

# **COMMITTEE ON SUBORDINATE LEGISLATION**

**(FOURTH LOK SABHA)**

## **FOURTH REPORT**

*(Presented on the 24th February, 1970)*



**LOK SABHA SECRETARIAT  
NEW DELHI**

*February 1970 Phalguna, 1891 (Saka).*

*Price Re. 1.95 Paise*

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**COMPOSITION OF THE COMMITTEE ON SUBORDINATE  
LEGISLATION (1969-70)**

**Shri Anand Narain Mulla—*Chairman.***

- 2. Shri J. B. S. Bist**
- 3. Shri N. T. Das**
- 4. Shri Bimalkanti Ghosh**
- 5. Shri Shri Chand Goyal**
- 6. Shri Arjun Shripat Kasture**
- 7. Shri Narendrasingh Mahida**
- 8. Shri M. Meghachandra**
- 9. Shri V. Viswanatha Menon**
- 10. Shri Srinibas Mishra**
- \*11. Shri Deorao S. Patil**
- 12. Shri G. S. Reddi**
- 13. Shri N. K. Sanghi**
- 14. Shri Nuggehalli Shivappa**
- 15. Shri G. Viswanathan.**

**SECRETARIAT**

**Shri M. C. Chawla—*Deputy Secretary.***

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• Resigned *w.e.f.* 31st January, 1970.



# **FOURTH REPORT OF THE COMMITTEE ON SUBORDINATE LEGISLATION**

(Fourth Lok Sabha)

## **I**

### **INTRODUCTION**

I, the Chairman of the Committee on Subordinate Legislation, having been authorised by the Committee to present the Report on its behalf, present its Fourth Report.

2. Subsequent to the presentation of its Third Report, the Committee held seven sittings on the 7th March, 8th and 23rd April, 8th August, 21st October, 27th November, 1969 and 18th February, 1970 and considered 805 'Orders'. At its sitting held on the 18th February, 1970, the Committee considered and adopted this Report. The minutes of these sittings which form part of the Report are appended to it.

3. At its sitting held on the 18th August, 1969, the Committee constituted a Sub-Committee consisting of Sarvashri Shri Chand Goyal (Convener), G. S. Reddi, Srinibas Mishra, V. Viswanatha Menon, G. Viswanathan, Nuggehalli Shivappa and Narendrasingh Mahida, members, to consider and select for examination the type of rules, regulations and statutory orders, which were pending for scrutiny. The Sub-Committee held eight sittings on the 28th, 30th August, 15th, 16th October, 1969 and 23rd, 24th January, 6th and 7th February, 1970, and selected and examined in detail 239 'Orders' listed in Appendix I.

4. During the course of examination of various 'Orders', the Committee also heard views of Sarvashri C. C. Desai, Beni Shanker Sharma, R. K. Amin and S. S. Kothari, Members of Parliament and the representatives of the Ministry of Finance (Department of Revenue and Insurance), Department of Communications (P. & T. Board/D.G.P. & T.), Ministries of Education and Youth Services, Railways (Railway Board) and Home Affairs, at its sittings held on the 8th and 23rd April, 21st October and 27th November, 1969.

5. The observations of the Committee on matters of special interest, which arose during the course of examination of 'Orders' and matters which required to be brought to the notice of the House have been included in this Report.

A statement showing the summary of recommendations|observations of the Committee is appended to the Report.

## II

### QUESTION ON TREATMENT OF EXPENSES INCURRED BY A MEMBER OF PARLIAMENT IN THE DISCHARGE OF HIS DUTIES AS SUCH MEMBER AS AN ALLOWABLE ITEM OF EXPENDITURE FOR PURPOSES OF INCOME-TAX

7. The Committee noted that previously income-tax on the salary drawn by Members of Parliament was being deducted from their salary bills at source. Later on, the Ministry of Finance, on a question being raised about the correctness of deduction of income-tax at source from the salaries of Members of Parliament as they were not employees of Parliament, took the view\* that the salary payable to a Member of Parliament was not assessable under the head "Salary" but was assessable under the head "income from other sources" under Section 56 of the Income-tax Act, 1961 and not as "Income from Salary" under Section 15 of the Income-tax Act, 1961.

8. Subsequently a question was also raised that expenses incurred by a Member of Parliament in the discharge of his duties as such Member e.g. expenses on maintenance of Office—Secretary, Peon, Stationery, Postage etc.—in the constituency from which a Member of Parliament is elected should be treated as an allowable item of expenditure from his salary of Rs. 500/- per month, for the purposes of income-tax.

9. The Ministry of Finance (Department of Revenue and Insurance) in their reply† dated the 16th November, 1968, stated as follows:

"The question whether any expenses should be allowed against the salary of Rs. 500/- p.m. has been examined and according to the view held by this Department no such deduction would be admissible as each M.P. gets per diem allowance of Rs. 31/- for all days of the Parliament Session and also for the days of attendance on Committees. This allowance covered conveyance and other incidental expenditure and is already exempt from tax".

\*Members of Parliament were informed of this position vide Para No. 63† published in the Lok Sabha Bulletin Part II dated the 24th April, 1968.

† This opinion of the Ministry of Finance was published in the Lok Sabha Bulletin Part II, dated the 23rd November, 1968, vide para 909.

This view of the Ministry of Finance was contested before the Committee who examined the matter in detail. The Committee also heard the views of Sarvashri C. C. Desai, Beni Shanker Sharma, R. K. Amin and S. S. Kothari, M.Ps. and examined the representatives of the Ministry of Finance on this matter.

10. During the course of evidence on the 8th April, 1969, Shri C. C. Desai explained to the Committee that income-tax liability of a Member of Parliament as such could fall under one of the categories of income namely, (i) salary, (ii) income from vocation, profession etc. and (iii) income from other sources. He was of the opinion that the salary paid to Members of Parliament could properly be taxed under the head 'income from vocation' and not under the head 'income from other sources', as treated by the Ministry of Finance, and income-tax thereon should be charged after allowing the expenses incurred by a Member of Parliament in the proper discharge of his duties as such member.

11. Shri Desai also stated that parliamentary work was a whole time occupation and he as a member of Parliament had to maintain an office in his constituency and employ some person—a Stenographer or a Clerk—to attend to his office there. Similarly, other expenses were incurred which were incidental to his being a member of Parliament. Those expenses should be treated as deductible items of expenditure for the purpose of income-tax. He refuted the contention of the Ministry of Finance, who had stated that Rs. 31/- per diem which each member received for attending sittings of Parliament and its Committees, covered the conveyance and other incidental expenditure, which sum was exempt from income-tax and urged that this daily allowance did not cover the expenses of double establishment which a member of Parliament had to maintain at Delhi and in his constituency throughout the year. Moreover, it was neither practicable nor obligatory for a member to attend all the sittings of Parliament or of its Committees and therefore he could not receive daily allowance for all such sittings.

Shri Beni Shanker Sharma, Shri R. K. Amin and Shri S. S. Kothari, M.Ps., also supported the views expressed by Shri C. C. Desai, M.P.

12. The representative of the Ministry of Finance stated in his evidence before the Committee that the decision to treat the Salary of Members of Parliament under the head 'income from other sources' for purposes of income-tax was taken at the highest level in consultation with the Ministry of Law.

13. The Committee was also informed that the treatment of expenses incurred by a Member of Parliament in the discharge of his

duties as such member as a permissible item of expenditure for purposes of Income-tax was a question of interpretation of the law and it was open to any Member of Parliament to take up the matter with the Income-tax Officer dealing with his income-tax return and if he was not satisfied with the decision of the Income-tax Officer, he could go in appeal to the Appellate Commissioner of Income-tax and the Courts. The representative of the Ministry of Finance agreed with the contention that a member continued to be a member of Parliament for the whole period, when Parliament was not in session and the Daily Allowance of Rs. 31/- he got for the day when he attended the session of Parliament or a sitting of a Parliamentary Committee of which he was a member and did not cover the expenditure which he incurred during the time when Parliament was not in session. He also agreed that if the expenditure was incurred wholly and exclusively for the purpose of making or earning such an income under the Act, then it was admissible.

14. Subsequently, the Committee was also informed that a Circular had been issued by the Central Board of Direct Taxes to all Commissioners of Income-tax directing them not to treat expenditure on conveyance and other incidental items as deductible items of expenditure from the salary income of Rs. 500/- p.m. received by Members of Parliament under Section 3 of the Salaries and Allowances of Members of Parliament Act, 1954.

15. The representative of the Ministry of Finance was again heard by the Committee on the 23rd April, 1969. He informed the Committee that the matter had been further examined in the Ministry and had been referred to the Attorney-General for his opinion.

16. The Attorney-General, in his opinion which was later on communicated to the Committee by the Ministry of Finance, observed that in order to be eligible for deduction under Section 57(iii) of the Income-tax Act, 1961, the expenditure need not be only that incurred out of necessity but may also be voluntarily incurred in order directly or even indirectly to facilitate the making or earning of the income. There must, of course, be a nexus between the expenditure incurred and the income made or earned (para 8 of the Opinion—Appendix II). He further stated that in order to be eligible for deduction, the expenditure must be incurred wholly and exclusively for the purpose of making or earning the income. If the expenditure is incurred for the purpose of making or earning the income as well as for another purpose, it would not qualify for deduction (*Vide* para 10, *ibid.*). These tests have, of course to be applied to the facts of each individual case. Having regard to the

provisions of the Salaries and Allowances of Members of Parliament Act, 1954, and various Rules made thereunder with regard to daily allowance, telephone facilities, free transit, travelling allowances, the Attorney-General stated that the expenditure incurred by Members of Parliament falls under the following categories:—

- (a) *Expenses incurred by a Member in contesting the election:*

These expenses do not satisfy the test of having been incurred wholly and exclusively for the purpose of earning the remuneration of Rs. 500 per mensem.

- (b) *Expenses incurred in nursing his constituency:*

These expenses do not satisfy the test of being incurred wholly and exclusively for the purpose of earning the remuneration.

- (c) *Expenses incurred on conveyance for attending Parliament from his place of residence in Delhi:*

These expenses are covered by the daily allowance of Rs. 31/- admissible to a Member of Parliament under section 3 of 1954 Act. [The daily allowance is wholly exempt from income-tax under clause (17) of section 10 of the Income-tax Act.]

- (d) *Expenses incurred in travelling from his usual place of residence to Delhi and vice versa.*

These expenses are provided for separately in the 1954 Act and the Rules made in 1957 under the said Act. Hence no deduction is due from the remuneration of Rs. 500/- per mensem in respect of such expenses.

- (e) *Expenses incurred in maintaining an office in Delhi:*

These expenses are eligible for deduction in computing the taxable income of a Member of Parliament subject to the tests stated above.

- (f) *Expenses incurred in maintaining an office in his constituency:*

These expenses qualify for deduction in computing the taxable income subject to the tests stated above.

- (g) *Expenses incurred on postage, stationery, conveyance, telephone, stenographic assistance, etc. in Delhi or in his constituency:*

**Expenses on postage, stationery and stenographic assistance and also on conveyance other than that referred to under item (c) above, and expenses on telephone other than those provided for by the 1954 Act and the Rules made in 1956 thereunder, are eligible for deduction in computing the taxable income, subject to the tests stated above.**

17. After considering the opinion of the Attorney-General, the Ministry of Finance, sought the advice of the Committee for evolving an appropriate formula, either as a specified proportion of the remuneration of a Member of Parliament or otherwise, for the purpose of allowing a deduction in computing his taxable remuneration and whether such a formula be given a statutory basis by a provision in the income-tax Rules in pursuance of powers vested in the Central Board of Direct Taxes under section 295(2) of the Income-tax Act, 1961.

18. The Ministry had also stated that the decision to increase the amount of daily allowance of Members of Parliament from Rs. 31 to Rs. 51 was arrived at after taking into consideration the expenditure which the Members of Parliament had to incur on postage, stenographic and secretarial assistance.

19. The Committee, after taking into consideration all aspects of the matter, feels that the Daily Allowance of Members has been raised from Rs. 31.00 to Rs. 51.00 on the ground of an increase in the cost of living. As a matter of fact, the tax free Daily Allowance is in the nature of reimbursement for additional expenditure incurred by a Member of Parliament for his stay in Delhi during the days, the Parliament or its Committees were in Session and has nothing to do with the expenses incurred by him in discharging his duties towards his constituents. In the light of the Opinion of the Attorney-General, the Committee notes that in computing the taxable income of a Member of Parliament, deduction is admissible to him from his salary of Rs. 500.00 per mensem in respect of the expenses incurred by him as such Member, on postage, stationery, conveyance, telephone, stenographic assistance, etc. in Delhi or in his constituency.

20. As regards evolving of an appropriate formula for fixing a specific proportion of the remuneration of a Member of Parliament, which may be adopted for the purpose of allowing a deduction in computing his taxable remuneration, the Committee is of the view that such a formula would neither be reasonable nor a practicable one. In actual practice, the expenses may be incurred differently by different Members of Parliament and it is only the actual expenses, which are liable to be deducted and not a certain fixed proportion of the salary of a Member of Parliament without having regard to the actual expenditure incurred by him. The Committee feels that each

case would, therefore, have to be decided on its merits on the basis of proved and verified facts relating to such expenditure.

21. The Committee, therefore, recommends that Income-tax Rules, 1962 should be amended to the effect that in computing the taxable income of a Member of Parliament from his salary, the expenditure incurred by him as such member on postage, stationery, conveyance, telephone, stenographic assistance, etc., in Delhi or in his constituency shall be deductible for purposes of payment of income-tax. The Committee suggests that the Government may take early steps to prepare draft rules in this regard and forward the same to the Committee for their prior approval before being published in the Gazette of India and laid on the Table of the House.

### III

#### THE FOOD CORPORATIONS (EIGHTH AMENDMENT) RULES, 1966 (G.S.R. 1831 OF 1966)

22. The Committee noticed that the above mentioned G.S.R. had given a retrospective effect to G.S.R. 1484 of 1966, issued on the 17th September, 1966, with effect from the 13th January, 1965.

23. The Committee perused the following explanation of the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), to whom the matter was referred for comments and furnishing reasons for giving retrospective effect to those rules:

“...in suggesting an amendment to rule 11 of the Food Corporations Rules, one of the main considerations was that the scale of pay of Secretary, Food Corporation of India, in the original rules was provided as Rs. 1800—50—2000 which was not a standard scale and would not permit an equation under All India Service Pay Rules with any equivalent post under the Government. As the scale stood, the proviso to rule 11 permitting an I.A.S. officer appointed to the post, to draw a special pay of Rs. 300 per mensem was erroneous and should have been amended or deleted. An alternative was to amend the scale, since the proviso to rule 11 indicated the intention of the Government and should remain in its original form.

The Ministry of Finance who were consulted had also agreed with this position. In fact, the Ministry of Finance held the view that this was not a case of ‘revision’ but one of prescribing the correct standard scale. The concurrence of the Ministry of Home Affairs and Ministry of Finance

to equate the scale of the post of Secretary in Food Corporation of India to the post of Deputy Director General under the Government was on the supposition that the scale of pay of Secretary, Food Corporation of India was Rs. 1800—100—2000. The continuance of an incorrect scale in the original rule was irregular and had to be amended with effect from the original date of the promulgation of the rules i.e. 13th January, 1965."

24. The Committee has considered the matter and is surprised at the continuance of an incorrect scale of pay of Secretary, Food Corporation of India, provided in the original Rules, for about two years, which was not a standard scale and was also irregular. The Committee feels that the Government should be very circumspect and vigilant in future in regard to such matters.

#### IV

AMENDMENTS TO THE I.A.S. (PAY) RULES, 1954 (G.S.Rs. 1246, 1522 AND 1565 OF 1968), I.A.S. (FIXATION OF CADRE STRENGTH) REGULATIONS, 1955 (G.S.Rs. 1247, 1523 AND 1566 OF 1968), I.P.S. (FIXATION OF CADRE STRENGTH) REGULATIONS, 1955 (G.S.R. 1563 OF 1968) AND I.P.S. (PAY) RULES, 1954 (G.S.R. 1564 OF 1968)

25. During the course of examination of the above mentioned General Statutory Rules, the Committee noticed that none of the aforesaid amendments was given any short title. This was pointed out to the Ministry of Home Affairs and they were asked to state the reasons for not giving short titles to the above noted rules/regulations in spite of the fact that the Committee had recommended as early as in May, 1955, in para 44 of their Third Report (First Lok Sabha) that all rules and all amendments to rules should be given short titles.

26. The Committee noted that for the guidance of all Ministries/Departments of the Government of India, a Circular was also issued on the 25th October, 1968, inviting their attention to the above recommendation of the Committee and asking them to ensure compliance.

27. The Committee has considered the reply of the Ministry of Home Affairs who has accepted the above recommendation of the Committee and has stated *inter alia* as follows:

"This is, in fact, being followed already by this Ministry in regard to the amendments to the rules proper. It has not,



however, been followed in respect of amendments to Schedules to the rules, as is the case with the amendments contained in this Ministry's notifications published as G.S.R. Nos. 1246, 1247, 1522, 1523 and 1563 to 1566.

2. This Ministry has no objection to adopt this procedure in regard to amendments to Schedules to the rules also with effect from 1st January, 1969."

**28. The Committee would like to reiterate that all the Ministries/ Departments of the Government of India should strictly follow the recommendation already made by the Committee in para 44 of its Third Report (First Lok Sabha) and should adopt this procedure in regard to all amendments to rules (including amendments to Schedules to the rules), as giving of short titles and numbering of amendments are absolutely necessary for reference and tracing of the rules, etc. and the amendments thereto.**

## V

**THE MINISTRY OF DEFENCE, DIRECTORATE GENERAL NATIONAL CADET CORPS (CLASS I GAZETTED) LADY STAFF OFFICER (GRADE I) RECRUITMENT RULES, 1968 AND THE MINISTRY OF DEFENCE, ARMED FORCES HEADQUARTERS (CLASS III NON-GAZETTED POSTS OF LIBRARIANS) RECRUITMENT RULES, 1968 (S.R.Os. 110 AND 115 OF 1968).**

29. During the course of examination of the two sets of rules mentioned above, the Committee noticed that the rules were published in the Gazette on the 13th April, 1968 and had been brought into force with effect from the 1st August, 1967 and the 10th January, 1968, respectively.

30. The Committee perused the reply of the Ministry of Defence, to whom the matter was referred for comments and furnishing reasons for giving retrospective effect to the aforesaid rules. The Ministry has explained that these recruitment rules for the under-mentioned posts, as approved by the Government were adopted from the dates indicated against them:

Lady Staff Officer Grade I		1-8-1967
Librarian Grade II	}	
Librarian Grade III		
Librarian Grade IV		10-1-1968

Accordingly, the effective dates of these recruitment rules were indicated therein. In this connection, the Ministry further stated that the solitary post of Lady Staff Officer Grade I was filled with effect from 1st January, 1966 and the retrospective effect of the recruitment rules did not adversely affect the incumbent of the post.

As regards the recruitment rules for the posts of Librarian Grade II, III and IV, it was stated that although the recruitment rules were given effect from 10th January, 1968, no appointment/promotion was made during the period 10th January, 1968 to 13th April, 1968 (the date of publication of the Gazette Notification). The said provision had not, therefore, affected any individual adversely.

31. The Committee has noted that in the first case, the appointment to the post of Lady Staff Officer Grade I was made on 1st January, 1966, i.e. much in advance of the framing, adoption and publication of the rules governing recruitment etc. It would thus not have made any difference to the solitary incumbent of the said post, even if the rules had been brought into force with effect from the date of publication of the rules in the Gazette viz. 13th April, 1968, or alternately steps should have been taken to get the rules published in the Gazette on the date of their adoption to avoid such a long gap.

Similarly, in the second case, when no appointment/promotion was made to Class III posts of Librarians during the period 10th January, 1968 to 13th April, 1968, and the Ministry knew this fact, there would have been no difficulty in adhering to the normal practice of enforcing the rules from the date of their publication in the Gazette.

32. The Committee reiterates its earlier recommendation made in para 10 of their Second Report (Fourth Lok Sabha) that if due to any unavoidable reasons, it becomes absolutely necessary to give retrospective effect to any rules (which does not appear to apply to these two cases), the fact that no one will be adversely affected by giving retrospective effect to such rules should be specifically stated by way of an explanatory note appended to such rules.

## VI

**THE ARMED FORCES HEADQUARTERS CLERICAL SERVICE RULES, 1968 AND ARMED FORCES HEADQUARTERS STENOGRAPHERS' SERVICE RULES, 1968 (S.R.Os. 119 AND 120 OF 1968).**

33. The Committee noticed that provision relating to eligibility for confirmation of probationers, appointed to the Upper/Lower

Division Grade of the Armed Forces Headquarters Clerical Service and Grades I and II of the Armed Forces Headquarters Stenographers' Service, after completing the probation period satisfactorily, had not been made in the above-mentioned Rules, respectively, as had been done in the case of the Armed Forces Headquarters Civil Service Rules, 1968 (S.R.O. 118 of 1968, c.f. rule 14).

34. The Committee has perused the following explanation furnished by the Ministry of Defence, to whom the matter was referred for stating the reasons for not including this provision in the aforesaid Rules:

"....Supplementary Rule 2(15) defines that a 'Probationer' means a Government servant employed on probation in or against a substantive vacancy in the cadre of a department. The same definition of 'probationer' is given in rule 2(m) of the AFHQ Civil Service Rules, 1968 (S.R.O. 118 of 1968). The Third Schedule to the said Rules provides that a proportion of permanent vacancies in the Grades of Superintendent and Assistant will be filled through combined competitive examinations held by the Union Public Service Commission. These direct recruits against permanent posts, while on probation for 2 years, will be known as 'probationers' and they will be considered for confirmation in the permanent posts against which they are recruited, soon after satisfactory completion of the probationary period in accordance with rule 14 of the rules quoted above.

However, as the posts in U.D. grade and L.D. grade of the Armed Forces Headquarters Clerical Service and Stenographer Grade I and Stenographer Grade II of the Armed Forces Headquarters Stenographers' Service are to be filled initially on a temporary basis, the persons appointed thereagainst will be on probation for two years and on satisfactory completion of probationary period they will be considered for continued retention in service. Confirmations against permanent posts in the grades under reference will be made according to their seniority in the temporary grade concerned in accordance with the provisions of the Third Schedule to the AFHQ Clerical Service Rules, 1968 (S.R.O. 119 of 1968) and the AFHQ Stenographers' Service Rules, 1968 (S.R.O. 120 of 1968), as the case may be. In the circumstances, it was not considered necessary to

make a provision in the above rules similar to rule 14 of the AFHQ Civil Service Rules, 1968."

35. The Committee is not convinced by the explanation of the Ministry of Defence and would like to observe that initial appointment as a temporary employee should not come in the way of making a provision on the lines of rule 14 of the Armed Forces Headquarters Civil Service Rules, 1968 (S.R.O. 118 of 1968). The Committee desires that the Ministry of Defence should make a similar provision in the Armed Forces Headquarters Clerical Service Rules, 1968 and Armed Forces Headquarters Stenographers' Service Rules, 1968 (S.R.Os. 119 and 120 of 1968) as has been provided in rule 14 of the Armed Forces Headquarters Civil Service Rules, 1968.

## VII

### THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS (AMENDMENT) RULES, 1966 (S.O. 3520 OF 1966)

36. Rule 6 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959 as amended by the aforesaid S.O. 3520 of 1966, laid down that no entrance fee would be charged for entry to the protected monuments on Fridays.

37. The Ministry of Education, to whom the matter was referred for stating the genesis and reasons for amending the existing proviso to rule 6 of the principal Rules stated as under:

"...UNESCO has recommended admission of visitors to museums free of charge on one day in a week. While considering the application of this recommendation to archaeological museums, some of which are attached to protected monuments, it was decided to allow free entry on one day in a week to such museums as well as protected monuments for which entrance fee is payable for admission. Besides popularising the monuments, the above decision solved an administrative problem of giving a weekly day-off to the ticket issuing staff. Friday was also administratively the most convenient day for the purpose because mosques situated inside monuments such as the Taj attracted the largest number of visitors on Fridays for worship, whom it would be difficult to manage to keep out of areas entry to which is regulated by payment of fee. Hence, the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, were amended on the 20th November, 1966, to provide for free entry on Fridays to monuments where entrance fee is payable on all other days."

38. The representatives of the Ministry of Education and Youth Services, who appeared before the Committee on 23rd April, 1969, to elucidate the matter further informed that on the basis of the recommendation made by UNESCO in 1960, in the case of only 21 monuments, where an entry fee of 20 paise was being charged, it was decided to keep one day free for every body to visit the monuments and Friday was fixed for that purpose. The reason for that was that out of 21, there were as many as 12 monuments which had mosques attached to them. There was the greatest rush of Muslims on Fridays when they went to offer prayers in the mosques situated inside those monuments. Therefore, it was considered best to choose a day when the largest number of persons going to various monuments could have the benefit of free entry.

39. In regard to a suggestion that different days should be fixed for free entry to different protected monuments, instead of Friday only, the representative stated that Friday was fixed for the sake of uniformity. But, he agreed that there was no reason for maintaining uniformity in that matter. If, in regard to any such monuments the local residents wanted free entry on a day other than Friday, that could be done, as the Director-General of Archaeological Survey of India could declare any other day for this purpose.

40. The Committee desires that the Government should arrange to make an early appraisal of the feelings of the local people through local institutions and may even make a survey so as to find out when the poor folk visited the various protected monuments in large numbers and fix the days for free entry accordingly in respect of such monuments, located at different places in the country.

## VIII

### AMENDMENT TO COMMISSIONERS' BYE-LAW NO. 55-A FOR REGULATING THE TRANSACTION OF SHIPPING, CLEARING OR FORWARDING BUSINESS WITHIN THE PORT AREA BY THE CLEARING AGENTS

41. While examining the Paradip Port Harbour Craft Rules, 1967, the Committee had recommended in para 26 of its First Report (Fourth Lok Sabha) that "instead of leaving it to the good sense of the individual officers, the basic requirements of natural justice viz., giving an opportunity of being heard, recording in writing the reasons for adverse decisions and communicating the same to the party, whose business|trade is affected as a result of cancellation of licences etc., should be incorporated in the rules themselves". The Government had accepted this recommendation and the Paradip Port Har-

bour Craft Rules, 1967 were amended accordingly, *vide* G.S.R. 1959 of 1968.

42. The Committee perused the Calcutta Port Commissioners' bye-law No. 55-A, as existing and as proposed to be amended by the Commissioners forwarded by the Ministry of Transport and Shipping with the following comments:

".....observations and recommendations of the Committee on Subordinate Legislation were brought to the notice of the Calcutta Port Commissioners and they were requested to reconsider their proposal in the light thereof. In reply they have informed us that all aspects would be taken into account before cancelling a Clearing Agency Licence for reasons provided in the Bye-law. They have also referred to a judgment of the High Court in regard to the provision relating to the cancellation of stevedoring licences.

Although the Committee's recommendations related to the Paradip Port Harbour Craft Rules, it was felt that these should be implemented in regard to all rules applicable at different ports whenever occasion arose. It was with this object in view that the Calcutta Port Commissioners were requested to reconsider their proposal.

We shall be grateful for the advice of the Committee whether in the light of the reply received from the Calcutta Port Commissioners, the amendment proposed by the Commissioners may be approved."

43. The Committee notes from the proposed amendment of bye-law No. 55-A that the aforesaid recommendation of the Committee has not been incorporated therein by the Calcutta Port Commissioners. On the other hand, they have informed the Ministry of Transport and Shipping that all aspects would be taken into account before cancelling a clearing agency licence for reasons provided in the bye-law.

The Committee would like to reiterate its earlier recommendation, which was based not merely on a narrow legalistic interpretation but on the broader rules of natural justice, and stresses the need to have uniformity in rules and bye-laws applicable to different ports in the country. The Committee desires that the relevant bye-laws should be specifically amended rather than it being left to the Department "that all aspects will be taken into account before cancelling a clearing agency licence".

## IX

## THE RAILWAY SERVICE COMMISSIONS (CHAIRMEN AND MEMBERS) RECRUITMENT RULES, 1965 (G.S.R. 128 OF 1966)

44. The Railway Service Commissions (Chairmen and Members) Recruitment Rules, 1965 (G.S.R. 128 of 1966), as published in the Gazette of India on the 22nd January, 1966, provided in the Schedule *inter alia* the following method of recruitment of Chairmen and Members of the Railway Service Commissions:—

“Direct recruitment in the following manner:—

- ‘(1) A panel of names of persons with details of educational qualifications, experience etc., who are considered by the Ministry of Railways as suitable for appointment to this post will be furnished to the Union Public Service Commission who will then select and recommend a candidate from that panel.
- (2) The field of choice will ordinarily consist of:—
  - (i) Retired Railway/Government Officers.
  - (ii) Ex-Members of Parliament.
  - (iii) Men of repute *e.g.* educationists, eminent lawyers etc.’”.

