

HARYANA VIDHAN SABHA

REPORT

OF

THE COMMITTEE

ON

SUBORDINATE LEGISLATION

1975—76

EIGHTH REPORT



HARYANA-VIDHAN SABHA SECRETARIAT, CHANDIGARH
MARCH, 1976.

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COMPOSITION OF THE COMMITTEE
(1975-76)

Chairman—

Shri Mehar Chand

Members—

Shri Hari Singh Nalwa.

Chaudhri Partap Singh Daulata.

Chaudhri Rizaq Ram.

Shri Fateh Singh.

Chaudhri Joginder Singh.

Shri Bhagat Ram.

Advocate General.

Secretariat—

Shri Raj Kumar Malhotra, Secretary.

Shri Raj Krishan, Deputy Secretary.

INTRODUCTION

1. I, the Chairman of the Committee on Subordinate Legislation, having been authorised by the Committee to submit the report on their behalf, present this Eighth Report.
2. The Committee, consisting of eight Members including the Advocate General, was nominated by the Speaker, Haryana Vidhan Sabha, under rule 243 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly on the 14th May, 1975 and was notified in the official Gazette *vide* notification No. HVS-LA(Sub Leg)-1/75/23, dated the 14th May, 1975.
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 place on record their appreciation for the valuable and willing assistance given by the Administrative Secretaries/Departmental Officers and the representative of the Law Department in their deliberations.
5. The Committee also place on record their high appreciation of whole-hearted co-operation and assistance given by the Secretary, Haryana Vidhan Sabha and his staff

CHANDIGARH :
The 31st March, 1976

MEHAR CHAND.
Chairman.

REPORT

1. The Committee on Subordinate Legislation for the year 1975-76 consisting of eight Members including the Chairman and the Advocate General was nominated by the Speaker, Haryana Vidhan Sabha, under rule 243 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly on the 14th May, 1975, and was notified in the official Gazette *vide* notification No. HVS-LA(Sub Leg.)-1/75/23, dated the 14th May, 1975.

2. Chaudhri Mehar Chand was appointed as the Chairman of the Committee by the Speaker.

3. The Committee held 36 sittings during their term. Before scrutinising the rules and orders framed under some Acts, the Committee discussed its scope and functions and the procedure for scrutinising the rules, orders, regulations, etc.

SCOPE AND FUNCTIONS OF THE COMMITTEE

4. The scope and functions of the Committee are set down in rules 242, 250 and 251 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly. Rule 242 enjoins upon the Committee "to scrutinise and report to the House whether powers to make regulations, rules, sub-rules, bye-laws, etc conferred by the Constitution or delegated by Legislature are being properly exercised within such delegation and consider such other matters as may be referred to it by the Speaker". Further, rule 250 of the said rules lays down that while examining any such set of rules, sub-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 provision 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 Revenue ;
- (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 there appears to have been unjustifiable delay in the Publication or laying it before Legislature ;
- (ix) whether for any reason its form or purport calls for any elucidation.

Rule 251 lays down as follows :—

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 opinion that any other matter relating to any orders 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 rule 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 framed by the Government under various Acts, irrespective of the fact whether these have been placed on the Table of the House or not.

The Committee has framed the working rules wherein the detailed procedure has been laid down. Generally, the Committee, from time to time, selects certain set of rules framed under the various Acts for their scrutiny and examine them at the first instance at its 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. After the rules and the departmental representatives have been examined, the Committee prepares the report and presents it to the House.

Some of the Parliamentary Conventions established in connection with the scrutiny of rules, regulations, bye-laws, etc., are given below :—

- (1) The Committee would scrutinise only such rules as have already been framed and published in the Gazette and not the draft rules.
- (2) The Committee should see that rules are framed under an Act as early as possible after the commencement 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 reasons 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 power 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, these 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.

GENERAL OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE

(i) Delay in framing the Rules.

The Committee observes that the Government framed certain rules, orders, etc. long after the relevant Acts have come into force. In this connection a few instances may be quoted. The Haryana Aided Schools (Security of Service) Act was enacted in the year 1971, whereas the Haryana Aided Schools (Security of Service) Rules were framed in the year 1974; the Punjab Village Common Lands (Regulation) Act was enacted in the year 1961, whereas the Punjab Village Common Lands (Regulation) Rules, thereunder were framed in the year 1964; the Punjab Agricultural Produce Markets Act was enacted in the year 1961, whereas the Punjab Agricultural Produce Markets (General) Rules were framed in the year 1962. The Committee observes that in most of the cases there is a great time lag between the commencement of the Act and the framing of said rules and thus there has been inordinate delay in framing the rules. The Committee observes that it is not understood how in the absence of the rules and orders the provisions of the Act could exactly be carried out and is of the view that the delay in framing the rules actually defeats the very purpose and object of the Act under which they are framed.

In this connection the Committee on Subordinate Legislation of the Haryana Vidhan Sabha in its First Report for the year 1968-69 recommended that ordinarily rules should be framed as early as possible after the commencement of the Act and in no case this period should exceed six months. If no rules are framed within the said period after the commencement of the Act, the Department should bring in each case this fact to the notice of the Committee stating the reasons to the satisfaction of the Committee for not framing the Rules within that period.

The Committee reiterated the said recommendations in its second, third, fourth, fifth, sixth and seventh Reports. In spite of the repeated observations made by the Committee in this behalf in its previous Reports the delay has still persisted in framing certain rules. The Committee reiterates the recommendations made in its previous reports and observes that ordinarily Rules should be framed as early as possible after the commencement of the Act and in no case this period

should exceed six months. If no rules are framed within the said period after the commencement of the Act, the Department should bring in each case this fact to the notice of the Committee stating the reasons to the satisfaction of the Committee for not framing the Rules within that period.

Reference of Section under which Rules are framed.

(ii) The main function of the Committee on Subordinate Legislation is to scrutinise and report to the House whether the powers to make regulations, rules etc. conferred by the Constitution or delegated by the Legislature are being properly exercised by the Executive within the delegation. The Committee observes that the Government Departments generally supply the copies of rules without the preamble or note above the rules, with the result that it becomes rather difficult for the Committee to know under what precise authority the rules have been framed. The Committee further observes that reference of the section under which each rule or order was framed is not indicated generally in the margin of each rule/order of the rules/orders. The Committee is of the view that giving of reference of the section under which a set of rules has been framed and under which each rule has been framed in the margin of each rule is essential to enable the Committee and all concerned 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 them 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.

If in the margin of each set of rules there is no reference of the section(s) under which each rule has been framed, Government Departments may invariably supply a memorandum containing the reference to the relevant section in the Act under which each rule has been framed so that the Committee may be able to understand under what precise authority each rule has been framed and whether in any case the Government has transgressed the powers delegated by the Legislature.

(iii) Certificate regarding supply of copies of the rules Corrected up-to-date.

Some of the departments supplied copies of the rules which were not corrected up-to-date. The Committee observed that in the absence of upto-date amended copies of the Acts and rules much time of the Committee is wasted and it affects the smooth working of the Committee. This also results in avoidable wastage of valuable time and energy of the Committee. The Committee in its Fourth, Fifth, Sixth and Seventh Reports recommended that the departments concerned should supply to the Committee a certificate alongwith each set of rules and Acts that these are corrected and amended up-to-date.

The Committee reiterates its recommendation and hope that the Government Departments concerned would in future supply invariably to the Committee a certificate alongwith every set of rules and Acts that these are corrected and amended up-to-date.

(iv) Supply of printed and up-to-date corrected copies of the Rules.

The Committee observed that certain Departments supplied cyclo-styled copies of the Rules for the scrutiny of the Committee. During the scrutiny of the Rules the Committee came across a large number of typographical/spelling mistakes in these cyclostyled copies, with the result that it was difficult for it to determine whether the errors were typographical or they actually existed in the Rules, as originally published in the Gazette

The Committee, therefore, 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 Gazettes in which they are published. If, however, it is not possible for the departments to do so it should be ensured that the copies of the rules, orders, etc. are up-to-date, meticulously prepared and duly corrected before supplying them to the Committee

(v) Supply of copies of Codes, Acts and Rules, etc.

The Committee experienced the difficulty in procuring the copies of the Acts from the Law Department because the Law Department had taken the plea that all these Acts were contained in the Haryana Codes which were published in six volumes. The Committee decided that the printed volumes of the Codes/Acts should be supplied to the members of the Committee for reference to facilitate the study of the Acts contained therein. The Committee observes that the Law Department would continue to supply to them the requisite number of copies of the Haryana Codes soon after their publication to enable the Committee to function more efficiently and effectively. The copies of the Codes so supplied for the use of the Committee would be brought up-to-date by the Law Department as and when the necessity arises. The Committee observes that the copies of the Codes which are now published by the Law Department only contain the Acts and those do not contain the rules, orders, regulations etc framed under those Acts. The Committee observes that in future such rules, orders, regulations etc framed under the Acts should be published alongwith the Acts in the Codes

The Committee further recommends that the Legal Rememberancer may be asked to supply up-to-date copies of the Acts for studying them with a view to scrutinising the rules framed thereunder

The Committee discussed the matter of availability of the principal Acts as amended up-to-date in the market or all the Acts passed by the Legislature during one year in book form. The Committee feels that due to the non-availability of these Acts the public is put to great inconvenience and the Legislators cannot perform their duties effectively. The Common rule of law is that every citizen is supposed to know the law of the land and unless the copies of the Acts passed by the Legislature are made easily available to the Public it becomes difficult for an ordinary citizen to know what the law exactly is. In view of this, the Committee decided that the Acts passed during each year since 1st November, 1966 should be consolidated in yearly volumes and be supplied to the Legislators, Vidhan Sabha Secretariat Library and sufficient copies thereof be also kept for sale to the public. The Committee recommends that this decision of the Committee be processed.

