communication a letter No 1970 ARS III 2021/4507 dated 30 09 2021 received from the Financial Commissioner Revenue & Additional Chief Secretary to Govt Haryana and the same was placed before the Committee in its meeting held on 6 10 2021 The Committee noted the contents of the letter alongwith notification and found that the necessary amendments has been made by the Department as recommended by the Committee

In view of the above the Committee observed that no further action is required to be taken in the matter

**Further observations/recommendations made by the Committee in respect of
Non implementation of its earlier recommendations in respect of**

43RD REPORT 2014 2015

(MINES & GEOLOGY DEPARTMENT)

**The Haryana Minor Mineral Concession, Stocking, Transportation Minerals and
Prevention of Illegal Mining Rules, 2012 framed under the Mines and Minerals
(Development and Regulation) Act, 1957**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Haryana Minor Mineral Concession Stocking Transportation Minerals and Prevention of Illegal Mining Rules 2012 framed under the Mines and Minerals (Development and Regulation) Act 1957 as contained in its 43rd to 48th Reports

The Committee observed that 48th Report was sent to the Department vide letter dated 06 04 2021 to implement the recommendations/observations made by the Committee at the earliest. The Committee orally examined the departmental representatives in its meeting held on dated 28 07 2021. The department ensure to the Committee to expedite the action in the matter in one month. The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far.

In view of the above facts and circumstances the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee.

**Further observations/recommendations made by the Committee in respect of
Non implementation of its earlier recommendations in respect of**

44TH REPORT 2015 2016

(AGRICULTURE AND FARMERS WELFARE DEPARTMENT)

**The Punjab Sugarcane (Regulation of Purchase and Supply) Rules, 1992
framed under the Punjab Sugarcane (Regulation of Purchase and Supply)
Act, 1953**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Punjab Sugarcane (Regulation of Purchase and Supply) Rules 1992 framed under the Punjab Sugarcane (Regulation of Purchase and Supply) Act 1953 as contained in its 44th to 48th Reports

The Committee observed that 48th Report was sent to the Department vide letter dated 30 03 2021 to implement the recommendations/observations made by the Committee at the earliest. The Committee orally examined the departmental representatives on dated 04 08 2021. A communication No CC/ADO II/2021/2924 dated 13 08 2021 received on 16 08 2021 and the same has been placed before the Committee on 28 07 2021. The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far.

In view of the above facts and circumstances the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee

Further observations/recommendations made by the Committee in respect of Non implementation of its earlier recommendations in respect of -

45TH REPORT 2016 2017

(TOWN & COUNTRY PLANNING DEPARTMENT)

(i) The Haryana Apartment Ownership Rules, 1987 framed under the Haryana Apartment Ownership Act, 1983

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Haryana Apartment Ownership Rules 1987 framed under the Haryana Apartment Ownership Act 1983 as contained in its 45th and 48th Report

The Committee observed that 48th Report was sent to the Department vide letter dated 06 04 2021 to implement the recommendations/observations made by the Committee at the earliest. In this regard the Committee orally examined the departmental representatives on dated 11 08 2021 and the representatives of the department assured to the Committee that the complete amendments to be present in the next Session. The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far.

In view of the above facts and circumstances the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee.

Further observations/recommendations made by the Committee in respect of Non-implementation of its earlier recommendations in respect of -

45TH REPORT 2016 2017

(TOWN & COUNTRY PLANNING DEPARTMENT)

- (ii) The Haryana Development and Regulation of Urban Areas Rules, 1976 framed under the Haryana Development and Regulation of Urban Areas Act, 1975**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Haryana Development and Regulation of Urban Areas Rules 1976 framed under the Haryana Development and Regulation of Urban Areas Act 1975 as contained in its 45th and 48th Report

The Committee observed that 48th Report was sent to the Department vide letter dated 06 04 2021 to implement the recommendations/observations made by the Committee at the earliest. The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far.

In view of the above facts and circumstances the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee.

