

(EIGHTEENTH LOK SABHA)

SIXTH REPORT

ACTION TAKEN BY THE GOVERNMENT ON THE OBSERVATIONS/RECOMMENDATIONS CONTAINED IN THE TWENTY-EIGHTH REPORT (17TH LOK SABHA) ON "STATUS OF FRAMING OF SUBORDINATE LEGISLATION VIZ. RULES/REGULATIONS ETC. UNDER VARIOUS ACTS BEING ADMINISTERED BY THE DEPARTMENT OF FISHERIES IN THE MINISTRY OF FISHERIES, ANIMAL HUSBANDRY & DAIRYING AND DELAY IN LAYING OF RULES/REGULATIONS"

(PRESENTED TO LOK SABHA ON 03.12.2025)



LOK SABHA SECRETARIAT
NEW DELHI

DECEMBER, 2025/ AGRAHAYANA, 1947 (SAKA)

COSL No. 138 Vol. II

(C) 2025 BY LOK SABHA SECRETARIAT

Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha (Seventeenth Edition) and printed by the Lok Sabha Secretariat, New Delhi-110001.

(iii)

CONTENTS

Page No.

COMPOSITION OF THE COMMITTEE..... (iv)

INTRODUCTION..... (v)

Chapter-I	Report.....	1
Chapter-II	Recommendations which have been accepted by the Government	4
Chapter-III	Observations/Recommendations which the Committee do not desire to pursue in view of the Government's Reply	10
Chapter-IV	Observations/Recommendations which replies of the Government have not been accepted by the Committee	11
Chapter-V	Observations/Recommendations in respect of which final reply of the Government is still awaited	12
APPENDIXES		
I.	Extracts of Minutes of the Eighth Sitting of the Committee held on 25.11.2025	13
II.	Analysis of the Action Taken by the Government on the Observations/ Recommendations contained in the 28 th Report (17 th Lok Sabha) of the Committee on Subordinate Legislation	15

MEMBERS OF THE COMMITTEE ON SUBORDINATE LEGISLATION (2025-26)

1. **Shri Balashowry Vallabhaneni, Chairperson**
2. Shri Karti P Chidambaram
3. Shri Satish Kumar Gautam
4. Dr. Mohammad Jawed
5. Shri Dhairyasheel Sambhajirao Mane
6. Ms. Mahua Moitra
7. Shri N.K. Premachandran
8. Shri Rajeev Rai
9. Shri A. Raja
10. Shri Madhavaneni Raghunandan Rao
11. Dr. Alok Kumar Suman
12. Shri Vivek Thakur
13. Shri Rajesh Verma
14. Vacant
15. Vacant

SECRETARIAT

- | | | | |
|----|-----------------------------|---|-------------------|
| 1. | Smt. Jyochnamayi Sinha | - | Joint Secretary |
| 2. | Shri Bala Guru G | - | Director |
| 3. | Shri Shailendra Priyadarshi | - | Deputy Secretary |
| 3. | Shri Satish Kumar | - | Executive Officer |

(v)

INTRODUCTION

I, the Chairperson, Committee on Subordinate Legislation (2025-26) having been authorized by the Committee to present the Report on their behalf, the Sixth Report on the action taken by the Government on the Observations/ Recommendations contained in Twenty-eighth Report (Seventeenth Lok Sabha) on status of framing of Subordinate Legislation viz. Rules/Regulations etc. under various Acts being administered by the Department of Fisheries in the Ministry of Fisheries, Animal Husbandry & Dairying and delay in laying of Rules/Regulations.

2. This Report relates to the action taken by the Government on the Observations/ Recommendations of the Committee contained in The Twenty-eighth Report (Seventeenth Lok Sabha) which was presented to Lok Sabha on 24.03.2023.

3. The Report was considered and adopted by the Committee at their sitting held on 25.11.2025.

4. An analysis of the Action Taken by Government on the Observations/ Recommendations contained in the Twenty-eighth Report of the Committee (Seventeenth Lok Sabha) is given in **Appendix II** of the Report.