(vi) Framing of Rules/Laws under Article 309 of the Constitution.

The Committee observes that no Act has so far been enacted under Article 309 of the Constitution of India for regulating the conditions of service of the employees of the State. However, the conditions of service of the employees are regulated by the rules framed under proviso to Article 309 of the Constitution of India.

The Committee feels that after a long period of 26 years, it is improper to continue to enforce the Service rules framed under the powers conferred by the proviso to Article 309 of the Constitution of India, which is a transitory provision empowering the State Government to frame Rules till they do not have their own Legislation. The Committee is constrained to observe that the time has now come rather the State Government is late in not enacting an Act as envisaged in Article 309 and recommends that an Act under Article 309 of the Constitution of India should be enacted to regulate the conditions of service of the employees relating to recruitment, punishment etc of Government servants in replacement of the existing rules and necessary steps should be taken in that direction by the State Government at the earliest.

(vii) System for serially and centrally numbering the statutory Rules, Orders and Notifications etc.

The Committee observes that the system of numbering the notification containing the amendments to the statutory rules, orders and regulations etc. should be strictly adhered to. In the absence of any definite system of numbering the notifications containing the amendments to the statutory rules, orders and regulations, etc., considerable difficulty is experienced by the courts and the public in keeping track of all the amendments and in determining the correct up-to-date position of the rules etc. The necessity of adopting the system for serially and centrally numbering the statutory rules, orders and notifications etc. was emphasised in the Chief Secretary to Govt., Punjab, U.O. No. 81(51)-61, dated the 19th September, 1961, (Copy attached at Appendix of this Report).

The Committee, therefore, recommends that all the Administrative Departments, when any rules, orders, regulations and notifications under any Act or ordinance, are framed, should assign a number to such rules, orders, regulations and notifications in accordance with the above said observations in consultation with the Law Department.

(viii) Implementation of recommendations of the Committee.

The Committee observes with great regret that the work regarding the implementation of recommendations/observations made by the Committee in its previous Reports is very slow. The Committee, which works on behalf of the House, feels that the object with which it was constituted would be defeated if its recommendations are either not implemented at all or are implemented after a long time. The Committee, therefore, reiterates its earlier recommendation made in its previous Reports that normally the recommendations/observations made by them should be implemented within a period of three or four months after the presentation of the Report to the House. If, however,

any Department is unable to implement recommendations/observations within the prescribed period an exhaustive memorandum should be sent to the Committee explaining the reasons for not implementing the recommendations within that period.

The Committee further recommends that in case a recommendation is implemented by the Government, the Department concerned should supply a copy of the notification containing the amendment in the set of rules alongwith the statement showing the action taken by the Government in the implementation of its recommendations observation(s).

III SCRUTINY OF RULES

The Committee Scrutinised the following rules :—

1. The Haryana Aided Schools (Security of Service) Rules, 1974, framed under the Haryana Aided Schools (Security of Service) Act, 1971.
2. The East Punjab Tractor Cultivation (Recovery of Charges) Rules, 1949, framed under the East Punjab Tractor Cultivation (Recovery of Charges) Act, 1949.
3. The East Punjab Agricultural Pests, Diseases and Noxious Weeds Rules, 1949 framed under the East Punjab Agricultural Pests, Diseases and Noxious Weeds Act, 1949.
4. The Punjab Village Common Lands (Regulation) Rules, 1964, framed under the Punjab Village Common Lands (Regulation) Act 1961.
5. The Punjab Agricultural Produce Markets (General) Rules, 1962 framed under the Punjab Agricultural Produce Markets Act, 1961.

Education

THE HARYANA AIDED SCHOOLS (SECURITY OF SERVICE) RULES, 1974, FRAMED UNDER THE HARYANA AIDED SCHOOLS (SECURITY OF SERVICE) ACT, 1971.

General.

(1) The committee observed that in section 1 (2) of the Haryana Aided Schools (Security of Service) Act, 1971, it was provided that it shall come into force on such date as the State Government may, by notification, specify. Similarly, rule 1(2) of the Haryana Aided Schools (Security of Service) Rules, 1974, it was provided that these rules shall come into force on such date as the State Government may, by notification, appoint. During the course of oral examination the Departmental Representative stated that the Act came into force on 1st April, 1971 and the rules were notified on the 18th June, 1974.

The Committee recommends that the date and the Gazette notification number with which the said Act and Rules came into force should be given as a foot-note in the copies of the Act and Rules for the convenience of the general public

(2) The Committee enquired from the department concerned whether there was any purposal with the State Government to enact a law regarding security of service of the Haryana Aided Colleges. The Department concerned in reply stated that the State Government was presently considering to enact a law regarding security of service of Haryana Aided Colleges.

The Committee is of the view that a law regarding security of service of the Haryana Aided Colleges be enacted as early as possible to protect the service of Aided Colleges of the State.

Rules

Rule 4.

- "4. No person shall be appointed to the Service by direct recruitment who is less than eighteen years of age on or before the 1st day of January next preceding the last date of submission of applications to the Management."

5 The Committee recommends that in rule 4, the words "the 1st day of January next preceding" be deleted.

Rule 5

- "5. Appointments to the posts of teaching and non-teaching staffs in the service shall be made by Management, and to the posts of other staff in the service shall be made by the Head of the Institution, in consultation with the Management, in the manner provided in rule 7".

The Committee observes that in rule 5, line 1, the spelling of "snd" may be corrected as "and".

Rule 7.

"7. (1) xx xx xx xx

(2) xx xx xx

(3) Whenever vacancy occurs or is about to occur in the service, the Management shall determine the manner in which the vacancy is to be filled. If the vacancy is to be filled by direct recruitment the Management shall, (i) advertise the vacancy in the leading daily, newspapers, or

(ii) send the requisition to the local employment exchange.

(4) xx xx xx xx

(5) xx xx xx xx

(6) xx xx xx xx."

The committee recommends that in rule 7 (3), line 4, for the words and sign "shall," substitute "shall,-".

The committee further recommends that in rule 7(3), the line "(i) advertise the vacancy in the leading daily, newspapers, or" should commence from a fresh line and before the word "newspapers" the words "English and a Hindi", be inserted.

Rule 19.

"Rule 19 No employee shall,—

(a) in any manner whatsoever, criticise in public the actions of the Management.

(b) except in accordance with any general or special order to the management, or in the performance in good faith of the duties assigned to him, communicate directly or indirectly any official document or information to any other employee or person to whom he is not authorised to communicate such document or information."

The Committee recommendeds that in part (a) of rule 19 after the word "Management" the words "or Government or any other Officer of the Government" may be inserted.

Rule 20.

"20 No employee shall, except with the prior permission of the Management, stand for election to Parliament State Legislature or any local body".

The Committee recommends that in rule 20, after the word "Parliament" the sign "," be inserted

Rule 26.

"26.	(1)	xx	xx	xx	xx
	(2)	xx	xx	xx	xx
	(3)	xx	xx	xx	xx

- (4) When an employee is placed under suspension he shall be allowed to draw subsistence allowance equal to leave salary on half pay or half average pay, as the case may be and dearness allowance admissible to him.

(5)	xx	xx	xx	x".
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1/ The committee is of the view that in rule 26(4), after the words "as the case may be" the sign ",", be inserted.

Rules 27.

- "27. If the employee is finally exonerated of the charge he shall be entitled to full pay and allowances as admissible to him minus the amount of subsistence allowance already paid to him during the period of suspension and the period of suspension shall be treated as on duty and shall count towards leave increment. In the event of employee not being exonerated, the Management shall, with the prior approval of the District Education Officer, treat the period of suspension in such manner as it may deem fit."

12 The Committee recommends that in rule 27, for the word "suspension" the word "suspension" be substituted.

13 The Committee further recommends that in rule 27, for the words "and shall count towards leave increment" the words "for all purposes" be substituted.

Rule 28.

"28.	(1)	xx	xx	xx	xx
	(2)	xx	xx	xx	xx
	(3)	xx	xx	xx	xx

- (4) After the enquiry as specified in the foregoing sub-rule is completed, the Management shall consider the enquiry report and record its findings in respect of each charge. If the Management is of the opinion that any one of the major penalties is required to be proposed it shall serve the employee with a show-cause notice stating the action proposed to be taken against them and calling upon him to submit, within a period of twenty-one days from the date of receipt of the show-cause notice, such representation as he may wish to make

against the proposed action, if after considering the reply of the employee to the show-cause notice, the Management proposes to inflict, the proposed penalty, it shall, within a period of seven days of its decision forward the same along with the facts and complete record of the case to the District Education Officer who shall, within a period of thirty days from the date of the receipt of the record, convey his approval or disapproval to the Management with a copy thereof to the employee."