**Further observations/recommendations made by the Committee in respect of
Non implementation of its earlier recommendations in respect of**

46TH REPORT 2017 18

(DEVELOPMENT & PANCHAYATS DEPARTMENT)

- (i) The Punjab Village Common Lands (Regulation) Rules, 1964 framed under the Punjab Village Common Lands (Regulation) Act, 1961**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Punjab Village Common Lands (Regulation) Rules 1964 framed under the Punjab Village Common Lands (Regulation) Act 1961 as contained in its 46th and 48th Reports

The Committee observed that 47th Report was sent to the Department vide letter dated 09 04 2019 to implement the recommendations/observations made by the Committee at the earliest. In response to the aforesaid communication the Director General Development & Panchayats Department Haryana sent a letter No SBA-4-2019/28660 dated 24 04 2019 vide which enclosed the 25 copies of the reply to the observations of the Committee in an annotated the same was placed before the Committee in its meeting held on 15 05 2019

The 48th Report was sent to the Department vide letter dated 06 04 2021. The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far

In view of the above facts and circumstances the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee

**Further observations/recommendations made by the Committee in respect of
Non implementation of its earlier recommendations in respect of**

46TH REPORT 2017 18

(CO OPERATION DEPARTMENT)

**(ii) The Haryana Co operative Societies Rules, 1989 framed under the
Haryana Co operative Societies Act, 1984**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Haryana Co operative Societies Rules 1989 framed under the Haryana Co operative Societies Act 1984 as contained in its 46th and 48th Report

The Committee observed that 48th Report was sent to the Department vide letter dated 30 03 2021 to implement the recommendations/observations made by the Committee at the earliest. The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far.

In view of the above facts and circumstances the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee

**Further observations/recommendations made by the Committee in respect of
Non implementation of its earlier recommendations in respect of -**

47TH REPORT 2018-19

(AGRICULTURE AND FARMERS WELFARE DEPARTMENT)

**The Punjab Warehouses Rules, 1958 framed under the Punjab
Warehouses Act, 1952**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Warehouses Rules 1958 framed under the Punjab Warehouses Act 1952 as contained in its 48th Report

The Committee observed that 48th Report was sent to the Department vide letter dated 30 03 2021 to implement the recommendations/observations made by the Committee at the earliest. The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far

In view of the above facts and circumstances the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee

**Further observations/recommendations made by the Committee in respect of
Non implementation of its earlier recommendations in respect of**

48TH REPORT 2020 21

(HIGHER EDUCATION DEPARTMENT)

**(i) The Haryana Affiliated Colleges (Security of Service) Rules, 2006 framed
under the Haryana Affiliated Colleges (Security of Service) Act, 1979**

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Haryana Affiliated Colleges (Security of Service) Rules 2006 framed under the Haryana Affiliated Colleges (Security of Service) Act 1979

The Committee observed that 48th Report was sent to the Department vide letter dated 06 04 2021 to implement the recommendations/observations made by the Committee at the earliest. The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far.

In view of the above facts and circumstances the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee.

**Further observations/recommendations made by the Committee in respect of
Non-implementation of its earlier recommendations in respect of**

48TH REPORT 2020-21

(HOME DEPARTMENT)

(ii) The Haryana Home Guards Rules, 1980 framed under the Haryana Home Guards Act, 1974

The Committee watched the implementation of observations/recommendations made by the Committee in respect of the Haryana Home Guards Rules 1980 framed under the Haryana Home Guards Act 1974. The Committee observed that 48th Report was sent to the Department vide letter dated 06.04.2021 to implement the recommendations/observations made by the Committee at the earliest. The Committee waited for the final reply of the Department till drafting and finalization of the present report but no reply received from the Department concerned so far.

In view of the above facts and circumstances, the rules have not been amended so far and the Committee expects that the Department would take up the matter on top priority basis and supply the copy of the final notification while amending the relevant Rules to the Committee at the earliest as considerable period has been lapsed in implementing the recommendations/observations of the Committee.

SCRUTINY OF THE HARYANA RURAL DEVELOPMENT FUND RULES, 1987 FRAMED UNDER THE HARYANA RURAL DEVELOPMENT FUND ACT, 1986

The Committee scrutinized of The Haryana Rural Development Fund Rules 1987 framed under the Haryana Rural Development Fund Act 1986 and made the following observations/recommendations as under -

Rule 2(C)

[first appellate authority means **any person** appointed by the Government to perform the functions of the first appellate authority under these rules]

Observation of the Committee -

The Committee observes that the words "**any person**" be substituted with the words "**any officer**" to make the rule more clear