New Delhi;
25 November, 2025
04 Agrahayana, 1947 (Saka)

BALASHOWRY VALLABHANENI
Chairperson,
Committee on Subordinate Legislation

REPORT

CHAPTER-I

This Report of the Committee on Subordinate Legislation (2025-26) deals with the Action Taken by the Government on the Observations/Recommendations contained in the Twenty-eighth Report (17th Lok Sabha) of the Committee which was presented to Lok Sabha on 24.03.2023. The Twenty-eight Report dealt with the status of framing of Subordinate Legislation viz. Rules/Regulations etc. under various Acts being administered by the Department of Fisheries in the Ministry of Fisheries, Animal Husbandry & Dairying and delay in laying of Rules/Regulations.

2. The shortcomings observed in the above Report and the Observations/Recommendations made by the Committee in respect of these shortcomings are contained in Serial Nos. 1 to 6 (Para Nos. 2.1 to 2.13) of Part-II of the Twenty-eight Report (17th Lok Sabha). The Report, after presentation, was forwarded to the Department of Fisheries in the Ministry of Fisheries, Animal Husbandry & Dairying and the Ministry of Parliamentary Affairs for implementation of the recommendations contained therein. The Department of Fisheries vide their OM No.H-11013/1/2023-Fy(Parl.) dated 28.08.2024 furnished their action taken replies on the Observations/Recommendations contained in the Report.

3. Replies to the observations/recommendations contained in the Report have been categorized as follows:

- | | |
|---|-----------|
| (i) Observations/Recommendations which have been accepted by the Government
Para Nos. 1, 2, 4 and 5 | Total: 04 |
| (ii) Observations/Recommendations which the Committee do not desire to pursue in view of the Government's reply.
Para No. 6 | Total: 01 |
| (iii) Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee
Para Nos. Nil | Total:00 |
| (iv) Observations/Recommendations in respect of which final replies of the Government are still awaited
Para No. 3 | Total:01 |

4. The main observations/ recommendations made by the Committee in different paras of the Report and the action taken thereupon by the Department of Fisheries in the Ministry of Fisheries, Animal Husbandry & Dairying are, in brief, as follows:-

I. Framing & Laying of Rules/Regulations under the Acts administered by the Department

(Recommendations Sl.No. 1, Para Nos. 2.1 to 2.3)

5. The Committee had noted from the status furnished by the Department that the Department of Fisheries furnished the date of laying of only 3 Rules/Regulations out of a total of 4 Rules/Regulations notified by the Department under the Coastal Aquaculture Authority Act, 2005 and the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981. The information regarding date of laying of the "Coastal Aquaculture Authority Regulation, 2008 had been left blank. The Committee had, thus, recommended that the Department should furnish the final updated status of all the Rules/ Regulations framed and laid before both the Houses of Parliament in respect of all Acts, being administered/ implemented by them.

6. The Department of Fisheries in their action taken reply have informed the Committee that after thorough search of the records and files in the Department, the records pertaining to the date of laying of "Coastal Aquaculture Authority Regulations, 2008" in the Parliament could not be accessed in the Department. Hence, the column was left blank in the report submitted in this regard. Besides, in the meanwhile, the Department has issued the following (i) the Coastal Aquaculture Authority (Amendment), Act 2023; (ii) the Coastal Aquaculture Authority Rules, 2024 and (iii) 07 Guidelines [(a) to (g)] in compliance with section 3 of the Act, namely:—

- (a) Guidelines for Regulating Coastal Aquaculture;
- (b) Guidelines for Regulating Hatcheries and Farms for Seed Production and Culture of Specific Pathogen Free *Litopenaeus vannamei*;
- (c) Guidelines for Seed Production and Culture of Specific Pathogen Free *Penaeus monodon*;
- (d) Guidelines for the Health Monitoring, Disease Surveillance and Specific Pathogen Free Certification of Coastal Aquaculture Units and Stocks in India;
- (e) Guidelines for Certificate of Compliance for Aquaculture inputs;
- (f) Guidelines for the Establishment and Operation of Nucleus Breeding Centres and Broodstock Multiplication Centres in India;
- (g) Guidelines for Solid Waste Management in Coastal Aquaculture Units or Activities.