The Committee recommends that in rule 28 (4), for the word "them" the word "him" be substituted. 14

Rule 29.

"29. An employee against whom an enquiry is proposed to be held shall, for the purposes of preparing his defence be permitted to inspect and take extracts from such official record as he may specify, provided that such permission may be refused, if for reasons to be recorded in writing in the opinion of the Enquiry Officer, such records are not relevant for the purpose or it is against public interest to allow him such excess thereto."

The Committee recommends that in rule 29, for the word "excess" the word "access" be substituted. 15

Rule 34.

"34. (1) A subscriber, shall, at the time of joining the Fund, furnish to the Controlling Officer a nomination conferring on one or more persons the right to receive the amount a this credit in the Fund, in the event of his death before that amount has become payable or having become payable has not been paid :

Provided that if at the time of making the nomination the subscriber has a family, the nomination shall not be made in favour of any person other than the members of his family :

Provided further that the nomination made by the subscriber in respect of any other provided fund to which he was subscribing before joining the Fund, shall, if the amount to the credit in such other Fund has been transferred to his credit in the Fund, be deemed to be a nomination duly made under these rules, untill he makes a nomination in accordance with these rules.

Note.—

	xxx	xxx	xxx
(2)	xxx	xxx	xxx
(3)	xxx	xxx	xxx
(4)	xxx	xxx	xxx
(5)	xxx	xxx	xxx
(6)	xxx	xxx	xxx
(7)	xxx	xxx	xxx

16 The Committee recommends that in rule 34(1), for "a this" the words "at his" be substituted.

17 The Committee further recommends that in the second proviso to rule 34 (1) for "provided fund" the words "provident fund" be substituted.

Rule 37.

"37. (1) xx xx xx

Realization of
subscription (2) xx xx xx
Section 5.

(3) The subscriber shall intimate his option not to subscribe in in the following manner, namely :—

(a) if he draws his pay by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave;

(b) if he is not an employee who draws his own pay by writing to the Head of the Institution before proceeding on leave

The failure to make due and timely intimation shall be deemed to constitute an option to subscribe. The option of the subscriber intimated under this sub-rule shall be final

(4) xx xx xx .".

18 The Committee observes that in margin of rule 37, for reference of section 5 the reference of section 4 be indicated.

19 The Committee observed that sub-rule (3) of rule 37 required clarification as no employee of a private institution draws his own pay direct. With this end in view the Committee enquired from the Department concerned as to whether the Management disbursed the pay to all their employees or some of the employees draw their pay directly. The Department in its reply stated that no employee of a private institution could draw his pay directly The pay was disbursed by the Management. In view of this, the Department concerned suggested that sub-rule (3) of rule 37 be amended as under :—

"(3) The subscriber on leave shall intimate his option not to subscribe in the following manner, namely :—

(a) If he is not Head of the Institution, by writing to the Head of the Institute before proceeding on leave ;

(b) if he is the Head of the Institution then by writing to the Management before proceeding on leave."

20 The Committee recommends that sub-rule (3) of rule 37 be amended accordingly and the committee informed at the earliest.

Rule 38.

"38. (1) The management shall, each month make a contribution to the account of subscriber equal to the amount subscribed by him which shall not be less than 8-1/3 per cent :

Provided that if a subscriber quits the service or dies during the year, contribution shall be credited to his account for a period between the close of the preceding month and the date of quitting service or death, as the case may be.

(2) The contribution shall be such percentage of the emoluments as are drawn on duties during the month or the period as the the case may be .

xx xx xx xx

(3) xx xx xx xx .".

The Committee is of the view that in rule 38(1), for "month" the word "month" be substituted and in rule 38(2), after the word "period", the sign "," be inserted 21

Rule 43.

"43. (1) If an employee is dismissed or quits the service in contravention of these rules, the Management may, with the consent of the Controlling Officer, withhold the whole or a part of the amount of subscription deposited by the Management by way of its contribution to the credit of the said employee. The amount of the contributions subscribed by the employee and the interest accrued thereon shall not be with-held and be paid to him.

(2) A separate account with the bank or post-office concerned shall be opened in the name of the Management pledged to the Controlling Officer for depositing any sum of money withheld from an employee under sub-rule(1) The account shall be called the "Teacher Provident Fund Account-Amounts withheld". The money at the credit of this account may, with the approval of the Controlling Officer, be utilized for compassionate advances, to destitute employees of the aided school and their widows and dependents.

The Committee observes that in rule 43(1), for "employee" the word "employee" be substituted and in rule 43(2), after "advances" delete"." 22

Rule 44.

"44. (1) xx xx xx

(2) A separate account shall be opened for every subscriber which

shall be his own name.

(3)	xx	xx	xx
(4)	xx	xx	xx
(5)	xx	xx	xx
(6)	xx	xx	xx
(7)	xx	xx	xx .".

27 The Committee recommends that in rule 44 (2), between the words "be" and "his" the word "in" be inserted.

M.C.C.
THE EAST PUNJAB TRACTOR CULTIVATION (RECOVERY OF CHARGES) RULES, 1949, FRAMED UNDER THE EAST PUNJAB TRACTOR CULTIVATION (RECOVERY OF CHARGES) ACT, 1949.

At the out set the Committee enquired from the departmental representative as to how far the provisions of the East Punjab Tractor Cultivation (Recovery of Charges) Act, 1949, and the rules framed thereunder were operative and executed in the State of Haryana.

The departmental representative during the course of oral examination stated that neither the Act nor the rules pertaining to the Tractor Cultivation (Recovery of Charges) Act, 1949 was operative in the State of Haryana, since the Government did not own any tractor.

2 The Committee observes that since the Government ~~did~~ not own any tractor, and neither the Act nor the rules framed thereunder were in operation, therefore, the Committee recommends that the Act and the Rules on the subject should be amended in the light of changed circumstances. The Committee further recommends that the correct Appropriation Head and the scales of tractor cultivation charges as given in rules 2 and 5 be suitably changed/revised, according to present day condition.

Rule 4.

"4. (i)	xx	xx	xx	xx
(ii)	xx	xx	xx	xx
(iii)	xx	xx	xx	xx

(iv) Any application which is not accomplanied by a deposit or a personal security bond shall not be considered."

3 The Committee observes that in sub-rule (iv) of rule 4, for the word "accomplanied" the word "accompanied" be substituted.

Rule 5.

"5. (i)	xxx	xxx	xxx	xxx
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- (ii) With a view to enabling the Director of entertain as application for tractor cultivation, there should be a minimum area of 40 acres if the distance between the places where the tractor cultivation operations are being carried on and the place of the applicant/applicants is not more than 30 miles, but if the distance exceeds 30 miles the minimum area for tractor cultivation should be 80 acres. For this purpose any number of cultivators may make a joint application specifying the land of each cultivator for having any agricultural operation performed by a tractor.

- | | | | | |
|-------|---|---|---|---|
| (iii) | x | x | x | x |
| (iv) | x | x | x | x |

- (v) Fuel oil and lubricants will be provided by Govt. but the transportation charges of the same will be borne by the cultivator from the last place of working to the nearest store Depot of the Agriculture Department or source of supply."

The Committee recommends that in sub-rule (ii) of rule 5, for the words "Director of entertain as application" the words "Director to entertain an application" be substituted. 4

The Committee further recommends that in sub-rule (v) of rule 5, for the word "Govt." the word "Government" be substituted. 5

Rule 8.

- "8. (i) A cultivator other than a refugee cultivator who has deposited a part of the total cultivation charges at the time of his application, shall deposit within one month of the date of receipt of notice of a demand in the form attached, the balance of tractor cultivation charges in a Government treasury under the appropriate head and send the treasury receipt to the Deputy Director concerned. This amount can also be remitted by money order or postal order to the Deputy Director.

- (ii) A refugee cultivator shall deposit in four yearly equal instalments the full amount of tractor cultivation charges specified in the notice of demand in a Government treasury under appropriate head or send it by Money order or postal order to the Deputy Director by the 15th June of each successive year failing which the amount due will be recovered as "arrears of land revenue". A treasury receipt for cash deposited in the treasury shall be sent to the Deputy Director concerned."

The Committee recommends that in sub-rule (i) of rule 8, for the words "a refugee cultivator" or "a cultivator other than a refugee cultivator" wherever occurring in the rules be omitted and substituted by the word "a cultivator" or by any other suitable terminology. 6

Rules 10 to 14.

- "10. Necessary storage accommodation for the tractor and its equipment as also accommodation for the driver and cleaner will be provided by the cultivator.
- 11 The cultivator will be responsible for the safe custody of tractor, implements, petrol, fuel oil and lubricants, while they remain on his land.
12. If the tractor remains idle due to any fault of the cultivator a charges of Rs. 3 per hour will be made for the period it remains on his land.
13. Government will not become liable to finish the work taken in hand, if due to the breakage of machinery or any other reason it is necessary to discontinue the work. In that case the balance of advance deposit after adjusting charges due, if any, will be refunded.
14. In case of any dispute between the cultivator and the tractor cultivation staff or on the scale of cultivation charges or the area for agricultural operations the decision of the Director or the person authorised by him will be final."

7 The Committee recommends that in rules 10 to 14, for the word "will" wherever occurring the word "shall" be substituted.