The committee also recommends that first appellate authority be appointed not below the rank of the Director and same may be inserted in the rule itself

The Department in their written reply stated as under -

As per notification issued by Government of Haryana dated 14 August 1987 in exercise of the powers conferred under rule 2(c) Director Development & Panchayat Haryana has been appointed as the First appellate authority & in notification the word officer has been used and not any person Further till date no officer except the Director Development & Panchayat Haryana has been appointed as the First Appellate Authority Still if the Committee recommends substitution may be made accordingly (copy of notification is enclosed herewith)

Rule 2(D)

Assessing Authority means **any person** appointed by the Government to perform the functions of the assessing authority under these rules

Observation of the Committee -

The Committee observes that the words "**any person**" mentioned the Rule 2(d) seems to be superfluous and same may be substituted properly

The Department in their written reply stated as under

As per notification issued by Government of Haryana dated 14 August 1987 in exercise of the powers conferred under rule 2(d) Executive Officer-cum-Secretary Market Committee has been appointed as the Assessing Authority & in notification the

word officer has been used and not any person Still if the Committee recommends substitution may be made accordingly (copy of notification is enclosed herewith)

Rule 2(E)

Rural Development Fund Collector' means **any person** appointed by the Government to perform the functions of the Rural Development Fund Collector for a district under these rules and

Observation of the Committee -

The Committee observes that the words "**any person**" mentioned in the Rule 2(e) seems to be superfluous and same may be substituted properly

The Department in their written reply stated as under

As per notification issued by Government of Haryana dated 14 August 1987 in exercise of the powers conferred under rule 2(e) District Development & Panchayat Officer in respective District Haryana has been appointed as the District Rural Development Fund Collector & in notification the word officer has been used and not any person Still if the Committee recommends substitution may be made accordingly (copy of notification is enclosed herewith)

Rule 3(1)

Every dealer shall submit to the assessing authority a return in form A showing his purchases and sales of each transaction of agricultural produce or each transaction of agricultural produce brought for processing on the following day but not later than **[seven days]**¹ from the day of transaction If the dealer fails to submit the said return in time the assessing authority may after affording him a reasonable opportunity of being heard impose a fine which may extend to **rupees five hundred** or up to **twenty five per cent** of the amount of fee whichever is more The fine imposed shall be deposited within **seven days** of the order passed by the assessing authority in this behalf

Observation of the Committee -

The Committee recommends that the words "**seven days**" mentioned in 3rd line of Rule 3(1) be substituted with the words "**fifteen days**"

The Committee further recommends that the words "**rupees five hundred**" mentioned in line 5th of the Rule 3(1) be substituted with the words '**two thousand**'

The Committee also recommends that the words **"twenty five percent"** mentioned in line 6th of Rule 3(1) be substituted with the words **"fifty percent"**

The Committee further recommends that the words **"seven days"** mentioned in the last line of Rule 3(1) be substituted with the words **"fifteen days "**

The Department in their written reply stated as under

Agreed as it will give sufficient time for depositing the fine for fee

Agreed as it will be appropriate due to passage of time since the framing of Rules in 1987

Agreed as it will ensure strict compliance of the Rules regarding deposit of fee well with in time

Agreed as it will be appropriate due to passage of time since the framing of Rules in 1987

Rule 3(2)

The dealer shall deposit **in cash** with the assessing authority or the person [or an agency]³ authorised by him in this behalf in writing the fee that has become due from him on the basis of the return submitted by him under sub rule (1) on the following day of the filing of the return. The assessing authority may condone delay up to [seven days]¹ after imposing a fine not exceeding twenty five per cent of the fee recoverable

[Provided that the collection of fee may be leased or auctioned to an agency by the assessing authority with the prior approval of the Board for any period not exceeding one year at a time on such terms and conditions as may be laid down by the Board. However it shall be applicable only in case of fruits and vegetables in notified market area

Provided further that the Chairman of the Board may permit the payment of fee through cheque or bank draft to the Government and semi Government agencies engaged in procurement processing purchase or sale of agricultural produce]³

Observation of the Committee -

The Committee recommends that the words **"in cash"**, be substituted with the words **"any other mode of payment as permitted by the department"** to make the rule more effective

The Department in their written reply stated as under -

Agreed (DD RTGS Cash NEFT) excluding Cheque

Rule 3 (3)