The Department has further submitted that all the above-mentioned Rules/ Regulations/ Guidelines are being processed for laying in both the Houses of the Parliament in the next Parliament Session.

7. **On perusal of the Action Taken Replies submitted by the Department of Fisheries, the Committee have noticed that the Department had amended the principle Act i.e. the Aquaculture Authority (Amendment) Act, 2023 and framed/ issued the Coastal Aquaculture Authority Rules, 2024 alongwith seven relevant guidelines in compliance with Section 3 of the Act. The Department of Fisheries in their Action Taken Replies submitted on 28.08.2024 had also stated that the process for laying all the Rules/ Regulations/ Guidelines in both the Houses of the Parliament in the next Parliament Session. The Committee are happy to note that the Department of Fisheries, in the meantime, having taken cognizance of the recommendation of the Committee and recently, in the Monsoon Session**

dated 12.08.2025 laid the Coastal Aquaculture Authority Regulations, 2008 and the Coastal Aquaculture Authority Rules, 2024. Keeping in view the action taken by the Department, the Committee further reaffirm their stance of laying of Rules/Regulations within the stipulated time period. Thus, the Committee urge the Department to ensure that such lapses do not occur in future and the timelines for the legislative procedures be adhered to strictly.

Further, on the issue of non-traceable of old records about laying status of Rules/ Regulations etc, it is relevant to mention that the Committee on Subordinate Legislation, Lok Sabha had recently launched a Subordinate Legislation Handling System Software (SLHS) on 11.09.2025, which was attended by nominated officials from all the Ministries/ Departments, Government of India. As SLHS is fully operational, the Committee, therefore, strongly recommend that the Department of Fisheries should utilize the platform for maintenance and Updation of all the subordinate legislation of all Acts/Rules etc, so that such serious issue of non-traceable of old records will not recur in future.

II. Framing/Non-laying of Recruitment Rules framed under Article 309 of the Constitution of India

8. The Committee noted that the Recruitment Rules of the four Institutes under the administrative control of the Department of Fisheries had been framed/notified under proviso to Article 309 of the Constitution of India and the same have not yet been laid before the Parliament. The Committee observed that there was no clarity regarding enabling provision for framing of Recruitment Rules of non-statutory PSUs, Institutions, Autonomous Bodies, Independent Societies registered under Societies Registration Act, 1860 as in the case of four Institutes working under the administrative control of Department of Fisheries. The Committee urged the Department to consult with the DoPT and Ministry of Law and Justice and if the DoPT is of the view that Recruitment Rules are required to be framed/notified as per the Act of Parliament or the statutes through which these Institutes came in existence, the Department should accordingly review and amend the Recruitment Rules of these four Institutes and also of other Subordinate Offices working under the administrative control of the Department.

{Recommendations Sl.No. 2, Para No. 2.5 to 2.6}

9. The Department of Fisheries in their action taken reply have informed the Committee that the DoPT was approached to advise as to whether Recruitment Rules under Article 309 of the Constitution are required to be laid on the Houses of Parliament. In response, the DoPT has sought certain additional information from the Department of Fisheries which was provided to the DoPT on 21.08.2024. The response from the DoPT is awaited and is being followed up.

COMMENTS OF THE COMMITTEE

10. The Committee note from the Action Taken reply furnished by the Department that the Department of Fisheries has sought views of the DoPT with regard to laying of the Recruitment Rules framed under Article 309 of the Constitution of India before both Houses of the Parliament and response from the DoPT is still awaited. The Committee note with satisfaction that the Ministry has already taken up the matter with DoPT, therefore, the Committee would like to be apprised of all the relevant information at the earliest

CHAPTER II

OBSERVATIONS/ RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Serial No. 1, Para Nos. 2.1 to 2.3)