Agri. 10 **THE EAST PUNJAB AGRICULTURAL PESTS, DISEASES AND NOXIOUS WEEDS, RULES, 1949, FRAMED UNDER THE EAST PUNJAB AGRICULTURAL PESTS, DISEASES AND NOXIOUS WEEDS ACT, 1949.**

General

1 (1) The Committee wanted to know what weeds had been declared as "Noxious Weeds" under the Act, and whether Government issued any notifications declaring some diseases as plant diseases, together with the steps taken for the prevention of those diseases.

The Departmental Representative stated that there was no problem of noxious weeds in Haryana State. So, the question of notifying noxious weeds did not arise. As and when any problem arises, the Department would take suitable action in time.

2 The Committee felt that Haryana State could not be free from plant diseases and noxious weeds and desired that steps must be taken to notify some of the diseases in order to take preventive measures in time.

3 (2) The Committee observed that in the copies of the Act supplied by the department reference had been made to the "Provincial Government" at some places. The Committee observes that the words "Provincial Government" wherever occurring in the Act should be substituted by the words "State Government".

The Departmental Representative stated that since this Act was enacted by the joint Punjab and this Act was being followed on the same pattern, therefore, the word provincial Government existed. However, it is noted for the future.

The Committee observed that the words "Provincial Government" wherever occurring in the Act be substituted by the words "State Government."

Rule 3.

- "3. An Inspector appointed under section 10 of the Act shall possess a degree of diploma in Agriculture."

The Committee recommends that in rule 3, for the words "degree of" the words "degree or" be substituted.

Rule 5.

- "5. An Inspector conducting an inquiry under section 5 may obtain the help of a Lambardar of any member of a local body such as Panchayat or municipal committee. He shall collect the information on form C."

The Committee recommends that in rule 5, for "Lambardar of" the words "Lambardar or" be substituted and after "municipal committee" sign " ", be inserted.

Rule 7.

- "7. The occupier may appeal against the notice served on him by the Inspector to the extra Assistant Director of Agriculture of the notified area."

The Committee enquired whether there was any extra Assistant Director of Agriculture in Haryana and, if not, the rule(s) be amended suitably.

The Departmental Representative stated that there was no extra Assistant Director of Agriculture in Haryana, and this rule was being amended and the words "extra Assistant Director of Agriculture", was being substituted by Deputy Director of Agriculture or Project Officer.

Rule 8.

- "8. The Extra Assistant Director of Agriculture, having jurisdiction in the notified area is authorised to sanction the prosecution of the occupier under section 8 of the Act."

The Committee recommends that in rule 8, for the words "in authorised" the words "is authorised", be substituted.

Rule 9.

- "9. If the notified area included a common land infested with pest all right-holders according to the revenue record will be held responsible for the eradication of the said pest. Pest disease, Noxious Weed."

7 The Committee observes that this rule is not happily worded and it be amended as under :—

- "9. If the notified area included a common land infested with Pest/disease/Noxious Weed all right holders according to the revenue record will be held responsible for the eradication of the said pest/disease/Noxious Weed."

Rule 10.

- "10. If the notified area includes roads, canals and Railway sidings, the responsibility of eradication the pest under section 3 will be on department concerned disease and they will be dealt with other occupation."

10 The Committee recommends that in rule 10, after the word "eradication" the word "of " be inserted

Rule 11.

- "11. The Inspector appointed under the Act shall maintain registered in forms B and E."

11 The Committee recommends that in rule 11, for the words "maintain registered" the words "maintain registers" be substituted.

Form 'B'

12 The Committee recommends that in line 4, for "to permises will"
land

the words and sign "the premises will", be substituted
Land

13 The Committee further recommends that in line 6, for the words "whether who the said" the words "whether the said" be substituted.

Form 'D'

14 The Committee noticed that form 'D' reads as under :—

"Notice

After inspection of land/permises out of

S/o

Village.

Tehsil.

I am satisfied that pest declared under section 3
disease
No. Weed.

Exists and necessary remedial measures have not been carried out. He is, therefore, informed of this and under section 6 and is required to comply with the instructions within-days after the receipt of this notice.

Otherwise Legal action will be taken against him.”.

The Committee observes that this form ‘D’ is not happily worded and recommends that it may be amended and read as under :—

Form ‘D’

Notice

No.

After inspection of land/premises of

Shri

S/o Shri

Village

Tehsil

District.

I am satisfied that pest/disease/Noxious Weed declared under section 3 exists and necessary remedial measures have not been carried out. He is, therefore, informed of this and under section 6 and is required to comply with the instructions within-days after the receipt of this notice.

Otherwise Legal action will be taken against him.

Inspector.”.

THE PUNJAB VILLAGE COMMON LANDS (REGULATION) RULES, 1964 FRAMED UNDER THE PUNJAB VILLAGE COMMON LANDS (REGULATION) ACT, 1961

Rule 2.

“2. *Definitions.*—In these rules, unless the context otherwise requires—

(a) * * * * *

(b) * * * * *

(c) “Panchayat Samiti” means the Panchayat Samiti constituted under the Punjab Panchayat Samities and Zila Parishads Act, 1961, and having jurisdiction over the Sabha area :

(d) * * * * *

(e) “Zila Parishad” means the Zila Parishad constituted under the Punjab Panchayat Samitis and Zila Parishads Act, 1961, and having jurisdiction over the Sabha area.”.

1 The Committee recommends, that in rule 2(c), for "Samities" the word "Samitis" be substituted and the words "and Zila Parishads" be deleted as the institution of Zila Parishad stands abolished in the State of Haryana.

2 The Committee further recommends that in rule 2(e) the definition of "Zila Parishad" be deleted as the institution of Zila Parishads does not exist now.

Rule 3.

"3. The manner in which and the purposes for which shamlat deh may be used.—(1) The Panchayat shall prepare a land utilization plan of the land in shamlat deh vested in it under the Act. Such plan shall be subject to approval of—

- | | |
|--------------------------|--|
| (a) the Panchayat Samiti | .. Where the area exceeds 100 acres but does not exceed 500 acres. |
| (b) the Zila Parishad | .. Where the area exceeds 500 acres but does not exceed 1,000 acres. |
| (c) the Government | .. Where the area exceeds 1,000 acres. |

(2) The Panchayat may make use of the land in shamlat deh vested in it under the Act, either itself or through another, for any one or more of the following purposes :—

- | | | | | | |
|--------------------------|---|---|---|---|---|
| (i) | * | * | * | * | * |
| (ii) | * | * | * | * | * |
| (iii) | * | * | * | * | * |
| (iv) | * | * | * | * | * |
| (v) | * | * | * | * | * |
| (vi) Grazing of Cattle ; | | | | | |
| (vii) | * | * | * | * | * |
| (viii) | * | * | * | * | * |
| (ix) | * | * | * | * | * |

(x) Brick kilns, extraction of shora, sand, stones, kankar, bajri

or other minerals defined in the Punjab Minor Mineral Rules ;

(xi)	*	*	*	*	*
(xii)	*	*	*	*	*
(xiii)	*	*	*	*	*
(xiv)	*	*	*	*	*
(xv)	*	*	*	*	*
(xvi)	*	*	*	*	*
(xvii)	*	*	*	*	*
(xviii)	*	*	*	*	*
(xix)	*	*	*	*	*
(xx)	*	*	*	*	*
(xxi)	*	*	*	*	*
(xxii)	Panchayat Ghar or Janj Ghar ;				
(xxiii)	*	*	*	*	*
(xxiv)	*	*	*	*	*
(xxv)	Leasing out for cultivation ; or				
(xxvi)	*	*	*	*	*
(3)	*	*	*	*	*

In sub-rule (1) of rule 3, part (a), for "500 acres" the figures and word "1000 acres" be substituted and whatever powers were vested with the Zila Parishads should be given to the Block Samitis. The Committee also recommends that part (b) of sub-rule (1) be deleted as the institution of Zila Parishads stands abolished

The Committee recommends that in item (vi) of sub-rule (2), for "Cattle" the word "Animals" be substituted.

The Committee further recommends that in item (x) of sub-rule (2), reference of the year in which the Punjab Minor Minerals Rules were framed be indicated.

The Committee also recommends that in item (xxii) of sub-rule (2), after "Janj Ghar" the words "or Village Chopal" be inserted.

The Committee further recommends that in item (xxv) of sub-rule (2), delete "or" and after item (xxv) of sub-rule (2), the following be

inserted.—

“(xxv-A) Thrashing floor ; or”.

Rule 4.

“4. *Terms for saving existing possession.*—(1) Were a person has built a house or erected any other structure on any land in the shamlat deh, before the coming into force of the Act, the Panchayat may allow such person to retain possession of the site by :—

(a) selling it to him at the market value prevailing at the time of the sale to be determined by the Collector or the officer appointed by him for the purpose, provided that if the person concerned is unable to pay the entire amount immediately it shall be recovered in such instalments to be spread over a period not exceeding five years as may be determined by the Panchayat ; or

(b) leasing out the site to him at an annual rent to be determined by the Collector or the Officer appointed by him for the purpose at the rates prevailing at that time.

(2) Subject to sub-rule (1), the terms and conditions for sale or lease of land in shamlat deh shall be determined by the Panchayat ”.