A footnote given to the said Schedule to the rules provided as under:

“One of the two members in each Commission shall be a serving or a retired railway officer, who must have held office on the Railways for at least 10 years.”

45. In this connection, the following points were referred to the Ministry of Railways (Railway Board) for clarification:

- (i) Whether a serving or a retired officer of the Ministry of Railways, Railway Board comes in the category of a railway officer or a Government officer for appointment as Member of Railway Service Commission.
- (ii) In case he comes in the category of Railway Officer, will he be eligible for appointment as a Member irrespective of the fact that he had not held any office on the Railways for at least 10 years against the reserved quota of Railway Officers.

46. The Ministry of Railways were also asked to furnish their comments on the following specific points:

"The words used '*on the Railways*' are very significant in connection with appointment of a member of a Railway Service Commission, as against the reserved quota of *railway* officers. The only intention behind a reservation as such could be that the serving or retired railway officer must have first hand knowledge of the requirements of Railways' posts for which recruitment is made by the Railway Service Commission and also of the type of staff suited for such appointments. The Railway Service Commissions do not recruit staff for the office of the Railway Board and as such the explanation given that the 10 years' service '*on the Railways*' also includes service in the Railway Board, does not hold good. The words used '*on the Railways*' could only mean the Zonal Railways.

Another possibility that arises from the Railway Board's explanation is that the serving or retired officers of the Zonal Railways could be ignored altogether for such an appointment which would defeat the very purpose of the reservation.

It is further noticed that in the Rules themselves there is no specific mention for Reservation of posts on the Commission for serving or retired railway officers."

47. The Committee pursued the following explanation furnished by the Ministry of Railways (Railway Board):

"The Recruitment Rules for Railway Service Commissions (Chairmen and Members) were framed in consultation with the Union Public Service Commission. The words 'Railway Officer', were used in the note under the Schedule attached to the rules, to distinguish them from officers of other services under the Government of India who are also eligible to be considered for appointment as Members of Railway Service Commission.....Officers of the Railway Board are also railway officers and therefore, they are eligible to be considered for appointment as Member, Railway Service Commission.

As regards the apprehension that the officers of the Zonal Railways may be ignored altogether for such an appointment, it is stated that as provided in the Rules, a panel of names of persons with details of educational qualifications, expe-



rience etc. are forwarded to the Union Public Service Commission who finally recommend a candidate for such an appointment. As a matter of fact, in the past, several officers of the Zonal Railway were appointed as Members in the Railway Service Commission. Even now, retired officers of the Zonal Railways are serving in the Railway Service Commission as Chairman|Members.

No mention about reservation of any post of Members in each Commission being filled by a serving|retired Railway Officer has been made in the main rules, since the method of recruitment, etc. have been given in the schedule attached to the rules."

48. In this connection, the Committee also examined the Additional Member (Staff) of Ministry of Railways (Railway Board). He explained that the term 'railway service' was comprehensive and an officer of the Railway Board was also a 'Railway Officer' and was eligible to be considered for appointment as Member in a Railway Service Commission. He further stated that revised notification had been sent to the Union Public Service Commission for their acceptance, which provided that an officer of the Railway Board's Secretariat or of the Zonal Railways would be eligible for appointment as Member-Secretary provided he had held office on the Zonal Railways and/or on the Railway Board Secretariat for at least 10 years.

49. The Committee, after considering the matter carefully, feels that the revised notification, which has been sent to the Union Public Service Commission for their acceptance is not satisfactory. The notification, as it is worded, leaves ample scope for appointing the serving or retired Railway Officers as member of a Railway Service Commission without having first hand knowledge of the working of the Zonal Railways. The Committee feels that the aforesaid rules should be suitably amended in order to provide that an officer of the Railway Board's Secretariat or of the Zonal Railway will be eligible for appointment as Member-Secretary provided he has held office on a Zonal Railway for at least five years.

## X

RECOMMENDATION OF THE COMMITTEE (VIDE PARA 10 OF SECOND REPORT—FOURTH LOK SABHA)—THE INDIAN POLICE SERVICE/INDIAN ADMINISTRATIVE SERVICE (AMENDMENT) RULES, 1968 (G.S.Rs. 1520 AND 1521 OF 1968)

50. The Committee had noticed that the Indian Police Service (Recruitment) Amendment Rules, 1968 and the Indian Administra-

tive Service (Recruitment) Amendment Rules, 1968 (G.S.Rs. 1520 and 1521 of 1968) were published in the Gazette, dated the 24th August, 1968, and were brought into force with effect from the 6th April, 1966 and 5th April, 1966, respectively.

51. After considering the views of the Ministry of Home Affairs, the Committee had recommended in para 10 of its Second Report (Fourth Lok Sabha) that normally all rules should be published before the date of their enforcement or they should be enforced from the date of their publication. The Ministries|Departments should take appropriate steps to ensure the publication of rules before they came into force. However, if, in any particular case, the rules had to be given retrospective effect in view of any unavoidable circumstances, a clarification should be given, either by way of an explanation in the rules or in the form of a foot-note to the relevant rules to the effect that no one would be adversely affected as a result of retrospective effect being given to those rules.

52. The Committee notes that the Ministry of Home Affairs has accepted its above recommendation and has further enquired whether the relevant rules with the necessary explanatory footnotes are required to be placed on the Table of the House again. The Committee after reconsidering the matter is of the opinion that these rules should be re-laid on the Table of the House with the requisite explanatory foot-notes.

## XI

### RECOMMENDATION OF THE COMMITTEE (VIDE PARA 16 OF SECOND REPORT—FOURTH LOK SABHA)—RULES RELATING TO PRESERVATION OF ANTIQUITIES, THEIR SAFE CUSTODY ETC. AND RULES FOR GOVERNING THE AFFAIRS OF THE NATIONAL MUSEUM, NEW DELHI

53. The Committee had recommended in para 16 of their Second Report (Fourth Lok Sabha) that Government should bring forward a Bill in Parliament to govern the affairs of the National Museum, New Delhi, as was done in the case of Indian Museum, Calcutta, and the Salar Jung Museum, Hyderabad. The Committee had also felt that the Government should further tighten the security arrangements in the National Museum, in view of the theft committed in the National Museum, New Delhi.

54. The Committee pursued the following reply submitted by the Ministry of Education in this connection:

"...the matter has been considered carefully by the Government of India. It is felt that as long as the National Museum

is in a formative stage and in the process of development requiring large sums of money to be spent on construction of building (second phase), purchase of equipment and other items of expenditure, it should continue to function directly under the Central Government. At a later stage, after it has established well and is more or less fully developed, the Government will consider entrusting its administration to an autonomous body.

- (2) It may be added that a similar recommendation was also made by the Estimates Committee in their Fourth Report (Fourth Lok Sabha) on the Ministry of Education. The Government's views in this behalf, as mentioned in paragraph 1 above, were communicated to the Estimates Committee, in December, 1967. The Estimates Committee have accepted the views of the Government, as mentioned in Chapter III of their Sixty-Second Report (1968-69) which shows action taken by Government on the recommendations of the Committee in the Fourth Report on Ministry of Education.
- (3) As regards the security arrangements in the National Museum, New Delhi, adequate steps have already been taken to strengthen the existing security arrangements while some proposals in this regard are still being actively considered. It may also be stated in this connection that the Government of India have already set up a Committee to review the working of the three Central Museums and to suggest improvements therefor. The Committee will also advise Government regarding the strengthening of security arrangements at the three Central Museums and the protected archaeological sites and monuments. The security arrangements would be strengthened further after the report of the Committee is available."

**55. The Committee agrees with the views of the Ministry of Education and notes with satisfaction that the Ministry has taken action regarding strengthening the security arrangements in the National Museum, New Delhi. The Committee is also glad to note that Government has set up a Committee to review the working of the three Central Museums to suggest improvements. The Committee hopes that the said Committee of Museum Experts will soon submit its report and Government will give due consideration to its recommendations.**

**XII****RECOMMENDATION OF THE COMMITTEE (VIDE PARA 26 OF FIRST REPORT—FOURTH LOK SABHA)—THE PARADIP PORT HARBOUR CRAFT RULES, 1967 (G.S.R. 980 OF 1967)**

56. The Committee had noticed that rule 26 of the Paradip Port Harbour Craft Rules, 1967 (G.S.R. 980 of 1967) empowered the Deputy Conservator of the Paradip Port to cancel all or any of the licences held by the owner of a licensed harbour craft, if in his opinion, the owner had violated any of the provisions of those rules, but there was no provision in the rules for giving an opportunity to the owner of being heard before his licences were cancelled. Besides, there was no provision requiring the Deputy Conservator to record in writing the nature of violation of the rules giving rise to the occasion for cancelling the licences.

57. The Committee, after considering the views of the erstwhile Ministry of Transport and Shipping had, in para 26 of their First Report (Fourth Lok Sabha) observed that conferring the right of being heard to the party adversely affected by a decision of the Executive, recording in writing the reasons for such decision and communicating the same to the party concerned were the basic requirements of natural justice. An exercise of powers even with due restraint, care, and under well defined circumstances, at the discretion of the Executive cannot be a substitute for these basic requirements. The Committee had, therefore, recommended that instead of leaving it to the good sense of the individual officers, the basic requirements of natural justice viz., giving an opportunity of being heard, recording in writing the reasons for adverse decisions and communicating the same to the party, whose business/trade was affected as a result of cancellation of licences etc., should be incorporated in the rules themselves.

58. The Committee is glad to note that the Paradip Port Harbour Craft Rules, 1967, have since been amended by the Ministry in accordance with the recommendation of the Committee, vide G.S.R. 1959 of 1968.

**XIII****GIVING OF SHORT TITLES TO AMENDING RULES**

59. The Committee had noticed that amendments to Rules regulating Direct Recruitment to the Central Engineering Service Class I and Class II and Central Electrical Engineering Service Class I and Class II (G.S.R.S. 250—53 of 1967) did not bear short titles and nor were they given any number. This was not in consonance with the

recommendation of the Committee contained in para 44 of its Third Report (First Lok Sabha).

60. The Committee after considering the views of the Ministry of Works, Housing and Supply and the opinion of the Ministry of Law had, in para 57 of its First Report (Fourth Lok Sabha) reiterated that it should present no difficulty if the amending rules were given short titles and numbered serially even though the principal rules did not bear short titles.

61. In this connection, the Committee had perused a note submitted by the Department of Parliamentary Affairs containing the considered opinion of the Ministry of Law (as ascertained by the Ministry of Works, Housing and Supply) and had again recommended in para 21 of their Second Report (Fourth Lok Sabha) that there should be no difficulty in giving short titles to the rules which were made earlier without any short titles at the time of amending those rules. The amending rules could contain as the first rule adding a short title to the principal rules. When the principal rules were thus given a short title, all amending rules could similarly be given appropriate short titles and numbers. The Committee had further emphasised that giving of short titles to all rules, whether principal or amending, was very essential for facility of reference and tracing by all concerned.

62. The Committee has now perused the following reply furnished by the Ministry of Works, Housing and Supply in this connection:

“...necessary action is being taken by this Ministry to recast the existing Recruitment Rules regulating direct recruitment to the Central Engineering Service|Central Electrical Engineering Service Class I and Class II (incorporating all amendments issued upto date), giving short titles as desired by the Committee on Subordinate Legislation. Approval of the Ministry of Home Affairs to the reprinting of the Recruitment Rules in question, giving short titles etc. has already been obtained and the matter is being finalised in consultation with the Union Public Service Commission. All amending rules issued subsequent to the reprinting of these rules will also be given similar short titles and numbers as desired by the Committee on Subordinate Legislation.”

63. The Committee is glad to note that Government has accepted its recommendations and necessary action is being taken by it to implement these recommendations.

NEW DELHI;  
the 18th February, 1970

ANAND NARAIN MULLA,  
Chairman,  
Committee on Subordinate Legislation

# SUMMARY OF RECOMMENDATIONS/OBSERVATIONS MADE BY THE COMMITTEE

Sl. No.	Para Numbers	Summary
1	2	3

1 19—21

The Committee feels that the Daily Allowance of Members has been raised from Rs. 31·00 to Rs. 51·00 on the ground of an increase in the cost of living. As a matter of fact, the tax free Daily Allowance is in the nature of reimbursement for additional expenditure incurred by a Member of Parliament for his stay in Delhi during the days, the Parliament or its Committees were in Session and has nothing to do with the expenses incurred by him in discharging his duties towards his constituents. In the light of the opinion of the Attorney-General, the Committee notes that in computing the taxable income of a Member of Parliament, deduction is admissible to him from his salary of Rs. 500·00 per mensem in respect of the expenses incurred by him as such Member, on postage, stationery, conveyance, telephone, stenographic assistance, etc. in Delhi or in his constituency.

The Committee is of the view that a formula for fixing a specific proportion of the remuneration of a Member of Parliament which may be adopted for the purpose of allowing a deduction

in computing his taxable remuneration, would neither be reasonable nor a practicable one. In actual practice, the expenses may be incurred differently by different Members of Parliament and it is only the actual expenses, which are liable to be deducted and not a certain fixed proportion of the salary of a Member of Parliament without having regard to the actual expenditure incurred by him. The Committee feels that each case would, therefore, have to be decided on its merits on the basis of proved and verified facts relating to such expenditure.

The Committee recommends that the Income-tax Rules, 1962 should be amended to the effect that in computing the taxable income of a Member of Parliament from his salary, the expenditure incurred by him as such member on postage, stationery, conveyance, telephone, stenographic assistance, etc. in Delhi or in his constituency shall be deductible for purposes of payment of income-tax. The Committee suggests that the Government may take early steps to prepare draft rules in this regard and forward the same to the Committee for their prior approval before being published in the Gazette of India and laid on the Table of the House.

The Committee is surprised at the continuance of an incorrect scale of pay of Secretary, Food Corporation of India, provided in the Food Corporation Rules, 1965, for about two years, which was not a stand

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scale and was also irregular. The Committee feels that the Government should be very circumspect and vigilant in future in regard to such matters.

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The Committee would like to reiterate that all the Ministries/ Departments of the Government of India should strictly follow the recommendation already made by the Committee in para 44 of its Third Report (First Lok Sabha) and should adopt the procedure suggested therein also in respect of all amendments to rules (including amendments to Schedules to the rules), as giving of short titles and numbering of amendments are absolutely necessary for reference and tracing of the rules, etc. and the amendments thereto.

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The Committee reiterates its earlier recommendation made in para 10. of its Second Report (Fourth Lok Sabha) that if due to any unavoidable reasons, it becomes absolutely necessary to give retrospective effect to any rules [which does not appear to apply to the Ministry of Defence, Directorate General National Cadet Corps (Class I Gazetted) Lady Staff Officer (Grade I) Recruitment Rules, 1968 and the Ministry of Defence, Armed Forces Headquarters (Class III Non-Gazetted Posts of Librarians) Recruitment Rules, 1968 (S.R.Os. 110 and 115 of 1968)], the fact that no one will be adversely affected by giving retrospective effect to such rules should be specifically stated by way of an explanatory note appended to such rules.



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5.	35	<p>The Committee desires that the Ministry of Defence should make a provision in the Armed Forces Headquarters Clerical Services Rules, 1968 and Armed Force Headquarters Stenographers Service Rules, 1968 (S.R.Os 119 and 120 of 1968) for confirmation of probationers as has been done in rule 14 of the Armed Forces Headquarters Civil Service Rules, 1968 (S.R.O. 118, 1968).</p>
6.	40	<p>The Committee desires that the Government should arrange to make an early appraisal of the feelings of the local people through local institutions and may even make a survey so as to find out when the poor folk visited the various protected monuments in large numbers and fix the days for free entry accordingly in respect of such monuments located at different places in the country.</p>
7.	43-44	<p>The Committee notes from the proposed amendment to Commissioners' bye-law No. 55 A for regulating the transaction of shipping, clearing or forwarding business within the port area by the clearing agents that the recommendation of the Committee made in para 26 of its First Report (Fourth Lok Sabha) has not been followed by the Calcutta Port</p>

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Commissioners. The Committee desires that the relevant bye-laws should be specifically amended in the light of the aforesaid recommendations of the Committee rather than being left to the Department "that all aspects will be taken into account before cancelling a clearing agency licence".

8. 49

The Committee feels that the revised notification regarding the recruitment of Member-Secretary in the Railway Service Commissions, which has been sent to the Union Public Service Commission for their acceptance is not satisfactory. The notification, as it is worded, leaves ample scope for appointing serving or retired Railway Officer as member of a Railway Service Commission without having first hand knowledge of the working of any of the Zonal Railways. The Committee feels that the recruitment rules should be suitably amended in order to provide that an officer of the Railway Board's Secretariat or of the Zonal Railway will be eligible for appointment as Member-Secretary provided he has held

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		office on a Zonal Railway for at least five years.
9.	52	The Committee notes that the Ministry of Home Affairs has accepted its recommendation made in para 10 of its Second Report (Fourth Lok Sabha) and has further enquired whether the Indian Police Service/ Indian Administrative Service (Amendment) Rules, 1968 (G. S. Rs. 1520 and 1521 of 1968) with the necessary explanatory foot-notes are required to be placed on the Table of the House again. The Committee is of the opinion that these rules should be relaid on the Table of the House with the requisite explanatory foot-notes.
10.	55	The Committee agrees with the views of the Ministry of Education and notes with satisfaction that the Ministry has taken action regarding strengthening the security arrangements in the National Museum, New Delhi. The Committee is also glad to note that Government has set up a Committee to review the working of the three Central Museums to suggest improvements. The Committee hopes that the said Committee of Museum Experts will soon submit its report and Government will give due consideration to its recommendations.
11.	58	The Committee is glad to note that the Paradip Port Harbour Craft Rules, 1967, have since been amended by the Ministry in accordance with the recommendation of the Committee, made in para 26 of its First Report (Fourth Lok Sabha) ( <i>vide</i> G.S.R. 1959 of 1968.)

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12.	63	The Committee is glad to note that Government has accepted its recommendation made in para 21 of its Second Report (Fourth Lok Sabha) regarding giving of short titles to the amending rules and necessary action is being taken by it to implement this recommendation.

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## APPENDICES

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## APPENDIX I

(Vide para 3 of the Report)

### List of "Orders" selected and examined in detail by the Sub-Committee of Committee on Subordinate Legislation

Sl. No.	Number of 'Order'	Title of 'Order'
	Date of Publication in the Gazette	
1	2	3
1	G.S.R. 1802 (English Version) G.S.R. 1803 (Hindi Version) of 1968 <hr/> 5-10-1968	Amendment to the Central Sales Tax (Registration and Turnover) Rules, 1957.
2	S.O. 2883 of 1968 <hr/> 24-8-1968	The Income -Tax (Fifth Amendment) Rules, 1968.
3	S.O. 3494 of 1968 <hr/> 27-9-1968	The Income-Tax (Sixth Amendment) Rules, 1968.
4	S.O. 3132 of 1968 <hr/> 4-9-1968	The Export of Coir Products (Inspection) Amendment Rules, 1968.
5	S.O. 3135 of 1968 <hr/> 4-9-1968	The Export of Coir Yarn Inspections Second Amendment Rules, 1968.
6	S.O. 3144 of 1968 <hr/> 10-9-1968	The Export of paints and Allied Product (Quality Control and Inspection) Amendment Rules, 1968.
7	S.O. 3392 of 1968 <hr/> 19-9-1968	The Export of Sewing Machines (Quality Control and Inspection) Amendment Rules, 1968.
8	S.O. 3493 of 1968 <hr/> 27-9-1968	The Export of Electric Cables and Conductors (Inspection) Rules, 1968.

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9	<u>S.O. 3509 of 1968</u> 4-10-1968	The Woollen Textiles (Production and Distribution Control) Amendment Order, 1968.
10	<u>G.S.R. 1604 of 1968</u> 7-9-1968	The Press Council (Amendment) Rules, 1968.
11	<u>G.S.R. 1597 of 1968</u> 29-8-1968	The Food Corporations (Fourth Amendment) Rules, 1968.
12	<u>G.S.R. 1632 of 1968</u> 2-9-1968	The Seeds Rules, 1968.
13	<u>S.O. 3036 of 1968</u> 7-9-1968	The Payment of Wages (Air Transport Services) Rules, 1968.
14	<u>G.S.R. 1664 of 1968</u> 14-9-1968	The Foreigners (Restrictions on Residence) Order, 1968.
15	<u>G.S.R. 1567 of 1968</u> 31-8-1968	The Arms (Second Amendment) Rules, 1968.
16	<u>G.S.R. 1520 of 1968</u> 24-8-1968	The Indian Police Service (Recruitment) Amendment Rules, 1968.
17	<u>G.S.R. 1521 of 1968</u> 24-8-1968	The Indian Administrative Service (Recruitment) Rules, 1968.
18	<u>G.S.R. 1522 of 1968</u> 24-8-1968	Amendment to the Indian Administrative Service (Pay) Rules, 1954.
19	<u>G.S.R. 1523 of 1968</u> 24-8-1968	Amendment to the Indian Administrative Service (Fixation of Strength) Regulations, 1955.
20	<u>G.S.R. 1563 of 1968</u> 31-8-1968	Amendment to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955.
21	<u>G.S.R. 1566 of 1968</u> 31-8-1968	Amendment to the Indian Administrative Service (Fixation of Cadre Strength) Regulations, 1955.

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22	G.S.R. 1704 of 1968 21-9-1968	The Indian Police Service (Probation) Second Amendment Rules, 1968.
23	G.S.R. 1705 of 1968 21-9-1968	The Indian Administrative Service (Probation) Second Amendment Rules, 1968.
24	G.S.R. 1767 of 1968 28-9-1968	The Indian Administrative Service (Pay) Third Amendment Rules, 1968.
25	G.S.R. 1828 of 1968 12-10-1968	The Indian Administrative Service (Recruitment) Sixth Amendment Rules, 1968.
26	G.S.R. 1829 of 1968 12-10-1968	The Indian Police Service (Recruitment) Fifth Amendment Rules, 1968.
27	G.S.R. 1883 of 1968 26-10-1968	The Indian Administrative Service (Probation) Third Amendment Rules, 1968.
28	S.O. 3116 of 1968 1-9-1968	The Gold Control (Specifications of Standard Gold Bars and Conditions of Refining) Rules, 1968.
29	S.O. 3117 of 1968 1-9-1968	The Gold Control (Forms, Fees and Miscellaneous Matters) Rules, 1968.
30	Notification No. Sec.-205/B 3-68/69 of 1968 20-7-1968	Amendments to the Agricultural Re- finance Corporation (Staff) Regula- tions, 1968.
31	G.S.R. 1868 of 1968 19-10-1968	The Petroleum and Natural Gas (Am- endment) Rules, 1968.
32	S.R.O. 3559 of 1968 12-10-1968	The Inter-State Water Disputes (Am- endment) Rules, 1968.
33	S.O. 3620 of 1968 14-10-1968	The Tractors (Price Control) Amend- ment Order, 1968.



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34	<u>S.O. 3087 of 1968</u> 7-9-1968	The Personal Injuries (Compensation Insurance) Amendment Scheme, 1968.
35	<u>G.S.R. 1592 of 1968</u> 31-8-1968	The Employees' Provident Funds (Fourth Amendment) Scheme, 1968.
36	<u>G.S.R. 1809 of 1968</u> 28-9-1968	The Employees' Provident Funds (Fifth Amendment) Scheme, 1968.
37	<u>G.S.R. 1899 of 1968</u> 26-10-1968	The Employees' Provident Funds (Sixth Amendment) Scheme, 1968.
38	<u>G.S.R. 1900 of 1968</u> 26-10-1968	The Employees' Provident Funds (Seventh Amendment) Scheme, 1968.
39	<u>S.O. 3700 of 1968</u> 19-10-1968	The Dock Workers (Regulation of Employment) Second Amendment Rules, 1968.
40	<u>G.S.R. 1553 of 1968</u> 31-8-1968	The Apprenticeship (Amendment) Rules, 1968.
41	<u>G.S.R. 1881 of 1968</u> 26-10-1968	The Supreme Court Judges Travelling Allowance (Amendment) Rules, 1968.
42	<u>G.S.R. 1808 of 1968</u> 28-9-1968	The Kerosene (Fixation of Ceiling Prices) Eighth Amendment Order, 1968.
43	<u>S.O. 3893 of 1968</u> 30-10-1968	The Jute (Licensing and Control) Amendment Order, 1968.
44	<u>S.O. 2967 of 1968</u> 7-9-1968	The Collection of Statistics (Central) Amendment Rules, 1968.
45	<u>S.O. 3928 of 1968</u> 9-11-1968	The Dock Workers (Advisory Committee) Second Amendment Rules, 1968.
46	<u>G.S.R. 2057 of 1968</u> 21-11-1968	The Post Office Savings Certificates (Sixth Amendment) Rules, 1968.

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47	G.S.R. 1983 of 1968 16-11-1968	Amendment to the Indian Police Service (Fixation on Cadre I Strength) Regulations, 1955.
48	G.S.R. 2017 (English version) G.S.R. 2018 (Hindi version) of 1968 16-11-1968	The Central Sales Tax (Registration and Turnover) Amendment Rules, 1968.
49	S.O. 3868 of 1968 2-11-1968	The Drugs and Cosmetics (Third Amendment) Rules, 1968.
50	S.O. 3869 of 1968 2-11-1968	The Drugs and Cosmetics (Second Amendment) Rules, 1968.
51	S.O. 3978 of 1968 12-11-1968	The Export of Minerals and Ores Group II (Inspection) Amendment Rules, 1968.
52	G.S.R. 1918 of 1968 2-11-1968	The Cotton Textile Companies (Management of Undertakings and Liquidation or Reconstruction) (Amendment) Rules, 1968.
53	G.S.R. 1426 of 1968 3-8-1968	The Indian Police Service (Probation) Amendment Rules, 1968.
54	G.S.R. 1427 of 1968 3-8-1968	The Indian Administrative Service (Probation) Amendment Rules, 1968.
55	G.S.R. 1476 of 1968 10-8-1968	Amendment to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955.
56	G.S.R. 1477 of 1968 10-8-1968	Amendment to the Indian Administrative Service (Fixation of Cadre Strength) Regulations, 1955.
57	G.S.R. 2029 (English version) G.S.R. 2030 (Hindi version) of 1968 23-11-1968	The Citizenship (Amendment) Rules, 1968.

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58 <u>G.S.R. 2026 of 1968</u> 23-11-1968	The Indian Police Service(Pay) Second Amendment Rules, 1968.	
59 <u>G.S.R. 2027 of 1968</u> 23-11-1968	The Indian Administrative Service(Pay) Fourth Amendment Rules, 1968.	
60 <u>G.S.R. 2031 of 1968</u> 23-11-1968	The Indian Forest Service (Released Emergency Commissioned and Short Service Commissioned Officers). (Appointment by Competitive Examination) Amendment Regulations, 1968.	
61 <u>G.S.R. 1593 (English version) of 1968</u> 27-8-1968 <u>G.S.R. 1960 (Hindi version) of 1968</u> 21-9-1968	} The Indian Telegraph (Amendment) Rules, 1968.	
62 <u>G.S.R. 2070 of 1968</u> 30-11-1968	The Indian Administrative Service (Pay) Fifth Amendment Rules, 1968.	
63 <u>G.S.R. 2071 of 1968</u> 30-11-1968	The Indian Police Service (Pay) Third Amendment Rules, 1968.	
64 <u>G.S.R. 1961 (English version)</u> — <u>G.S.R. 1962 (Hindi version) of 1968</u> 9-11-1968	The Indian Telegraph (Eighth Amendment) Rules, 1968.	
65 <u>G.S.R. 2113 of 1968</u> 7-12-1968	The Employees State Insurance (Central) Fourth Amendment Rules, 1968.	
66 <u>S.O. 4138 of 1968</u> 23-11-1968	The Cotton Textiles (Control) Fourth Amendment Order, 1968.	

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67 S.O. 4139 of 1968 <u>23-11-1968</u>	The Cotton Textiles (Control) Fifth Amendment Order, 1968.	
68 G.S.R. 57 (English version) G.S.R. 58 (Hindi version) of 1968 <u>11-1-1969</u>	The Indian Telegraph (Ninth Amendment) Rules, 1968.	
69 G.S.R. 98 (English version) G.S.R. 99 (Hindi version) of 1969 <u>18-1-1969</u>	The Indian Telegraph (First Amendment) Rules, 1969.	
70 G.S.R. 2037 of 1968 <u>23-11-1968</u>	The Posts and Telegraphs Department of Operator-cum-Mechanic for Trench Digging Machines Recruitment Rules, 1968.	
71 S.O. 4552 of 1968 <u>20-12-1968</u>	The Conduct of Elections (Third Amendment) Rules, 1968.	
72 G.S.R. 2147 of 1968 <u>14-12-1968</u>	The Aircraft (Second Amendment) Rules, 1968.	
73 G.S.R. 4 (English version) G.S.R. 5 (Hindi version) of 1969 <u>4-1-1969</u>	The Arms (Third Amendment) Rules, 1968.	
74 G.S.R. 3 of 1968 <u>4-1-1969</u>	The All India Services (Conduct) Rules, 1968.	
75 G.S.R. 123 of 1969 <u>18-1-1969</u>	The Indian Administrative Service (Appointment by Promotion) Seventh Amendment Regulations, 1968.	
76 G.S.R. 36 of 1969 <u>3-1-1969</u>	The Specified Goods (Prevention of Illegal Export) Rules, 1969.	
77 G.S.R. 40 of 1969 <u>3-1-1969</u>	The Notified Goods (Prevention of Illegal Import) Rules, 1969.	