The Department of Fisheries in the Ministry of Fisheries, Animal Husbandry & Dairying were asked to furnish the status of Rules/Regulations, framed under various Acts, being administered by them. In response, the Department vide their communication dated 15.11.2021 have furnished the status of framing of Subordinate Legislation under various Acts. While scrutinizing the status, the Committee observed that the Department has furnished incomplete information with regard to Rules framed under the Acts i.e. (i) The Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981; and (ii) The Coastal Aquaculture Authority Act, 2005. The Committee are concerned to note that the Department has also furnished information to the Committee in a haphazard manner by making submissions like “not applicable” or “file not traceable” in column 7 of the prescribed format meant for Date of laying of rules and regulations in Lok Sabha. The Committee are, therefore, of the view that furnishing of incomplete information that too in a haphazard manner to a Parliamentary Committee exhibits extremely callous approach of the Department in framing/laying of rules/regulations and also keeping record of the Subordinate Legislation.

2.2 The Committee, having taken cognizance of this fact, held a briefing meeting with the representatives of the Department of Fisheries on 28.09.2022 on status of framing/laying of subordinate legislation under various Acts being administered by the Ministry. During the briefing, the Department of Fisheries has submitted that three Rules/Regulations have been framed under the Coastal Aquaculture Authority Act, 2005 and one Rule has been framed under Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981, as indicated below:-

S.No.	Rules/ Regulations framed	Date of Laying
(i)	Coastal Aquaculture Authority Rules, 2005 <i>vide</i> G.S.R 740(E) dated 22.12.2005	10.03.2006
(ii)	Coastal Aquaculture Authority Regulations, 2008 <i>vide</i> Notification dated 08.03.2008	--
(iii)	Coastal Aquaculture Authority (Amendment) Rules, 2022	29.07.2022
(iv)	Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Rules, 1982	04.11.1982

2.3 The Committee note from the above, that the Department has mentioned the date of laying of only 3 Rules/ Regulations out of a total of 4 Rules/ Regulations notified by the Department. The information regarding the date of laying of “Coastal Aquaculture Authority Regulation, 2008 has been left blank which shows the casual approach of the Department towards fulfilling the statutory obligation of laying of subordinate legislation before both the Houses of Parliament within the stipulated time. The Committee, thus, recommend that the Department should furnish the final updated status of all the Rules/ Regulations framed and laid before the Houses in respect of all Acts, being administered/ implemented by them, within 3 months after presentation of the Report to the House.

Reply of the Government

After thorough search of the records and files in the Department, the records pertaining to the date of laying of "Coastal Aquaculture Authority Regulation, 2008" in the Parliament were not accessible in the Department. Hence, the column was left blank in the report submitted in this regard. Besides, in the meanwhile, the Department has issued the following (1) the Coastal Aquaculture Authority (Amendment) Act, 2023; (2) the Coastal Aquaculture Authority Rules, 2024 and (3) 07 Guidelines [(a) to (g)] in compliance with section 3 of the Act, namely:—

- (a) Guidelines for Regulating Coastal Aquaculture;
- (b) Guidelines for Regulating Hatcheries and Farms for Seed Production and Culture of Specific Pathogen Free *Litopenaeus vannamei*;
- (c) Guidelines for Seed Production and Culture of Specific Pathogen Free *Penaeus monodon*;
- (d) Guidelines for the Health Monitoring, Disease Surveillance and Specific Pathogen Free Certification of Coastal Aquaculture Units and Stocks in India;
- (e) Guidelines for Certificate of Compliance for Aquaculture inputs;
- (f) Guidelines for the Establishment and Operation of Nucleus Breeding Centres and Broodstock Multiplication Centres in India;
- (g) Guidelines for Solid Waste Management in Coastal Aquaculture Units or Activities.

All the above-mentioned Rule/Regulation/Guidelines are being processed for laying in both the Houses of the Parliament in the next Parliament Session.