The assessing authority or the person duly authorized by him in writing in this behalf shall issue a **receipt** the dealer in form B in token of having received the amount of the fee

Observation of the Committee

The Committee recommends that after the word "**receipt**" mentioned in line second of Rule 3(3) be inserted with the word "**to**" make the rule grammatically correct

The Department in their written reply stated as under

Agreed as it will make the Rule grammatically correct

Rule 3(4)

The amount to the fee so received shall be entered to a separate cash book to be maintained by the assessing authority

Observation of the Committee

The Committee recommends that the words "**to the**" mentioned in the rule 3(4) be substituted with the word "**of**" The Committee also recommends that the after the word entered "**to**" mentioned in the rule 3(4) be substituted with the word "**in**"

The Department in their written reply stated as under

Agreed as it will make the Rule grammatically correct Agreed as it will make the Rule grammatically correct

Rule 3(5)

The amount of the fee deposited with the assessing authority shall be credited into the account of the Board maintained in the [nationalized Banks or co-operative Bank] ¹ within two days of the receipt thereof

Observation of the Committee

The Committee recommends that the word **“the”** mentioned in the rule 3(5) be omitted to make the rule correct **“of”**

The Committee also recommends that the words **“within two days”** mentioned in second line of Rule 3(5) be substituted with the words **“within two working days”**

The Department in their written reply stated as under

Agreed as it will make the Rule grammatically correct Agreed as it is not possible to deposit if next two days are holidays

Rule 3(7)

The Rural Development Fund Collector shall submit a consolidated statement in form D to the Chairman of the Board by the fifteenth of each month By the end of each month the Chairman or the person authorized by him shall reconcile the monthly deposits of the fee in the account of Board

Observation of the Committee

The Committee also recommends that after the words Chairman of the Board the words **“and Director”** be inserted to make rule more effective

The Department in their written reply stated as under

Agreed as it will make the rules more effective

Rule 3(8)

The assessing authority shall scrutinise the returns submitted in form A on the basis of the register maintained by the Market Committee or the account books of the dealer or otherwise If he detects non payment or under payment of the fee he shall issue a notice to the dealer and after affording him a reasonable opportunity of being heard call upon him to deposit the requisite amount of fee which the dealer is liable to pay alongwith a penalty which may extend to five hundred rupees or the requisite amount of fee whichever is more within [(seven days)]²

Observation of the Committee

The Committee recommends that the words **“a”** mentioned in line fifth of Rule 3(8) be omitted to make the rule grammatically clear The Committee also recommends that the words **“rupees five hundred”** mentioned in the second last line of the Rule 3(8) be substituted with the words **“two thousand”**

The Department in their written reply stated as under -

Agreed as it will make the Rule grammatically correct Agreed as it will be appropriate due to passage of time since the framing of Rules in 1987

Rule 3(9)

If the dealer fails to deposit the amount of fee within the extended period under sub rule (2) []² the assessing authority may after affording him a reasonable opportunity of being heard impose a fine which may extend to five hundred rupees or upto 20 per cent the amount of fee due whichever is more The fine shall be deposited with the assessing authority within seven days of the orders passed by him in this regard

Observation of the Committee

The Committee recommends that the words “**rupees five hundred**” mentioned in the 3rd line of the Rule 3(9) be substituted with the words “**two thousand**” The Committee further recommends that the words “**20 per cent**” mentioned in line 3rd of the Rule 3(9) be substituted with the words “**50 percent**”

The Department in their written reply stated as under

Agreed as it will be appropriate due to passage of time since the framing of Rules in 1987 Agreed as it will ensure strict compliance of the Rules regarding deposit of fee well with in time

Rule 3(10)

The amount of arrears of fee or of fine as recovered under sub rule (1) (2) (8) or (9) as the case may be shall be deposited by the assessing authority within two days of its receipt in the same manner as provided in sub rule (5)

Observation of the Committee

The Committee also that the words “**within two days**” mentioned in second line of Rule 3(10) be substituted with the words “**within two working days**”

The Department in their written reply stated as under

Agreed as it is not possible to deposit if next two days are holidays

Rule 3(12)(ii)