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78	G.S.R. 95 of 1969 <hr/> 10-1-1969	The Specified Goods (Prevention of Illegal Export) Amendment Rules, 1969.
79	S.O. 397 of 1969 <hr/> 23-1-1969	The Trade and Merchandise Marks (Amendment) Rules, 1969.
80	S.O. 268 of 1969 <hr/> 16-1-1969	The Export of Mica (Inspection) Rules, 1969.
81	S.O. 272 of 1969 <hr/> 17-1-1969	The Export of Hessian bags (Inspection) Rules, 1969.
82	S.O. 277 of 1969 <hr/> 18-1-1969	The Export (Quality Control and Ins- pection) Amendment Rules, 1969.
83	G.S.R. 176 (English version) G.S.R. 177 (Hindi version) of 1969 <hr/> 1-2-1969	The Salar Jung Museum (Amendment) Rules, 1969.
84	S.O. 381 of 1969 <hr/> 28-1-1969	Constituting the Indian Medical and Health Service.
85	G.S.R. 259 of 1969 <hr/> 15-2-1969	The Indian Medical and Health Service (Recruitment) Rules, 1969.
86	G.S.R. 260 of 1969 <hr/> 15-2-1969	The Indian Medical and Health Service (Cadre) Rules, 1969.
87	G.S.R. 261 of 1969 <hr/> 15-2-1969	The Indian Medical and Health Service (Initial Recruitment) Regulation, 1969.
88	G.S.R. 10 of 1969 <hr/> 4-1-1969	The Paradip Port Trust (Procedure at Board Meetings) Amendment Rules, 1968.
89	G.S.R. 29 of 1969 <hr/> 4-1-1969	The Cardamom (Licensing and Registra- tion) Rules. 1968.

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90	G.S.R. 30 of 1969 <hr/> 4-1-1969	The Coffee Board Servants (Conduct) Rules, 1968.
91	G.S.R. 26 of 1969 <hr/> 4-1-1969	The Rubber (Third Amendment) Rules 1968.
92	G.S.R. 27 of 1969 <hr/> 4-1-1969	The Rubber (Second Amendment) Rules, 1968.
93	G.S.R. 28 of 1969 <hr/> 4-1-1969	The Rubber Board (Service) Amendment Rules, 1968.
94	G.S.R. 245 of 1969 <hr/> 8-2-1969	The Rubber (Amendment) Rules, 1969.
95	G.S.R. 247 (English version) G.S.R. 248 (Hindi version) of 1969 <hr/> 8-2-1969	The Indian Telegraph (Second Amendment) Rules, 1969.
96	G.S.R. 182 of 1969 <hr/> 1-2-1969	The Aircraft (Amendment) Rules, 1969.
97	G.S.R. 266 of 1969 <hr/> 15-2-1969	The Arms (Amendment) Rules, 1969.
98	S.O. 379 (English version) S.O. 380 (Hindi version) of 1969 <hr/> 25-1-1969	The Punjab Khadi and Village Industries Board (Reorganisation) Order, 1969.
99	G.S.R. 257 of 1969 <hr/> 15-2-1969	The Indian Administrative Service (Recruitment) Amendment Rules, 1969.
100	G.S.R. 258 of 1969 <hr/> 15-2-1969	The Indian Police Service (Recruitment) Amendment Rules, 1969.

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101	<u>G.S.R. 120 of 1969</u> 18-1-1969	The major Port Trusts (Procedure at Board Meetings) Amendment Rules, 1969.
102	<u>S.O. 594 of 1969</u> 15-2-1969	The Drugs and Cosmetics (Amendment) Rules, 1969.
103	<u>S.O. 2543 of 1968</u> 12-7-1968	The Cinema Carbons (Control) Amendment Order, 1968.
104	<u>S.O. 768 of 1969</u> 1-3-1969	The Jute Textiles (Control) Amendment Order, 1969.
105	<u>G.S.R. 65 of 1969</u> 11-1-1969	The Central Silk Board (Second Amendment) Rules, 1968.
106	<u>S.O. 4326 of 1968</u> 7-12-1968	The Cotton Textiles (Control) (Sixth Amendment) Order, 1968.
107	<u>G.S.R. 2191 of 1968</u> 21-12-1968	The Cinematograph (Censorship) Second Amendment Rules, 1968.
108	<u>G.S.R. 139 of 1969</u> 13-1-1969	The Inter-Zonal Wheat and Wheat Products (Movement Control) Amendment Order, 1969.
109	<u>G.S.R. 2026 of 1968</u> 23-11-1968	The Indian Police Service (Pay) Second Amendment Rules, 1968.
110	<u>G.S.R. 2027 of 1968</u> 23-11-1968	The Indian Administrative Service (Pay) Fourth Amendment Rules, 1968.
111	<u>G.S.R. 2031 of 1968</u> 23-11-1968	The Indian Forest Service (Released Emergency Commissioned and Short Service Commissioned (Officers) (Appointment by Competitive Examination) Amendment Regulations, 1968.
112	<u>G.S.R. 2070 of 1968</u> 30-11-1968	The Indian Administrative Service (Pay) Fifth Amendment Rules, 1968.
113	<u>G.S.R. 2071 of 1968</u> 30-11-1968	The Indian Police Service (Pay) Third Amendment Rules, 1968.

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114	<u>G.S.R. 2135 of 1968</u> 7-12-1968	The All India Service (Provident Fund) Second Amendment Rules, 1968.
115	<u>G.S.R. 2136 of 1968</u> 7-12-1968	The Indian Civil Service Provident Fund (Second Amendment) Rules, 1968.
116	<u>G.S.R. 2029 (English version) G.S.R. 2030 (Hindi version) of 1968</u> 23-11-1968	The Citizenship (Amendment) Rules 1968.
117	<u>G.S.R. 437 of 1968</u> 22-2-1969	The Second Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
118	<u>G.S.R. 457 of 1969</u> 1-3-1969	The Indian Administrative Service (Fixation of Cadre Strength) First Amendment Regulations, 1969.
119	<u>G.S.R. 458 of 1968</u> 1-3-1969	The First Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
120	<u>G.S.R. 759 of 1969</u> 3-3-1969	The Kerosene (Fixation of Ceiling Price) Amendment Order, 1969.
121	<u>G.S.R. 499 of 1969</u> 1-3-1969	The Passengers (Non-Tourist) Baggage (Amendment) Rules, 1969.
122	<u>G.S.R. 280 (English version) G.S.R. 282 (Hindi version) of 1969</u> 15-2-1969	The Indian Telegraph (Fourth Amendment) Rules, 1969.
123	<u>G.S.R. 281 (English version) G.S.R. 283 (Hindi version) of 1969</u> 15-2-1969	The Indian Telegraph (Third Amendment) Rules, 1969.
124	<u>S.O. 4327 of 1968</u> 7-12-1968	The Trade and Merchandise Marks (Judicial Proceedings, Madras) Rules, 1968.



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125. G.S.R. 417 (English version) G.S.R. 418 (Hindi version) of 1969		The Indian Telegraph (Fifth Amendment) Rules, 1969.
22-2-1969		
126. G.S.R. 546 of 1969 (Hindi version)		The Rubber (Third Amendment) Rules, 1968.
8-3-1969		
127. G.S.R. 547 of 1969 (Hindi version)		The Rubber (Second Amendment) Rules, 1968.
8-3-1969		
128. G.S.R. 212 of 1969		The Passports (Amendment) Rules, 1969.
28-1-1969		
129. G.S.R. 431 (English version) G.S.R. 434 (Hindi version) of 1969		The Arms (Second Amendment) Rules, 1969.
22-2-1969		
130. S.O. 1152 of 1969		Amendment to the Annuity Deposit Scheme, 1964.
19-3-1969		
131. S.O. 1153 of 1969		Amendment to the Annuity Deposit Scheme, 1965.
19-3-1969		
132. S.O. 1161 of 1969		Do.
21-3-1969		
133. S.O. 222 (English version)		The Dock Workers (Advisory Committee) First Amendment Rules, 1969.
18-1-1969		
134. G.S.R. 2201 of 1968		The Minimum Wages (Central) Amendment Rules, 1968.
21-12-1968		
135. G.S.R. 767 (Hindi version) of 1969		The Arms (Amendment) Rules, 1969.
153-1969		

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136. G.S.R. 536 (English version) The Indian Telegraph (Sixth Amendment) G.S.R. 537 (Hindi version) Rules, 1969. of 1969	8-3-1969	
137. G.S.R. 544 of 1969	8-3-1969	The Aircraft (Second Amendment) Rules, 1969.
138. S.O. 1108 of 1969	22-3-1969	The All India Institute of Medical Sciences (Amendment) Rules, 1969.
139. G.S.R. 856 of 1969	29-3-1969	The Indian Administrative Service (Regulation of Seniority) Amendment Rules, 1969.
140. G.S.R. 857 of 1969	29-3-1969	The Indian Police Service (Regulation of Seniority) Amendment Rules, 1969.
141. G.S.R. 855 of 1969	29-3-1969	The Union Public Service Commission (Exemption from Consultation) Supplementary Regulations, 1969.
142. G.S.R. 2187 of 1968	21-12-1968	The Registration and Licensing Industrial Undertakings (Amendment) Rules, 1968.
143. G.S.R. 888 of 1969	28-3-1969	The Produce Cess Rules, 1969.
144. G.S.R. 932 of 1969	12-4-1969	The Merchant Shipping (Fire Appliances) Rules, 1969.
145. G.S.R. 926 of 1969	12-4-1969	The All India Services (Discipline and Appeal) Rules, 1969.
146. G.S.R. 927 of 1969	12-4-1969	The Indian Administrative Service (Pay) Third Amendment Rules, 1969.
147. G.S.R. 928 of 1969	12-4-1969	The Fourth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.

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148. <u>G.S.R. 792 of 1969</u> 15-3-1969	The Petroleum and Natural Gas (Amendment) Rules, 1969.	
149. <u>G.S.R. 975 of 1969</u> 19-4-1969	The Indian Police Service (Pay) First Amendment Rules, 1969.	
150. <u>S. O. 1428 of 1969</u> 15-4-1969	The Export of stainless Steel Utensils (Inspection) Amendment Rules, 1969.	
151. <u>S.O. 1431 of 1969</u> 15-4-1969	The Export of Mica (Inspection) Amendment Rules, 1969.	
152. <u>G.S.R. 997 of 1969</u> 16-4-1969	The Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1969.	
153. <u>G.S.R. 1031 of 1969</u> 26-4-1969	The Indian Forest Service (Probation) Amendment Rules, 1969.	
154. <u>G.S.R. 532 (English ver- sion) G.S.R. 533 (Hindi version) of 1969</u> 8-3-1969	The Prevention of Food Adulteration (Amendment) Rules, 1969.	
155. <u>S.O. 1505 (English ver- sion) S.O. 1506 (Hindi version) of 1969</u> 21-4-1969	The Registration of Electors (Amend- ment) Rules, 1969.	
156. <u>G.S.R. 1011 (English version) G.S.R. 1012 (Hindi version) of 1969</u> 26-4-1969	The Cinematograph (Censorship) (Se- cond Amendment Rules, 1969.	
157. <u>S.O. 2694 of 1968</u> 24-7-1968	The Cotton Textiles (Control) Third Amendment Order, 1968.	
158. <u>G.S.R. 1039 of 1969</u> 24-4-1969	The Inter-Zonal Wheat and Wheat Products (Movement Control) Amendment Order, 1969.	

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159	<u>S.O. 1564 of 1969</u> 26-4-1969	The Cold Storage (Amendment) Order, 1969.
160	<u>S.O. 735 (English version) S. O. 736 (Hindi version) of 1969</u> 20-2-1969.	The International Copyright. (First Amendment) Order, 1969.
161	<u>S.O. 1560 of 1969</u> 23-4-1969	The Admission as Advocates (Training and Examination) Amendment Rules, 1969.
162	<u>G.S.R. 977 (English version) G.S.R. 978 (Hindi version) of 1969</u> 19-4-1969	The Cinematograph (Censorship) Amendment Rules, 1969.
163	<u>G.S.R. 1080 of 1969</u> 28-4-1969	The Indian Telegraph (Eighth Amendment) Rules, 1969.
164	<u>G.S.R. 1275</u> 28-5-1969	The Insurance (Amendment) Rules, 1969.
165	<u>G.S.R. 1362 (English version) G.S.R. 1363 (Hindi version)</u> 9-6-1969	The Central Sales Tax (Registration and Turnover) Amendment Rules, 1969.
166	<u>G.S.R. 1344 (English version) G.S.R. 1345 (Hindi version)</u> 7-6-1969	The Medicinal and Toilet Preparations (Excise Duties) First Amendment Rules, 1969.
167	<u>G.S.R. 1561 (English version) G.S.R. 1562 (Hindi version)</u> 5-7-1969	The Medicinal and Toilet Preparations (Excise Duties) Second Amendment Rules, 1969.
168	<u>G.S.R. 1563 (English version) G.S.R. 1564 (Hindi version)</u> 5-7-1969	The Medicinal and Toilet Preparations (Excise Duties) Third Amendment Rules, 1969.

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169	G.S.R. 1478(English version) G.S.R. 1479 (Hindi version)	The Transfer of Residence Rules, 1969.
	21-6-1969.	
170	G.S.R. 1283(English version) G.S.R. 1285 (Hindi version)	The Industrial Disputes (Central) Amendment Rules, 1969.
	7-6-1969.	
171	G.S.R. 1284(English version) G.S.R. 1286 (Hindi version)	The Industrial Disputes (Central) Second Amendment Rules, 1969.
	7-6-1969.	
172	S.O. 1675(English version)	The Dock Workers (Regulation of Em- ployment) Amendment Rules, 1969.
	3-5-1969.	
173	G.S.R. 1123(English version) G.S.R. 1124 (Hindi version)	The Food Corporations (Amendment) Rules, 1969.
	12-5-1969.	
174	G.S.R. 1149(English version) G.S.R. 1150 (Hindi version)	The Indian Telegraph (Seventh Amend- ment) Rules, 1969.
	17-5-1969.	
175	G.S.R. 1416 (Hindi version)	The Indian Telegraph (Eighth Amend- ment) Rules, 1969.
	21-6-1969.	
176	G.S.R. 1417(English version) G.S.R. 1418 (Hindi version)	The Indian Telegraph (Eleventh Am- endment) Rules, 1969.
	21-6-1969.	
177	G.S.R. 1295(English version) G.S.R. 1296 (Hindi version)	The Indian Telegraph (Twelfth Am- endment) Rules, 1969.
	30-5-1969.	
178	S.O. 1908 (English version) S.O. 1909 (Hindi version)	The International Copyright (Second Amendment) Order, 1969.
	16-5-1969.	
179	S.O. 2142 (English version) S.O. 2143 (Hindi version)	The International Copyright (Third- Amendment) Order, 1969.
	28-5-1969.	

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180	S.O. 2445 (English version) S.O. 2446 (Hindi version)	The International Copyright (Fourth Amendment) Order, 1969.
	21-6-1969.	
181	G.S.R. 1066	The Seamen's Provident Fund (Amendment) Scheme, 1968.
	8-6-1968.	
182	G.S.R. 1044	The Seamen's Provident Fund (Second Amendment) Scheme, 1969.
	3-5-1969.	
183	G.S.R. 1220 (English version) G.S.R. 1221 (Hindi version)	The Citizenship (Amendment) Rules, 1969.
	24-5-1969.	
184	G.S.R. 1031	The Indian Forest Service (Probation Amendment Rules, 1969.
	26-4-1969.	
185	G.S.R. 1126	The Indian Administrative Service (Regulation of Seniority) Second Amendment Rules, 1969.
	17-5-1969.	
186	G.S.R. 1127	The Indian Police Service (Regulation of Seniority) Second Amendment Rules, 1969.
	17-5-1969.	
187	G.S.R. 1128	The Indian Administrative Service (Probation) Amendment Rules, 1969.
	17-5-1969.	
188	G.S.R. 1215	The Indian Police Service (Pay) Second Amendment Rules, 1969.
	24-5-1969.	
189	G.S.R. 1216	The Indian Administrative Service (Probation) Second Amendment Rules, 1969.
	24-5-1969.	
190	G.S.R. 1217	The Indian Police Service (Probation) Amendment Rules, 1969.
	24-5-1969.	
191	G.S.R. 1218	The Indian Administrative Service (Probationers' Final Examination Amendment Regulations, 1969
	24-5-1969.	

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192	G.S.R. 1219 24-5-1969	The Indian Police Service (Probationers' Final Examination) Amendment Regulations, 1969.
193	G.S.R. 1261 31-5-1969	The Indian Administrative Service (Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) First Amendment Regulations, 1969.
194	G.S.R. 1262 31-5-1969.	The Indian Police Service (Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) First Amendment Regulations, 1969.
195	G.S.R. 1264 31-5-1969	The Indian Administrative Service (Appointment by selection) Amendment Regulations, 1969.
196	G.S.R. 1265 31-5-1969	The Indian Administrative Service (Cadre) Amendment Rules, 1969.
197	G.S.R. 1266 31-5-1969.	The Indian Police Service (Cadre) Amendment Rules, 1969.
198	G.S.R. 1267 31-5-1969.	The Indian Administrative Service (Appointment by Promotion) Second Amendment Regulations, 1969.
199	G.S.R. 1268 31-5-1969	The Indian Police Service (Appointment by Promotion) Amendment Regulations, 1969.
200	G.S.R. 1442 21-6-1969	The Indian Administrative Service (Appointment by Promotion) Third Amendment Regulations, 1969.
201	G.S.R. 1443 21-6-1969	The Indian Police Service (Appointment by Promotion) Second Amendment Regulations, 1969.
202	G.S.R. 1446 21-6-1969	The Indian Administrative Service (Fixation of Cadre Strength) Second Amendment Regulations, 1969.
203	G.S.R. 1447 21-6-1969	The Fifth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.

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204	<u>G.S.R. 1448</u> 21-6-1969	The Indian Police Service (Uniform) Amendment Rules, 1969.
205	<u>G.S.R. 1486</u> 28-6-1969.	The Indian Forest Service (Probation) Second Amendment Rules, 1969.
206	<u>G.S.R. 1487</u> 28-6-1969	The Indian Forest Service (Regulation of Seniority) Amendment Rules, 1969
207	<u>G.S.R. 1490</u> 28-6-1969.	The Indian Police Service (Pay) Fourth Amendment Rules, 1969.
208	<u>G.S.R. 1591</u> 5-7-1969	The Indian Administrative Service (Fixation of Cadre Strength) Third Amendment Regulations, 1969.
209	<u>G.S.R. 1592</u> 5-7-1969	The Sixth Amendment of 1969 to the Indian Police Service (Pay) Rules 1954.
210	<u>G.S.R. 1593</u> 5-7-1969	The Indian Police Service (Fixation of Cadre Strength) Second Amendment Regulation, 1969.
211	<u>G.S.R. 1594</u> 5-7-1969	The Fifth Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
212	<u>G.S.R. 1595</u> 5-7-1969	The Indian Police Service (Uniform) Second Amendment Rule, 1969.
213	<u>G.S.R. 1596</u> 5-7-1969	The Indian Police Service (Fixation of Cadre Strength) First Amendment Regulations, 1969.
214	<u>G.S.R. 1597</u> 5-7-1969	The Third Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
215	<u>Notification No. 9251-HII (4)-68/44266.</u> 11-12-1968	The Punjab Tourist Vehicles (Chandi- garh First Amendment) Rules, 1968.



(1)	(2)	(3)
216	Notification No. 12651-HII (2)—68/376 <hr/> 3-1-1969	The Punjab Motor Vehicles (Chandigarh First Amendment) Rules, 1969.
217	S. O. 2705 <hr/> 3-7-1969.	The Gold Control (Identification Cus- tomers) Rules, 1969.
218	S. O. 2706 <hr/> 3-7-1969.	The Gold Control (Licensing of Dealers) Rules, 1969.
219	G.S.R. 1598 <hr/> 2-7-1969	The Additional Duty Rules, 1969.
220	G.S.R. 1045 <hr/> 3-5-1969	The Aircraft (Third Amendment) Rules, 1969.
221	G.S.R. 1370 <hr/> 14-6-1969	The Aircraft (Fourth Amendment) Rules, 1969.
222	G.S.R. 1079 (English version) <hr/> 28-4-1969	The Indian Telegraph (Ninth Amend- ment) Rules, 1969.
223	G.S.R. 1444 <hr/> 21-6-1969	The Indian Administrative Service (Recruitment) Amendment Rules, 1968.
224	G.S.R. 1445 <hr/> 21-6-1969	The Indian Police Service (Recruitment) Amendment Rules, 1968.
225	G.S.R. 1632 <hr/> 19-7-1969	The Indian Administrative Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1969.
226	G.S.R. 1633 <hr/> 19-7-1969	The Seventh Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
227	G.S.R. 1634 <hr/> 19-7-1969	The Indian Police Service (Fixation of Cadre Strength) Third Amend- ment Regulations, 1969.
228	G.S.R. 1635 <hr/> 19-7-1969	The Sixth Amendment of 1969 to the Indian Police Service (Pay) Rules. 1954.

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229	G.S.R. 1433 21-6-1969	The Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 1969.
230	S. O. 2854 15-7-1969	The Export of Coir Yarn (Inspection) Amendment Rules, 1969.
231	G.S.R. 1374(English version) G.S.R. 1375 (Hindi Version) 14-6-1969	The Textiles Committee (Amendment) Rules, 1969.
232	G.S.R. 1293(English version) G.S.R. 1294 (Hindi version) 7-6-1969	The Indian Telegraph (Tenth Amendment, Rules, 1969.
233	G.S.R. 1638(English version) G.S.R. 1639 (Hindi version) 19-7-1969	The Arms (Third Amendment) Rules, 1969.
234	G.S.R. 1743 26-7-1969	The Indian Police Service (Recruitment) Amendment Rules, 1968.
235	G.S.R. 1744 26-7-1969	The Indian Administrative Service (Recruitment) Amendment Rules, 1968.
236	G.S.R. 1748 26-7-1969	The Eighth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
237	G.S.R. 1804 2-8-1969	The Indian Police Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1969.
238	G.S.R. 1805 2-8-1969	The Seventh Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
239	G.S.R. 1746 26-7-1969	The All India Services (Study Leave) First Amendment Regulations, 1969.

## APPENDIX II

(Vide para 16 of the Report)

*Opinion of the Attorney-General of India (Shri Niren De)*

1. I have read and considered the Law Secretary's Note dated 29th August, 1968 and his Statement of Case dated 26th April, 1969 and the connected papers.

2. Section 3 of the Salaries and Allowances of Members of Parliament 1954 (hereinafter called "the 1954 Act") entitles a member of either House of Parliament to a salary of Rs. 500/- per month and subject to any Rules under the 1954 Act "an allowance at the rate of Thirty-one rupees for each day during any period of residence on duty". The expression "period of residence on duty" is defined by Section 2(d) and the Explanation thereto of the 1954 Act. Section 7 provides for allowance at the rate mentioned in Section 3 during short intervals between the termination of one session and the commencement of another session of a House of Parliament. Sections 4 and 5 provide for travelling allowances and Section 6 provides for free transit by Railway. Section 8 provides for amenities as follows: "A member shall be entitled to such medical facilities for himself and for members of his family and to such housing, telephone and postal facilities as may be prescribed by rules under Section 9". Section 9 empowers a Joint Committee of both Houses of Parliament referred to therein to provide for, *inter alia*, "medical, housing, telephone and postal facilities mentioned in Section 8" after consultation with the Central Government.

3. The Rules which have been made under Section 9 of the 1954 Act are, *inter alia*, the Housing and Telephone Facilities (Members of Parliament) Rules, 1956 (hereinafter called "the 1956 Rules") and the Members of Parliament (Travelling and Daily Allowances) Rules, 1957 (hereinafter called "the 1957 Rules"). From the papers before me it does not appear that any Rules have been made so far under Section 9 in respect of postal facilities.

4. Neither the 1954 Act nor any Rules made thereunder give any indication as to the nature of the expenses on account of which the daily allowance of Rs. 31/- (hereinafter called "the said daily allowance") is provided for in Section 3 of the 1954 Act. Nor are there any data in the Statement of Case or the connected papers in that

behalf. It may, however, be assumed that the said daily allowance is on account of expenses that may be incurred by a member of a House of Parliament in the performance of his duties as such member during his "period of residence on duty" as defined by Section 2(d) and the Explanation thereto of the 1954 Act. On such assumption the expenses incurred by a member of a House of Parliament in travelling from his residence in Delhi to Parliament for attending Parliament during his "period of residence on duty" as defined by Section 2(d) and the Explanation thereto of the 1954 Act would, at any rate, be covered by the said daily allowance.

5. The said daily allowance comes under Section 10(17) of the **Income-tax Act, 1961** (hereinafter called "the 1961 Act") which provides as follows:—

"10. In computing the total income of a previous year of any person, any income falling within any of the following clauses shall not be included.....

(17) any daily allowance received by any person by reason of his membership of Parliament or of any State Legislature or of any Committee thereof."

Thus the said daily allowance is wholly exempt from tax whether any part of it is actually spent or not. It is not correct to say, as referred to in paragraph 8 and 12 of the Statement of Case, that the said daily allowance comes under Section 10(14) of the 1961 **Act**.

6. The question is whether the expenses of a member of a House of Parliament under the several heads set out in paragraph 4 of the Statement of Case are deductible expenditure under Section 57(iii) of the 1961 Act on the footing that the salary of a member of a House of Parliament payable to him under Section 3 of the 1954 Act is "income from other sources" under Section 56(1) of the 1961 Act and not "salary" under Section 15 of the 1961 Act.

7. Section 57(iii) of the 1961 Act provides as follows:—

"57. The income chargeable under the head "income from other sources" shall be computed after making the following deductions, namely,

(iii) any other expenditure (not being in the nature of capital expenditure) laid out or expended wholly and exclusively for the purpose of making or earning such **income.**"

8. Although the language of Section 12(2) of the Indian Income-tax Act, 1922 (hereinafter called "the 1922 Act") was slightly different from the language of Section 57(iii) of the 1961 Act, this difference is not material to the question asked in the Statement of Case and the test laid down by the Supreme Court for construing Section 12(2) of the 1922 Act in *Eastern Investments Ltd. Vs. Commissioner of Income-tax* reported in 1951 S.C.R. 594 and (1951) 20 I.T.R. I would, in my opinion, hold good also for the interpretation of Section 57(iii) of the 1961 Act. According to this test the expression "any.....expenditure..... laid out or expended wholly and exclusively for the purpose of making or earning such income" occurring in Section 57(iii) of the 1961 Act means any expenditure, although not of necessity, voluntarily incurred in order directly or even indirectly to facilitate the making or earning the income. There must, of course, be a nexus between the expenditure incurred and the income made or earned.

9. The decision of the Gujarat High Court in *Commissioner of Income-tax, Gujarat II and Another Vs. Kasturbhai Lalbhai and Another* reported in (1968) 70 I.T.R. 267 does, in my view, correctly explain the test referred to in the next preceding paragraph hereof for construing Section 12(2) of the 1922 Act.

10. The further requirement in Section 57(iii) of the 1961 Act is that the expenditure must be "*wholly and exclusively for the purpose of making or earning*" the income. Thus if the expenditure is incurred for the purpose of making or earning the income as well as for another purpose, Section 57(iii) will not apply.

11. The tests referred to in paragraphs 8 and 10 hereof have, of course, to be applied to the facts of each individual case.

12. Bearing in mind the provisions of the 1954 Act with regard to the said daily allowance, the provisions of the 1954 Act and the 1956 Rules regarding telephone facilities, the provisions of the 1954 Act regarding free transit and the provisions of the 1954 Act and the 1957 Rules regarding travelling allowances and applying the tests referred to in paragraphs 8, 10 and 11 hereof, my views regarding the question as to whether or not the expenses set out under several heads in paragraph 4 of the Statement of Case are deductible expenditure under Section 57(iii) of the 1961 Act are as follows:—

(a) "Expenses incurred by a Member in contesting the election".

The answer is in the negative as these expenses do not, in my view, satisfy the test referred to in paragraph 8 hereof.

- (b) "Expenses incurred in nursing the constituency".