(No. H-11013/1/2023-Fy-Parl. dated 28.08.2024-Department of Fisheries)

Recommendation (Serial No. 2, Para No. 2.4)

2.4 The Committee find that Section 25 (2) (f) of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981, empower the Central Government to make Rules regarding the 'form' in which an application may be made for releasing the vessel or other things seized under the first proviso to Clause (a) of sub-Section (4) of Section 9 of the Act. However, on scrutiny of the Maritime Zones of India Regulation of Fishing by Foreign Vessels Rules, 1982, it has been observed that the said 'form' has not been notified alongwith MZI Rules, 1982. If Rules for the said provision i.e. Section 9 (4) (a) have been notified separately by the Department, the details of the same should have been furnished to the Committee and if the same have not yet been framed, the Committee wonder how the relevant proviso to Clause (a) of Section 9 (4) of the Act is being implemented. The Committee recommend that the Department of Fisheries should ensure that the Rules are in place and if the same have not yet been framed, the Ministry/Department should ensure immediate framing and laying of the same so as to avoid discretionary and arbitrary exercise of power on the part of concerned Authority. Moreover, when the Act provides for application for release of vessels etc. in the form prescribed by Rules, then the same should be followed so as to fulfill the statutory obligation assigned to the Ministry/ Department. The Committee

would like to be apprised of the factual status in this regard within 6 months after presentation of the Report in the House.

Reply of the Government

The updated status has already been communicated vide OM dated 16th July, 2024 to Lok Sabha Secretariat. The copy of the same is enclosed for ready references at **Appendix-II**.

(No. H-11013/1/2023-Fy-Parl. dated 28.08.2024-Department of Fisheries)

Recommendation (Serial No. 4, Para No. 2.7 to 2.10)

2.7 The Committee note that the Recruitment Rules framed/notified for such entities by invoking proviso to Article 309 of the Constitution are not laid before the Houses of Parliament and thereby escape the legislative scrutiny. The Committee also note that while the Recruitment Rules made by the Ministries/ Departments/ Organizations under various Acts of Parliament are laid before the Houses and there have been some cases where the Rules made under Article 309 have also been laid before the Houses. The Committee thus, find the plea of the Department of Fisheries, that it was not mandatory upon the administrative Ministries/ Departments to lay the rules framed under Article 309 of the Constitution before the Houses of Parliament, is not acceptable.

2.8 The Committee further note that for laying of Recruitment Rules notified under Article 309 of the Constitution of India, DoPT vide its O.M. dated 07.02.2023 submitted that, although the Recruitment Rules are statutory in nature, the copies of the notification of the same need not be laid before the Houses of Parliament as Article 309 of the Constitution, under which these Rules are framed, does not have any mandatory provision for laying such Rules before the Houses of Parliament. The Committee are, however, of the view that though there is no explicit provision under Article 309 to lay the Rules, but it also does not prohibit for laying the same too.

2.9 In this context, attention is also drawn to Para No. 11.5.4 (v) of the Manual of Parliamentary Procedures, Ministry of Parliamentary Affairs, Government of India regarding laying of rules etc. before the Houses, which reads as under:-

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

2.10 Thus, in absence of any clear provision in the Constitution regarding laying of the rules framed under Article 309, the Committee are of the view that Rules framed under Article 309 should be subject to legislative scrutiny to ensure that they are not arbitrary, unreasonable and are not biased or against the established principles of natural justice. The Committee, therefore, recommend that all Rules framed under Article 309 in connection with affairs of the Union should invariably be laid before both the Houses of Parliament within the stipulated time for laying of subordinate legislation i.e. within 15 days of its Notification. The Department should, therefore, consult DOPT in the matter and apprise the Committee of the conclusive action taken within 6 months of the presentation of the Report.

Reply of the Government

In pursuance of the recommendation of the Committee on Subordinate Legislation, Department of Fisheries has initiated laying of RRs before both the Houses of Parliament. List of such RRs laid by the Department is given below:-