[The dealer who claims exemption for the payment of fee leviable on any agricultural produce manufactured or extracted from the agricultural produce in respect of which the fee has already been paid in another notified market area shall make declaration and give certificate to the Assessing Authority in form E where the fee has already been paid within a week of the day of bringing of agricultural produce within a notified market area. Form E shall be prepared in quadruplicate from the booklets duly attested and issued by the Assessing Authority against the payment fixed by the Assessing Authority. It **will** be the duty of the dealer claiming exemption from the fee under this sub rule to send the original copy of form E to the Assessing Authority within whose market area the agricultural produce is brought. The second copy shall be sent to the office of the Assessing Authority within whose market area such agricultural produce was bought and the third and fourth copies shall be retained by the dealer-purchaser and the dealer seller respectively and the same shall be kept as a part of their accounts maintained in respect of fee.]

Observation of the Committee

The committee recommends that the word "**will**" mentioned in the 7th line of Rule 3(12)(ii) be substituted with the word "**shall**"

The Department in their written reply stated as under -

Agreed as it will make the Rule grammatically correct and ensure strict compliance of the provision

Rule 3(13)

If the [first appellate authority/second appellate authority]⁴ orders that some part of fee or fine as deposited by **the dealer** be refunded to the dealer it shall in the first instance be adjusted in the fee to be paid by the dealer in the month following the orders passed by the [first appellate authority/second appellate authority]⁴. In case the amount is not so adjusted the Chairman may order the refund of the amount

Observation of the Committee

The Committee recommends that the words '**the dealer**' in the second line of the rule be substituted with the words '**him**' to make the rule grammatically correct. The Committee further feels that the power of Chairman to refund the amount as

mentioned in the rule is superfluous. The concerned rule will be discussed at the time of oral examination of the departmental representatives.

The Department in their written reply stated as under -

Agreed as it is a typing error. Agreed as it will be appropriate due to passage of time since the framing of Rules in 1987.

Rule 3(15)

If the [first appellate authority/second appellate authority]⁴ orders that some part of fee or fine as deposited by **the dealer** be refunded to the dealer, it shall in the first instance be adjusted in the fee to be paid by the dealer in the month following the orders passed by the [first appellate authority/second appellate authority]⁴. In case the amount is not so adjusted, the Chairman may order the refund of the amount.

Observation of the Committee -

The Committee recommends that the words '**the dealer**' in the second line of the rule be substituted with the words '**him**' to make the rule grammatically correct.

The Committee further feels that the power of Chairman to refund the amount as mentioned in the rule is superfluous. The concerned rule will be discussed at the time of oral examination of the departmental representatives.

The Department in their written reply stated as under

Agreed as it will make the Rule grammatically correct. As per Rule 4 of HRD Rules 1987, only the chairman is competent to make expenditure out of Haryana Rural Development Fund. Therefore, it would not be appropriate to substitute.

Rule 3(16)

The Chairman may authorize the grant of honorarium to such officers or officials of the Government or semi Government bodies or Corporation directly assisting in the collection of fee, maintenance of accounts and handling of any other work relating to fee. The amount of honorarium shall depend on the work load, income and such other factors and shall not be less than **rupees two hundred** and not more than **rupees one thousand** per month for each officer or official. The amount thus authorized shall be met out of the fund.

Observation of the Committee

The Committee recommends that the words '**rupees two hundred**' and '**rupees one thousand**' be substituted with the words '**rupees one thousand**' and '**rupees five thousand**' accordingly due to escalation of prices

The Department in their written reply stated as under

Agreed as it will be appropriate due to passage of time since the framing of Rules in 1987

Rule 3(17)

[The record maintained by the assessing authority shall be audited by the Examiner Local Funds Accounts Haryana once a year on the payment of fee fixed by the Government from time to time]²

Observation of the Committee

The Committee would like to know for its information whether any rules have been framed under section-4 of the Haryana Rural Development Act 1986. If any such rules have been framed by the department the copy of the same is sent to the Committee within a week

The Department in their written reply stated as under

No rules have been framed yet

At the end the Committee directed to the Department that monthly progress report regarding the implementation of the recommendations be sent to the Committee. The Committee also directed that the Rule "256 A" of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly be compliance strictly

SCRUTINY OF THE HARYANA STATE SEED CERTIFICATION AGENCY RULES, 1976

Rule 5

The Director shall be appointed by the Board on such terms and conditions as may be approved by the Board

Observation of the Committee

The Committee would like to know as to whether the Director appointed by the Board on such terms and conditions as may be approved by the Board will Act as Chief Executive Officer of the Agency

The Department in their written reply stated as under

Yes

Rule 6(g)

One Specialist on crop research to be nominated by the Vice Chancellor of the Agricultural University

Observation of the Committee

The Committee would like to know as to whether One Specialist on crop research to be nominated by the vice chancellor is especially for single crop or for all crops?