8 The Committee is of the view that rule 4 be so amended as to bring it in consonance with provisions of section 4(1) (b) of the Act

Rule 5.

“5. *Exchange of land*—A Panchayat, if it is of opinion that it is necessary so to do for the benefit of the inhabitants of the village may, with the prior approval of the Government, transfer any land in shamlat deh by exchange with the land of an equivalent value ”.

9 The Committee is of the view that the authority which is to determine the equivalent value of the land has not been prescribed and, therefore, recommends that suitable amendments in this behalf may be made in this rule.

Rule 6.

“6. Leases to be by auction —(1) * * *

(2) Lease of land in shamlat deh already under plough shall not be given for a period exceeding two years while that of land not under plough and intested with trees, bushes, etc., may be given for a period not exceeding five years to the highest bidder. The auction shall be subject to the approval of—

- (a) *The Panchayat Samiti*.—(i) where the area does not exceed 100 acres and the highest bid of the lease at the auction is less than the average lease rate of similar lands in the neighbourhood for the last five years ; or
- (ii) where the area exceeds 100 acres, but does not exceed 500 acres ;
- (b) *The Zila Parishad*.—Where the area exceeds 500 acres, but does not exceed 1,000 acres ;
- (c) *The Government* —Where the area exceeds 1,000 acres ,

* * * *

- (3) * * * *

(4) All ponds used for the plantation of Shingharas and for stocking fish may be auctioned in the month of September every year.

- (5) * * * *

(6) The Panchayat may auction every year the surplus and useless trees. All trees standing on the land in shamlat deh shall be marked with numbers and those numbers shall be specifically mentioned in the auction notice and the lease deed.

- (7) * * * *

- (8) * * * *

- (9) * * * *

- (10) (1) The publicity to lease auction programme shall be given 15 days before the date of auction by specifying the description of land, the date, time and place fixed for the auction of lease—

(a) through any local vernacular newspapers and where the auction of stone quarries, bajri or other minor minerals, etc., is to be held, also through an English newspaper

(b) by pasting a copy of the auction notice on outer door of Panchayat Ghar, Village Patwar Khana, Offices of Panchayat Samiti and Zila Parishad and at some other conspicuous places of the shamlat deh of the estate in which the shamlat deh is situated; and

(c) by beat of drum within the Sabha area.

- (2) The terms and conditions of auction shall be announced at the time of auction.

(11) * * * * .”.

The Committee recommends that in sub-rule (2) of rule 6, the following amendments may be made —

10 (i) in sub-rule (2), line 3, for “Intested”, the word “Infested” be substituted.

11 (ii) In sub-rule (2), (a) (i) lines 1-2, for “100 aces” “100 acres” be substituted.

12 (iii) In sub-rule (2) (a) (ii), for “500 acres”, the figure and word “1000 aces” be substituted.

13 (iv) Clause (b) of sub-rule (2) be deleted.

14 The Committee further recommends that in sub-rule (4), line 2, for “September”, substitute “March-April” so as to enable the farmers to sow the shingharas crop in the month of May.

15 The Committee further recommends that in sub-rule (6), lines 3-4, for the words “those number shall be specifically mentioned in the auction notice and the lease-deed”, substitute “marked numbers of surplus and useless trees shall be specifically mentioned in the auction notice and the sale-deed”.

16 The Committee also recommends that in clause (b) of sub-rule (10) (1), lines 3, the words “and Zila Parishad”, be deleted and in line 4, for “o” substitute “or”.

Rule 7.

“7. Lease of land in Shamlat Deh to Collective Farming Co-operative Societies.—(1) Subject to the provisions of section 5 of the Act, where in a village cultivable area in shamlat deh is 200 acres or more, such land may be eased out without auction to the Collective Farming Co-operative Society, if any, constituted in the Village under the Punjab Co-operative Societies Act, 1961, on such terms and conditions as may be agreed to by the Panchayat with the approval of the Zila Parishad. Where there are more than one Collective Farming Societies in a village, the land in shamlat deh may be leased out to them in proportion to the strength of their members. The Co-operative Collective Farming Society shall execute a lease deed in favour of the Panchayat. The total period of the lease shall not exceed 5 years.

(2) Such leases shall be subject to review by the Zila Parishad concerned annually so that the Panchayat or the Society may

not suffer due to subsequent events which may effect the fertility or improvement in the land.

- | | | | | | |
|-----|---|---|---|---|------|
| (3) | * | * | * | * | * |
| (4) | * | * | * | * | * |
| (5) | * | * | * | * | * .” |

The Committee recommends that in line 4 of rule 7(1), for “eased out” substitute “lease out” and in line 9 for “Zila Parishad” substitute “Panchayat Samiti”. 13

The Committee further recommends that in line 1 of rule 7(2), for “Zila Parishad” substitute “Panchayat Samiti”. 15

The Committee after considering rules 7-A, 10 and 11, recommends that in the heading of rule 7-A, after “Lease” insert “,”; and further in the margin of rules 10 and 11 there is no reference of the sections under which these rules had been framed, which may be indicated. 16

The Committee also recommends that in line 2 of rule 11, for “Zila Parishad” substitute “Panchayat Samiti.”. 17

Rule 13.

“13. (1) * * *

- (2) A Panchayat may, with the previous approval of the Government gift the land in shamlat deh vested in it under the Act for the purpose of construction of houses, lying out common places and providing other amenities under the Model Village Scheme approved by the Government for the benefit of the inhabitants of the village ”

The Committee recommends that in rule 13(2), for “approved” substitute the word “approved”. 18

Rule 15.

- “15. Payment of compensation under section 3(2).—(1) Any person who, is entitled to compensation under sub-section (2) of section 3 of the Act may within a period of twelve months from the date of commencement of these rules, apply to the Collector for the determination of the amount of compensation payable to him by the Panchayat.

- | | | | |
|-----|---|---|---|
| | * | * | * |
| (2) | * | * | * |
| (3) | * | * | * |

- (4) The amount of compensation shall be determined in

accordance with the following principles :—

(a) * *

(b) * *

Provided that the payment of such compensation shall be made in six equal annual instalments if the amount involved is more than Rs. 300 .”.

19 The Committee recommends that in rule 15 (1), for “detrmination”, the word “determination” be substituted.

20 The Committee further recommends that in proviso to sub-rule (4) of rule 15, for the words “more than” the words “more than” be substituted.

21 As regards rule 16, the Committee recommend that in the margin of rule 16, for “15 (2) (b)” substitute “15(2) (h)”.

Rule 18.

“18. Demarcation of the surplus area.—(1) The Panchayat having excess area in accordance with section 5 the Act shall notify to the Patwari concerned the area to be kept under its control and that to be allotted to landless tenants and other tenants ejected or to be ejected or to be distributed among small land-holders of the village.

(2) * * * .”.

22 The Committee recommends that in sub-rule (1) of rule 18, for “ro” substitute “or”.

Rule 19.

“19. Unauthorized occupation of shamlat deh.—For purposes of section 7 of the Act, a person shall be deemed to be in unauthorized occupation of any land in shamlat deh :—

(a) where he has, whether before or after the commencement of the Act, entered into possession thereof otherwise than under and in pursuance of any allotment, lease or grant by the Panchayat ; or

(b) where he being an allottee, lessee or grantee, has, by reason of the determination or cancellation of his allotment, lease or grant in accordance with the terms in that behalf, therein contained, ceased whether before or after the commencement of the Act, to be entitled to occupy or hold such land in shamlat deh; or

(c) * * *

(i) * * *

(ii) * * *

Explanation.— * * *

The Committee recommends that—

- (i) In line 2 of this rule for “unaathorised” substitute “unauthorised”.
- (ii) In part (a), line 2, for “there of” substitute “thereof”.
- (iii) In part (a), line 3, for “inpursuance” substitute “in pursuance of”.
- (iv) In part (b), line 1, for “lesee” substitute “lessee”.
- (v) In part (b), line 2, for “cnancellation” substitute “cancellation”.

27

Rule 20.

“20. Issue of Notice to show cause against order of eviction (1) If the Assistant Collector of the 1st grade is of opinion that any persons are in unatuhorized occupation of or claim interest in the land in shamlat deh situated within his jurisdiction and that they should be evicted, he shall issued in the manner hereinafter provided a notice in writing calling upon all the persons concerned to show cause why an order of eviction should not be made

2. * * *

(a) * * *

(b) * * *

(3) The Assistant Collector shall cause the notice to be affixed outside the Panchayat ghar or any other b used as office by the Panchayat and at some conspicuous places of the estate in which the land in shamlat deh is situated, whereupon the notice shall be deemed to have been duly given to all persons concerned.

(4) Where the Assistant Collector knows or has reasons to believe that any person are in occupation of the land in shamlat deh, then without prejudice to the provisions of sub-rule (3), he may cause a copy of the notice to be served on every such persons by post, or by delivering or tendering it to that persons”.

The Committee recommends that —

- (i) In sub-rule (1), line 3, for “unatuhorized ” substitute “unauthorised”.
- (ii) In sub-rule (1), line 6, for “issued” substitute “issue”.

29

- (iii) In sub-rule (3), lines 1-2, after "to be affixed" insert "on some conspicuous place".
- (iv) In sub-rule (4), line 3, for "provisiohs" substitute "provisions".
- (v) In sub-rule (4), lines 5-6, for "by post, or by delivering or tendering it to that persons" substitute "by delivering or tendering it to that person or by registered post."