- (i) Recruitment Rules for the post of Deputy Commissioner (Fisheries) notified vide GSR No. 75 dated 27.06.2023 were laid in both the Houses of Parliament on 04.07.2023.
- (ii) Recruitment Rules for the post of Assistant Research Officer (Fisheries) notified vide GSR No. 76 dated 27.06.2023 were laid in both the Houses of Parliament on 04.07.2023.
- (iii) Recruitment Rules for the post of Research Officer (Fisheries) notified vide GSR No. 122 dated 23.09.2023 were laid in both the Houses of Parliament 11.10.2023.
- (iv) Recruitment Rules for the post of Fisheries Development Commissioner notified vide GSR No. 358(E) dated 01.05.2023 were laid in both the Houses of Parliament 16.05.2023.
- (v) Recruitment Rules for the post of Central Institute of Fisheries, Nautical and Engineering Training, Fitter, Welder, Turner and Tool Room Assistant (Group 'C' Posts) notified vide GSR No. 35 dated 11.03.2024 were laid in both the Houses of Parliament on 28.03.2024.
- (vi) Recruitment Rules for the post of Central Institute of Fisheries Nautical and Engineering Training, Cochin, Netmaking Supervisor, Senior Netmaker and Netmaker notified vide GSR No. 38 dated 20.03.2023 were laid in both the Houses of Parliament on 05.04.2024.
- (vii) Recruitment Rules for the post of Central Institute of Coastal Engineering for Fishery, Deputy Director (Civil Engineering) notified vide GSR No. 46 dated 05.04.2024 were laid in both the Houses of Parliament on 23.04.2024
- (viii) Recruitment Rules for the post of Central Institute of Coastal Engineering for Fishery, Assistant Director (Civil Engineering) notified vide GSR No. 47 dated 05.04.2024 were laid in both the Houses of Parliament on 23.04.2024.

(No. H-11013/1/2023-Fy-Parl. dated 28.08.2024-Department of Fisheries)

Recommendation (Serial No. 5, Para No. 2.11)

The Committee also urge upon the Ministry of Parliamentary Affairs to take up the matter earnestly and evolve a foolproof mechanism to deal with framing and laying of subordinate legislation, including training of the Officers / Staff, so that there is no laxity in the compliance of the laid down procedures in the garb of ignorance to the established procedures as being recommended in the Committee's oft repeated recommendations from time to time and also laid down by the Ministry of Parliamentary Affairs in its Manual on Parliamentary Procedure pertaining to subordinate legislation

Reply of the Government

The Ministry of Parliamentary Affairs has informed vide OM dated 20.08.2024 **(Appendix-III)** that recommendation of creating a foolproof mechanism to deal with framing and laying of Subordinate Legislation including training of the officer/staff is still under process in the Ministry of Parliamentary Affairs and is likely to be developed at an early date.

(No. H-11013/1/2023-Fy-Parl. dated 28.08.2024-Department of Fisheries)

Recommendation (Serial No. 6, Para No. 2.12 & 2.13)

2.12 The Committee further note that as per Para No. 11.5.4 of the Manual of Parliamentary Procedures, all the published Gazette Notifications have to be instantly uploaded on the official website www.egazette.nic.in as per Section 4 and Section 8 of Information Technology Act, 2000 and three hard copies of all statutory orders and rules framed under Article 309 to be sent to the Committee on Subordinate Legislation (COSL). A soft copy of the same is to be sent to email i.e. cosl-lss@sansad.nic.in as soon as the notification is published in Part-II Section 3 (i), 3(ii) & 4 of Gazette, for scrutiny and upkeep of records by the COSL.

2.13 The Committee are constrained to note that the Department of Fisheries do not follow the above procedural requirements as mentioned in Manual of Parliamentary Procedures. The Committee strongly deprecate the casual approach of the Department in this regard and expect that important aspect of dissemination of exact information does not remain unheeded to. The Committee, thus, strongly recommend the Department to look into the matter and assign the responsibility of uploading all Rules/ Regulations/ Bye-laws notified on the e-gazette website instantly and also to furnish hard copies as well as soft copies to the Committee on Subordinate Legislation, Lok Sabha as prescribed in Manual of Parliamentary Procedures. The Committee would like to be apprised of the action taken in this regard.

REPLY OF THE GOVERNMENT

Recommendations of the Committee are being strictly complied by the Department of Fisheries. Notified Rules/ Regulations/ bye-laws are instantly uploaded on e- gazette website and hard and copies thereof are laid on both the Houses of Parliament within specified time. As stated in reply to recommendation No. 4, Department of Fisheries has initiated laying of RRs before both the Houses of Parliament. List of such RRs laid by the Department is given below:-

- (i) Recruitment Rules for the post of Deputy Commissioner (Fisheries) notified vide GSR No. 75 dated 27.06.2023 were laid in both the Houses of Parliament on 04.07.2023.
- (ii) Recruitment Rules for the post of Assistant Research Officer (Fisheries) notified vide GSR No. 76 dated 27.06.2023 were laid in both the Houses of Parliament on 04.07.2023.