The answer is in the negative as these expenses do not, in my view, satisfy the test referred to in paragraph 8 hereof.

- (c) "Expenses incurred regarding conveyance for attending Parliament from his place of residence in Delhi".

The answer is in the negative, as these expenses are covered by the said daily allowance as referred to in paragraph 4 hereof.

- (d) "Expenses incurred in travelling from his place of residence to Delhi and *vice versa*".

The answer is in the negative, as these expenses are provided for in the 1954 Act and the 1957 Rules.

- (e) "Expenses incurred in maintaining an office in Delhi".

The answer is in the affirmative, subject to the tests referred to in paragraphs 8 and 10 hereof.

- (f) "Expenses incurred in maintaining an office in his constituency".

The answer is in the affirmative, subject to the tests referred to in paragraphs 8 and 10 hereof.

- (g) "Expenses incurred on postage, stationery, conveyance, telephone, stenographic assistance, etc. in Delhi or in his constituency".

The answer is in the affirmative regarding postage, stationery and stenographic assistance and also regarding conveyance, other than the conveyance expenses referred to in sub-paragraph (c) hereof, and telephone other than the telephone expenses provided for by the 1954 Act and the 1956 Rules, but all subject to the tests referred to in paragraphs 8 and 10 hereof.

13. The question asked in the Statement of Case may now be answered.

**Question (1):** "Whether the expenses incurred by a member of Parliament under items (a) to (g) in para 4 above can be said to

be deductible expenditure under section 57(iii) of Act 43 of 1961, and if so, to what extent;"

*Answer:* Vide paragraph 12 hereof.

*Question (2):* "Generally".

*Answer:* There is nothing further to add.

NEW DELHI;  
Dated the 15th May, 1969.

Sd/- NIREN DE,  
*Attorney General for India.*

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**APPENDIX III**  
**Minutes of the Committee**

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## XX

### MINUTES OF TWENTIETH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Committee met on Friday, the 7th March, 1969 from 16.15 to 17.00 hours.

#### PRESENT

Shri N. C. Chatterjee—*Chairman*.

#### MEMBERS

2. Shri Shri Chand Goyal
3. Shri Tulsiram Dashrath Kamble
4. Shri Narendrasingh Mahida
5. Shri V. Viswanatha Menon
6. Shri N. K. Sanghi

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*.

Shri J. R. Kapur—*Under Secretary*.

2. The Committee considered Memoranda Nos. 32 to 45 on the following subjects and "Orders":—

- (i) Question of treatment of expenses incurred by a Member of Parliament in the discharge of his duties as such Member as an allowable item of expenditure for purposes of income-tax.
- (ii) \* \* \* \*
- (iii) \* \* \* \*
- (iv) The Food Corporations (Eighth Amendment) Rules, 1966 (G.S.R. 1831 of 1966).
- (v) Action taken on the recommendation made by the Committee on Subordinate Legislation in para 10 of their Second Report (Fourth Lok Sabha).
- (vi) Amendments to the I.A.S. (Pay) Rules, 1954 (G.S. Rs. 1246, 1522 and 1565 of 1968), I.A.S. (Fixation of Cadre

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\*Omitted portions of the Minutes are not covered by the Fourth Report.

Strength) Regulations, 1955 (G.S.Rs. 1247, 1523 and 1566 of 1968) I.P.S. (Fixation of Cadre Strength) Regulations, 1955 (G.S.R. 1563 of 1968) and I.P.S. (Pay) Rules, 1954 (G.S.R. 1964 of 1968).

- (vii) The Ministry of Defence, Directorate-General National Cadet Corps (Class I Gazetted) Lady Staff Officer (Grade I) Recruitment Rules, 1968 and the Ministry of Defence Armed Forces Headquarters (Class III Non-Gazetted Posts of Librarians) Recruitment Rules, 1968 (S.R.Os. 110 and 115 of 1968).
- (viii) Armed Forces Headquarters Clerical Service Rules, 1968 and Armed Forces Headquarters Stenographers' Service Rules, 1968 (S.R.Os. 119 and 120 of 1968).
- (ix) Action taken on the recommendations made by the Committee on Subordinate Legislation in para 16 of their Second Report (Fourth Lok Sabha).
- (x) The Ancient Monument and Archaeological Sites and Remains (Amendment) Rules, 1966 (S.O. 3520 of 1966).
- (xi) Action taken on the recommendation made by the Committee on Subordinate Legislation in para 21 of their Second Report (Fourth Lok Sabha).
- (xii) Action taken on the recommendation made by the Committee on Subordinate Legislation in their First Report (Fourth Lok Sabha).
- (xiii) Amendment to Commissioners' By-law No. 55-A for regulating the transaction of shipping, clearing or forwarding business within the Port area by the clearing agents.
- (xiv) The Railway Service Commissions (Chairmen and Members) Recruitment Rules, 1965 (G.S.R. 128 of 1966).

*Question of treatment of expenses incurred by a Member of Parliament in the discharge of his duties as such Member as an allowable item of expenditure for purposes of income-tax .*

3. The Committee noted that previously income-tax on the salary drawn by Members of Parliament was being deducted from their salary bills at source. Shri C. C. Desai, M.P., raised a point regarding correctness of the deduction of income-tax at source from the salaries of Members of Parliament as Members of Parliament were not employees of Parliament. The matter was then taken up with the Ministry of Finance|Department of Parliamentary Affairs for clarification.

4. In April, 1968, the Ministry of Finance intimated that the salary payable to a Member of Parliament was not assessable under the

head "salary" but was assessable under the head "income from other sources" and that no deduction of income-tax under Section 192 of the Income Tax Act, 1961 need be made in respect of any amounts due to a Member of Parliament in accordance with Section 3 of the Salaries and Allowances of Members of Parliament Act, 1954. Members of Parliament were accordingly informed of this position *vide* para No. 637 published in the Lok Sabha Bulletin Part II, dated the 24th April, 1968.

Since, in pursuance of the above decision, the salary payable to a Member of Parliament was not assessable under the head "salary" and no income-tax was therefore, deducted at source, the salary payable to a Member of Parliament was assessable under the head "income from other sources". Section 57 of the Income Tax Act, 1961 provided for making certain deductions in computing income chargeable under the head "income from other sources".

5. Shri C. C. Desai, M.P., then represented that expenses incurred by a Member of Parliament in the discharge of his duties as such Member should be treated as an allowable item of expenditure from his salary of Rs. 500 per month, for the purposes of income-tax. In his letter dated the 5th May, 1968, addressed to the Pay & Accounts Officer, Lok Sabha, Shri C. C. Desai stated *inter alia* as follows:—

"The next question that I would like to raise and on which I would like to have clarification is whether expenses incurred over maintenance of office and service to the constituency from which a Member of Parliament is elected would be treated as an allowable item of expenditure for the purpose of computing income-tax. For instance, I am elected from Sabarkantha in Gujarat. Himatnagar is the Headquarters of Sabarkantha District. I maintain an office there on a monthly rental of Rs. 25 and I maintain a Secretary and a peon at a cost of nearly Rs. 200 per month. Furthermore, there is not less than Rs. 50 by way of expenditure over newspapers, stamps and postage at the office. All these expenses are clearly incidental to my membership of Parliament from Sabarkantha and are inevitable for rendering service to my voters who expect this service from me as their representative in Parliament".

6. The matter was referred to the Ministry of Finance (Department of Revenue and Insurance) who, in their reply dated the 16th November, 1968, stated as follow :

"The question whether any expenses should be allowed against the salary of Rs. 500 p.m. has been examined and according to the view held by this Department no such deduc-

tion would be admissible as each M.P. gets per diem allowance of Rs. 31 for all days of the Parliament session and also for the days of attendance on Committees. This allowance covered conveyance and other incidental expenditure and is already exempt from tax".

This opinion of the Ministry of Finance was published in the Lok Sabha Bulletin Part II, dated the 23rd November, 1968 *vide* para 909.

7. Shri C. C. Desai expressed his disagreement with the aforesaid opinion of the Ministry of Finance and suggested that the matter might be examined further.

8. In this connection, the Committee pursued the provisions of the Income Tax Act, 1961 regarding 'Income from other sources', 'Deductions' and 'Amounts not deductible' as laid down in Sections 56 to 58 and the relevant portions of a stencilled note forwarded by Shri C. C. Desai detailing "Payment and Privileges of Commonwealth Members of Parliament United Kingdom (Revised April, 1962)".

After some discussion the Committee decided that Shri C. C. Desai, M.P., and the representatives of the Ministry of Finance might be asked to appear before the Committee to place their views on the matter before the Committee.

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16.	*	*	*	*

*The Food Corporations (Eighth Amendment) Rules, 1966 (G.S.R. 1831 of 1966)*

17. The Study Group of the Committee on Subordinate Legislation, at their sitting held on the 21st September, 1968, had noticed that the above-mentioned G.S.R. had given a retrospective effect to

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\*Omitted portions of the Minutes are not covered by the Fourth Report.

G.S.R. 1484 of 1966, issued on the 17th September, 1966, with effect from the 13th January, 1965, which was considered improper.

18. The Committee perused the following explanation of the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), to whom the matter was referred for comments and furnishing reasons for giving retrospective effect to those rules:

"...in suggesting an amendment to rule 11 of the Food Corporations Rules, one of the main considerations was that the scale of pay of Secretary, Food Corporation of India, in the original rules was provided as Rs. 1800—50—2000 which was not a standard scale and would not permit an equation under All India Service Pay Rules with any equivalent post under the Government. As the scale stood, the proviso to rule 11 permitting an I.A.S. officer appointed to the post, to draw a special pay of Rs. 300/- per mensem was erroneous and should have been amended or deleted. An alternative was to amend the scale, since the proviso to rule 11 indicated the intention of the Government and should remain in its original form.

The Ministry of Finance who were consulted had also agreed with this position. In fact, the Ministry of Finance held the view that this was not a case of 'revision' but one of prescribing the correct standard scale. The concurrence of the Ministry of Home Affairs and Finance to equate the scale of the post of Secretary in Food Corporation of India to the post of Deputy Director General under the Government was on the premise that the scale of pay of Secretary, Food Corporation of India was Rs. 1800—100—2000. The continuance of an incorrect scale in the original rule was irregular and had to be amended with effect from the original date of the promulgation of the rule i.e., 13th January, 1965".

19. The Committee considered the matter and were surprised at the continuance of an incorrect scale of pay of Secretary, Food Corporation of India, provided in the original Rules, for about two years, which was not a standard scale and also was irregular. The Committee desired that the Ministry might be asked to be very careful and vigilant in future in regard to such matters and they should make it a point to consult the Ministry of Finance/Home Affairs in the first instance so that such mistakes were not repeated.

*Action taken on the recommendation made by the Committee on Subordinate Legislation in para 10 of their Second Report (Fourth Lok Sabha).*

20. In paras 9 and 10 of their Second Report (Fourth Lok Sabha), the Committee had noted that the Indian Police Service (Recruitment) Amendment Rules, 1968 and the Indian Administrative Service (Recruitment) Amendment Rules, 1968 (G.S.Rs. 1520 and 1521 of 1968) were published in the Gazette, dated the 24th August, 1968, whereas the rules made therein had been brought into force with effect from the 6th April, 1966, and 5th April, 1966 *vide* sub-rule (2) of rule 1 of the aforesaid Rules, respectively.

21. After considering the views of the Ministry of Home Affairs, the Committee had recommended in para 10 of their Second Report that normally all rules should be published before the date of their enforcement or they should be enforced from the date of their publication. The Ministries/Departments should take appropriate steps to ensure the publication of rules before they came into force. However, if, in any particular case, the rules had to be given retrospective effect in view of any unavoidable circumstances, a clarification should be given, either by way of an explanation in the rules or in the form of a foot-note to the relevant rules to the effect that no one would be adversely affected as a result of retrospective effect being given to those rules.

22. The Committee noted that the Ministry of Home Affairs had accepted their above recommendation and had enquired whether the relevant rules incorporating the necessary explanation or foot-note be relaid on the Table of the House. The Committee decided that the Ministry of Home Affairs might be asked to re-lay those amendments on the Table of the House with the requisite explanation or foot-note.

*Amendments to the I.A.S. (Pay) Rules, 1954 (G.S.Rs. 1246, 1522, and 1565 of 1968), I.A.S. (Fixation of Cadre Strength) Regulations, 1955 (G.S.Rs. 1247, 1523 and 1566 of 1968), I.P.S. (Fixation of Cadre Strength) Regulations, 1955 (G.S.R. 1563 of 1968) and I.P.S. (Pay) Rules, 1954 (G.S.R. 1564 of 1968)*

23. During the course of examination of the above-mentioned General Statutory Rules, the Committee had noticed that none of the aforesaid amendments was given any short title. This was pointed out to the Ministry of Home Affairs and they were asked to state the reasons for not giving short titles to the above noted rules' regulations in spite of the fact that the Committee had recommend-

ed as early as in May, 1955, in para 44 of their Third Report (First Lok Sabha) that all rules and all amendments to rules should be given short titles.

24. The Committee noted that for the guidance of all Ministries/Departments of the Government of India, a circular was also issued recently, inviting their attention to the above recommendation of the Committee and asking them to ensure compliance.

25. The Ministry of Home Affairs, having accepted the above recommendation of the Committee had further stated as follows:—

“This is, in fact, being followed already by this Ministry in regard to the amendments to the rules proper. It has not, however, been followed in respect of amendments to schedules to the rules, as is the case with the amendments contained in this Ministry’s notifications published as G.S.R. Nos. 1246, 1247, 1522, 1523 and 1563 to 1566.

2. This Ministry has no objection to adopt this procedure in regard to amendments to schedules to the rule also with effect from 1-1-1969.”

26. The Committee considered the reply of the Ministry and reiterated that all the Ministries/Departments of the Government of India should strictly follow the recommendation already made by the Committee in para 44 of their Third Report (First Lok Sabha) and should adopt this procedure in regard to all amendments to rules (including amendments to schedules to the rules), as giving of short titles and numbering of amendments are absolutely necessary for reference and tracing of the rules, etc., and the amendments thereto.

*The Ministry of Defence, Directorate-General National Cadet Corps (Class I Gazetted) Lady Staff Officer (Grade I) Recruitment Rules, 1968 and the Ministry of Defence, Armed Forces Headquarters (Class III Non-Gazetted Posts of Librarians) Recruitment Rules 1968 (S.R.Os. 110 and 115 of 1968)*

27. During the course of examination of the above mentioned rules, the Committee had noticed that the rules were published in the Gazette on the 13th April, 1968 whereas the rules made therein had been brought into force with effect from the 1st August, 1967 and the 10th January, 1968 *vide* sub-rule (2) of rule 1 of the aforesaid S.R.Os. respectively.

28. The Committee persued the reply of the Ministry of Defence, to whom the matter was referred for comments and stating the reasons for giving retrospective effect to the said rules. The Ministry had explained that recruitment rules for the undermentioned posts, as approved by the Government, were adopted from the dates indicated against them.

Lady Staff Officer Grade I	—	1-8-67
Librarian Grade II	}	10-1-68
Librarian Grade III		
Librarian Grade IV		

The effective date of the recruitment rules in the Gazette was accordingly shown as indicated above. In this connection, the Ministry had further stated that the solitary post of Lady Staff Officer Grade I was filled w.e.f. 1-1-66. The provision regarding retrospective effect of the recruitment rules did not affect the incumbent of the post.

As regards the recruitment rules for the post of Librarian Grades II, III and IV, it was stated that although the recruitment rules were given effect from 10-1-68, no appointment|promotion was made during the period 10-1-68 and 13-4-68 (the date of publication of the Gazette Notification). The said provision had not, therefore, affected any individual adversely.

29. The Committee noted that in the first case, the appointment to the post of Lady Staff Officer Grade I had been made on 1-1-1966, i.e., much in advance of the framing, adoption and publication of the rules governing its appointment, etc. It would thus not have made any difference to the solitary incumbent of the said post even if the rules had been brought into force with effect from the date of publication of the rules in the Gazette viz. 13-4-1968, or alternately steps should have been taken to get the rules published in the Gazette on the date of their adoption to avoid such a long gap.

Similary, in the second case, when no appointment|promotion was made to Class III posts of Librarians during the period 10-1-1968 and 13-4-1968, and the Ministry knew this fact, there would have been no difficulty in adhering to the normal practice of enforcing the rules from the date of their publication in the Gazette.

30. The Committee reiterated their earlier recommendation in their Second Report, that if due to any valid and unavoidable reasons, it became absolutely necessary to give retrospective effect



to any rules (which was not applicable to these two cases), the fact that no one would be adversely affected by giving retrospective effect to those rules should be specifically stated as an explanation in such rules, or made clear by a foot-note in those rules.

*Armed Forces Headquarters Clerical Service Rules, 1968 and Armed Forces Headquarters Stenographers' Service Rules, 1968 (S.R.Os. 119 and 120 of 1968)*

31. During the course of examination of the above-mentioned Statutory Rules and Orders, the Committee had noticed that provision relating to eligibility for confirmation of probationers, appointed to the Upper/Lower Division Grade of the Armed Forces Headquarters Clerical Service and Grades I and II of the Armed Forces Headquarters Stenographers' Service, after completing the probation period satisfactorily, had not been made in those Rules, respectively, as had been done in the case of the Armed Forces Headquarters Civil Service Rules, 1968 (S.R.O. 118, c.f. rule 14).

32. The Committee perused the following explanation of the Ministry of Defence, to whom the matter was referred for stating the reasons for not including this provision in the aforesaid Rules:

"... Supplementary Rule 2(15) defines that a 'Probationer' means a Government servant employed on probation in or against a substantive vacancy in the cadre of a department. The same definition of 'Probationer' is given in rule 2(m) of the AFHQ Civil Service Rules, 1968 (SRO 118 of 1968). The Third Schedule to the said Rules provides that a proportion of permanent vacancies in the Grades of Superintendent and Assistant will be filled through combined competitive examinations held by the Union Public Service Commission. These direct recruits against permanent posts, while on probation for 2 years, will be known as 'probationers' and they will be considered for confirmation in the permanent posts against which they are recruited, soon after satisfactory completion of the probationary period in accordance with rule 14 of the rules quoted above.

However, as the posts in UD grade and LD grade of the Armed Forces Headquarters Clerical Service and Stenographer Grade I and Stenographer Grade II of the Armed Forces Headquarters Stenographers' Service are to be filled initially on a temporary basis, the persons appointed there again will be on probation for two years and on

satisfactory completion of probationary period they will be considered for continued retention in service. Confirmations against permanent posts in the grades under reference will be made according to their seniority in the temporary grade concerned in accordance with the provisions of the Third Schedule to the AFHQ Clerical Service Rules, 1968 (SRO 119 of 1968) and the AFHQ Stenographers' Service Rules, 1968 (SRO 120 of 1968), as the case may be. In the circumstances, it was not considered necessary to make a provision in the above rules similar to rule 14 of the AFHQ Civil Service Rules, 1968".

33. The Committee were not convinced by the explanation of the Ministry of Defence and observed that initial appointment as a temporary employee should not come in the way of making a provision on the lines of rule 14 of S.R.O. 118 of 1968. The Committee desired that the Ministry might be asked to make a similar provision in the Armed Forces HQ Clerical Service Rules, 1968 and Armed Forces Headquarters Stenographers' Service Rules, 1968 (S.R.Os. 119 and 120 of 1968) as had been provided in the case of the Armed Forces HQ Civil Service Rules, 1968 (S.R.O. 118, c.f. rule 14).

*Action taken on the recommendations made by the Committee on Subordinate Legislation in para 16 of their Second Report (Fourth Lok Sabha)*

34. In para 16 of their Second Report (Fourth Lok Sabha), the Committee had recommended that Government should bring forward a Bill in Parliament to govern the affairs of the National Museum, New Delhi, as was done in the case of Indian Museum, Calcutta and the Salar Jung Museum, Hyderabad, so that this Museum was also governed by an Act of Parliament and statutory rules and bye-laws concerning it were framed to bring it at par with other National Museums in the country. The Committee felt that the Government should further tighten the security arrangements in the National Museums, in view of the recent theft committed in the National Museum, New Delhi.

35. The Committee perused the following reply submitted by the Ministry of Education in this connection:—

"... the matter has been considered carefully by the Government of India. It is felt that as long as the National Museum is in a formative stage and in the process of development requiring large sums of money to be spent

on construction of building (second phase), purchase of equipment and other items of expenditure, it should continue to function directly under the Central Government. At a later stage, after it has established itself well and is more or less fully developed, the Government will consider entrusting its administration to an autonomous body.

- (2) It may be added that a similar recommendation was also made by the Estimates Committee in their Fourth Report (Fourth Lok Sabha) on the Ministry of Education. The Government's views in this behalf, as mentioned in paragraph 1 above, were communicated to the Estimates Committee, in December, 1967. The Estimates Committee have accepted the views of the Government, as mentioned in Chapter III of their Sixty-second Report (1968-69) which shows action taken by Government on the recommendations of the Committee in the Fourth Report on Ministry of Education.
- (3) As regards the security arrangements in the National Museum, New Delhi, adequate steps have already been taken to strengthening the existing security arrangements while some proposals in this regard are still being actively considered. It may also be stated in this connection, that the Government of India have already set up a Committee to review the working of the three Central Museums and to suggest improvements therefor. The Committee will also advise Government regarding the strengthening of security arrangements at the three Central Museums and the protected archaeological sites and monuments. The security arrangements would be strengthened further after the report of the Committee is available."

36. The Committee agreed with the views of the Ministry of Education and noted with satisfaction that the Ministry had taken action regarding strengthening of security arrangements in the National Museum, New Delhi. They were also happy to note that the Government had set up a Committee to review the working of the three Central Museums and to suggest improvement therefor. The Committee hoped that the said Committee of Museums Experts would soon submit their report and Government would take expeditious steps to implement the recommendations of that Committee.

***The Ancient Monuments and Archaeological Sites and Remains (Amendment) Rules, 1966 (S.O. 3520 of 1966)***

37. During the course of examination of the above-mentioned amending Rules, the Study Group of the Committee on Subordinate Legislation, at their sitting held on the 21st September, 1968, had desired to know the genesis and reasons for providing in the proviso to rule 6, as substituted by the aforesaid S.O. 3520 of 1966, that no such entrance fee would be charged on every Friday, more particularly the reasons for choosing Fridays for such exemption.

38. The Committee perused the following explanation of the Ministry of Education, to whom the matter was referred for stating the genesis and reasons for amending the existing proviso to rule 6 of the principal Rules:

" . . . UNESCO had recommended admission of visitors to museums free of charge on one day in a week. While considering the application of this recommendation to archaeological museums, some of which are attached to protected monuments, it was decided to allow free entry on one day in a week to such museums as well as protected monuments for which entrance fee is payable for admission. Besides popularising the monuments, the above decision solved an administrative problem of giving a weekly day-off to the ticket issuing staff. Friday was also administratively the most convenient day for the purpose because mosques situated inside monuments such as the Taj attracted the largest number of visitors on Fridays for worship, whom it would be difficult to manage to keep out of areas entry to which is regulated by payment of fee. Hence, the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, were amended on the 20th November, 1966, to provide for free entry on Fridays to monuments where entrance fee is payable on all other days."

39. After considerable discussion, it was decided that the Ministry of Education might be asked to send its representatives to appear before the Committee to enable them to seek further elucidation on the matter.

***Action taken on the recommendation made by the Committee on Subordinate Legislation in para 21 of their Second Report (Fourth Lok Sabha)***

40. The Committee had noticed that amendments to Rules regulating Direct Recruitment to the Central Engineering Service Class

**I and Class II and Central Electrical Engineering Service Class I and Class II (GSRs. 250-53 of 1967)** did not bear short titles and nor were they given any number. This was not in consonance with the recommendation of the Committee contained in para 44 of their Third Report (First Lok Sabha).

41. The Committee after considering the views of the Ministry of Works, Housing and Supply and the opinion of the Ministry of Law had, in para 57 of their First Report (Fourth Lok Sabha) reiterated that "it should present no difficulty if the amending rules are given short titles and numbered serially even though the principal rules do not bear short titles".

42. In this connection, the Committee had perused a note submitted by the Department of Parliamentary Affairs containing the considered opinion of the Ministry of Law (as ascertained by the Ministry of Works, Housing and Supply) and had recommended in para 21 of their Second Report that there should be no difficulty in giving short titles to the rules which were made earlier without any short titles, at the time of amending those rules. The amending rules could contain as the first rule adding a short title to the principal rules. When the principal rules were thus given a short title, all amending rules could similarly be given appropriate short titles and numbers. The Committee had further emphasised that giving of short titles to all rules, whether principal or amending, was very essential for facility of reference and tracing by all concerned.

43. The Committee perused the following reply furnished by the Ministry of Works, Housing and Supply:

".....necessary action is being taken by this Ministry to recast the existing Recruitment Rules regulating direct recruitment to the Central Engineering Service|Central Electrical Engineering Service Class I and Class II incorporating all amendments issued up-to-date), giving short titles as desired by the Committee on Subordinate Legislation. Approval of the Ministry of Home Affairs to the reprinting of the Recruitment Rules in question, giving short titles etc., has already been obtained and the matter is being finalised in consultation with the Union Public Service Commission. All amending rules issued subsequent to the reprinting of these rules will also be given similar short titles and numbers as desired by the Committee on Subordinate Legislation."

44 The Committee were glad to note that the Ministry had accept-

ed their recommendation and necessary action was being taken by them to implement the same.

*Action taken on the recommendation made by the Committee on Subordinate Legislation in their First Report (Fourth Lok Sabha)*

45. The Committee had noticed that rule 26 of the Paradip Port Harbour Craft Rules, 1967 (G.S.R. 980 of 1967) empowered the Deputy Conservator of the Paradip Port to cancel all or any of the licences held by the owner of a licensed harbour craft, if in his opinion, the owner had violated any of the provisions of those rules, but there was no provision in the rules for giving an opportunity to the owner of being heard before his licences were cancelled. Besides, there was no provision requiring the Deputy Conservator to record in writing the nature of violation of the rules giving rise to the occasion for cancelling the licences. The Committee, after considering the views of the erstwhile Ministry of Transport and Shipping had, in para 26 of their First Report, recommended as follows:—

“The Committee, after having considered the matter at some length, feel that conferring the right of being heard to the party adversely affected by a decision of the Executive, recording in writing the reasons for such decision and communicating the same to the party concerned are the basic requirements of natural justice. Exercise of power with restraint, care, and under well-defined circumstances, at the discretion of the Executive, is no substitute to those basic requirements. The Committee, therefore, recommend that instead of leaving it to the good sense of the individual officers the basic requirements of natural justice viz. giving an opportunity of being heard, recording in writing the reasons for adverse decisions and communicating the same to the party, whose business|trade is affected as a result of cancellation of licences etc., should be incorporated in the rules themselves.”

46. The Committee noted that the Paradip Port Harbour Craft Rules, 1967, had since been amended by the Ministry in accordance with the recommendation of the Committee (*vide* G.S.R. No. 1959 of 1968).

*Amendment to Commissioners' Bye-law No. 55-A for regulating the transaction of shipping, clearing or forwarding business within the port area by the clearing agents*

47. While examining the Paradip Port Harbour Craft Rules, 1967, the Committee had recommended in para 26 of their First Report

(Fourth Lok Sabha) that "instead of leaving it to the good sense of the individual officers the basic requirements of natural justice viz., giving an opportunity of being heard, recording in writing the reasons for adverse decisions and communicating the same to the party where business/trade is affected as a result of cancellation of licences etc. should be incorporated in the rules themselves". The Government had accepted this recommendation and the Paradip Port Harbour Craft Rules, 1967 were amended accordingly.

48. The Committee perused the Calcutta Port Commissioners' bye-law No. 55-A (as existing and as proposed to be amended by the Commissioners), forwarded by the Ministry of Transport and Shipping with the following letter:

".....observations and recommendations of the Committee on Subordinate Legislation were brought to the notice of the Calcutta Port Commissioners and they were requested to re-consider their proposal in the light thereof. In reply they have informed us that all aspects would be taken into account before cancelling a Clearing Agency Licence for reasons provided in the Bye-law. They have also referred to a judgment of the High Court in regard to the provision relating to the cancellation of stevedoring licences.

The recommendations of the Committee on Subordinate Legislation were not based on legal considerations but on the requirements of natural justice. Although the Committee's recommendations related to the Paradip Port Harbour Craft Rules, it was felt that these should be implemented in regard to all rules applicable at different ports whenever occasion arose. It was with this object in view that the Calcutta Port Commissioners were requested to re-consider their proposal.

We shall be grateful for the advice of the Committee whether in the light of the reply received from the Calcutta Port Commissioners, the amendment proposed by the Commissioners may be approved."

49. The Committee noted from the proposed amendment of bye-law No. 55-A that the aforesaid recommendation of the Committee had not been incorporated therein by the Calcutta Port Commissioners. On the other hand, they had informed the Ministry that all aspects would be taken into account before cancelling a clearing agency licence for reasons provided in the bye-law and had also referred to a case, in which the validity of bye-law No. 4A(i) dealing with stevedoring licence was upheld by the High Court.