Rule 21.

"21. Eviction of unauthorised persons —(1) If, after considering the cause, if any, shown by any person in pursuance of notice under rule 20, and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard, the Assistant Collector is satisfied that the land in shamlat deh is in an unatuhrired occupation, the Assistant Collector may on a date to be fixed for the purpose make an order of eviction for reasons to be recorded therein, directing that the land in shamlat deh, shall be vacated by all persons who may be in unauthorised coccupation thereof or any part thereof, and cause a copy of the order to be affixed on the outer door of the Panchayat ghar and at some other conspicuous places of the shamlat deh or of the estate in which the land in shamlat deh is situated.

(2) If any person refuses or fails to comply with the order of eviction within thirty days of the date of its publication, the Collector or any other officer duly authoised by him in this behalf may evict that person from and take possession of, the land in shamlat deh and may, for that purpose, use such force as may be necessary."

The Committee recommends that—

- (i) In sub-rule (1), line 6, for "unatuhrired" substitute "unauthorised".
- (ii) In sub-rule (1), for "coccupation" substitute "occupation".
- (iii) In sub-rule (2), for "authoised" substitute "authorised".
- (iv) In sub-rule (2), line 4, the sign "," after "of" be omitted.

Rule 23.

"23. Repeal.—The Punjab Village Common Lands (Regulation) Rules, 1955, published with Punjab Government Revenue Department, notification No. 5557-R(c)-54-216, dated the 18th February, 1955 and the Pepsu Village Common Lands (Regulation) Rules, 1955, published with Pepsu Government, Revenue Department, Notification No. 6 Agr., dated the 15th October, 1955, are hereby repealed :—

Provided that any action taken or anything done under the rules he repealed shall be deemed to have been taken or done under the corresponding provisions of these rules."

The Committee recommends that in Rule 23, for ":-" the sign ":", be substituted.

The Committee further recommends that in the proviso to the rule, for "he" the word "so" be substituted.

The Committee felt that no rules/forms seemed to have been prescribed under sections 7(4) and 13A(2) of the Punjab Village Common Lands (Regulation) Act, 1961 and desired clarification in this behalf.

The department stated in its written reply that rules/forms were being framed under sections 7(4) and 13-A of the Punjab Village Common Lands (Regulation) Act, 1961.

The Committee recommends that the rules/forms be framed without any further delay.

FORMS 1 to V

The Committee after going through the forms I to V and having orally examined the departmental representatives recommends that—

- (i) in all the Forms, reference of Rule 22 be given ;
- (ii) In Form 1, column 7, after "lease", insert "or" ;
- (iii) In Form V, Para 2, the word "demissed" appears to be misprint for "leased", and therefore, recommends that for "demissed", the word "leased" be substituted.

THE PUNJAB AGRICULTURAL PRODUCE MARKETS (GENRAL) RULES, 1962, FRAMED UNDER THE PUNJAB AGRICULTURAL PRODUCE MARKETS ACT, 1961.

ACT

General

1 Section 3-A.

The Committee recommends that in line 2 of Section 3-A(1) after the word "Board" insert the words "by the Chairman".

2. Section 33-A.

The Committee noticed that in Sub-Section (5) for "Sections 102 and 103" the reference of relevant sections of the Code of Criminal Procedure, 1973 and for "Code of Criminal Procedure 1889" the reference of "Code of Criminal Procedure, 1973 (Act 2 of 1974)" should have been substituted.

A representative of the Haryana Marketing Agricultural Board in reply stated that necessary amendment would be proposed soon and that was to be done by the Government. The Committee enquired whether any reference had been made to the Government by the Board for making amendment in the relevant Section of the Act, to which the representative of the Board replied in the negative.

The Committee observed that the Board should have moved the Government of its own to carry out the necessary amendment in the relevant Section (s) of the Act.

RULES

General.

1. The Committee observed that there was no preamble to the rules, in the absence of which it was rather difficult for the Committee to know on which date the rules were framed and under what provisions of the Act these rules had been framed.

The Departmental Representative stated that the Punjab Agricultural Produce Markets (General) Rules, 1962 were framed under Section 43 of the Act and these rules are applicable from the date of their publication in the Gazette.

The Committee Recommends that there should be a preamble to the rules and the date of publication of the rules in the official Gazette be also indicated in foot-note of the rules.

The Committee, after having orally examined the Departmental Representative, recommends that the rules should also be got Centrally and Serially numbered in consultation with the Law Department and the Committee be informed.

Rule 1.

"1. Short title, extent and commencement.—(1) These rules may be called the Punjab Agricultural Produce Markets(General) Rules, 1962.

(2) They shall come into force at once."

The Committee felt that there was no need of mentioning the Sign and word "extent" in the marginal heading of the rule and, therefore, the sign and word "extent" be deleted.

The Department after consulting the Representative of the Law Department conceded to delete the Sign and word "extent" from the marginal heading of the rule.

The Committee recommends that in the marginal heading of rule 1, the Sign and word "extent", be deleted as being superfluous.

Rule 2.

"2. Definitions:—In these rules, unless the context otherwise

requires,—

(1)	*	*	*
(2)	*	*	*
(3)	*	*	*
(4)	*	*	*
(5)	*	*	*
(6)	*	*	*
(7)	*	*	*
(8)	*	*	*
(9)	*	*	*
(10)	*	*	*
(11)	*	*	*
(12)	*	*	*
(13)	*	*	*
(14)	*	*	*
(15)	*	*	*

- (16) "Sub-Divisional Officer (Civil) means the Sub Divisional Officer (Civil) of the Sub-Division having jurisdiction over the notified market area or, if such area is situated in more than one sub-division, the Sub-Divisional Officer (Civil) of one of the sub-divisions in whose jurisdiction the headquarters of the market committee are located".

The Committee recommends that in sub-rule (16) of rule 2, after "(Civil)" occurring for the first time, insert "," and delete "," occurring after located. 6

Rule 5.

- "5. Matters on which Board may frame bye-laws.—In addition to the matters specified in sub-section (14) of section 3, the Board may frame bye-laws regulating—

- better marketing of agricultural produce and marketing of agricultural produce on co-operative lines ;
- the grading and standardisation of agricultural produce ,
- the general improvement in the markets or their respective notified market areas ;

- (d) the maintenance and regulation of rest-houses, staff quarters and other buildings of the Board ;
- (e) the procedure for giving aid to financially weak committees ;
- (f) the allowances payable to the members of the Board or Advisory Committees ,
- (g) propaganda, demonstration, publicity and education for improvement of marketing and agriculture ;
- (h) the classification of the committees on the basis of their income for the purpose of fixing the grades of their Secretaries and other employees ;
- (i) the person or persons by whom, and the manner in which, a contract may be entered on behalf of the Board , and
- (j) any other purpose which, in the opinion of the Board, is calculated to promote the interests of the Board or the Committees, or to lead to improvement of marketing and agriculture in general ”.

7 The Committee enquired whether any bye-laws had been framed under sub-section (14) of section 3 for better marketing of agricultural produce, and classification of Committees, etc ; and , if so, copies thereof be supplied to the Committee for scrutiny.

The Department in its written reply stated that bye-laws of the Board u/s 3(14) (a) have been framed, but these only concern the business of the Board and not for better marketing and classification of Committees.

8 The Committee did not agree with the reply sent by the Department. However, the Committee further observed that as and when the bye-laws relating to the better marketing of the agriculture produce and classification of committees are framed, copies thereof be supplied to the Committee.

Rule 7.

“7 Publication of notification under section 6.—(1) Copies of notification issued under section 6 shall be published, under the orders and at the discretion of the Chairman of the Board, in one or more of the modes specified below —

- (a) by publication in the regional language or in such other language and in such news papers as in the opinion of the Chairman of the Board will give due publicity among persons likely to be affected thereby ;
- (b) by affixing a copy of the notification in the regional language or in such other language as may be considered necessary by the Chairman of the Board, in the office of every Municipal Committee, Notified Area Committee, Panchayat

Samiti and Zila Parishad, if any, within whose jurisdiction the notified market area or any part thereof is situated, and at some conspicuous place in the existing market, if any ;

- (c) by affixing a copy of the notification in the regional language or in such other language as may be considered necessary by the Chairman of the Board, in the principal common meeting place, if any, of every village within the notified market area ;
 - (d) by beat of drum in the villages within the notified market area.
- (2) The time of publication under clause (a) to (c) and the time and frequency of the drum beating under clause (d) shall be determined by the Chairman of the Board
- (3) The expenses of publication under sub-rule (1) of copies of the notification issued under section 6 shall be met out of the Marketing Development Fund.”.

The Committee recommends that in rule 7(1) (a), (b) and (c), for the words “the regional” wherever occurring the word “Hindi” be substituted as there is no regional system in vogue now and, further, in rule 7(1) (b), the words “and Zila Parishad” should also be deleted as the institution of Zila Parishad has since been abolished.

Rule 11.

