

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
LEGISLATIVE DEPARTMENT**

LOK S A B H A

UNSTARRED QUESTION No. 5199

TO BE ANSWERED ON WEDNESDAY, 24TH JULY, 2019.

Framing of Rules for Legislation

5199. SHRI RAJA AMARESHWARA NAIK:

DR. SUKANTA MAJUMDAR

SHRI VINOD KUMAR SONKAR

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether Manual of Parliamentary Procedure, under Chapter 11 (Subordinate Legislation), para 11.3.1 stipulates that rules/regulations/bye-laws would be framed within a period of six months from the date on which the relevant statute came into force;
- (b) if so, whether only 2 to 5 percent. of rules/regulation/bye-laws are framed by the concerned Ministries/Departments and if so, the reasons therefor;
- (c) whether the time taken for framing rules of legislation after publication of approval in the official gazette exceeds a time limit of 15 days as per the Manual of Parliamentary Procedure;
- (d) if so, the details thereof and the reasons therefor; and
- (e) the remedies adopted by the Government to frame the rules of all legislations within the time limit and reduce the delays associated with framing the rules?

ANSWER

MINISTER OF LAW & JUSTICE,

COMMUNICATIONS AND ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

- (a) Yes, Sir.
- (b) As per the Government of India (Allocation of Business) Rules, 1961, the subject matter relating to framing of rules, regulations etc. under different statutes have been allocated to various Ministries/Departments. No data in this respect is centrally maintained by the Government.
- (c) & (d) Paragraph 11.5.1 of the Manual of Parliamentary Procedure provide for laying of rules etc. on the Table of the House as soon as possible and, in any case, within a period of 15 days (30 days in case of notification relating to state under the Presidents' rule), reckoned from:
 - (a) the date of their publication in the Official Gazette if the House is in session; or
 - (b) the date of commencement of the next session, if the House is not in session.No data in this respect is centrally maintained by the Government.
- (e) For monitoring of the framing of subordinate legislation under the Acts enacted by Parliament and notifying the same, a module for updating the status of subordinate legislation has been included in the *e-SamikSha* portal. The framing of subordinate legislation is being monitored through *e-SamikSha* portal. Further, the Parliamentary Standing Committee on subordinate legislation is continuously monitoring as to whether Ministries/Departments have framed the subordinate legislation under the Acts administered by them. The Committee is also holding periodical meetings with the Secretaries of the Ministries/Departments regarding subordinate legislation.