The Committee observed that their earlier recommendation, which was based not merely on a narrow legalistic interpretation but on the broader rules of natural justice, might be reiterated and the need to have uniformity in rules and bye-laws applicable to different ports in the country might be stressed. The Committee further desired that the relevant bye-laws should be specifically amended rather than it being left to the Department "that all aspects will be taken into account before cancelling a clearing agency licence".

***The Railway Service Commissions (Chairmen and Members) Recruitment Rules, 1965 (G.S.R. 128 of 1966).***

50. The Railway Service Commissions (Chairmen and Members) Recruitment Rules, 1965 (G.S.R. 128 of 1966), as published in the Gazette of India on the 22nd January, 1966 provided in the Schedule *inter alia* the following method of recruitment of Chairmen and Members of the Railway Service Commission:

"Direct recruitment in the following manner:—

'(1) A panel of names of persons with details of educational qualifications, experience etc., who are considered by the Ministry of Railways as suitable for appointment to this post will be furnished to the Union Public Service Commission who will then select and recommend a candidate from that panel.

(2) The field of choice will ordinarily consist of:—

(i) Retired Railway/Government Officers.

(ii) Ex-Members of Parliament.

(iii) Men of repute e.g. educationists, eminent lawyers etc.' "

A footnote given to the said Schedule to the rules provided as under:

"One of the two members in each Commission shall be a serving or a retired railway officer, who must have held office on the Railways for at least 10 years."

51. Shri Shri Chand Goyal, a member of the Committee, had desired in connection with the above, the Ministry of Railways (Railway Board) to clarify the following points:—

(i) Whether a serving, or a retired officer of the Railway Board, Ministry of Railways comes in the category of a Railway Officer or a Government Officer for appointment as Member of Railway Service Commission.



- (ii) In case he comes in the category of Railway Officer, will he be eligible for appointment as a Member irrespective of the fact that he had not held any office *on the Railways* for at least 10 years against the reserved quota of Railway Officers.

The above points were accordingly referred to the Ministry of Railways (Railway Board) for clarification.

52. The Ministry of Railways (Railway Board) in their reply *inter alia* stated as under:

"A serving or retired officer of the Railway Board comes in the category of a Railway Officer for purposes of appointment as a Member of the Railway Service Commission.

\* \* \* \*

The term Railway Service includes service on the Railways as well as in the Railway Board. The expression, 'held office on the Railways for at least 10 years' implies that the officers should have held office either on the Zonal Railways or in the Railway Board."

53. As the comments offered by the Ministry were not specific they were further asked to furnish their comments on the following specific points:

"The words used *on the Railways* are very significant in connection with appointment of a member of a Railway Service Commission, as against the reserved quota of *railway officers*. The only intention behind a reservation as such could be that the serving or retired railway officer must have first-hand knowledge of the requirements of Railways' posts for which recruitment is made by the Railway Service Commission and also of the type of staff suited for such appointments. The Railway Service Commission do not recruit staff for the office of the Railway Board and as such the explanation given that the 10 years' service '*on the Railways*' also includes service in the Railway Board, does not hold good. The words used '*on the Railways*' could only mean the Zonal Railways.

Another possibility that arises from the Railway Board's explanation is that the serving or retired officers of the Zonal Railways could be ignored altogether for such an appointment which would defeat the very purpose of the reservation.

It is further noticed that in the Rules themselves there is no specific mention for reservation of posts on the Commission for serving or retired railway officers."

54. The Committee perused the following explanation furnished by the Ministry of Railways (Railway Board) on the above points:—

"The Recruitment Rules for Railway Service Commissions (Chairmen and Members) were framed in consultation with the Union Public Service Commission. The words 'Railway Officer' were used in the note under the Schedule attached to the rules, to distinguish them from officers of other services under the Government of India who are also eligible to be considered for appointment as Members of the Railway Service Commission. . . . officers of the Railway Board are also railway officers and therefore, they are eligible to be considered for appointment as Member, Railway Service Commission.

As regards the apprehension that the officers of the Zonal Railways may be ignored altogether for such an appointment, it is stated that as provided in the Rules, a panel of names of persons with details of educational qualifications, experience etc. are forwarded to the Union Public Service Commission who finally recommend a candidate for such an appointment. As a matter of fact, in the past several officers of the Zonal Railways were appointed as Members in the Railway Service Commission. Even now, retired officers of the Zonal Railways are serving in the Railway Service Commission as Chairman|Members.

No mention about reservation of any post of Members in each Commission being filled by a serving|retired Railway Officer has been made in the main rules, since the method of recruitment, etc. have been given in the Schedule attached to the rules."

55. After some discussion, the Committee decided that the Ministry of Railways (Railway Board) might be asked to send its representatives to appear before them to enable them to seek further elucidation in the matter.

*The Committee then adjourned.*

## XXI

### MINUTES OF THE TWENTY-FIRST SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Committee met on Tuesday, the 8th April, 1969 from 15.00 to 17.00 hours.

#### PRESENT

Shri N. C. Chatterjee—*Chairman*

#### MEMBERS

2. Shri Shri Chand Goyal
3. Shri Arjun Shripat Kasture
4. Shri Narendrasingh Mahida
5. Shri M. Meghachandra
6. Shri Srinibas Mishra
7. Shri Balgovind Verma

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*

Shri J. R. Kapur—*Under Secretary.*

#### WITNESSES

##### I. Members of Parliament

1. Shri C. C. Desai
2. Shri Beni Shanker Sharma
3. Shri R. K. Amin
4. Shri S. S. Kothari

##### II. Representatives of the Ministry of Finance

1. Shri K. S. Sundara Rajan—*Chairman, Central Board of Direct Taxes*
2. Shri J. C. Kalra—*Deputy Secretary.*

##### III.

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\*Omitted portions of the Minutes are not covered by the Fourth Report.

2. The Committee heard the views of Sarvashri C. C. Desai, Beni Shanker Sharma, R. K. Amin and S. S. Kothari, M.Ps., on the question of treatment of expenses incurred by a Member of Parliament in the discharge of his duties as such member as an allowable item of expenditure for purposes of income-tax.

3. Shri C. C. Desai said that previously income-tax on the salary paid to members of Parliament was deducted at source and it was at his instance that the Ministry of Finance had agreed that the salary paid to Members of Parliament was not chargeable to income-tax under head 'Salary' but under the head 'Income from other sources' as Members of Parliament were not employees of Parliament and the salary paid to them, therefore, could not be treated as a "Salary" for the purposes of Income-tax. He explained that income-tax liability was assessed on three different categories of income, namely, salary, or income from vocation, profession etc., or income from other sources, which was a residuary provision. Shri Desai was of the opinion that the salary paid to Members of Parliament could properly be taxed under the head 'income from vocation' and not under the head 'income from other sources', as treated by the Ministry of Finance, and income-tax thereon should be charged after allowing the expenses incurred by the Member of Parliament in the proper discharge of his duties as such member.

4. He stated that parliamentary work was a whole time occupation and he as a member of Parliament had to maintain an office in his constituency and employ some person—a Stenographer or a clerk—to attend his office there. Similarly, other expenses were incurred which were incidental to his membership of Parliament. Those expenses should be treated as deductible item of expenditure for the purpose of income-tax. He refuted the contention of the Ministry of Finance, who had said that Rs. 31 per diem, which each member received for attending sittings of Parliament and its Committees covered the conveyance and other incidental expenditure, which sum was exempt from income-tax. He said that this daily allowance did not cover the expenses of double establishment which a member of Parliament had to maintain at Delhi and in his constituency throughout the year. Moreover, it was not obligatory for a member to attend all the sittings of Parliament.

5. Regarding the jurisdiction of this Committee to consider this matter, Shri C. C. Desai stated that the Committee on Subordinate Legislation could legitimately take cognizance of this matter, for the members of Parliament had been debarred by the Government from availing certain concessions which, in his opinion, the Income-tax Act itself had provided for. Shri Desai also submitted a note

to the Committee which contained arguments in support of his stand on the issue. Shri Desai further stated that the Committee could recommend that the expenditure incurred by a Member of Parliament, if that was supported by vouchers etc., should be treated as an allowable deduction from the income-tax.

6. Shri Desai added that in Great Britain the Act itself specified a certain portion of salary to be a deductible item which is treated as tax-free.

Shri Beni Shanker Sharma, Shri R. K. Amin, and Shri S. S. Kothari, M.Ps., also supported the views expressed by Shri C. C. Desai, M.P.

(The representatives of the Ministry of Finance were then called in and examined).

7. Shri K. S. Sundara Rajan, Chairman, Central Board of Direct Taxes, informed the Committee that the view expressed by the Ministry of Finance that the daily allowance of Rs. 31 paid to Members of Parliament, which was free from income-tax and covered conveyance and other incidental expenditure of a member, was taken at the highest level in the Ministry. As regards treatment of salary of the Members of Parliament for purposes of income-tax, he stated that now they treated the salary under the head 'income from other sources' and this step was taken in consultation with the Ministry of Law.

8. He said that it was only a question of interpretation of the law and it was open to any Member of Parliament to take up the matter with the income-tax officer dealing with his income tax return and if he was not satisfied with the decision of the Income-Tax Officer he could go in appeal to the Appellate Commissioner of Income-Tax and the Courts. He added that Government had not issued any instructions\* to the Income-Tax Officers in this connection and they were free to apply their independent mind to the matter. The salary received by a Member of Parliament came under section 56 of the Income-Tax Act, 1961.

9. The representative of the Ministry of Finance agreed with the contention of Members of Parliament that a member continued to be a member of Parliament for the whole period when Parliament was

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\*Subsequently, on the same day after the sitting of the Committee Shri Sundara Rajan corrected this statement *vide* his letter No. 1068-CH (DT)/69, dated the 8th April, 1969 wherein he stated that "a circular to the Commissioners of Income-Tax had in fact, been issued on the 16th November, 1968". (See Appendix)

not in session and the Daily Allowance of Rs. 31 he got for the day when he attended the session of Parliament and did not cover the expenditure which he incurred during the time when the Parliament was not in session. He also agreed that if the expenditure was incurred wholly and exclusively for the purpose of making or earning such an income under the Act, then it was admissible.

10. In reply to a question whether there were any legal difficulties in treating the expenses incurred by a Member of Parliament as an allowable item of expenditure for purposes of income-tax, Shri Sundara Rajan stated that he would have the matter reconsidered in his Ministry in the light of proceedings in the Committee. He promised to submit to the Committee a note on the subject by the 20th April, 1969.

[The witnesses (four M.Ps.) and the representatives of the Ministry of Finance then withdrew.]

11.	*	*	*	*
12.	*	*	*	*
13.	*	*	*	*
14.	*	*	*	*
15.	*	*	*	*
16.	*	*	*	*

*The Committee then adjourned.*

## **APPENDIX**

(Vide para No. 8 of the Minutes, dated 8th April, 1969)

**GOVERNMENT OF INDIA**

**CENTRAL BOARD OF DIRECT TAXES**

No. 1068-CH(DT)/69

New Delhi, the 8th April, 1969.

From

Shri K. S. Sundara Rajan,  
Chairman, Central Board of Direct Taxes.

To

The Secretary,  
Lok Sabha Secretariat,  
New Delhi.

Sir,

While appearing before the Committee on Subordinate Legislation this afternoon, I had stated that no instructions had been issued by the Central Board of Direct Taxes to the Income-tax Officers regarding the non-admissibility of expenditure on conveyance and other incidental items against the salary income of Rs. 500 p.m. received by the Members of Parliament under section 3 of the Salaries and Allowances of Members of Parliament Act, 1954. On return to my office and on checking up the matter, I find that a circular to the Commissioners of Income-tax had, in fact, been issued on the 16th November, 1968. A copy of the circular is enclosed. Unfortunately, I was not aware of this circular nor had I seen it in the draft form before issue.

2. I deeply regret the incorrect statement made by me before the Committee and hasten hereby to correct it. I would request you kindly to explain the position to the Chairman and Members of the Committee on Subordinate Legislation and to convey my apologies to them.

Yours faithfully,

Sd/- K. S. SUNDARA RAJAN,  
Chairman, Central Board of Direct Taxes.

Encl: 1.

(Enclosure to Appendix)

F. No. 40/20/67-IT(AI)

GOVERNMENT OF INDIA

CENTRAL BOARD OF DIRECT TAXES

*New Delhi, Dated the 16th November, 1968.*

From

Shri J. C. Kalra,

Secretary, Central Board of Direct Taxes.

To

All Commissioners of Income-tax.

Sir,

**SUBJECT:—Salaries and allowances of Members of Parliament—  
Assessability to Income-tax and deduction of tax at  
source Instructions regarding.**

I am directed to say that under the provisions of the "Salaries and Allowances of Members of Parliament Act, 1954" each Member of Parliament is entitled to receive a fixed salary at the rate of Rs. 500 per mensem plus an allowance at the rate of Rs. 31 for each day when the Parliament is in Session or the Member is required to attend the meeting of a Committee. The daily allowance is not subject to income-tax, but the salary of Rs. 500 p.m. is liable to income-tax.

2. The question whether the fixed salary of Rs. 500 p.m. admissible to a Member of Parliament is assessable as income from salary under Section 15 of the Income-tax Act, 1961 has been considered by the Board in consultation with the Ministry of Law. It has been decided that the fixed salary of Rs. 500 p.m. is assessable as "income from other sources" under Section 56 and *not* as "income from salary" under Section 15 of the Income-tax Act, 1961. In accordance with this decision no tax is being deducted at source under section 192 from the salary of Rs. 500 per mensem payable to the Members of Parliament with effect from April, 1968.



3. The above position may please be brought to the notice of all assessing Officers and they may also be informed that in the Board's view no deduction of expenses is admissible against this fixed amount of Rs. 500 p.m. as each Member of Parliament gets per diem allowance of Rs. 31 for all days of the Parliament Session and also for the days of their attendance on Committees whilst expenditure on contesting an election and nursing the constituency would be clearly in-admissible as not having been incurred wholly and exclusively for the purpose of earning the income, expenses on conveyance, maintaining an office in Delhi and his constituency etc. may not be allowed on the ground that per diem allowance of Rs. 31 covers such outgoings.

Yours faithfully,

Sd/- J. C. KALRA,  
*Secretary, Central Board of Direct Taxes.*

## XXII

### MINUTES OF THE TWENTY-SECOND SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Committee met on Wednesday, the 23rd April, 1969 from 16.30 to 17.20 hours.

#### PRESENT

Shri N. C. Chatterji—*Chairman*

#### MEMBERS

2. Shri Arjun Shripat Kasture
3. Dr. G. S. Melkote
4. Shri Nuggehalli Shivappa
5. Shri Balgovind Verma

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

Shri J. R. Kapur—*Under Secretary.*

#### WITNESSES

#### I. Representatives of the Ministry of Education and Youth Services.

1. Shri G. K. Chandiramani—*Additional Secretary.*
2. Shri B. B. Lal—*Director General, Archaeological Survey of India*
3. Shri A. B. Chandiramani—*Joint Educational Adviser.*

#### II. Representatives of the Ministry of Finance

1. Shri K. S. Sundara Rajan—*Chairman, Central Board of Direct Taxes.*
2. Shri J. C. Kalra—*Deputy Secretary.*

2 The Committee examined the representatives of the Ministry of Education and Youth Services regarding the provision made in the Ancient Monuments and Archaeological Sites and Remains (Amendment) Rules, 1966 (S.O. 3520 of 1966) which provided *inter alia* for free entry to the protected monuments on Fridays only.

3. At the outset, the Additional Secretary of the Ministry of Education and Youth Services (Shri G. K. Chandiramani) informed the Committee that the General Conference of UNESCO had recommended in 1960 that admissions to the museums should be free whenever possible and in cases where the admission was not always free and it was considered necessary to levy a small admission fee, even if only a token charge, the admission to every museums should be free during at least one day in a week or for an equivalent period. On the basis of this recommendation, in the case of only 21 monuments, where an entry fee of 20 paise was being charged, it was decided to keep one day free for every body to visit the monuments and Friday was fixed for that purpose. The reason for that was that out of 21, there were as many as 12 monuments which had mosques attached to them. There was the greatest rush of Muslims on Fridays when they went to offer prayers in the mosques situate inside those monuments. Therefore, it was considered best to choose a day when the largest number of persons going to various monuments could have the benefit of free entry.

4. As regards collecting more revenue by charging entry fee on Fridays and permitting free entry on some other day in a week, the representative of the Ministry explained that no doubt the Archaeological Department would be able to collect more money, but they had to balance various considerations. As against collecting more revenue, which had got to be borne in mind, there was the other consideration of providing facilities to the poor persons, who could not afford to spend 20 paise to visit the monuments of national importance and especially places like Taj. Formerly, entry to all the monuments was free. When the fee of 20 paise was introduced in 1959, there was lot of resentment expressed in various quarters all over the country. It was, therefore, considered that for the purpose of enabling the poorer sections to have entry into those monuments, which they used to visit free formerly, that particular day should be fixed for free entry when they otherwise used to visit the mosque or any other place of worship.

5. In reply to a suggestion that a day should be fixed only for ladies to visit the monuments, the representative of the Ministry stated that the Department of Archaeology had not gone into this matter but they could certainly look into it.

6. In regard to the suggestion that different days should be fixed for free entry to different protected monuments instead of Friday only, Shri Chandiramani stated that Friday was fixed for the sake of uniformity. But, he agreed that there was no reason for maintain

ing uniformity in that matter. If, in regard to any such monuments the local residents wanted free entry on a day other than Friday, that could be done, as the Director-General of Archaeological Survey of India could declare any other day for this purpose. He further assured the Committee that the Department of Archaeology would look into the matter and would make an appraisal of the feelings of the local people through local institutions or would even make a survey so as to find out when the poor folk visited the various monuments, museums, caves, etc. and fixed the free days accordingly.

*(The representatives of the Ministry of Education and Youth Services then withdrew.)*

*(The representatives of the Ministry of Finance were then called in and examined)*

7. The representative of the Ministry of Finance informed the Committee that the question of treatment of expenses incurred by a Member of Parliament in the discharge of his duties as such member, as an allowable item of expenditure for purposes of income-tax had been further examined in the Ministry and the matter was referred to the Attorney-General on the 19th April, 1969 for his opinion. He promised to Communicate to the Committee the opinion of the Attorney-General on the matter when received in the Ministry of Finance. In reply to a question as to the reasons for making a reference of the matter to the Attorney-General, the representative of the Ministry of Finance explained that the Ministry had already expressed its opinion and the decision regarding reference of the matter to the Attorney-General was taken by the Deputy Prime Minister.

8. Attention of the representatives of the Ministry of Finance was drawn to the letter of Shri N. K. P. Salve, M.P., addressed to Shri C. C. Desai, M.P., which was placed before the Committee, wherein Shri Salve had referred to judgments of the Supreme Court and High Court of Bombay in certain cases which, in the opinion of Shri Salve, were relevant to the matter under consideration of the Committee. The representative of the Ministry of Finance promised to furnish a note on the subject matter of the letter to the Committee.

*The representatives of the Ministry of Finance then withdrew.*

*The Committee then adjourned.*

## XXIII

### MINUTES OF THE TWENTY-THIRD SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Committee met on Monday, the 18th August, 1969 from 16.00 to 16.30 hours.

#### Present

Shri Anand Narain Mulla—*Chairman*

#### MEMBERS

2. Shri Bimalkanti Ghosh
3. Shri Shri Chand Goyal
4. Shri M. Meghachandra
5. Shri V. Viswanatha Menon
6. Shri Deorao S. Patil
7. Shri G. S. Reddi
8. Shri Nuggehalli Shivappa.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. At the outset, the Chairman welcomed the members of the Committee and explained to them broadly the scope and functions of the Committee and the high degree of responsibility that the Committee had to discharge (*Vide Appendix*).

3. Members of the Committee thanked the Chairman and assured him of their whole-hearted cooperation.

4. The Committee then considered the suggestion made by a Member whether the draft rules framed by the Executive in pursuance of the Rule making powers delegated to them under the various Acts passed by Parliament be examined by them before they were laid on the Table. Attention was invited to the following recommendation made by the earlier Committee:—

“The Committee note that the Ministry of Law have now drafted and also circulated to the Law Secretaries to the Governments of all States for their guidance the following model clause which incorporates the above suggestion of the Committee:—

'Every rule made under this section shall be laid as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.'".

After some discussion, it was felt that by doing so the Committee would deflect from its real function of scrutinising the rules framed by the executive authorities. It was, therefore, decided that the Committee should examine the rules only after they are published in the Gazette and thereby keep the germ of arbitrary Administration" under control.

5. The Chairman mentioned to the Committee the issue raised by Shri C. C. Desai, M.P. re: the treatment of expenses incurred by a Member of Parliament in the discharge of his duties as such member as an allowable item of expenditure for the purpose of recovery of Income Tax from his salary which was pending before them. The Committee decided to take up the matter further after they had received the opinion of the Attorney-General and the comments of the Government of India (Ministry of Finance) thereon.

6. The Committee then considered the manner in which the arrear of work pending for their consideration could be cleared off. It was decided that a Sub-Committee consisting of seven members be constituted to go into the matter. In this behalf the Chairman was authorised to constitute such a Committee.

*The Committee then adjourned*

## APPENDIX

### ADDRESS MADE BY THE CHAIRMAN TO THE MEMBERS OF THE COMMITTEE ON SUBORDINATE LEGISLATION 1969-70 ON THE 18TH AUGUST, 1969.

Friends,

It gives me great pleasure to welcome you to the first meeting of the Committee. As you know, this Committee has to work for necessary parliamentary supervision and control on the exercise of the rule-making powers given to Government by Parliament through various enactments and thus it has many important functions to perform. As elected representatives of the people we have to safeguard the rights as well as the interests of the people.

2. We have a written Constitution and certain broad limits are there and the Parliament is to function as the highest legislative body within the frame work of the Constitution. There is the judiciary to declare whether any limits have been transgressed. Then as the Supreme Legislature of the land, Parliament enacts laws and it directs the Executive to administer those laws. In a Welfare State, the spheres of activity of the State are increasing and the administration pervades every walk of a citizen's life. The pressure on Parliamentary time, the technicality of the subject matter, the need to meet unforeseen contingencies, the requirement of flexibility—all these things compel the legislature of a modern welfare State to lay down the policy of a measure and leave details to be worked out by the Administration. The greater the social welfare activities of the State, the greater is the delegation of powers to Administration to make subordinate laws.

3. It is, therefore, quite common to leave subsidiary matters to be settled by subsidiary legislation. Tables of fees, scale of railway charges, various forms and other procedural matters are generally provided for the rules and regulations. They provide the sinews, as it were, to the statutes.

The object of the supplementary legislation is to carry out the purposes of the Act and not to lay down any policy.

4. However inevitable subordinate legislation may be, there must be certain safeguards against the risks inherent in it so that it could

be reconciled with the Parliamentary processes. Certain safeguards exist and must exist if the germ of arbitrary Administration has to be kept under control.

5. Parliamentary control over subordinate legislation is exercised in four ways. Firstly, Parliament has an opportunity of examining the power to make such legislation when it appears in a Bill. Secondly, many sub-ordinate laws are required by the parent Acts to be laid before Parliament and in certain cases, made subject to Parliamentary procedure and parliamentary sanction. Thirdly, subordinate laws may, in other ways, be questioned or debated upon by Parliament. Lastly, Parliament may keep a watch over such legislation through a scrutiny committee which may report to the House whether the powers to make subordinate laws are being properly exercised or not. The most effective control that Parliament exercises over sub-ordinate legislation is through our Committee in which we have privilege to work. We are the real liaison between the Parliament and Executive in the matter of implementation of the laws made by Parliament.

6. We shall have to see whether the authority delegated by Parliament in the Statutes has been properly exercised to the extent permissible and in the manner envisaged. We shall be making our reports to Lok Sabha advising it for taking any action which may be deemed necessary.

7. Although I am a new comer to this Committee yet I hope that with your valued cooperation I hope to steer the deliberations of the Committee in a manner which may satisfy all.



## XXIV

### MINUTES OF THE TWENTY FOURTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Committee met on Monday, the 21st October, 1969 from 14.00 to 17.00 hours.

#### PRESENT

Shri Anand Narain Mulla—*Chairman*.

#### MEMBERS

2. Shri J. B. S. Bist.
3. Shri Shri Chand Goyal
4. Shri Arjun Shripat Kasture
5. Shri Narendrasingh Mahida
6. Shri Srinibas Mishra
7. Shri Deorao S. Patil
8. Shri G. S. Reddi
9. Shri Nuggehalli Shivappa.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*.

#### WITNESSES

#### I. Representatives of the Ministry of Railways (Railway Board)

1. Shri K. V. Kasturi Rangan, Additional Member, Staff.
2. Shri C. S. Parameswaran, Secretary.
3. Shri L. D. Panke, Director, Traffic (Commercial).

II. \* \* \* \*

2. The Committee first considered the letter, dated the 16th October, 1969. From Shri C. C. Desai, M.P. regarding deduction from salary received by Members of Parliament of expenditure incurred by them for the purpose of making or earning such salary in the computation of the taxable income and decided to postpone the examination of Shri R. N. Muttou, Chairman, C.B.D.T. and Additional:

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\*Omitted portions of the Minutes are not covered by the Fourth Report.

Secretary, Ministry of Finance (Department of Revenue and Insurance), who was to be examined on the 22nd October, 1969, to some other date to enable Shri Desai to attend the sitting. The Committee also decided to circulate his letter dated 16-10-1969 to the Members of the Committee.

*The representatives of the Ministry of Railways (Railway Board) were then called in and examined on the following subjects:*

- |       |   |   |   |   |
|-------|---|---|---|---|
| (i)   | *   | * | * | * |
| (ii)  | The Railway Service Commissions (Chairman and Members) Recruitment Rules, 1965 (GSR 128 of 1966). |   |   |   |
| (iii) | *   | * | * | * |
| 3     | *   | * | * | * |
| 4.    | *   | * | * | * |
| 5.    | *   | * | * | * |
| 6.    | *   | * | * | * |

7. The Committee then took up the next item regarding the Railway Service Commission (Chairman and Members) Recruitment Rules, 1965. Shri K. V. Kasturi Rangan, Additional Member (Staff) of the Ministry of Railways (Railway Board) explained that the term 'railway service' was comprehensive and an officer of the Railway Board was also a 'railway officer' and was eligible to be considered for appointment as Member in a Railway Service Commission. The representative of the Ministry of Railways (Railway Board) further stated that a revised notification had been sent to the Union Public Service Commission for their acceptance, which provided that an officer of the Railway Board's Secretariat or of the Zonal Railways would be eligible for appointment as Member-Secretary provided he had held office on the Zonal Railways and/or on the Railway Board Secretariat for at least 10 years. The representative also stated that the rules were framed under Article 309 of the Constitution in consultation with the Union Public Service Commission and the Members were also appointed in consultation with the Union Public Service Commission.

- |    |   |   |   |   |
|----|---|---|---|---|
| 8. | * | * | * | * |
| 9. | * | * | * | * |

*[The representatives of the Ministry of Railways (Railway Board) then withdrew.]*

- |     |   |   |   |   |
|-----|---|---|---|---|
| 10. | * | * | * | * |
| 11. | * | * | * | * |
| 12. | * | * | * | * |

\*Omitted portions of the Minutes are not covered by the Fourth Report.

13.	*	*	*	*
14.	*	*	*	*
15.	*	*	*	*
16.	*	*	*	*
17.	*	*	*	*
18.	*	*	*	*
19.	*	*	*	*

*The Committee then adjourned.*

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\*Omitted portions of the Minutes are not covered by the Fourth Report.

## XXV

### MINUTES OF THE TWENTY-FIFTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION.

The Committee met on Thursday, the 27th November, 1969 from 17.00 to 18.15 hours.

#### PRESENT

Shri Nuggehalli Shivappa—*In the Chair.*

#### MEMBERS

2. Shri J. B. S. Bist
3. Shri M. Meghachandra
4. Shri Deorao S. Patil
5. Shri G. S. Reddi
6. Shri G. Viswanathan.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

#### WITNESSES

1. Shri R. N. Muttou, Chairman, Central Board of Direct Taxes and Additional Secretary, Ministry of Finance.
2. Shri V. Ramaswamy Iyer, Deputy Secretary.
3. Shri R. R. Khosla, Deputy Secretary.

2. In the absence of the Chairman, Shri Nuggehalli Shivappa was chosen to act as Chairman for the sitting in terms of Rule 258(3) of the Rules of Procedure and Conduct of Business in Lok Sabha.

3. Shri C. C. Desai, M.P., on his request, was permitted by the Chairman to watch the proceedings of the sitting.

4. The Committee examined the representatives of the Ministry of Finance (Department of Revenue and Insurance) regarding the question of treatment of expenses incurred by a Member of Parliament in the discharge of his duties as such Member as an allowable item of expenditure for purposes of income-tax.