- (iii) Recruitment Rules for the post of Research Officer (Fisheries) notified vide GSR No. 122 dated 23.09.2023 were laid in both the Houses of Parliament 11.10.2023.
- (iv) Recruitment Rules for the post of Fisheries Development Commissioner notified vide GSR No. 358(E) dated 01.05.2023 were laid in both the Houses of Parliament 16.05.2023.
- (v) Recruitment Rules for the post of Central Institute of Fisheries, Nautical and Engineering Training, Fitter, Welder, Turner and Tool Room Assistant (Group 'C' Posts) notified vide GSR No. 35 dated 11.03.2024 were laid in both the Houses of Parliament on 28.03.2024.
- (vi) Recruitment Rules for the post of Central Institute of Fisheries Nautical and Engineering Training, Cochin, Netmaking Supervisor, Senior Netmaker and Netmaker notified vide GSR No. 38 dated 20.03.2023 were laid in both the Houses of Parliament on 05.04.2024.
- (vii) Recruitment Rules for the post of Central Institute of Coastal Engineering for Fishery, Deputy Director (Civil Engineering) notified vide GSR No. 46 dated 05.04.2024 were laid in both the Houses of Parliament on 23.04.2024.
- (viii) Recruitment Rules for the post of Central Institute of Coastal Engineering for Fishery, Assistant Director (Civil Engineering) notified vide GSR No. 47 dated 05.04.2024 were laid in both the Houses of Parliament on 23.04.2024.

(No. H-11013/1/2023-Fy-Parl. dated 28.08.2024-Department of Fisheries)

CHAPTER III**OBSERVATIONS/ RECOMMENDATIONS WHICH THE COMMITTEE DO NOT
DESIRE TO PURSUE IN VIEW OF THE GOVERNMENT'S REPLY****Recommendation (Serial No. 6, Para No. 2.11)**

The Committee also urged the Ministry of Parliamentary Affairs take up matter earnestly regarding developing a robust mechanism for framing and laying subordinate legislation, including training officers/staff, to ensure compliance with established procedures, as recommended by the Committee and the Ministry's Manual on Parliamentary Procedure.

REPLY OF THE GOVERNMENT

The Ministry of Parliamentary Affairs have informed the Department of Fisheries that recommendation of creating a foolproof mechanism to deal with framing and laying of Subordinate Legislation including training of the Officer/Staff is still under process in the Ministry and is likely to be developed at an early date.

(No. H-11013/1/2023-Fy-Parl. dated 28.08.2024-Department of Fisheries)

CHAPTER IV

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

-NIL-

CHAPTER V

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

Recommendation (Serial No. 3, Para No. 2.5 & 2.6)

2.5 Department of Fisheries in their background for the briefing meeting of the Committee held on 28.09.2022, submitted that Recruitment Rules of four Institutes *viz.* (i) Fishery Survey of India, Mumbai; (ii) Central Institute of Fisheries Nautical and Engineering Training, Kerala; (iii) Central Institute of Coastal Engineering for Fishery, Bangalore; and (iv) National Institute of Fisheries Post Harvest Technology, Kochi have been framed/notified under proviso to Article 309 of the Constitution of India, but have not yet been laid before the Houses. The Department also informed that the Recruitment Rules of the above Institutes are being framed/ amended in consultation with the DoPT, UPSC and the Ministry of Law & Justice as required under instructions from the DoPT from time to time.