- “11. Resignation of member of Committee—(1) Any Member of a Committee may resign his office by tendering resignation in writing to its Chairman and if, the member tendering resignation is himself the Chairman he shall submit it to the Chairman of the Board:

Provided that if no Chairman of a committee has been elected the member may submit his resignation to the Chairman of the Board

- (2) Every resignation received under sub-rule (1) shall forthwith be forwarded by the Chairman of the Committee along with his comments to the Chairman of the Board who shall, with the least possible delay, forward the same with necessary comments to the State Government.
- (3) The acceptance of every resignation shall be notified by the State Government in the official Gazette and the member shall cease to function as such from the date of such notification ”.

The Committee felt that rule 11 was not in consonance with Section 17(1) so far as it related to the tendering of resignation by members of the Marketing Committee. According to rule 11, resignation was required to be accepted, whereas in Section 17 there was no such embargo on the acceptance of the resignation, and liked the Department to clarify the position in that behalf.

The Departmental Representative stated that rule 11 was in consonance with Section 17(1) and Section 12(2)

// The Committee observes that this matter regarding resignation by member of the committee should be referred to the Law Department and the opinion given by that Department be also sent for the information of the Members of the Committee.

Rule 13.

- "13. Appointment of disputes sub-committee.—A committee may appoint a sub-committee called the disputes sub-committee consisting such number of members and other persons as it may think fit, to arrange for the settlement by arbitration of any dispute between a buyer and seller of agricultural produce or their agents including disputes regarding quality or weight of the article, the price or rate to be paid, allowances for wrappings, dirt or impurities or deductions for any cost :

Provided that the Chairman of the Committee shall not be a member of the disputes sub-committee

- (2) The disputes sub-committee shall, for each market yard, appoint a panel of not less than six persons to act as arbitrators in the settlement of the aforesaid disputes. Every person included in the panel shall be either producer living in the notified market area, or a dealer doing business in the market yard for which that panel has been appointed.
- (3) Where any such dispute arises the parties thereto may agree to the settlement thereof in accordance with the following provisions —
 - (a) The dispute shall be reported to the Secretary of the Committee who shall try to settle the dispute. If he fails the dispute shall be settled in the manner provided in clauses (b), (c), (d) and (e).
 - (b) Each party to the dispute shall select one arbitrator from the panel appointed for the purpose by the disputes sub-committee. The arbitrators shall, before entering upon the reference, appoint a person from the panel to act as Umpire in case they fail to agree.
 - (c) If the arbitrators fail to agree the matter shall be referred to the Umpire appointed under clause (b) for decision.
 - (d) An appeal against the decision of the arbitrators or Umpire, as the case may be, shall lie to the disputes sub-committee and shall be filed within a period of seven days from the date of the award.
 - (e) The decision of the arbitrators or Umpire or, where an appeal has been made to the disputes sub-committee, the decision of such sub-committee shall be final".

The Committee recommends that in line 3 of sub-rule (1) of rule 13, after the word "Consisting" insert the word "of". 12

The Committee further recommends that in line 2 of rule 13(3)(a) insert the sign "," after the word "fails". 13

Rule 19.

- "19 Licenses to brokers, weighmen, measures, Surveyors, godown-keepers and palledars.—(1) A person desirous of obtaining a licence under sub-section (3) of section 13 shall make an application in form D to the Chairman of the Committee of the notified market area concerned after depositing with the Committee the requisite licence fee.

Provided that in the case of palledar no such application in form D shall be necessary. The dealer shall intimate to the Chairman of the Committee in writing full particulars such as name, parentage, residence and full address of the palledar engaged by him and such intimation shall be treated as an application for the grant of a license ; and

- (2) * * * * *
(3) * * * * *

The Committee recommends that before the proviso for "." substitute ".". 14

The Department in its written reply stated that correction would be carried out soon. 15

Rule 20.

- "20 Change in style and Membership of firm —(1) (a) Where the licensee, holding a licence under section 10, is a firm, any change occurring in the membership of such firm otherwise than through inheritance, shall mean the constitution of a new firm and shall necessitate a fresh licence :

Provided that in the case of a hindu-joint-family firm, any addition on account of the birth or deletion on account of the death of any male member shall not be treated as bringing about any change in the membership of the firm."

The Committee recommends that in proviso to rule 20(1) (a) for "hindu" substitute "Hindu". 16

The Department in its written reply stated that the needful would be done

- "20 (2) (a) Where the licensee, holding a licence under section 13 is a firm, any change occurring in the membership of such firm otherwise than through inheritance shall mean the constitution of a new firm and shall necessitate a fresh licence :

Provided that in the case of a hindu-joint-family firm, any addition on account of the birth of any male member shall not be treated bringing about any change in the membership of the firm."

- 17 The Committee recommends that in the proviso to rule 20(2) (a) for "hindu" substitute "Hindu".

The Department in its written reply stated that the needful would be done.

- "20 (2) (b) Where a change, not necessitating a fresh licence under section 13, takes place in the membership of a firm, or the firm changes its name without any change in the membership thereof, and intimation thereof shall, within two weeks from the date of such change, be given to the committee concerned, who if satisfied, after such enquiry as it may consider necessary, about the correctness of such intimation, shall order necessary corrections to be made in the licence. The Register in form C shall also then be corrected accordingly."

- 18 The Committee recommends that in rule 20(2) (b), line 6, for "who" substitute "which".

The departmental representative agreed to it.

Rule 22.

- "22. Prohibition against grant of Certain licences.—(1) * *
- * * * *

- (2) Nothing in sub-rule (1) shall be deemed to prohibit person licensed as weighman, surveyor or measurer to act in all the three aforesaid capacities."

- 19 The Committee recommends that in sub-rule (2) between the words "prohibit" and "person" insert the word "any".

The Department in its written reply agreed to it.

Rule 24.

- "24. Sale of Agricultural produce.—(1) * *
- (2) * * * *
- * * * *

- (3) A Committee may, and on being directed by the Chairman of the Board, shall fix timings for the starting and closing of the auction in respect of any agricultural produce, other than fruits and vegetables".

- 20 The Committee recommends that in sub-rule (3) the sign ":",

occurring after the word "Board", be shifted after the word "shall" in the same line.

The departmental representative agreed to it.

"24. (8) As soon as the auction for a lot is over the auctioneer shall fill in the relevant particulars in a book to be maintained in Form H and shall secure the signatures of both the buyer and the seller or their respective representatives, whoever may be present at the spot.

Provided that the vegetable and fruit dealers shall be allowed to note down the auction in maundi Bahi instead of register in form H and the Maundi Bahi shall be paged, properly bounded in a book of at least one hundred pages or multiple thereof and first and last page thereof shall be signed, stamped and dated by the Secretary of the Committee or any other official authorised by him in this behalf."

The Committee recommends that in sub-rule (8) after the word "spot" 2 / -
for the sign ".", substitute the sign ":".

The Department in its written reply agreed to it.

"24. (8A) A register in form HH shall be maintained in the office of the Committee and all heaps of agricultural produce which remain unsold during the course of auction shall be entered in this register. It shall be the duty of every Kacha Arhtia to report to the Committee as soon as the unsold heaps are disposed off."

The Committee recommends that in sub-rule (8A), for the words 2-2
"disposed off", substitute the words "disposed of".

The Department accepted it on reconsideration.

"24. (10) A person engaged by a producer to sell agricultural produce on his behalf shall not act as a buyer either for himself or on behalf of another person in respect of such produce without the prior consent of the producer :

Provided that a co-operative Society shall be exempt from the operation of this rule."

The Committee recommends that in proviso to sub-rule (10), for the 2 3
word "exempt", substitute the word "exempted".

The Department in its written reply stated that word "exempt" denotes exempt by rules and not exempted by any other authority. The Committee did not agree with the reply of the Department. Rather, the Committee proposed that in place of the said proviso, the following be substituted :—

"Provided that this sub-rule shall not apply to a Co-operative Society."

The Departmental representative agreed to it.

"24 (12) Every Kacha Arhtiya shall, on delivery of agricultural produce to a buyer, execute a memorandum in Form I and deliver the same to the buyer on the same day or the following day, mentioning sale proceeds plus market charges admissible under rules and bye-laws. The counterfoil shall be retained by the Kacha Arhtiya :

Provided that nothing in this sub-rule shall apply where agricultural produce, being vegetable or fruit, not exceeding one quintal in weight is delivered."

24 The Committee recommends that in sub-rule (12) after the words "Kacha Arhtiya", for the sign ".", substitute the sign ":".

The Department in its written reply agreed to it.

Rule 25.

"25. Weighment.—(1) The Board shall fix standards of net weight of agricultural produce to be filled in a packing unit such as bag, a half bag or a palli within each notified market area."

25 The Committee recommends that in sub-rule (1), between the words "as" and "bag", insert the word "a".

The Department in its written reply agreed to it.

"25. (5) Test weighment under sub-rule (4) shall be carried out in the presence of both the parties to the contract. In case any of the parties refuses or otherwise evades presence, the other party may report in writing to the Secretary of the Committee or any employee of the Board not lower in rank to that of an Inspector, who, after satisfying himself as to the correctness of the report, shall cause the test weighment to be made in his presence or in the presence of any other official of the Committee authorised by him in this behalf, and the result of such test weighment shall be final, conclusive and binding on both the parties."

26 The Committee recommends that in sub-rule (5), for the words "not lower in rank to" substitute the words "not lower in rank than".