5. As regards the decision of the Government that the salary paid to a Member of Parliament was an 'income from other sources' and

not an income from business, vocation or profession, Shri R. N. Muttoo, Chairman, Central Board of Direct Taxes and Additional Secretary, Ministry of Finance, informed the Committee that the matter was referred to the Ministry of Law for their advice and the Ministry of Finance were guided entirely by their opinion. Only after that, he added, instructions were issued to all the Commissioners of Income-tax to treat the salary of a Member of Parliament as 'income from other sources'. He, however, admitted that the specific point regarding the definition of the words 'occupation' and 'profession' and what constituted 'business' or 'vocation', was neither referred to nor considered by the Ministry of Law.

6. When asked to state the main considerations which weighed with the Ministry of Finance in disagreeing with the opinion of the Attorney-General, for allowing a deduction computing the taxable remuneration in respect of expenses incurred by Members of Parliament on postage and stenographic and secretarial assistance, Shri R. N. Muttoo informed the Committee that the Daily Allowance of a Member of Parliament at that time was Rs. 31.00 and it had not yet been increased to Rs. 51.00, when the matter was referred to the Attorney-General for his opinion. At the same time, he added, the Cabinet Committee on Internal Affairs was also considering the matter regarding increase of Daily Allowance of Members of Parliament from Rs. 31.00 to Rs. 51.00 and it was on the 12th May, 1969 that the Cabinet Committee on Internal Affairs, after considering the various facilities which were available to the Members of Parliament, had agreed to increase their Daily Allowance to Rs. 51.00. The expenditure which the Members of Parliament had to incur on postage and stenographic and secretarial assistance was particularly taken into consideration by the Cabinet Committee before arriving at the final decision and in the light of this decision, it was interpreted by the Ministry of Finance that the Daily Allowance was supposed to cover those items. When the attention was drawn to the rise in the cost of living, Shri R. N. Muttoo explained that the decision of the Cabinet Committee did not mention anything about the increase in the cost of living.

7. As regards the framing of a Statutory Rule incorporating therein the items of expenditure admissible for tax exemption or issuing of a Circular to the Commissioners of Income-tax in this behalf, Shri R. N. Muttoo stated that a Statutory Rule laying down the items of expenditure admissible for tax exemption would be better than issuing a Circular, as the Rules would have the force of law. The Comptroller and Auditor-General would not raise any objection and the Rules would be binding on the Appellate Authorities as well. Further elucidating the point, he stated that if the Rules were framed, the Income-tax Officers would have some guidelines and there would

be uniformity in treating the income and deductions in all the cases of Members of Parliament. There would also be no occasion for the Income-tax Officers to adopt different standards in such cases.

*The witnesses then withdrew.*

*The Committee then adjourned.*

## XXVI

### MINUTES OF THE TWENTY-SIXTH SITTING OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Committee met on Wednesday, the 18th February, 1970 from 15.00 to 16.00 hours.

#### PRESENT

Shri Anand Narain Mulla—*Chairman*.

#### MEMBERS

2. Shri J. B. S. Bist
3. Shri Shri Chand Goyal
4. Shri Narendrasingh Mahida
5. Shri V. Viswanatha Menon
6. Shri N. K. Sanghi.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary*.

2. The Committee considered its draft Fourth Report and adopted it.

3. The Committee authorised the Chairman and, in his absence, Shri Shri Chand Goyal to present the Report to the House on its behalf on the 24th February, 1970.

*The Committee then adjourned.*

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**APPENDIX IV**  
**Minutes of the Sub-Committee**

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# I

## MINUTES OF THE FIRST SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Sub-Committee met on Thursday, the 28th August, 1969 from 15.00 to 15.40 hours.

### PRESENT

Shri Shri Chand Goyal—*Convenor*

### MEMBERS

2. Shri G. S. Reddi
3. Shri G. Viswanathan
4. Shri Nugehalli Shivappa
5. Shri Narendrasingh Mahida.

### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Sub-Committee perused the lists of Statutory Rules and Orders laid on the Table of the House during the Sixth to Eighth Sessions of Fourth Lok Sabha.

3. After some discussion, the Sub-Committee decided to meet again on Saturday, the 30th August, 1969 at 14.00 hours to select Statutory Rules and Orders for their detailed examination and to consider their future programme of work.

*The Sub-Committee then adjourned.*

## II

### MINUTES OF THE SECOND SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Sub-Committee sat on Saturday, the 30th August, 1969 from 14.00 to 15.00 hours.

#### PRESENT

Shri Shri Chand Goyal—*Convenor*

#### MEMBERS

2. Shri V. Viswanatha Menon
3. Shri Narendrasingh Mahida.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Sub-Committee perused the lists of Statutory Rules and Orders laid on the Table during the Sixth to Eighth Sessions of Fourth Lok Sabha and selected the Statutory Rules and Orders set forth in the Annexure for their detailed examination and decided to drop the remaining Statutory Rules and Orders, most of which related to the Central Excise, as the comprehensive legislation in this behalf was at present under consideration of the Select Committee.

3. The Sub-Committee then decided to sit daily at 10.00 hours on Wednesday and Thursday, the 15th and 16th October, 1969 respectively for examining in detail the Statutory Rules and Orders as indicated in the Annexure.

*The Sub-Committee then adjourned.*

# ANNEXURE

(See para 2 of the Minutes of the Sub-Committee of the Committee on Subordinate Legislation dated 30-8-1969.

Sl. No.	Number of 'Order' Date of publication in the Gazette	Title of 'Order'
1	2	3
1	G.S.R. 1802 (English version) G.S.R. 1803 (Hindi version) of 1968 5-10-1968	Amendment to the Central Sales Tax (Registration and Turnover) Rules 1957.
2	S. O. 2883 of 1968 24-8-1968	The Income-Tax (Fifth Amendment) Rules, 1968.
3	S. O. 3494 of 1968 27-9-1968	The Income-tax (Sixth Amendment) Rules, 1968.
4	S. O. 3132 of 1968 4-9-1968	The Export of Coir Products (Inspection) Amendment Rules, 1968.
5	S.O. 3135 of 1968 4-9-1968	The Export of Coir Yarn (Inspection) Second Amendment Rules, 1968.
6	S. O. 3144 of 1968 10-9-1968	The Export of Paints and Allied Pro- ducts (Quality Control and Inspection) Amendment Rules, 1968.
7	S. O. 3392 of 1968 19-9-1968	The Export of Sewing Machines (Quality Control and Inspection) Amendment Rules, 1968.
8	S. O. 3493 of 1968 27-9-1968	The Export of Electric Cables and Conductors (Inspection) Rules, 1968.
9	S. O. 3509 of 1968 4-10-1968	The Woollen Textiles (Production and Distribution Control) Amendment Order, 1968.

1	2	3
10	G.S.R. 1604 of 1968 7-9-1968	The Press Council (Amendment) Rules, 1968.
11	G.S.R. 1597 of 1968 29-8-1968	The Food Corporations (Fourth Amendment) Rules, 1968.
12	G.S.R. 1632 of 1968 2-9-1968	The Seeds Rules, 1968.
13	S. O. 3036 of 1968 7-9-1968	The Payment of Wages (Air Transport Services) Rules, 1968.
14	G.S.R. 1664 of 1968 14-9-1968	The Foreigners (Restrictions on Residence) Order, 1968.
15	G.S.R. 1567 of 1968 31-8-1968	The Arms (Second Amendment) Rules, 1968.
16	G.S.R. 1520 of 1968 24-8-1968	The Indian Police Service (Recruitment) Amendment Rules, 1968.
17	G.S.R. 1521 of 1968 24-8-1968	The Indian Administrative Service (Recruitment) Rules, 1968.
18	G.S.R. 1522 of 1968 24-8-1968	Amendment to the Indian Administrative Service (Pay) Rules, 1954.
19	G.S.R. 1523 of 1968 24-8-1968	Amendment to the Indian Administrative Service (Fixation of Strength) Regulations, 1955.
20	G.S.R. 1563 of 1968 31-8-1968	Amendment to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955.
21	G.S.R. 1566 of 1968 31-8-1968	Amendment to the Indian Administrative Service (Fixation of Cadre Strength) Regulations, 1955.
22	G.S.R. 1704 of 1968 22-9-1968	The Indian Police Service (Probation) Second Amendment Rules, 1968.

1	2	3
23	G.S.R. 1705 of 1968 21-9-1968	The Indian Administrative Service (Probation) Second Amendment Rules, 1968.
24	G.S.R. 1767 of 1968 28-9-1968	The Indian Administrative Service (Pay) Third Amendment Rules, 1968.
25	G.S.R. 1828 of 1968 12-10-1968	The Indian Administrative Service (Recruitment) Sixth Amendment Rules, 1968.
26	G.S.R. 1829 of 1968 12-10-1968	The Indian Police Service (Recruitment) Fifth Amendment Rules, 1968.
27	G.S.R. 1883 of 1968 26-10-1968	The Indian Administrative Service (Probation) Third Amendment Rules, 1968.
28	S.O. 3116 of 1968 1-9-1968	The Gold Control (Specifications of Standard Gold Bars and Conditions of Refining) Rules, 1968.
29	S.O. 3117 of 1968 1-9-1968	The Gold Control (Forms, Fees and Miscellaneous Matters) Rules, 1968.
30	Notification No. Sec.-205/B 3-68/69 of 1968 20-7-1968	Amendments to the Agricultural Refinance Corporation (Staff) Regulations, 1968.
31	G.S.R. 1868 of 1968 19-10-1968	The Petroleum and Natural Gas (Amendment) Rules, 1968.
32	S.R.O. 3559 of 1968 12-10-1968	The Inter-State Water Disputes (Amendment) Rules, 1968.
33	S.O. 3620 of 1968 14-10-1968	The Tractors (Price Control) Amendment Order, 1968.
34	S. O. 3087 of 1968 7-9-1968	The Personal Injuries (Compensation Insurance) Amendment Scheme, 1968.

1	2	3
35	G.S.R. 1592 of 1968 31-8-1968	The Employees' Provident Funds (Fourth Amendment) Scheme, 1968.
36	G.S.R. 1809 of 1968 28-9-1968	The Employees' Provident Funds (Fifth Amendment) Scheme, 1968.
37	G.S.R. 1899 of 1968 26-10-1968	The Employees' Provident Funds (Sixth Amendment) Scheme, 1968.
38	G.S.R. 1900 of 1968 26-10-1968	The Employees' Provident Funds (Seventh Amendment) Scheme, 1968.
39	S.O. 3700 of 1968 19-10-1968	The Dock Workers (Regulation of Em- ployment) Second Amendment Rules, 1968.
40	G.S.R. 1553 of 1968 31-8-1968	The Apprenticeship (Amendment) Rules, 1968.
41	G.S.R. 1881 of 1968 26-10-1968	The Supreme Court Judges Travelling Allowance (Amendment) Rules, 1968.
42	G.S.R. 1808 of 1968 28-9-1968	The Kerosene (Fixation of Ceiling Prices) Eighth Amendment Order, 1968.
43	S.O. 3893 of 1968 30-10-1968	The Jute (Licensing and Control) Amendment Order, 1968.
44	S. O. 2967 of 1968 7-9-1968	The Collection of Statistics (Central) Amendment Rules, 1968.
45	S. O. 3928 of 1968 9-11-1968	The Dock Workers (Advisory Commit- tee) Second Amendment Rules, 1968.
46	G.S.R. 2057 of 1968 23-11-1968	The Post Office Savings Certificates (Sixth Amendment) Rules, 1968.
47	G.S.R. 1983 of 1968 16-11-1968	Amendment to the Indian Police Service (Fixation on Cadre I Strength) Regu- lations, 1955.

1	2	3
48	G.S.R. 2017 (English version) G.S.R. 2018 (Hindi version) of 1968	The Central Sales Tax (Registration and Turnover) Amendment Rules, 1968.
	16-11-1968	
49	S. O. 3868 of 1968	The Drugs and Cosmetics (Third Am- endment) Rules, 1968.
	2-11-1968	
50	S. O. 3869 of 1968	The Drugs and Cosmetics (Second Amendment) Rules, 1968.
	2-11-1968	
51	S.O. 3978 of 1968	The Export of Minerals and Ores Group II (Inspection) Amendment Rules, 1968.
	12-11-1968	
52	G.S.R. 1918 of 1968	The Cotton Textile Companies (Mana- gement of Undertakings and Liquida- tion or Reconstruction) (Amendment) Rules, 1968.
	2-11-1968	
53	G.S.R. 1426 of 1968	The Indian Police Service (Probation) Amendment Rules, 1968.
	3-8-1968	
54	G.S.R. 1427 of 1968	The Indian Administrative Service (Pro- bation) Amendment Rules, 1968.
	3-8-1968	
55	G.S.R. 1476 of 1968	Amendment to the Indian Police Service (Fixation of Cadre Strength) Regula- tions, 1955.
	10-8-1968	
56	G.S.R. 1477 of 1968	Amendment to the Indian Administra- tive Service (Fixation of Cadre Strength) Regulations, 1955.
	10-8-1968	
57	G.S.R. 2029 (English version) G.S.R. 2030 (Hindi version) of 1968.	The Citizenship (Amendment) Rules 1968.
	23-11-1968	
58	G.S.R. 2026 of 1968	The Indian Police Service (Pay) Second Amendment Rules, 1968.
	23-11-1968	

1	2	3
59	G.S.R. 2027 of 1968 23-11-1968	The Indian Administrative Service (Pay) Fourth Amendment Rules, 1968.
60	G.S.R. 2031 of 1968 23-11-1968	The Indian Forest Service (Released Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) Amendment Regulations, 1968.
61	G.S.R. 1593 (English version) of 1968 27-8-1968 G.S.R. 1960 (Hindi version) of 1968 21-9-1968	The Indian Telegraph (Amendment) Rules, 1968.
62	G.S.R. 2070 of 1968 30-11-1968	
63	G.S.R. 2071 of 1968 30-11-1968	The Indian Police Service (Pay) Third Amendment Rules, 1968.
64	G.S.R. 1961 (English version) G.S.R. 1962 (Hindi version) of 1968 9-11-1968	The Indian Telegraph (Eighth Amendment) Rules, 1968.
65	G.S.R. 2113 of 1968 7-12-1968	The Employees State Insurance (Central) Fourth Amendment Rules, 1968.
66	S. O. 4138 of 1968 23-11-1968	The Cotton Textiles (Control) Fourth Amendment Order, 1968.
67	S.O. 4139 of 1968 23-11-1968	The Cotton Textiles (Control) Fifth Amendment Order, 1968.
68	G.S.R. 57 (English version) G.S.R. 58 (Hindi version) of 1969 11-1-1969	The Indian Telegraph (Ninth Amendment) Rules, 1968.



1	2	3
69	G.S.R. 98 (English version) G.S.R. 99 (Hindi version) of 1969	The Indian Telegraph (First Amend- ment) Rules, 1969.
	18-1-1969	
70	G.S.R. 2037 of 1968 23-11-1968	The Posts and Telegraphs Department of Operator-cum-Mechanic for Trench Digging Machines Recruit- ment Rules, 1968.
71	S.O. 4552 of 1968 20-12-1968	The Conduct of Elections (Third Amend- ment) Rules, 1968.
72	G.S.R. 2147 of 1968 14-12-1968	The Aircraft (Second Amendment) Rules, 1968.
73	G.S.R. 4 (English version) G.S.R. 5 (Hindi version) of 1969	The Arms (Third Amendment) Rules, 1968.
	4-1-1969	
74	G.S.R. 3 of 1968 4-1-1969	The All India Services (Conduct) Rules, 1968.
75	G.S.R. 123 of 1969 18-1-1969	The Indian Administrative Service (Appointment by Promotion) Seventh Amendment Regulations, 1968.
76	G.S.R. 36 of 1969 3-1-1969	The Specified Goods (Prevention of Illegal Export) Rules, 1969.
77	G.S.R. 40 of 1969 3-1-1969	The Notified Goods (Prevention of Illegal Import) Rules, 1969.
78	G.S.R. 95 of 1969 10-1-1969	The Specified Goods (Prevention of Illegal Export) Amendment Rules, 1969.
79	S.O. 397 of 1969 23-1-1969	The Trade and Merchandise Marks (Amendment) Rules, 1969.

1	2	3
80	S.O. 268 of 1969 <hr/> 16-1-1969	The Export of Mica (Inspection) Rules, 1969.
81	S. O. 272 of 1969 <hr/> 17-1-1969	The Export of Hessain bags (Inspection) Rules, 1969.
82	S. O. 277 of 1969 <hr/> 18-1-1969	The Export (Quality Control and Inspection) Amendment Rules, 1969.
83	G.S.R. 176 (English version) G.S.R. 177 (Hindi version) of 1969 <hr/> 1-2-1969	The Salar Jung Museum (Amendment) Rules, 1969.
84	S.O. 381 of 1969 <hr/> 28-1-1969	Constituting the Indian Medical and Health Service.
85	G.S.R. 259 of 1969 <hr/> 15-2-1969	The Indian Medical and Health Service (Recruitment) Rules, 1969.
86	G.S.R. 260 of 1969 <hr/> 15-2-1969	The Indian Medical and Health Service (Cadre) Rules, 1969.
87	G.S.R. 261 of 1969 <hr/> 15-2-1969	The Indian Medical and Health Service (Initial Recruitment) Regulation, 1969.
88	G.S.R. 10 of 1969 <hr/> 4-1-1969	The Paradip Port Trust (Procedure at Board Meetings) Amendment Rules, 1968.
89	G.S.R. 29 of 1969 <hr/> 4-1-1969	The Cardamom (Licensing and Registration) Rules, 1968.
90	G.S.R. 30 of 1969 <hr/> 4-1-1969	The Coffee Board Servants (Conduct) Rules, 1968.
91	G.S.R. 26 of 1969 <hr/> 4-1-1969	The Rubber (Third Amendment) Rules, 1968.

1	2	3
92	<u>G.S.R. 27 of 1969</u> 4-1-1969	The Rubber (Second Amendment) Rules, 1968.
93	<u>G.S.R. 28 of 1969</u> 4-1-1969	The Rubber Board (Service) Amendment Rules, 1968.
94	<u>G.S.R. 245 of 1969</u> 8-2-1969	The Rubber (Amendment) Rules, 1969.
95	<u>G.S.R. 247 (English version) G.S.R. 248 (Hindi version) of 1969</u> 8-2-1969	The Indian Telegraph (Second Amendment) Rules, 1969.
96	<u>G.S.R. 182 of 1969</u> 1-2-1969	The Aircraft (Amendment) Rules, 1969.
97	<u>G.S.R. 266 of 1969</u> 15-2-1969	The Arms (Amendment) Rules, 1969.
98	<u>S.O. 379 (English version) S.O. 380 (Hindi version) of 1969</u> 25-1-1969	The Punjab Khadi and Village Industries Board (Reorganisation) Order 1969.
99	<u>G.S.R. 257 of 1969</u> 15-2-1969	The Indian Administrative Service (Recruitment) Amendment Rules, 1969.
100	<u>G.S.R. 258 of 1969</u> 15-2-1969	The India Police Service (Recruitment) Amendment Rules, 1969.
101	<u>G.S.R. 120 of 1969</u> 18-1-1969	The major Port Trusts (Procedure at Board Meetings) Amendment Rules, 1969.
102	<u>S.O. 594 of 1969</u> 15-2-1969	The Drugs and Cosmetics (Amendment) Rules, 1969.

1	2	3
103	<u>S. O. 2543 of 1968</u> 12-7-1968	The Cinema Carbons (Control) Amendment Order, 1968.
104	<u>S. O. 768 of 1969</u> 1-3-1969	The Jute Textiles (Control) Amendment Order, 1969.
105	<u>G. S. R. 65 of 1969</u> 11-1-1969	The Central Silk Board (Second Amendment) Rule, 1968.
106	<u>S. O. 4326 of 1968</u> 7-12-1968	The Cotton Textiles (Control) (Sixth Amendment Order, 1968.
107	<u>G. S. R. 2191 of 1968</u> 21-12-1968	The Cinematograph ((Censorship) Second Amendment Rule, 1968.
108	<u>G. S. R. 139 of 1969</u> 13-1-1969	The Inter-Zonal Wheat and Wheat Products (Movement Control) Amendment Order, 1969.
109	<u>G.S.R. 2026 of 1968</u> 23-11-1968	The Indian Police Service (Pay) Second Amendment Rules, 1968.
110	<u>G. S. R. 2027 of 1968</u> 23-11-1968	The Indian Administrative Service (Pay) Fourth Amendment Rules, 1968.
111	<u>G. S. R. 2031 of 1968</u> 23-11-1968	The Indian Forest Service (Released Emergency Commissioned and Short Service Commissioned (Officers) (Appointment by Competitive Examination) Amendment Regulations, 1968.
112	<u>G. S. R. 2070 of 1968</u> 30-11-1968	The Indian Administrative Service (Pay) Fifth Amendment Rules, 1968.
113	<u>G. S. R. 2071 of 1968</u> 30-11-1968	The Indian Police Service (Pay) Third Amendment Rules, 1968.

1	2	3
114	<u>G.S.R. 2135 of 1968</u> 7-12-1968	The All India Service (Provision Fund) Second Amendment Rules, 1968.
115	<u>G.S.R. 2136 of 1968</u> 7-12-1968	The Indian Civil Service Provident Fund (Second Amendment) Rules, 1968.
116	<u>G.S.R. 2029 (English version) G.S.R. 2030 (Hindi version) of 1968.</u> 23-11-1968	The Citizenship (Amendment) Rules, 1968.
117	<u>G.S.R. 437 of 1968</u> 22-2-1969	The Second Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
118	<u>G.S.R. 457 of 1969</u> 1-3-1969	The Indian Administrative Service (Fixation of Cadre Strength) First Amendment Regulations, 1969.
119	<u>G.S.R. 458 of 1969</u> 1-3-1969	The First Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
120	<u>G.S.R. 759 of 1969</u> 3-3-1969	The Kerosene (Fixation of Ceiling Prices) Amendment Order, 1969.
121	<u>G.S.R. 499 of 1969</u> 1-3-1969	The Passengers (Non-Tourist) Baggage (Amendment) Rules, 1969.
122	<u>G.S.R. 280(English version) G.S.R. 282 (Hindi version) of 1969</u> 15-2-1969	The Indian Telegraph (Fourth Amendment ) Rules, 1969.
123	<u>G.S.R. 281(English version) G.S.R. 283 (Hindi version), of 1969</u> 15-2-1969	The Indian Telegraph (Third Amendment) Rules, 1969.
124	<u>S.O. 4327 of 1968</u> 7-12-1968	The Trade and Merchandise Marks (Judicial Proceedings, Madras) Rules 1968.

1	2	3
125	G.S.R. 417 (English version) G.S.R. 418 (Hindi version) of 1969	The Indian Telegraph (Fifth Amend- ment Rules, 1969)
	<u>22-2-1969</u>	
126	G.S.R. 546 of 1969 (Hindi version)	The Rubber (Third Amendment) Rules, 1968.
	<u>8-3-1969</u>	
127	G.S.R. 547 of 1969 Hindi version	The Rubber (Second Amendment) Rules, 1968.
	<u>8-3-1969</u>	
128	G.S.R. 212 of 1969	The Passports (Amendment) Rules, 1969.
	<u>28-1-1969</u>	
129	G.S.R. 431 (English ver- sion) G.S.R. 434 (Hindi version) of 1969	The Arms (Second Amendment) Rules, 1969.
	<u>22-2-1969</u>	
130	S.O. 1152 of 1969	Amendment to the Annuity Deposit Scheme, 1964.
	<u>19-3-1969</u>	
131	S.O. 1153 of 1969	Amendment to the Annuity Deposit Scheme, 1966.
	<u>19-3-1969</u>	
132	S.O. 1161 of 1969	Do.
	<u>21-3-1969</u>	
133	S.O. 222 (English version)	The Dock Workers (Advisory Com- mittee) First Amendment Rules, 1969.
	<u>18-1-1969</u>	
134	G.S.R. 2201 of 1968	The Minimum Wages (Central) Amendment Rules, 1968.
	<u>21-12-1968</u>	
135	G.S.R. 767 (Hindi version) of 1969	The Arms (Amendment) Rules, 1969
	<u>15-3-1969</u>	

1	2	3
136	G.S.R. 536 (English version) G.S.R. 537 (Hindi version) of 1969 <hr/> 8-3-1969	The Indian Telegraph (Sixth Amendment) Rules, 1969.
137	G.S.R. 544 of 1969 <hr/> 8-3-1969	The Aircraft (Second Amendment) Rules, 1969.
138	S.O. 1108 of 1969 <hr/> 22-3-1969	The All-India Institute of Medical Sciences (Amendment) Rules, 1969.
139	G.S.R. 856 of 1969 <hr/> 29-3-1969	The Indian Administrative Service (Regulation of Seniority) Amendment Rules, 1969.
140	G.S.R. 857 of 1969 <hr/> 29-3-1969	The Indian Police-Service (Regulation of Seniority) Amendment Rules, 1969.
141	G.S.R. 855 of 1969 <hr/> 29-3-1969	The Union Public Service Commission (Exemption from Consultation) Supplementary Regulations, 1969.
142	G.S.R. 2187 of 1968 <hr/> 21-12-1968	The Registration and Licensing of Industrial Undertakings (Amendment) Rules, 1968.
143	G.S.R. 888 of 1969 <hr/> 28-3-1969	The Produce Cess Rules, 1969.
144	G.S.R. 932 of 1969 <hr/> 12-4-1969	The Merchant Shipping (Fire Appliances) Rules, 1969.
145	G.S.R. 926 of 1969 <hr/> 12-4-1969	The All India Services (Discipline and Appeal) Rules, 1969.
146	G.S.R. 927 of 1969 <hr/> 12-4-1969	The Indian Administrative Service (Pay) Third Amendment Rules, 1969.
147	G.S.R. 928 of 1969 <hr/> 12-4-1969	The Fourth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.

1	2	3
148	G.S.R. 792 of 1969 <hr/> 15-3-1969	The Petroleum and Natural Gas (Amendment) Rules, 1969.
149	G.S.R. 975 of 1969 <hr/> 19-4-1969	The Indian Police Service (Pay) First Amendment Rules, 1969.
150	S.O. 1428 of 1969 <hr/> 15-4-1969	The Export of Stainless Steel Utensils (Inspection) Amendment Rules, 1969.
151	S.O. 1431 of 1969 <hr/> 15-4-1969	The Export of Mica (Inspection) Amendment Rules, 1969.
152	G.S.R. 997 of 1969 <hr/> 16-4-1969	The Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1969.
153	G.S.R. 1031 of 1969 <hr/> 26-4-1969	The Indian Forest Service (Probation) Amendment Rules, 1969.
154	G.S.R. 532 (English version) G.S.R. 533 (Hindi version) of 1969 <hr/> 8-3-1969	The Prevention of Food Adulteration (Amendment) Rules, 1969.
155	S.O. 1505 (English version) S.O. 1506 (Hindi version) of 1969 <hr/> 21-4-1969	The Registration of Electors (Amendment) Rules, 1969.
156	G.S.R. 1011 (English version) G.S.R. 1012 (Hindi version) of 1969 <hr/> 26-4-1969	The Cinematograph (Censorship) Second Amendment Rules, 1969.
157	S.O. 2694 of 1968 <hr/> 24-7-1968	The Cotton Textiles (Control) Third Amendment Order, 1968.
158	G.S.R. 1039 of 1969 <hr/> 24-4-1969	The Inter-Zonal Wheat and Wheat Products (Movement Control) Amendment Order, 1969.



1	2	3
159	S.O. 1564 of 1969 26-4-1969	The Cold Storage (Amendment) Order, 1969.
160	S.O. 735 (English version) S.O. 736 (Hindi version) of 1969 20-2-1969	The International Copyright (First Amendment) Order, 1969.
161	S.O. 1560 of 1969 23-4-1969	The Admission as Advocates (Training and Examination) Amendment Rules, 1969.
162	G.S.R. 977 (English version) G.S.R. 978 (Hindi version) of 1969 19-4-1969	The Cinematograph (Censorship) Amendment Rules, 1969.
163	G.S.R. 1080 of 1969 28-4-1969	The Indian Telegraph (Eighth Amendment) Rules, 1969.
164	G.S.R. 1275 28-5-1969	The Insurance (Amendment) Rules, 1969
165	G.S.R. 1362 (English version) G.S.R. 1363 (Hindi version) 9-6-1969	The Central Sales Tax (Registration and turnover) Amendment Rules, 1969.
166	G.S.R. 1344 (English version) G.S.R. 1345 (Hindi version) 7-6-1969	The Medicinal and Toilet Preparations (Excise Duties) First Amendment Rules, 1969.
167	G.S.R. 1561 (English version) G.S.R. 1562 (Hindi version) 5-7-1969	The Medicinal and Toilet Preparations (Excise Duties) Second Amendment Rules, 1969.
168	G.S.R. 1563 (English version) G.S.R. 1564 (Hindi version) 5-7-1969	The Medicinal and Toilet Preparations (Excise Duties) Third Amendment Rules, 1969.