2.6 DoPT, in response to a clarification regarding framing of Rules under Article 309 of the Constitution, has submitted *vide* O.M. H-11013/02/2023-Parl. dated 07.02.2023 that Rules regulating recruitment and conditions of service in respect of employees of PSUs, Institutions, Autonomous Bodies, Independent Societies registered under the Societies Registration Act, 1860 or any other organization have to be framed as per the provisions of the Statute/Act of the Parliament or the provision through which they came into existence. The Committee find that there is no clarity regarding enabling provision for framing of Recruitment Rules of non-statutory PSUs, Institutions, Autonomous Bodies, Independent Societies registered under Societies Registration Act, 1860 as in the case of four Institutes working under the administrative control of Department of Fisheries. The Committee would, therefore, like the Department to consult DoPT and Ministry of Law & Justice and if the DoPT is of the view that Recruitment Rules are required to be framed/notified as per the Act of Parliament or the statutes through which these Institutes came in existence, the Department should accordingly review and amend the Recruitment Rules of these four Institutes and also of other Subordinate Offices working under the administrative control of the Department and notify the same. The Committee would like to be apprised of conclusive action taken in this regard within 6 months of the presentation of the Report.

Reply of the Government

As recommended by the Committee, DoPT was approached to advise as to whether Recruitment Rules under Article 309 of the Constitution are required to be laid on the Houses of the Parliament. In response, the DoPT has sought certain additional information from the Department of Fisheries. The information has been collected and provided to the DoPT on File on 21.08.2024. Response from the DoPT is awaited and is being followed up.

(No. H-11013/1/2023-Fy-Parl. dated 28.08.2024-Department of Fisheries)

New Delhi;
25 November, 2025
04 Agrahayana, 1947 (Saka)

BALASHOWRY VALLABHANENI
Chairperson,
Committee on Subordinate Legislation

APPENDIX-I**CONFIDENTIAL****MINUTES OF THE EIGHTH SITTING OF THE COMMITTEE ON SUBORDINATE
LEGISLATION (2025-2026)**

The eighth sitting of the Committee on Subordinate Legislation (2025-26) was held on Tuesday, the 25 November, 2025 from 1100 hrs. to 1245 hrs. in Committee Room – B, Parliament House Annexe, New Delhi.

PRESENT

Shri Balashowry Vallabhaneni

Chairperson**MEMBERS**

2. Shri Karti P Chidambaram
3. Dr. Mohammad Jawed
4. Ms. Mahua Moitra
5. Dr. Alok Kumar Suman
6. Shri Vivek Thakur

SECRETARIAT

1. Smt. Jyochnamayi Sinha - Joint Secretary
2. Shri Bala Guru G. - Director
3. Shri Shailendra Priyadarshi - Deputy Secretary

WITNESSES

Ministry of Health and Family Welfare
(Department of Health and Family Welfare)

XX**XX****XX**

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee. The Committee then considered the following draft Reports: -

(i) XX XX XX

(ii) Sixth Report on the Action Taken by the Government on the Observations/ Recommendations contained in the Twenty Eighth Report (17th Lok Sabha) on status of framing of subordinate legislation viz. rules/regulations etc. under various acts being administered by the Department of Fisheries in the Ministry of Fisheries, Animal Husbandry & Dairying.

3. XX XX XX

4. XX XX XX

5.	XX	XX	XX
6.	XX	XX	XX
7.	XX	XX	XX
8.	XX	XX	XX

The witnesses then withdrew.

A verbatim record of the proceedings of the sitting has been kept separately.

The Committee then adjourned.

APPENDIX-II**(Vide Para 6 of the Introduction of the Report)****ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE OBSERVATIONS/ RECOMMENDATIONS CONTAINED IN THE 28TH REPORT OF THE COMMITTEE ON SUBORDINATE LEGISLATION (17TH LOK SABHA)**

I	Total No. of Observations/Recommendations made	6
II	Recommendations that have been accepted by the Government	4
	[vide recommendations at Sl. Nos.1, 2, 4 & 5] Percentage of total	67 %
III	Recommendations which the Committee do not desire to pursue in view of Government replies [vide recommendations at Sl. No.6]	01
	Percentage of total	16.5%
IV	Recommendations in respect of which replies of Government have not been accepted by the Committee	NIL
	Percentage of total	0%
V	Recommendations in respect of which final replies of Government are still awaited [vide recommendations at Sl. No.3]	01
	Percentage of total	16.5%