

28-3-16

✓ ALC(A) (C/L) प्रेषक
DDA

सेवा में

ALC/CE

28/3
E4

अतिरिक्त मुख्य सचिव, हरियाणा सरकार,
न्याय प्रशासन विभाग ।

हरियाणा राज्य के सभी विभागाध्यक्ष ।



यादि क्रमांक 29/13/2015-4 जे.जे.-I
दिनांक चण्डीगढ़ 25-3-2016

विषय:-

Guidelines on state Legislations -regarding.

उपरोक्त विषय के सन्दर्भ में ।

2. भारत सरकार, गृह मन्त्रालय के प्राप्त पत्र क्रमांक 23/18/2015-Judl & PP (Part III) दिनांक 04.02.2016 की प्रति आपको उचित आगामी आवश्यक कार्यवाही हेतु भेजी जाती है।

28/3/16
अधीक्षक, जेल एवं न्यायिक-1
कृते: अतिरिक्त मुख्य सचिव, हरियाणा सरकार,
न्याय प्रशासन विभाग ।

OFFICE OF THE LABOUR COMMISSIONER, HARYANA, CHANDIGARH

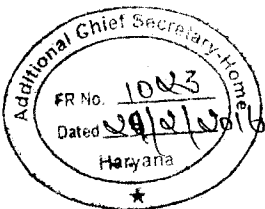
Endst. No./ Estt./04/2016/ 16354-46

Dated: 28/3/16

A copy is forwarded to the following for information and necessary action:-

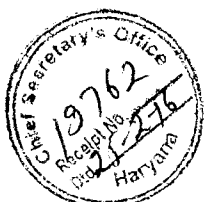
- 1 Presiding Officer Industrial Tribunal-cum-Labour Court, Ambala, Panipat, Rohtak, Faridabad-I/II/III, Gurgaon-I/II and Hisar.
- 2 Addl. Labour Commissioner (NCR), Gurgaon
- 3 All Dy. Labour Commissioner.
- 4 All Dy. Director, IH.
- 5 Dy. Director (IS&H) Ambala, Panipat, Faridabad, Gurgaon-I, and Hisar
- 6 All Assistant Labour Commissioner, Haryana State, Labour Department.
- 7 All Assistant Director, Industrial Safety and Health.
- 8 All Assistant Director, Industrial Safety and Health (C), Haryana State.
- 9 All Assistant Director, Industrial Health & Certifying Surgeon, Haryana State.
- 10 All Officer at HQ.
- 11 IT, Cell for uploading on site.

Assistant Labour Commissioner (Estt.)
for Labour Commissioner, Haryana.



Urgent
State Bill

File No. 23/18/2015-Judl & PP (Part III)
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya
(Judicial & PP Section)



NDCC-II Building, 4th Floor
Jai Singh Road, New Delhi - 110001
The February 29th 2016

Jails & Judicial-I

Diary No. 1125

Dated 29-02-2016

OFFICE MEMORANDUM

Subject: Guidelines on State Legislations – regarding.

The undersigned is directed to say that the Ministry of Home Affairs is the nodal Ministry for processing and conveying a final decision with respect to State Legislations under Article 201 read with Article 254(2) of the Constitution; State Legislations requiring previous sanction of the President under Article 304(b) of the Constitution and Ordinances for the instructions of the President under Article 213(1) etc.

2. On receipt of such a reference, this Ministry examines and seeks the views of the concerned Central Departments/Ministries. Once the views of the Central Departments/Ministries concerned are obtained, these are again examined and in case of any objections, the same are shared with the State Government concerned seeking their views/clarifications so that the Central Departments/Ministries concerned can be apprised of the clarifications of the State Government. This is an integral part of the present processing system. However, it has been observed that State Governments do not send requisite clarifications/views on the comments made by the Central Departments/Ministries and thus, a decision in the matter gets unduly delayed.

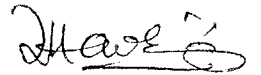
3. Recently, the matter has been reviewed and a timeline of maximum three months has been fixed for disposing State Bills/cases of previous instructions/ Ordinances from the date of their receipt from the State Government. A maximum period of one month has been kept for Inter-Ministerial consultation and next one month has been kept for obtaining the comments/clarifications of the State Government on the views as conveyed by the Central Departments/Ministries. Since a time bound disposal of State Legislations etc. is in the interest of the State Governments, it is requested that appropriate instructions may be issued to all concerned to adhere to the timeline of one month for responding to the comments/views of the Central Departments/ Ministries as conveyed by the MHA. If the requisite clarifications/views are not received from the State Government within the stipulated one month's time, it will be construed that the State Government agrees with the observation and has no comments to offer.

4. It has also been observed that many a time the Bill etc. contains drafting errors and State Governments, despite repeated persuasion, do not withdraw such Bills. Since a Bill containing errors cannot be presented to the President, State Governments are requested to kindly verify and check that a Bill is free from any drafting/typographical error. It is also observed that many a time the State Governments agree to make amendments as per the suggestions of Central Ministries/Departments, but still keeps on insisting for assent of the Bill in its original form. It is, therefore requested that once the State Government tends to agree with the objections/ views of the Central Departments/ Ministries, the State Government may consider sending a consolidated proposal alongwith suggested amendments/modifications instead of insisting for assent of the Bill in their original form.

o/c

4. It is requested that all concerned may be instructed to follow the aforesaid guidelines scrupulously. All the existing cases pending with the State Government may kindly be reviewed in the light of these guidelines in a time-bound manner.

5. The receipt of this letter may kindly be acknowledged.



(Thangkholun Haokip)
Under Secretary to the Govt. of India
Tel / Fax: 011-23438095

To,

The Chief Secretaries, States/UTs (as per list).

Issued
24/02/16