The Department in their written reply stated as under

One specialist on crop research to be nominated by the Vice Chancellor of Agricultural University is irrespective of crop specialty for all crops

Rule 6(h)

Two seed men representatives nominated by the State Government

Observation of the Committee -

The committee would like to know the definition of Seed men representatives and their expertise and qualification?

The Department in their written reply stated as under

इस श्रेणी के अन्तर्गत वास्तव में वे दो व्यक्ति ही सदस्यता के योग्य हैं जिनमें नाम की सिफारिश राज्य की सीडमैन एसोसिएशन द्वारा की गई हो परन्तु जहाँ ऐसी एसोसिएशन नहीं होती वहाँ सीडग्रोवर को भारत सरकार द्वारा भेजे गए माडल रूलस के अनुसार मनोनीत किया जा सकता है। इस समय संस्था में कोई सीडमैन एसोसिएशन नहीं है।

Rule 6(i)

One representative of the farming community to be nominated by the State Government

Observation of the Committee

The committee would like to know as to what criteria is adopted to nominate One representative of the farming community as a Member of the Board?

The Department in their written reply stated as under

इस श्रेणी के अन्तर्गत राज्य के बीज उत्पादकों में से एक बीज उत्पादक को राज्य सरकार द्वारा मनोनीत किया जा सकता है। यहाँ बीज उत्पादक का अर्थ उस कृषक से है जो प्रमाणित बीज का उत्पादन करता हो।

Rule 11

A resignation from the membership of the Board may be tendered to the Chairman in writing and shall not take effect until it has been accepted by the Chairman

Observation of the Committee -

The committee would like to know who will accept the resignation from the membership of the Board in the absence of the Chairman?

The Department in their written reply stated as under -

Additional Chief Secretary to Govt Agriculture and Farmers Welfare Department is Chairman of the Haryana State Seed Certification Agency

Rule 13

The Board shall function notwithstanding that any person who is entitled to be a member by virtue of his office is not a member of the Board whether by non appointment A defect in appointment or otherwise and no act or proceeding of the Board shall be called in question on the ground merely of the existence of any vacancy in or any effect in the constitution of the Board

Observation of the Committee -

The Committee recommends that in Rule 13 for the word effect may be substituted the word effect to make the Rule more clear

The Department in their written reply stated as under

It will be rectified

Rule 17

Every meeting of the Board shall be served presided over by the Chairman if the Chairman is not present at a meeting of the Board the member present may elect Chairman for the meeting

Observation of the Committee

In regard to election of the Chairman the Committee observed that Rule 17 is not clear as to whether the Chairman would be elected by casting of votes or the next senior member present in the meeting would preside over the meeting? Hence this rule may be discussed at the time of oral examination of the said department/agency

The Department in their written reply stated as under -

No reply received

Rule 21(i)

With the approval of the Central Seed Certification Board the Board shall have the power frame regulations not inconsistent with these Rules and to alter amend and repeal these from time to time for the administration and management of the affairs of the Agency and for carrying out its objectives in the preparation and sanction of

budget estimates the sanctioning of expenditure making and execution of contracts
The investment of the funds of the Agency and accounts and audit

Observation of the Committee -

The Committee observes that in third line of this Rule the word *forthe* be substituted with the words *for the* to make the rule grammatically correct

The Department in their written reply stated as under -

It will be rectified

Rule 23(a)

To appoint all categories as of officers and staff for conducting the affairs of the Agency consistent with qualifications specified by the Central Seed Certificate Board to fix the amount of their remuneration subject to the budget provision and to define their duties

Observation of the Committee

The Committee observes that in the first line the word *as* be deleted as it seems superfluous

The Department in their written reply stated as under -

It will be deleted

Rule 23(b)

To enter into arrangements with the Government of India State Governemnt and other Public or Private Organisation or individuals for thrthenance of its objectives for implementation of its programme and for securing and accepting endorsement grants in aid donations of gift on mutually agreed terms and conditions Provided that the grant in aid donations shall not be inconsistent or in conflict with the objectives of the Agency or with the provisions of the Rules