1	2	3
169	G.S.R. 1478 (English version) G.S.R. 1479 (Hindi version).	The Transfer of Residence Rules, 1969.
	21-6-1969	
170	G.S.R. 1283 (English version) G.S.R. 1285 (Hindi version)	The Industrial Disputes (Central) Amendment Rules, 1969.
	7-6-1969	
171	G.S.R. 1244 (English version) G.S.R. 1286 (Hindi version)	The Industrial Disputes (Central) Second Amendment Rules, 1969.
	7-6-1969	
172	S.O. 1675 (English version)	The Dock Workers (Regulation of Employment) Amendment Rules, 1969.
	3-5-1969	
173	G.S.R. 1123 (English version) G.S.R. 1124 (Hindi version).	The Food Corporations (Amendment Rules, 1969).
	12-5-1969	
174	G.S.R. 1149 (English version) G.S.R. 1150 (Hindi version).	The Indian Telegraph (Seventh Amendment) Rules, 1969.
	17-5-1969	
175	G.S.R. 1416 (Hindi version)	The Indian Telegraph (Eighth Amendment) Rules, 1969.
	21-6-1969	
76	G.S.R. 1417 (English version) G.S.R. 1418 (Hindi version).	The Indian Telegraph (Eleventh Amendment) Rules, 1969.
	21-6-1969	
177	G.S.R. 1295 (English version) G.S.R. 1296 (Hindi version).	The Indian Telegraph (Twelfth Amendment) Rules, 1969.
	30-5-1969	

1	2	3
178	S.O. 1908 (English version) S.O. 1909 (Hindi version) <hr/> 16-5-1969	The International Copyright (Second Amendment) Order, 1969.
179	S.O. 2142 (English version) S.O. 2143 (Hindi version) <hr/> 28-5-1969	The International Copyright (Third Amendment) Order, 1969.
180	S.O. 2445 (English version) S.O. 2446 (Hindi version) <hr/> 21-6-1969	The International Copyright (Fourth Amendment) Order, 1969.
181	G.S.R. 1066 <hr/> 8-6-1968	The Seamen's Provident Fund (Amendment) Scheme, 1968.
182	G.S.R. 1044 <hr/> 3-5-1969	The Seamen's Provident Fund (Second Amendment) Scheme, 1969.
183	G.S.R. 1220 (English version) G.S.R. 1221 (Hindi version) <hr/> 24-5-1969	The Citizenship (Amendment) Rules, 1969.
184	G.S.R. 1031 <hr/> 26-4-1969	The Indian Forest Service (Probation) Amendment Rules, 1969.
185	G.S.R. 1126 <hr/> 17-5-1969	The Indian Administrative Service (Regulation of Seniority) Second Amendment Rules, 1969.
186	G.S.R. 1127 <hr/> 17-5-1969	The Indian Police Service (Regulation of Seniority) Second Amendment Rules, 1969.
187	G.S.R. 1128 <hr/> 17-5-1969	The Indian Administrative Service (Probation) Amendment Rules, 1969.
188	G.S.R. 1215 <hr/> 24-5-1969	The Indian Police Service (Pay) Second Amendment Rules, 1969.

1	2	3
189	G.S.R. 1216 24-5-1969	The Indian Administrative Service (Probation) Second Amendment Rules, 1969.
190	G.S.R. 1217 24-5-1969	The Indian Police Service (Probation Amendment Rules, 1969.
191	G.S.R. 1218 24-5-1969	The Indian Administrative Service (Probationers' Final Examination) Amendment Regulations, 1969.
192	G.S.R. 1219 24-5-1969	The Indian Police Service (Probationers Final Examination) Amendment Regulations, 1969.
193	G.S.R. 1261 31-5-1969	The Indian Administrative Service (Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination First Amendment Regulations, 1969.
194	G.S.R. 1262 31-5-1969	The Indian Police Service (Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) First Amendment Regulations, 1969.
195	G.S.R. 1264 31-5-1969	The Indian Administrative Service (Appointment by selection) Amendment Regulations, 1969.
196	G.S.R. 1265 31-5-1969	The Indian Administrative Service (Cadre) Amendment Rules, 1969.
197	G.S.R. 1266 31-5-1969.	The Indian Police Service (Cadre Amendment Rules, 1969.
198	G.S.R. 1267 31-5-1969	The Indian Administrative Service (Appointment by Promotion) Second Amendment Regulations, 1969.
199	G.S.R. 1268 31-5-1969	The Indian Police Service (Appointment by Promotion ) Amendment Regulations, 1969.

1	2	3
200	G.S.R. 1442 21-6-1969	The Indian Administrative Service (Appointment by Promotion) Third Amendment Regulations, 1969.
201	G.S.R. 1443 21-6-1969	The Indian Police Service (Appointment by Promotion) Second Amendment Regulations, 1969.
202	G.S.R. 1446 21-6-1969	The Indian Administrative Service (Fixation of Cadre Strength) Second Amendment Regulations, 1969
203	G.S.R. 1447 21-6-1969	The fifth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
204	G.S.R. 1448 21-6-1969	The Indian Police Service (Uniform) Amendment Rules, 1969.
205	G.S.R. 1486 28-6-1969	The Indian Forest Service (Probation) Second Amendment Rules, 1969.
206	G.S.R. 1487 28-6-1969	The Indian Forest Service (Regulation of Seniority) Amendment Rules, 1969.
207	G.S.R. 1490 28-6-1969	The Indian Police Service (Pay) Fourth Amendment Rules, 1969.
208	G.S.R. 1591 5-7-1969	The Indian Administrative Service (Fixation of Cadre Strength) Third Amendment Regulations, 1969.
209.	G.S.R. 1592 5-7-1969	The Sixth Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
210	G.S.R. 1593 5-7-1969	The Indian Police Service (Fixation of Cadre Strength) Second Amendment Regulations, 1969.
211	G.S.R. 1594 5-7-1969	The Fifth Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.

1	2	3
212	G.S.R. 1595 5-7-1969	The Indian Police Service (Uniform Second Amendment Rules, 1969
213	G.S.R. 1596 5-7-1969	The Indian Police Service (Fixation of Cadre Strength First Amendment Regulations, 1969.
214	G.S.R. 1597 5-7-1969	The Third Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
215	Notification No. 9251-HII (4)-68/44266. 11-12-1968	The Punjab Tourist Vehicles (Chandigarh First Amendment) Rules, 1968.
216	Notification No. 12651-HII (2)-68/376 3-1-1969	The Punjab Motor Vehicles (Chandigarh First Amendment) Rules, 1969.
217	S.O. 2705 3-7-1969	The Gold Control (Identification Customers) Rules, 1969.
218	S.O. 2706 3-7-1969	The Gold Control (Licensing of Dealers) Rules, 1969.
219	G.S.R. 1598 2-7-1969	The Additional Duty Rules, 1969.
220	G.S.R. 1045 3-5-1969	The Aircraft (Third Amendment) Rules, 1969.
221	G.S.R. 1370 14-6-1969	The Aircraft (Fourth Amendment) Rules, 1969.
222	G.S.R. 1079 (English version) 28-4-1969	The Indian Telegraph (Ninth Amendment) Rules, 1969.
223	G.S.R. 1444 21-6-1969	The Indian Administrative Service (Recruitment) Amendment Rules, 1968.

1	2	3
224	G.S.R. 1445 21-6-1969	The Indian Police Service (Recruitment) Amendment Rules, 1968.
225	G.S.R. 1632 19-7-1969	The Indian Administrative Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1969.
226	G.S.R. 1633 19-7-1969	The Seventh Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
227	G.S.R. 1634 19-7-1969	The Indian Police Service (Fixation of Cadre Strength) Third Amendment Regulations, 1969.
228	G.S.R. 1635 19-7-1969	The Sixth Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
229	G.S.R. 1433 21-6-1969	The Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 1969.
230	S.O. 2854 15-7-1969	The Export of Coir Yarn (Inspection) Amendment Rules, 1969.
231	G.S.R. 1374 (English version) G.S.R. 1375 (Hindi version) 14-6-1969	The Textiles Committee (Amendment) Rules, 1969.
232	G.S.R. 1293 (English version) G.S.R. 1294 (Hindi version) 7-6-1969	The Indian Telegraph (Tenth Amendment) Rules, 1969.
233	G.S.R. 1638 (English version) G.S.R. 1639 (Hindi version) 19-7-1969	The Arms (Third Amendment) Rules, 1969.
234	G.S.R. 1743 26-7-1969	The Indian Police Service (Recruitment) Amendment Rules, 1968.

1	2	3
235	G.S.R. 1744 26-7-1969	The Indian Administrative Service (Recruitment) Amendment Rules, 1968.
236	G.S.R. 1748 26-7-1969	The Eighth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
237	G.S.R. 1804 2-8-1969	The Indian Police Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1969.
238	G.S.R. 1805 2-8-1969	The Seventh Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
239	G.S.R. 1746 26-7-1969	The All India Services (Study Leave) First Amendment Regulations, 1969.



### III

## MINUTES OF THE THIRD SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Sub-Committee met on Wednesday, the 15th October, 1969 from 10.00 to 13.00 hours.

#### PRESENT

Shri Shri Chand Goyal—*Convener.*

#### MEMBERS

2. Shri V. Viswanatha Menon
3. Shri Nuggehalli Shivappa
4. Shri Narendrasingh Mahida

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. The Sub-Committee examined in detail the orders listed at serial Nos. 1—8, 10, 13, 15—30, 32, 33, 35—38, 40, 41, 43, 46—98 and 101 in the Annexure I.

3. The Sub-Committee decided that the comments of the Ministries concerned might be obtained in respect of the following 'Orders':—

S. No.	"Order" No.	Short Title	Remarks
1.	<u>S.O. 2883 of 1968</u> 24-8-1968	The Income-tax (Fifth Amendment) Rules, 1968.	Rule 2: (i) To what extent this is likely to affect the feasibility of encouraging investment in the Life Insurance Corporation.
2.	<u>S.O. 3132 of 1968</u> 4-9-1968	The Export of Coir Products (Inspection) Amendment Rules, 1968.	Rule 2: (ii) The reasons for not setting up an Inspection agency in the Southern States particularly in Mysore and Goa, where yarn is also produced.

S. No.	"Order" No.	Short Title	Remarks
3.	<u>S.O. 3144 of 1968</u> 10-9-1968	The Export of paints and Allied Products (Quality Control and Inspection) Amendment Rules, 1968.	<p><i>Rule 2 :</i> (i) The purpose of the levy of fee</p> <p>(ii) The criteria for fixing the levy both for commodity and quantum ; and</p> <p>(iii) In case of which other commodities such levy is not fixed.</p>
4.	<u>S.O. 3036 of 1968</u> 7-9-1968	The Payment of Wages (Air Transport Services) Rules, 1968.	<i>Rule 4 :</i> Why has it not been considered expedient to lay down the acts and omissions in respect of which fines might be imposed under this rule ?
5.	<u>G.S.R. 1520 of 1968</u> 24-8-1968	The Indian Administrative Service (Recruitment) Amendment Rules, 1968.	<i>Rule 2.</i> What 'categories of persons' are envisaged. This aspect may be elucidated.
6.	<u>G.S.R. 152 of 1968</u> 24-8-1968	The Indian Police Service (Recruitment) Amendment Rules, 1968.	<i>Rule 2 :</i> 'What categories of persons' are envisaged. This aspect may be elucidated.
7.	<u>G.S.R. 1828 of 1968</u> 12-10-1968	The Indian Administrative Service (Recruitment) Sixth Amendment Rules, 1968.	<i>Rule 2 :</i> How the date 31-10-1968 has been prescribed in this context.
8.	<u>G.S.R. 1881 of 1968</u> 26-10-1968	The Supreme Court Judges Travelling Allowance (Amendment) Rules, 1968.	<i>Rule 2 :</i> The considerations which have weighed with Government in extending the concession to the Chief Justice of India of taking with him, in the saloon or in the inspection carriage, without payment, one relative.

S. No.	"Order" No.	Short Title	Remarks
9.	S.O. 3893 of 1968 30-10-1968	The Jute (Licensing and Control) Amendment Order, 1968.	<i>Rule 1:</i> Clarification regarding the expediency of inserting Clause 8-A seeking to vest power in the Jute Commissioner to control production of jute textiles.
10.	G.S.R. 1953 (English version) of 1968 27-8-1968 G.S.R. 1960 (Hindi version) of 1968 21-9-1968	The Indian Telegraph (Amendment) Rules, 1968.	<i>Rule 2 :</i> On what criteria the rates in respect of (ii) and (iii) viz- Lighting calls and Most Immediate, Operations Immediate, Immediate and Important calls respectively have been fixed.
11.	G.S.R. 259 of 1969 15-2-1969	The Indian Medical and Health Service (Recruitment) Rules, 1969.	<i>Rule 5(1):</i> Clarification regarding disqualifications for appointment—The term 'Such categories of persons' may be elucidated.

4. The Sub-Committee decided that the consideration of 'Orders' mentioned in Annexure II might be held over for detailed study.

*The Sub-Committee then adjourned to meet again at 10.00 hours on the 16th October, 1969.*

## ANNEXURE I

(See para 2 of the Minutes of the Sub-Committee of the Committee on Sub-ordinate Legislation dated 15-10-1969).

S. No.	Number of 'Order' Date of application in the Gazette	Title of 'Order'
1	2	3
1.	G.S.R. 1802 (English Version) G.S.R. 1803 (Hindi Version) of 1968 <hr/> 5-10-1968	Amendment to the Central Sales Tax (Registration and Turnover) Rules, 1957.
2.	S.O. 2883 of 1968 <hr/> 24-8-68	The Income-Tax (Fifth Amendment) Rules, 1968.
3.	S.O. 3494 of 1968 <hr/> 27-9-1968	The Income-Tax (Sixth Amendment) Rules, 1968.
4.	S.O. 3132 of 1968 <hr/> 4-9-1968	The Export of Coir Products (Inspection) Amendment Rules, 1968.
5.	S.O. 3135 of 1968 <hr/> 4-9-1968	The Export of Coir Yarn Inspection Second Amendment Rules, 1968.
6.	S.O. 3144 of 1968 <hr/> 10-9-1968	The Export of Paints and Allied Products (Quality Control and Inspection) Amendment Rules, 1968.
7.	S.O. 3392 of 1968 <hr/> 19-9-1968	The Export of Sewing Machines (Quality Control and Inspection) Amendment Rules, 1968.
8.	S.O. 3493 of 1968 <hr/> 27-9-1968	The Export of Electric Cables and Conductors (Inspection) Rules, 1968.

1	2	3
9	G.S.R. 1604 of 1968 <hr/> 7-9-1968	The Press Council (Amendment) Rules 1968.
10	S.O. 3036 of 1968 <hr/> 7-9-1968	The Payment of Wages (Air Transport Services) Rules, 1968.
11	G.S.R. 1567 of 1968 <hr/> 31-8-1968	The Arms (Second Amendment) Rules 1968.
12	G.S.R. 1520 of 1968 <hr/> 24-8-1968	The Indian Police Service (Recruitment) Amendment Rules, 1968.
13	G.S.R. 1521 of 1968 <hr/> 24-8-1968	The Indian Administrative Service (Recruitment) Rules, 1968.
14	G.S.R. 1522 of 1968 <hr/> 24-8-1968	Amendment to the Indian Administrative Service (Pay) Rules, 1954.
15	G.S.R. 1523 of 1968 <hr/> 24-8-1968	Amendment to the Indian Administrative Service (Fixation of Strength) Regulations, 1955.
16	G.S.R. 1563 of 1968 <hr/> 31-8-1968	Amendment to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955.
17	G.S.R. 1566 of 1968 <hr/> 31-8-1968	Amendment to the Indian Administrative Service (Fixation of Cadre Strength) Regulations, 1955.
18	G.S.R. 1704 of 1968 <hr/> 21-9-1968	The Indian Police Service (Probation) Second Amendment Rules, 1968.
19	G.S.R. 1705 of 1968 <hr/> 21-9-1968	The Indian Administrative Service (Probation) Second Amendment Rules, 1968.
20	G.S.R. 1767 of 1968 <hr/> 28-9-1968	The Indian Administrative Service (Pay) Third Amendment Rules, 1968.
21	G.S.R. 1828 of 1968 <hr/> 12-10-1968	The Indian Administrative Service (Recruitment) Sixth Amendment Rules, 1968.

1	2	3
22	G.S.R. 1829 of 1968 <hr/> 12-10-1968	The Indian Police Service (Recruitment) (Fifth Amendment) Rules, 1968.
23	G.S.R. 1883 of 1968 <hr/> 26-10-1968	The Indian Administrative Service (Probation) Third Amendment Rules, 1968.
24	S.R.O. 3559 of 1968 <hr/> 12-10-1968	The Inter-State Water Disputes (Amendment) Rules, 1968.
25	S.O. 3620 of 1968 <hr/> 14-10-1968	The Tractors (Price Control) Amendment Order, 1968.
26	G.S.R. 1592 of 1968 <hr/> 31-8-1968	The Employees' Provident Funds (Fourth Amendment) Scheme, 1968.
27	G.S.R. 1809 of 1968 <hr/> 28-9-1968	The Employees' Provident Funds (Fifth Amendment) Scheme, 1968.
28	G.S.R. 1899 of 1968 <hr/> 26-10-1968	The Employees' Provident Funds (Sixth Amendment) Scheme, 1968.
29	G.S.R. 1900 of 1968 <hr/> 26-10-1968	The Employees' Provident Funds (Seventh Amendment) Scheme, 1968.
30	G.S.R. 1553 of 1968 <hr/> 31-8-1968	The Apprenticeship (Amendment) Rules 1968.
31	G.S.R. 1881 of 1968 <hr/> 26-10-1968	The Supreme Court Judges Travelling Allowance (Amendment) Rules, 1968.
32	S.O. 3893 of 1968 <hr/> 30-10-1968	The Jute (Licensing and Control) Amendment Order, 1968.

1	2	3
33	G.S.R. 2057 of 1968 23-II-1968	The Post Office Savings Certificates (Sixth Amendment) Rules, 1968.
34	G.S.R. 1983 of 1968 16-II-1968	Amendment to the Indian Police Service (Fixation on Cadre I Strength) Regulations, 1955.
35	G.S.R. 2017 (English Version) G.S.R. 2018 (Hindi Version) of 1968 16-II-1968	The Central Sales Tax (Registration and Turnover) Amendment Rules, 1968.
36	S.O. 3868 of 1968 2-II-1968	The Drugs and Cosmetics (Third Amendment) Rules, 1968.
37	S.O. 3869 of 1968 2-II-1968	The Drugs and Cosmetics (Second Amendment) Rules, 1968.
38	S.O. 3978 of 1968 12-II-1968	The Export of Minerals and Ores Groups II (Inspection) Amendment Rules 1968.
39	G.S.R. 1918 of 1968 2-II-1968	The Cotton Textile Companies (Management of Undertakings and Liquidation or Reconstruction) (Amendment) Rules 1968.
40	G.S.R. 1420 of 1968 3-8-1968	The Indian Police Service (Probation) Amendment Rules, 1968.
41	G.S.R. 1427 of 1968 3-8-1968	The Indian Administrative Service (Probation) Amendment Rules, 1968.
42	G.S.R. 1476 of 1968 10-8-1968	Amendment to the Indian Police Service (Fixation of Cadre Strength) Regulations, 1955.
43	G.S.R. 1477 of 1968 10-8-1968	Amendment to the Indian Administrative Service (Fixation of Cadre Strength, Regulations, 1955.

1	2	3
44	G.S.R. 2029 (English version) G.S.R. 2030 (Hindi version) of 1968 <hr/> 23-11-1968	The Citizenship (Amendment) Rules, 1968.
45	G.S.R. 2026 of 1968 <hr/> 23-11-1968	The Indian Police Service (Pay) Second Amendment Rules, 1968.
46	G.S.R. 2027 of 1968 <hr/> 23-11-1968	The Indian Administrative Service (Pay) Fourth Amendment Rules, 1968.
47	G.S.R. 2031 of 1968 <hr/> 23-11-1968	The Indian Forest Service (Released Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) Amendment Regulations, 1968.
48	G.S.R. 1593 (English version) of 1968 <hr/> 27-8-1968 G.S.R. 1690 (Hindi version) of 1968 <hr/> 21-9-1968	The Indian Telegraph (Amendment) Rules, 1968.
49	G.S.R. 2070 of 1968 <hr/> 30-11-1968	
50	G.S.R. 2071 of 1968 <hr/> 30-11-1968	The Indian Police Service (Pay) Third Amendment Rules, 1968.
51	G.S.R. 1961 (English version) G.S.R. 1962 (Hindi version) of 1968 <hr/> 9-11-1968	The Indian Telegraph (Eighth Amendment) Rules, 1968.
52	G.S.R. 2113 of 1968 <hr/> 7-12-1968	The Employees State Insurance (Central) Fourth Amendment Rules, 1968.



1	2	3
53 S.O. 4138 of 1968 23-11-1968	The Cotton Textiles (Control) Fourth Amendment Order, 1968.	
54 S.O. 4139 of 1968 23-11-1968	The Cotton Textiles (Control) Fifth Amendment Order, 1968.	
55 G.S.R. 57 (English version) G.S.R. 58 (Hindi version) of 1969 11-1-1969	The Indian Telegraph (Ninth Amendment) Rules, 1968.	
56 G.S.R. 98 (English version) G.S.R. 99 (Hindi version) of 1969 18-1-1969	The Indian Telegraph (First Amendment) Rules, 1969.	
57 G.S.R. 2037 of 1969 23-11-1968	The Posts and Telegraphs Department of Operator-cum-Mechanic for Trench Digging Machines Recruitment Rules, 1968.	
58 G.S.R. 4 (English version) G.S.R. 5 (Hindi version) of 1969 4-1-1969	The Arms (Third Amendment) Rules, 1968.	
59 G.S.R. 123 of 1969 18-1-1969	The Indian Administrative Service (Appointment by Promotion) Seventh Amendment Regulations, 1968.	
60 G.S.R. 36 of 1969 3-1-1969	The Specified Goods (Prevention of Illegal Export) Rules, 1969.	
61 G.S.R. 40 of 1969 3-1-1969	The Notified Goods (Prevention of Illegal Export) Rules, 1969,	
62 G.S.R. 95 of 1969 10-1-1969	The Specified Goods (Prevention of Illegal Export) Amendment Rule, 1969.	
63 S.O. 397 of 1969 23-1-1969	The Trade and Merchandise Marks (Amendment) Rules, 1969.	

1	2	3
64 S.O. 268 of 1969 <u>16-1-1969</u>	The Export of Mica (Inspection) Rules, 1969.	
65 S.O. 272 of 1969 <u>17-1-1969</u>	The Export of Hessian bags (Inspection) Rules, 1969.	
66 S.O. 277 of 1969 <u>18-1-1969</u>	The Export (Quality Control and Inspection) Amendment Rules, 1969.	
67 G.S.R. 176(English version) G.S.R. 177 (Hindi version) of 1969 <u>1-2-1969</u>	The Salar Jung Museum (Amendment) Rules, 1969.	
68 S.O. 381 of 1969 <u>28-1-1969</u>	Constituting the Indian Medical and Health Service.	
69 G.S.R. 259 of 1969 <u>15-2-1969</u>	The Indian Medical and Health Service (Recruitment) Rules, 1969.	
70 G.S.R. 260 of 1969 <u>15-2-1969</u>	The Indian Medical and Health Service (Cadre) Rules, 1969.	
71 G.S.R. 261 of 1969 <u>15-2-1969</u>	The Indian Medical and Health Service (Initial Recruitment) Regulation, 1969.	
72 G.S.R. 10 of 1969 <u>4-1-1969</u>	The Paradeep Port Trust (Procedure Board Meetings) Amendment Rules, 1968.	
73 G.S.R. 29 of 1969 <u>4-1-1969</u>	The Cardamom (Licensing and Registration) Rules, 1968.	
74 G.S.R. 26 of 1969 <u>4-1-1969</u>	The Rubber (Third Amendment) Rules, 1968.	
75 G.S.R. 27 of 1969 <u>4-1-1969</u>	The Rubber (Second Amendment) Rules, 1968.	

1	2	3
76	G.S.R. 28 of 1969 <u>4-1-1969</u>	The Rubber Board (Service) Amendment Rules, 1968.
77	G.S.R. 245 of 1969 <u>8-2-1969</u>	The Rubber (Amendment) Rules, 1969.
78	G.S.R. 247 (English version) G.S.R. 248 (Hindi version) of 1969 <u>8-2-1969</u>	The Indian Telegraph (Second Amendment) Rules, 1969.
79	G.S.R. 182 of 1969 <u>1-2-1969</u>	The Aircraft (Amendment) Rules, 1969.
80	G.S.R. 266 of 1969 <u>15-2-1969</u>	The Arms (Amendment) Rules, 1969.
81	S.O. 379 (English version) S.O. 380 (Hindi version) of 1969. <u>25-1-1969</u>	The Punjab Khadi and Village Industries Board (Reorganisation) Order, 1969.
82	G.S.R. 120 of 1969 <u>18-1-1969</u>	The Major Port Trusts (Procedure at Board Meetings) Amendment Rules, 1969.

## ANNEXURE II

*(See para 4 of the Minutes of the Sub-Committee of the  
Committee on Subordinate Legislation Dated 15-10-1969)*

Sl. No.	Number of 'Order'  Date of publication in the Gazette	Title of 'Order'
1	2	3
1	S.O. 3116 of 1968 1-9-1969	The Gold Control (Specifications of Standard Gold Bars and Conditions of Refining) Rules, 1968.
2	S.O. 3117 of 1968 1-9-1968	The Gold Control (Forms, Fees and Miscellaneous Matters) Rules, 1968.
3	Notification No. Sec.205/B 3-68/69 of 1968 20-7-1968	Amendment to the Agricultural Refinance Corporation (Staff) Regulations, 1968.
4	S.O. 4542 of 1968 20-12-1968	The Conduct of Elections (Third Amend- ment) Rules, 1968.
5	G.S.R. 3 of 1968 4-1-1969	The All India Services (Conduct) Rules, 1968.
6	G.S.R. 30 of 1969 4-1-1969	The Coffee Board Servants (Conduct) Rules, 1968.

## IV

### MINUTES OF THE FOURTH SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON SUBORDINATE LEGISLATION

The Sub-Committee met on Thursday, the 16th October, 1969 from 10.00 to 12.30 hours.

#### PRESENT

Shri Narendrasingh Mahida—*in the Chair.*

#### MEMBERS

2. Shri Viswanatha Menon
2. Shri G. Viswanathan
4. Shri Nuggehalli Shivappa.

#### SECRETARIAT

Shri M. C. Chawla—*Deputy Secretary.*

2. In the absence of the Convener, Shri Narendrasingh Mahida was chosen to act as Convener for the sitting in terms of Rule 258(3) of the Rules of Procedure and conduct of Business in Lok Sabha.

3. The Sub-Committee took up further examination in detail of the 'Orders' listed at serial Nos. 102—104, 106, 107, 109—115, 117—119, 121—127, 129—132, 134—141, 144—147, 149—151, 153—157, 160—171, 174—211, 213—239 in the Annexure I.

4. The Sub-Committee decided that the comments of the Ministries concerned might be obtained in respect of the following 'Orders':—

S. No. 1	"Order No." 2	Short Title 3	Remarks 4
1	G.S.R. 544 of 1969 8-3-1969	The Aircraft (Second Amendment) Rules, 1969.	Rule 78(B) Criteria as to how the passenger service fee of Rs. 15 has been fixed in respect of every passenger leaving India by an aircraft for a destination outside India.

1	2	3	4
			A copy of the Aircraft Act, 1934 and the Aircraft Rules, 1937 should also be obtained.
2	G.S.R. 1080 of 1969. <hr/> 28-4-1969	The Indian Telegraph (Eighth Amendment) Rules, 1969.	<i>Rule 3:</i> Criteria from fixing of a fee of twenty paise in respect of telegrams telephoned by telephone subscribers in addition to the Telephone call Charges, when the Phonogram service is metered.
			A copy of the latest edition of Indian Telegraph Act and the Rules made thereunder should also be obtained.
3	G.S.R. 1478 (English version) G.S.R. 1479 (Hindi version) <hr/> 21-6-1969	The Transfer of Residence Rules, 1969	<i>Rule 2 (a).</i> On what consideration the period of 2 years continuous stay abroad has been fixed for exemption from the Customs duty.
4	G.S.R. 1149 (English version) G.S.R. 1150 (Hindi version) <hr/> 17-5-1969	The Indian Telegraph (Seventh Amendment) Rules, 1969.	<i>Rule 4(1)</i> How the rate of rebate on rental for Telephones which are shared by two subscribers has been arrived at ?  (ii) What is the normal rental in such cases.
5	G.S.R. 1295 (English version) G.S.R. 1296 (Hindi version) <hr/> 30-5-1969	The Indian Telegraph (Twelfth Amendment) Rules, 1969.	<i>Rule 403(10).</i> The criteria for fixing charges for Teleprinter machines and other equipments.