The Department in its written reply agreed to it.

Rule 30.

"30. (1)	*	*	*	*
(2)	*	*	*	*
(3)	*	*	*	*

- (4) The agricultural produce, brought for processing from within the State and for which market fee has been paid in any market in the State, shall be exempt from payment of market fee second time :

Provided that an exemption certificate in form LL is produced within four days of the receipt of the goods under official despatch number and date from the Committee wherefrom the produce has been purchased."

The Committee recommends that in sub-rule (4), for the word "exempt", substitute the word "exempted" and after the word "time", for the sign ",", substitute the sign ".".

27

The departmental representative agreed to it.

The departmental representative during the course of oral examination agreed that in view of the recent amendment in Section 23 of the Act, suitable amendments in sub-rules (4) to (8) of rule 30 shall be carried out.

28

Rule 31.

- "31. (1) Account of transaction and of fees to be maintained—
Every licensed dealer and every dealer exempted under rule 18 from obtaining a licence shall submit to the Committee a return in Form M showing his purchases and sales of each transaction of agricultural produce or each transaction of agricultural produce brought for processing within four days of the day of transaction .

Provided that a person exempt from taking a licence under rule 18(2) (b) and 18(2) (c) shall be exempt from the provisions of this sub-rule in respect of sale of agricultural produce by him.

Provided further that in case of a dealer, who exclusively deals in fruits and vegetables, it shall not be necessary to fill in Form M the particulars of the person to whom any quantity of fruits and vegetables less than one quintal is sold.

Provided further that in case the kacha arhtiya sends one copy of Form J to the Market Committee, the kacha arhtiya will be exempted from sending Form M to the Marketing Committee and the buyer shall indicate in Form M only the total quantity and the gross value in respect of each commodity purchased from each seller.

(2)	x	x	x	x
(3)	x	x	x	x
(4)	x	x	x	x

(5)	x	x	x	x
(6)	x	x	x	x
(7)	x	x	x	x
(8)	x	x	x	x

- (9) In addition to the fee or additional fee levied under sub-rule (8) the Committee may recover from the defaulter penalty equal to the fee or additional fee so levied.

(10)	x	x	x	x
(11)	x	x	x	x
(12)	x	x	x	x
(13)	x	x	x	x."

29 After considering the reply received from the Department, the Committee in consultation with the departmental representative decided that the word "exempt" occurring for the first time in the first proviso to sub-rule be substituted by the word "exempted" and for the words "be exempt", the words "stand exempted" be substituted.

30 The Committee further recommends that in the first proviso to sub-rule (1), for "rule", substitute "rules", and after the word "him", for the sign ".", substitute the sign ":" and in the second proviso after the word "sold", for the sign ".", substitute ":".

31 The Committee also recommends that in sub-rule (9), between the words "defaulter" and "penalty" insert the word "a".

The Department in its written reply agreed to it.

Rule 32.

"32. Books to be kept by licensed brokers and godown-keeper.— Every broker and every godown-keeper licensed under these rules shall—

- keep such books in such form as the Committee granting the licence may, from time to time, prescribed by its bye-laws ;
- render such return at such times and in such forms as the Committee may prescribe ; and
- render such assistance as may be required by the Committee, in the collection of fees due under the Act or under the rules or bye-laws made thereunder, in preventing evasions

of payment thereof, and generally in the prevention of breaches of the Act or of these rules or of any bye-laws made thereunder.”.

The Committee recommends that in the heading of rule 32, for the words “godown-keeper” substitute the word “godown-keepers” and in part (a) for the word “prescribed” substitute the word “prescribe”.

32

The Department in its written reply agreed to it.

Rule 37.

“37. Publication of Marketing Information.—(1) A Committee may as and when required by the Chairman of the Board shall, for the benefit of the persons using the market, exhibit in a suitable place outside its office, and at such other place or places as may be determined by it, bulletins of information on such matters as the prices of agricultural produce ruling at the principal marketing centres in the State and the ports serving the State, and the stocks held by mills and the like.

(2) The daily rates of all important agricultural commodities authenticated by a person authorised by the Committee in this behalf shall be exhibited in Hindi in conspicuous places.

(3) * * * * *

The Committee recommends that in sub-rule (1), for the words “exhibit in”, substitute the words “exhibit at”, and in sub-rule (2) for the words “in conspicuous places”, substitute the words “at conspicuous places”.

33

The Department in its written reply agreed to it.

Rule 40.

“40. Procedure for appeals.—(1) xx xx xx

(2) The limitation for filing an appeal under section 40 shall be one month from the date of order appealed from.

(3) xx xx xx xx

(4) xx xx xx xx

(5) xx xx xx xx.”.

The Committee recommends that in sub-rule (2), for the words “one month” the words “thirty days” be substituted.

34

The Department in its written reply agreed to it.

APPENDIX

Subject :—Adoption of a system for serially and centrally numbering the statutory rules, orders and notifications, etc.

It has been brought to the notice of the Government that in the absence of any definite system of numbering the notifications containing the amendments to the statutory rules, orders and regulation, etc., considerable difficulty is experienced by the courts and the public in keeping track of all the amendments and in determining the correct up to date position of the rules, etc. One step to obviate the difficulty had already been taken by altering the shape of the Punjab Government Gazette, (-) *vide* Punjab Government U O No. 3161-PS-59, dated the 27th May, 1959, according to which a distinct and separate part entitled "Legislative Supplement" was introduced for the purpose of publishing all legislative material at one place. This Supplement is divided as under :—

- (i) Part I contains all the Acts of the State Legislature.
- (ii) Part II contains all the Ordinances and Regulations promulgated by the Governor of Punjab.
- (iii) Part III contains the delegated legislation, i.e. all statutory rules, orders, regulations and notifications.
- (iv) Part IV contains the correction slips, republications and replacements.

2. This Supplement is published in octavo size so that each Part becomes capable of being bound at the end of the year in such form as may be convenient for reference purposes.

3. The second step to remove the aforesaid difficulty, which has been engaging the attention of the Government for some time is regarding the serially and centrally numbering of the statutory rules, orders, regulations and notification. It has now been decided that all the Administrative Departments when issuing any rules, orders, regulations and notifications under any Act or Ordinance, should assign a number to such rules, orders, regulations and notifications in the manner hereinafter indicated. The proposed number should indicate the following particulars :—

- (i) the number and year of the Punjab Act, Central Act, Punjab Ordinance or Central Ordinance, as the case may be. For example, in the case of the Punjab New Mandi Township (Development and Regulation) Act, 1960, the number may be PA-2/60. PA stands for Punjab Act, which may be substituted by C.A., P.O. or C.O., if it is a case of Central Act, Punjab Ordinance or Central Ordinance. The figure "2" represents the yearly number of the Act and "60" the year in which the Act was published ;
- (ii) the section of the Act under which rules, etc., are being made and the year in which they are being issued. For example, in the case of Punjab Act 2 of 1960 the above number would be supplemented by the abbreviation and figures "S-25/61" so that the above number would become P.A 2/60/S.25/61 ;

- (iii) in case of any subsequent amendment of the rules, orders or regulations the serial number of the amendment along with the year in which it is issued shall be indicated. For example the above number would become P.A./2/60/S.25/Amd.(1)61, subsequent amendments would be serially numbered as Amd.(2)/61, Amd.(3)/62, Amd.(4)/63 and so on.

4 To give effect to the system of assignment of serial number it is hereby directed that the Administrative Department shall bring their rules, orders, regulations and notifications up-to-date and republish them for general information in the "Legislative Supplement" as early as possible and in any case not later than the 1st January, 1962. Soon after such republication, the above system should be enforced. In the case of new Acts and Ordinances, the system should be adopted at once. In order to enable the system to work satisfactorily, the Administrative Departments should maintain master copies of the up-to-date republished rules etc. or rules issued under new Acts and Ordinances, as the case may be, so that no difficulty may be experienced and no mistake may occur in the assignment of serial numbers. Not only the master copies should be kept up-to-date, but a list of the amendments issued from time to time should also be maintained along with the master copies.

5. As regards the numbering of statutory rules, orders, regulations and notifications at a central place, it has been decided that they shall be centrally numbered by the Controller of Printing and Stationery. The numbering shall be consecutive. Statutory rules, orders and regulations which make substantive legal provisions should be numbered consecutively by the press as G.S.R.1, G.S.R. 2 and so on (General Statutory Rule). All other statutory notifications not being statutory rules, orders, regulations or their amendments which make substantive legal provisions, should be consecutively numbered by the press as S.O.1 S.O.2 and so on (Statutory order). The serial numbers assigned by the Administrative Department shall appear within brackets at the end of the notifications.

6. If any difficulty or doubt arises in implementing these instructions, the same may be referred to the Legislative Department for clarification.

7. The receipt of this communication may kindly be acknowledged.

GURDIP SINGH,

Assistant Secretary (Administration) to Government, Punjab,
for Chief Secretary to Government, Punjab.

To

- (1) The Financial Commissioner, Development, Punjab.
- (2) The Financial Commissioners, Punjab.
- (3) The Financial Commissioner, Revenue, Punjab.
- (4) All Administrative Secretaries to Government, Punjab.

U.O. No. Pol-81(51)-61, dated Chandigarh, the 19th September, 1961.