Observation of the Committee

The Committee observes that in the first line of this Rule the word arrangements be substituted with the word agreements

The committee also observes that in the 4th line of the Rule the word of be substituted with the word or to make the rule more clear

The committee further observes that in the 5th line of the rule word the be substituted with the word these

The Department in their written reply stated as under -

It will be rectified

Rule 23(d)

To acquire by gift purchase lease or otherwise any property movable or immovable which may be necessary or convenient for the purposes of the Agency and to construct alter and maintain any building for the purposes of the Agency

Observation of the Committee -

The Committee would like to know for its information the details of to acquire by gift purchase lease or otherwise any property movable or immovable?

The Department in their written reply stated as under -

The details of office buildings as under

- 1) Panchkula Allotted by HUDA (purchased)
- 2) Hisar- Alloted by HUDA (purchased)
- 3) Rohtak-On Lease for 30 years from Agnculture Department

Rule 26 (d)

Recognised authentic sources of breeder and foundation seed

Observation of the Committee -

The Committee would like to know for its information the details of the recognized authentic sources of breeder and foundation seed?

The Department in their written reply stated as under

Breeder Seed Only authorized Government Institutions foundation Seed authorised Government Institution/Registered Private Seed Producing Agencies

Rule 26 (e)

Recognised a seed testing laboratory or laboratories for analysis of samples for certification by the Agency

Observation of the Committee

The Committee would like to know for its information that how many seed Testing Laboratories for analysis of samples for certification have been established in the State of Haryana

The Department in their written reply stated as under

- 1) Seed Testing Lab Panchkula
 - 2) Seed Testing Lab Rohtak
- Working under Haryana State Seed Certification Agency

Rule 26 (f)

Consider matters of concern and specific certification problems cases submitted to it by the Director

Observation of the Committee

The Committee would like to know for its information that the details of specific certification problems cases during the last five years

The Department in their written reply stated as under

Shortage of technical staff (Seed Certification Officers) out of 37 posts only 4 posts are filled up 19 Nos Seed Certification Officers are on contractual basis

Rule 26 (g)

Ensure the development of a sound and comprehensive seed certification programme in the State in consultation with the University or the State Government and producers organisation

Observation of the Committee -

The Committee also observes that in the second line of this Rule the word University be substituted with the words Agricultural University

The Department in their written reply stated as under -

It will be substituted

Rule 26 (h)

Recommend to the Central Seed Certification Board modifications in Seed certification standards and procedure

Observation of the Committee -

The Committee would like to know for its information that the details of education programmes as mentioned in this rule held by the concerned quarter in a year?

The Department in their written reply stated as under -

Nil

Rule 31(c)

The auditors shall have the same rights and privileges and authority in connection with the audit of the accounts of the Agency as the Comptroller and Auditor General or any other person appointed by him in this behalf as in connection with the audit of Govt Accounts and in particular shall have the right to demand the production of books accounts connected vouchers and other documents and papers and to inspect any of the office of the institutions of the agency

Observation of the Committee -

The Committee recommends that in the second line after the words Auditor General the word Haryana be added to make the rule more clear

The Department in their written reply stated as under -

It will be added

Rule 31(d)

The accounts of the Agency as certified by Auditors together with the Audit report thereon shall be forwarded annually to the Board and the Board shall submit the same to the Central Seed Certification Board

Observation of the Committee -

The Committee recommends that at the end of the last line of the rule before the symbol the words and the State Government be added to make the rule more effective

The Department in their written reply stated as under -

It will be added

Rule 34

The Agency shall be subject to all the provisions of Societies Registration Act 1860(Act XXI of 1860) as amended by the Punjab Act of 1957 and as applied to Haryana State

Observation of the Committee

The Committee recommends that in the second line of the rule the word Punjab be substituted with the word Haryana be added to make the rule correct

The Department in their written reply stated as under -

It will be substituted

At the end the Committee recommends that the recommendations of the Committee be incorporated at the earliest and the action taken report in this regard be sent to the Committee within one month The Committee also directed that the Rule "256 A" of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly be compliance strictly

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Printed by the Controller Printing and Stationery Haryana Chandigarh