1	2	3	4
6	G.S.R. 1079 (English version) <u>28-4-1969</u>	The Indian Telegraph (Ninth Amendment) Rules, 1969.	<i>Rule 3 : The manner in which additional charges for a particular person facility have been fixed.</i>

5. The Sub-Committee decided that the consideration of 'Orders' mentioned in Annexure II might be held over for detailed study.

The Sub-Committee then adjourned.

## ANNEXURE I

*See para 3 of the Minutes of the Sub-Committee of the Committee  
on Subordinate Legislation dated 16-10-69.*

S No.	Number of 'Order'	Title of 'Order'.
	Date of publication in the Gazette	
1	2	3
1	S.O. 594 of 1969 15-2-1969	The Drugs and Cosmetics (Amendment) Rules, 1969.
2	S.O. 2543 of 1968 12-7-1968	The Cinema Carbons (Control) Amendment Order, 1968.
3	S.O. 768 of 1969 1-3-1969	The Jute Textile (Control) Amendment Order, 1969.
4	S.O. 4326 of 1968 7-12-1968	The Cotton Textiles (Control) (Sixth Amendment) Order, 1968.
5	G.S.R. 2191 of 1968 21-12-1968 ]	The Cinematograph (Censorship) Second Amendment) Rules, 1968.
6	G.S.R. 2026 of 1968 23-11-1968	The Indian Police Service (Pay) Second Amendment Rules, 1968.
7	G.S.R. 2027 of 1968 23-11-1968 ]	The Indian Administrative Service (Pay) Fourth Amendment Rules, 1968.
8	G.S.R. 2032 of 1968 23-11-1968	The Indian Forest Service (Released) Emergency Commissioned and Short Service Commissioned (Officers) (Appointment by Competitive Examination) Amendment Regulations, 1968.
9	G.S.R. 2070 of 1968 30-11-1968	The Indian Administrative Service (Pay) Fifth Amendment Rules, 1968.



1	2	3
10	G.S.R. 2071 of 1968 30-11-1968	The Indian Police Service (Pay) Third Amendment Rules, 1968.
11	G.S.R. 2135 of 1968 7-12-1968	The All India Service (Provident Fund) Second Amendment Rules, 1968.
12	G.S.R. 2136 of 1968 7-12-1968	The Indian Civil Service Provident Fund (Second Amendment) Rules, 1968.
13	G.S.R. 437 of 1968 22-2-1969	The Second Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
14	G.S.R. 457 of 1969 1-3-1969	The Indian Administrative Service (Fixation of Cadre Strength) First Amendment Regulations, 1969.
15	G.S.R. 458 of 1969 1-3-1969	The First Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
16	G.S.R. 499 of 1969 1-3-1969	The Passengers (Non-Tourist) Baggage (Amendment) Rules, 1969.
17	G.S.R. 280 (English version) G.S.R. 282 (Hindi version) of 1969 15-2-1969	The Indian Telegraph (Fourth Amendment) Rules, 1969.
18	G.S.R. 281 (English version) G.S.R. 283 (Hindi version) of 1969 15-2-1969	The Indian Telegraph (Third Amendment) Rules, 1969.
19	G.S.R. 417 (English version) G.S.R. 418 (Hindi version) of 1969 22-2-1969	The Indian Telegraph (Fifth Amendment) Rules, 1969.
20	G.S.R. 546 of 1969 Hindi version) 8-3-1969	The Rubber (Third Amendment) Rules, 1968.

1	2	3
21	G.S.R. 547 of 1969 (Hindi version) <hr/> 8-3-1969	The Rubber (Second Amendment) Rules, 1968.
22	G.S.R. 431 (English version) G.S.R. 434 (Hindi version) of 1969 <hr/> 22-2-1969	The Arms (Second Amendment) Rules, 1969.
23	S.O. 1152 of 1969 <hr/> 19-3-1969	Amendment to the Annuity Deposit Scheme, 1964.
24	S.O. 1153 of 1969 <hr/> 19-3-1969	Amendment to the Annuity Deposit Scheme, 1966.
25	S.O. 1161 of 1969 <hr/> 21-3-1969	Do.
26	G.S.R. 2201 of 1968 <hr/> 21-12-1968	The Minimum Wages (Central) Amendment Rules, 1968.
27	G.S.R. 767 (Hindi version) of 1969 <hr/> 15-3-1969	The Arms (Amendment) Rules, 1969.
28	G.S.R. 536 (English version) G.S.R. 537 (Hindi version) of 1969 <hr/> 8-3-1969	The Indian Telegraph (Sixth Amendment) Rules, 1969.
29	G.S.R. 544 of 1969 <hr/> 8-3-1969	The Aircraft (Second Amendment) Rules, 1969.
30	S.O. 1108 of 1969 <hr/> 22-3-1969	The All India Institute of Medical Sciences (Amendment) Rules, 1969.
31	G.S.R. 856 of 1969 <hr/> 29-3-1969	The Indian Administrative Service (Regulation of Seniority) Amendment Rules, 1969.

1	2	3
32	G.S.R. 857 of 1969 29-3-1969	The Indian Police Service (Regulation of Seniority) Amendment Rules, 1969.
33	G.S.R. 855 of 1969 29-3-1969	The Union Public Service Commission (Exemption from Consultation) Supplementary Regulations, 1969.
34	G.S.R. 926 of 1969 12-4-1969	The All India Services (Discipline and Appeal) Rules, 1969.
35	G.S.R. 927 of 1969 12-4-1969	The Indian Administrative Service (Pay) Third Amendment Rules, 1969.
36	G.S.R. 928 of 1969 12-4-1969	The Fourth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
37	G.S.R. 975 of 1969 19-4-1969	The Indian Police Service (Pay) First Amendment Rules, 1969.
38	S.O. 1428 of 1969 15-4-1969	The Export of Stainless Steel Utensils (Inspection) Amendment Rules, 1969.
39	S.O. 1431 of 1969 15-4-1969	The Export of Mica (Inspection) Amendment Rules, 1969.
40	G.S.R. 1031 of 1969 26-4-1969	The Indian Forest Service (Probation) Amendment Rules, 1969.
41	G.S.R. 532 (English version) G.S.R. 533 (Hindi version) of 1969 8-3-1969	The Prevention of Food Adulteration (Amendment) Rules, 1969.
42	S.O. 1505 (English version) S.O. 1506 (Hindi version) of 1969 21-4-1969	The Registration of Electors (Amendment) Rules, 1969.
43	G.S.R. 1011 (English version) G.S.R. 1012 (Hindi version) of 1969 26-4-1969	The Cinematograph (Censorship) Second Amendment Rules, 1969.

1	2	3
44	<u>S.O. 2694 of 1968</u> 24-7-1968	The Cotton Textiles (Control) Third Amendment Order, 1968.
45	<u>S.O. 735 (English version)</u> <u>S.O. 736 (Hindi version) of 1969</u> 20-2-1969	The International Copyright (First Amendment) Order, 1969.
46	<u>S.O. 1560 of 1969</u> 23-4-1969	The Admission as Advocates (Training and Examination) Amendment Rules, 1969.
47	<u>G.S.R. 977 (English version)</u> <u>G.S.R. 978 (Hindi version) of 1969</u> 19-4-1969	The Cinematograph (Censorship) Amendment Rules, 1969.
48	<u>G.S.R. 1080 of 1969</u> 28-4-1969	The Indian Telegraph (Eighth Amendment) Rules, 1969.
49	<u>G.S.R. 1362 (English version)</u> <u>G.S.R. 1363 (Hindi version)</u> 9-6-1969	The Central Sales Tax (Registration and Turnover) Amendment Rules, 1969.
50	<u>G.S.R. 1344 (English version)</u> <u>G.S.R. 1345 (Hindi version)</u> 7-6-1969	The Medicinal and Toilet Preparations (Excise Duties) First Amendment Rules, 1969.
51	<u>G.S.R. 1561 (English version)</u> <u>G.S.R. 1562 (Hindi version)</u> 5-7-1969	The Medicinal and Toilet Preparations (Excise Duties) Second Amendment Rules, 1969.
52	<u>G.S.R. 1563 (English version)</u> <u>G.S.R. 1564 (Hindi version)</u> 5-7-1969	The Medicinal and Toilet Preparations (Excise Duties) Third Amendment Rules, 1969.
53	<u>G.S.R. 1478 (English version)</u> <u>G.S.R. 1479 (Hindi version)</u> 21-6-1969	The Transfer of Residence Rules, 1969.

1	2	3
54	G.S.R. 1283 (English version) G.S.R. 1285 (Hindi version) <hr/> 7-6-1969	The Industrial Disputes (Central) Amendment Rules, 1969.
55	G.S.R. 1284 (English version) G.S.R. 1286 (Hindi version) <hr/> 7-6-1969	The Industrial Disputes (Central) Second Amendment Rules, 1969.
56	G.S.R. 1149 (English version) G.S.R. 1150 (Hindi version) <hr/> 17-5-1969	The Indian Telegraph (Seventh Amendment) Rules, 1969.
57	G.S.R. 1416 (Hindi version) <hr/> 21-6-1969	The Indian Telegraph (Eighth Amendment) Rules, 1969.
58	G.S.R. 1417 (English version) G.S.R. 1418 (Hindi version) <hr/> 21-6-1969	The Indian Telegraph (Eleventh Amendment) Rules, 1969.
59	G.S.R. 1295 (English version) G.S.R. 1296 (Hindi version) <hr/> 30-5-1969	The Indian Telegraph (Twelfth Amendment) Rules, 1969.
60	S.O. 1908 (English version) S.O. 1909 (Hindi version) <hr/> 16-5-1969	The International Copyright (Second Amendment) Order, 1969.
61	S.O. 2142 (English version) S.O. 2143 (Hindi version) <hr/> 28-5-1969	The International Copyright (Third Amendment) Order, 1969.
62	S.O. 2445 (English version) S.O. 2446 (Hindi version) <hr/> 21-6-1969	The International Copyright (Fourth Amendment) Order, 1969.
63	G.S.R. 1066 <hr/> 8-6-1968	The Seamen's Provident Fund (Amend- ment) Scheme, 1968.

1	2	3
64 G.S.R. 1044 3-5-1969	The Seamen's Provident Fund (Second Amendment) Scheme, 1969.	
65 G.S.R. 1220 (English version) G.S.R. 1221 (Hindi version) 24-5-1969	The Citizenship (Amendment) Rules, 1969.	
66 G.S.R. 1031 26-4-1969	The Indian Forest Service (Probation Amendment) Rules, 1969.	
67 G.S.R. 1126 17-5-1969	The Indian Administrative Service (Regulation of Seniority) Second Amendment Rules, 1969.	
68 G.S.R. 1127 17-5-1969	The Indian Police Service (Regulation of Seniority) Second Amendment Rules, 1969.	
69 G.S.R. 1128 17-5-1969	The Indian Administrative Service (Probation) Amendment Rules, 1969	
70 G.S.R. 1215 24-5-1969	The Indian Police Service (Pay) Second Amendment Rules, 1969.	
71 G.S.R. 1216 24-5-1969	The Indian Administrative Service (Probation) Second Amendment Rules, 1969.	
72 G.S.R. 1217 24-5-1969	The Indian Police Service (Probation) Amendment Rules, 1969.	
73 G.S.R. 1218 24-5-1969	The Indian Administrative Service (Probationers' Final Examination) Amendment Regulations, 1969.	
74 G.S.R. 1219 24-5-1969	The Indian Police Service (Probationers' Final Examination) Amendment Regulations, 1969.	

1	2	3
75	G.S.R. 1261 31-5-69	The Indian Administrative Service (Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) First Amendment Regulations, 1969.
76	G.S.R. 1262 31-5-1969	The Indian Police Service (Emergency Commissioned and Short Service Commissioned Officers) (Appointment by Competitive Examination) First Amendment Regulations, 1969.
77	G.S.R. 1264 31-5-1969	The Indian Administrative Service (Appointment by Selection) Amendment Regulations, 1969.
78	G.S.R. 1265 31-5-1969	The Indian Administrative Service (Cadre) Amendment Rules, 1969.
79	G.S.R. 1266 31-5-1969	The Indian Police Service, (Cadre) Amendment Rules, 1969.
80	G.S.R. 1267 31-5-1969	The Indian Administrative Service (Appointment by Promotion) Second Amendment Regulations, 1969.
81	G.S.R. 1268 31-5-1969	The Indian Police Service (Appointment by Promotion) Amendment Regulations, 1969.
82	G.S.R. 1442 21-6-1969	The Indian Administrative Service (Appointment by Promotion) Third Amendment Regulations, 1969.
83	G.S.R. 1443 21-6-1969	The Indian Police Service (Appointment by Promotion) Second Amendment Regulations, 1969.
84	G.S.R. 1446 21-6-1969	The Indian Administrative Service (Fixation of Cadre Strength) Second Amendment Regulations, 1969.
85	G.S.R. 1447 21-6-1969	The Fifth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.

1	2	3
86	G.S.R. 1448 <hr/> 21-6-1969	The Indian Police Service (Uniform) Amendment Rules, 1969.
87	G.S.R. 1486 <hr/> 28-2-1969	The Indian Forest Service (Probation) Second Amendment Rules, 1969.
88	G.S.R. 1487 <hr/> 28-6-1969	The Indian Forest Service (Regulation of Seniority) Amendment Rules, 1969.
89	G.S.R. 1490 <hr/> 28-6-1969	The Indian Police Service (Pay) Fourth Amendment Rules, 1969.
90	G.S.R. 1591 <hr/> 5-7-1969	The Indian Administrative Service (Fixation of Cadre Strength) Third Amendment Regulations, 1969.
91	G.S.R. 1592 <hr/> 5-7-1969	The Sixth Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
92	G.S.R. 1593 <hr/> 5-7-1969	The Indian Police Service (Fixation of Cadre Strength) Second Amendment Regulation, 1969.
93	G.S.R. 1594 <hr/> 5-7-1969	The Fifth Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
94	G.S.R. 1596 <hr/> 5-7-1969	The Indian Police Service (Fixation of Cadre Strength) First Amendment Regulations, 1969.
95	G.S.R. 1597 <hr/> 5-7-1969	The Third Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
96	Notification No. 9251-HII (4)-68/44266 <hr/> 11-12-1968	The Punjab Tourist Vehicles (Chandigarh First Amendment) Rules, 1968.
97	Notification No. 21651-HII (2)-68/376 <hr/> 3-1-1969	The Punjab Motor Vehicles (Chandigarh First Amendment) Rules, 1969.



1	2	3
98	<u>G.S.R. 1598</u> 2-7-1969	The Additional Duty Rules, 1969.
99	<u>G.S.R. 1045</u> 3-5-1969	The Aircraft (Third Amendment) Rules, 1969.
100	<u>G.S.R. 1370</u> 14-6-1969	The Aircraft (Fourth Amendment) Rules, 1969.
101	<u>G.S.R. 1079 (English version)</u> 28-4-1969	The Indian Telegraph (Ninth Amendment) Rules, 1969.
102	<u>G.S.R. 1444</u> 21-6-1969	The Indian Administrative Service (Recruitment) Amendment Rules, 1968.
103	<u>G.S.R. 1445</u> 21-6-1969	The Indian Police Service (Recruitment) Amendment Rules, 1968.
104	<u>G.S.R. 1632</u> 19-7-1969	The Indian Administrative Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1969.
105	<u>G.S.R. 1633</u> 19-7-1969	The Seventh Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
106	<u>G.S.R. 1634</u> 19-7-1969	The Indian Police Service (Fixation of Cadre Strength) Third Amendment Regulations, 1969.
107	<u>G.S.R. 1635</u> 19-7-1969	The Sixth Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
108	<u>G.S.R. 1433</u> 21-6-1969	The Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 1969.
109	<u>S.O. 2854</u> 15-7-1969	The Export of Coir Yarn (Inspection) Amendment Rules, 1969.

1	2	3
110	G.S.R. 1374 (English version) G.S.R. 1375 (Hindi version)	The Textiles Committee (Amendment) Rules, 1969.
	<u>14-6-1969</u>	
111	G.S.R. 1638 (English version) G.S.R. 1639 (Hindi version)	The Arms (Third Amendment) Rules, 1969.
	<u>19-7-1969</u>	
112	G.S.R. 1743	The Indian Police Service (Recruitment) Amendment Rules, 1968.
	<u>26-7-1969</u>	
113	G.S.R. 1744	The Indian Administrative Service (Recruitment) Amendment Rules, 1968.
	<u>26-7-1969</u>	
114	G.S.R. 1748	The Eighth Amendment of 1969 to the Indian Administrative Service (Pay) Rules, 1954.
	<u>26-7-1969</u>	
115	G.S.R. 1804	The Indian Police Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1969.
	<u>2-8-1969</u>	
116	G.S.R. 1805	The Seventh Amendment of 1969 to the Indian Police Service (Pay) Rules, 1954.
	<u>2-8-1969</u>	
117	G.S.R. 1746	The All India Services (Study Leave) First Amendment Regulations, 1969.
	<u>26-7-1969</u>	

## ANNEXURE II

(See para 5 of the Minutes of the Sub-Committee of the Committee on Subordinate Legislation dated 16. 10. 1969)

S.No.	Number of 'Order' Date of publication in the Gazette	Title of 'order'
1	2	3
1	S.O. 4327 of 1968 7-12-1968	The Trade and Merchandise Marks (Judicial Proceedings, Madras) Rules, 1968.
2	G.S.R. 932 of 1969 12-4-1969	The Merchant Shipping (Fire Appli- ances) Rules, 1969.
3	G.S.R. 1275 28-5-1969	The Insurance (Amendment) Rules, 1969.
4	S.O. 2705 3-7-1969	The Gold Control (Identification Cust- omers) Rules, 1969.
5	S.O. 2706 3-7-1969	The Gold Control (Licensing of Dealers) Rules, 1969.
6	G.S.R. 1293 (English version) G.S.R. 1294 (Hindi version)	The Indian Telegraph (Tenth Amend- ment) Rules, 1969.]
	7-6-1969	

## V

### MINUTE OF THE FIFTH SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON SUBORDINATE LEGISLATION

---

The Sub-Committee met on Friday, the 23rd January, 1970 from 13.30 to 14.30 hours.

#### PRESENT

Shri Shri Chand Goyal—*Convener.*

#### MEMBERS

2. Shri Narendrasingh Mahida
3. Shri V. Viswanatha Menon

#### SECRETARIAT

Shri S. P. Gupta—*Section Officer.*

2. The Sub-Committee examined in detail the 'Orders' listed in Annexure I.

3. The Sub-Committee decided that the comments of the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Food) might be obtained in respect of the Cold Storage (Amendment) Order, 1969 (S.O. 1564 of 1969 dated 26.4.69) as to what were the circumstances under which the State of West Bengal was exempted from the application of the Cold Storage Order, 1964, vide rule 2 of the Cold Storage (Amendment) Order, 1969.

4. The Sub-Committee decided that the consideration of the 'Orders' mentioned in Annexure II might be held over for detailed study.

The Sub-Committee then adjourned to meet again at 13.00 hours on the 24th January, 1970.

## ANNEXURE I

*(See para 2 of minutes of the Sub-Committee of the Committee  
on Subordinate Legislation, dated 23-1-1970)*

Sl. No.	No. of 'Order' Date of publication in the Gazette.	Title of 'Order'
1	2	3
1	S. O. 3509 of 1968 4-10-1968	The Woollen Textiles (Production and Distribution) Amendment Order, 1968.
2	G. S. R. 1597 of 1968 29-8-1968.	The Food Corporations (Fourth Amendment) Rules, 1968.
3	G.S.R. 1664 of 1968 14-9-1968.	The Foreigners (Restrictions on Residence) Order, 1968.
4	G.S.R. 858 of 1968 29-3-1969.	The Foreigners (Restrictions on Residence) Amendment Order, 1969.
5	G.S.R. 1868 of 1968 19-10-1968	The Petroleum Natural Gas (Amendment) Rules, 1968.
6	S. O. 3087 of 1968 7-9-1968	The Personal Injuries (Compensation Insurance) Amendment Scheme, 1968
7	S. O. 3700 of 1968 19-10-1968	The Dock Workers Regulation of Employment) Second Amendment Rules, 1968.
8	S. O. 2967 of 1968 7-9-1968	The Collection of Statistics (Central) Amendment Rules, 1968.

1	2	3
9	<u>S. O. 3928 of 1968</u> 9-11-1968	The Dock Workers (Advisory Committee) Second Amendment Rules, 1968.
10	<u>G.S.R. 257 of 1969</u> 15-2-1969	The Indian Administrative Service (Recruitment) Amendment Rules, 1969.
11	<u>G.S.R. 258 of 1969</u> 15-2-1969	The Indian Police Service Recruitment) Amendment Rules, 1969.
12	<u>G.S.R. 65 of 1969</u> 11-1-1969.	The Central Silk Board (Second Amendment) Rules, 1968.
13	<u>G.S.R. 139 of 1969</u> 13-1-1969	The Inter-Zonal Wheat and Wheat Products (Movement Control) Amendment Order, 1969.
14	<u>G.S.R. 2029 (English version) G.S.R. 2030 (Hindi version) of 1968</u> 23-11-1968	The Citizenship (Amendment) Rules, 1968.
15	<u>G.S.R. 212 of 1969</u> 28-1-1969	The Passports (Amendment) Rules, 1969.
16	<u>S. O. 222</u> 18-1-1969	The Dock Workers (Advisory Committee) First Amendment Rules, 1969.
17	<u>G.S.R. 2187 of 1968</u> 21-12-1968	The Registration and Licensing of Industrial Undertakings (Amendment Rules, 1968.
18	<u>G.S.R. 888 of 1969</u> 28-3-1969	The Produce Cess Rules, 1969.
19	<u>G.S.R. 792 of 1969</u> 15-3-1969	The Petroleum and Natural Gas (Amendment) Rules, 1969.
20	<u>G.S.R. 997 of 1969</u> 16-4-1969	The Inter-Zonal Wheat and Wheat products (Movement Control) Order, 1969.

1	2	3
21	G.S.R. 1039 of 1969 24-4-1969	The Inter-Zonal Wheat and Wheat Products (Movement Control) Amendment Order, 1969.
22	S. O. 1564 of 1969 26-4-1969	The Cold Storage (Amendment) Order, 1969.
23	S. O. 1675 3-5-1969	The Dock Workers (Regulation of Employment) Amendment Rules, 1969.
24	G.S.R. 1123 (English version) G.S. R. 1124 (Hindi version). 12-5-1969	The Food Corporations (Amendment) Rules, 1969.
25	G. S. R. 1595 5-7-1969	The Indian Police Service (Uniform) Second Amendment Rules, 1969.

## ANNEXURE II

(See para 4 of Minutes of the Sub-Committee of the Committee on Subordinate Legislation dated 23-1-1970)

Sl. No.	No. of 'Order' Date of publication in the Gazette	Title of 'Order'
1.	G.S.R. 1632 of 1968 2-9-1968	The Seeds Rules, 1968.
2.	G.S.R. 1808 of 1968 28-9-1968	The Kerosene (Fixation of Ceiling Prices) Eighth Amendment Order, 1968.
3.	G.S.R. 759 of 1969 3-3-1969	The Kerosene (Fixation of Ceiling Prices) Amendment Order, 1969.



## VI

### MINUTES OF THE SIXTH SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON SUBORDINATE LEGISLATION

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The Sub-Committee met on Saturday, the 24th January, 1970 from 13.00 to 14.00 hours.

#### PRESENT

Shri Shri Chand Goyal—*Convener*

#### MEMBERS

2. Shri Narendrasingh Mahida
3. Shri Viswanatha Menon
4. Shri Nuggehalli Shivappa

#### SECRETARIAT

Shri S. P. Gupta—*Section Officer*.

2. The Sub-Committee examined in detail the 'Orders' listed in Annexure.

3. In respect of Seeds Rules, 1968 (GSR 1632 of 1968, dated 2nd September, 1968) the Sub-Committee noted that if some one sold or supplied seeds which did not conform to the minimum limits of germination and purity as specified in the prescribed rules, leading to the devastation of crops of a farmer, no remedy seemed to have been provided for dealing with the persons violating the rules. There was also no provision for dealing with the persons conniving with officers for securing false certificates regarding marking or labelling of seeds.

*The Sub-Committee then adjourned to meet again daily at 11.00 hours on the 6th and 7th February, 1970.*

## ANNEXURE

*(See para 2 of Minutes of the Sub-Committee of the Committee on Subordinate Legislation dated 24-1-1970)*

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Sl. No.	No. of 'Order' Date of publication in the Gazette	Title of 'Order'
1	G.S.R. 1632 of 1968 2-9-1968	The Seeds Rules, 1968.
2	G.S.R. 1808 of 1968 28-9-1968	The Kerosene (Fixation of Ceiling Prices) Eighth Amendment Order, 1968.
3	G.S.R. 759 of 1969 3-3-1969	The Kerosene (Fixation of Ceiling Prices) Amendment Order, 1969.

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## VII

### MINUTES OF THE SIXTH SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON SUBORDINATE LEGISLATION

---

The Sub-Committee met on Friday, the 6th February, 1970 from 14.00 to 15.30 hours.

#### PRESENT

Shri Shri Chand Goyal—*Convener*.

#### MEMBERS

2. Shri Narendrasingh Mahida
3. Shri V. Viswanatha Menon.

#### SECRETARIAT

Shri S. P. Gupta—*Section Officer*.

2. The Sub-Committee examined in detail the 'Orders' listed in Annexure.

*The Sub-Committee then adjourned to meet again at 11.00 hours on the 7th February, 1970.*

## ANNEXURE

(See para 2 of the Minutes of the Sub-Committee of the Committee on Subordinate Legislation dated 6-2-1970)

Sl. No.	No. of 'Order' Date of publication in the Gazette	Title of 'Order'
1	S. O. 3116 of 1968 1-9-1968	The Gold Control (Specifications of Standard Gold Bars and Conditions of Refining) Rules, 1968.
2	S. O. 3117 of 1968 1-9-1968	The Gold Control (Forms, Fees and Miscellaneous Matters) Rules, 1968.
3	Notification No. Sec.-205/B 3-68/69 of 1968 20-7-1968	Amendments to the Agricultural Refinance Corporation (Staff) Regulations, 1968.
4	S. O. 4542 of 1968 20-12-1968	The Conduct of Elections (Third Amendment) Rules, 1968.
5	G. S. R. 3 of 1968 4-1-1969	The All India Services (Conduct) Rules, 1968.

## VIII

### MINUTES OF THE EIGHTH SITTING OF THE SUB-COMMITTEE OF THE COMMITTEE ON SUBORDINATE LEGISLATION

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The Sub-Committee met on Saturday, the 7th February, 1970 from 11.00 to 12.00 hours.

#### PRESENT

Shri Shri Chand Goyal—*Convener*.

#### MEMBERS

2. Shri Narendrasingh Mahida
3. Shri V. Viswanatha Menon
4. Shri Srinibas Mishra

#### SECRETARIAT

Shri S. P. Gupta—*Section Officer*.

2. The Sub-Committee examined in detail the 'Orders' listed in Annexure.

*The Sub-Committee then adjourned.*

## ANNEXURE

(See para 2 of the Minutes of the Sub-Committee of the Committee on Subordinate Legislation dated 7-2-1970)

S. No.	No. of 'Order' Date of publication in the Gazette	Title of 'Order'
1.	G.S.R. 30 of 1969 4-1-1969	The Coffee Board, Servants (Conduct) Rules, 1968.
2.	S. O. 4327 of 1968 7-12-1968	The Trade and Merchandise Marks (Judicial) Proceedings, Madras) Rules, 1968.
3.	G. S. R. 932 of 1969 12-4-1969	The Merchant Shipping (Fire Appliances) Rules, 1969.
4.	G. S. R. 1275 28-5-1969	The Insurance (Amendment) Rules, 1969.
5.	S. O. 2705 3-7-1969	The Gold Control (Identification Customers) Rules, 1969.
6.	S. O. 2706 3-7-1969	The Gold Control (Licensing of Dealers) Rules, 1969.
7.	G.S.R. 1293 (English version) G.S.R. 1294 (Hindi version) 7-6-1969	The Indian Telegraph (Tenth Amendment) Rules, 1969.

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PUBLISHED UNDER RULE 382 OF THE RULES OF PROCEDURE AND CONDUCT OF  
BUSINESS IN LOK SABHA (FIFTH EDITION) AND PRINTED BY THE GENERAL  
MANAGER, GOVERNMENT OF INDIA PRESS, MITTO ROAD, NEW DELHI.

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