

GOVERNMENT MEDICAL COLLEGE & HOSPITAL, CHANDIGARH
(Hospital Building), Sector 32-B, Chandigarh-160036 (Ph: 0172-2665253-59, Fax: 0172-2608466)
(ESTABLISHMENT BRANCH-IV)

21 DEC 2017

Endst. No.: GMCH/EIV/EA3/2017/ 52341-45

Dated, Chandigarh the,

A copy of letter No. 3286/F-II(GMSH)/2017/14302 dated 08.12.17 received from the Superintendent, O/o the Secretary Health, Chandigarh Administration alongwith a copy of letters No. 108-IH(8)-2017/27665 dated 28.11.2017, No. 15039/108/2016-UT(Coord), dated 12.09.2017, No. H-11018/01/2017-Parl. (Part file), dated 04.09.2017 and D.O.No. 216/2/2/2016-CA.IV dated 28.08.2017 and D.O. letter No. 11(35)/2013-L.I dated 05.02.2014, from different authorities, Govt, New Delhi, which is self explanatory, is forwarded to the followings for information & necessary action in the matter at their own level:-

1. The Deputy Controller (F &A), GMCH, Chandigarh.
2. Registrar (Academic), GMCH, Chandigarh.
3. The Librarian, Central Library, GMCH, Chandigarh.
4. All O.S (Estt. I, II, III, HA-I, II, PB-I, II, Estate Branch & MRD), GMCH, Chandigarh.
5. The System Analyst, IT Centre, GMCH with a request to e-circulate/email the same to all the HODs/Branch Incharges of GMCH Chandigarh

Encls: As above.

for Superintendent (Estt-IV)
Additional Director (Admn.)

Km
B
Lm



CHANDIGARH ADMINISTRATION
HEALTH DEPARTMENT

026348

3227/13/12/17
11 Dec. 13/12
SEA-3

No.3286/F-II(GMSH)/2017/ 14309

Dated, Chandigarh the 8-12-17

To

- 1/ The Director Principal,
Govt. Medical College and Hospital,
Sector-32, Chandigarh.
2. The Director Health & Family Welfare,
U.T. Chandigarh

Subject:- Compulsory pre-legislative stakeholder consultation.

Enclosed please find herewith a copy of letter No.108-IH(8)/2017/27665 dated 28-11-2017 received from the Home Secretary, Chandigarh Administration alongwith a copy of letter No.15039/108/2016-UT(Coord) dated 12.09.2017 of the Under Secretary, Ministry of Home Affairs, GOI, New Delhi and its enclosures on the subject cited above.

You are requested to take further necessary action in the matter.

DA: As above

For
Superintendent Health
Secretary Health,
Chandigarh Administration.

12068.
1-12-17
No.108-IH(8)/2017-27665
CHANDIGARH ADMINISTRATION
HOME DEPARTMENT

Dated, Chandigarh the: 28.11.17

To

(bony)

All the Administrative Secretaries,
Head of Departments,
Chandigarh Administration.

Health Branch

Diary No. 3286

Dated 04/12/17

Secy Health
AS Health (bony)
Subject: Compulsory pre-legislative stakeholder consultation -
reg.

(STH) Sir,

Enclosed please find herewith a copy of letter
F.No.15039/108/2016-UT(Coord.) dated 12.09.2017, alongwith a copy
of its enclosures, received from the Under Secretary, Govt. of India,
Ministry of Home Affairs, New Delhi, which is self-explanatory for
information and taking necessary action in the matter at your own
level.

Superintendent Judicial,
for Home Secretary,
Chandigarh Administration.

F.P.P.

PUC is self explanatory. If approved, may forward a copy of PUC along with its enclosures. to the DP/Comch-32 & DNXFW Sec 16, CMO for taking n/action in the matter, as per draft added for approval & sign's pl.

8/6/12/17

~~Supdt (Health)~~

6/12/17

8/11/17

1525
6/12/17
devel
Supdt/C

F.No.15039/108/2016-L.I.(Coord.)
 Government of India/Bharat Sarkar
 Ministry of Home Affairs/Grih Mantralaya

PA/HS/ 3267

Dated 21.9.17

To

Adviser to the Administrator

No. 3267

Dated 19/09/17

PS/AA

North Block, New Delhi
 Dated the 12-September, 2017

1. The Chief Secretary, Govt. of NCT of Delhi, Delhi Sachivalaya, I.P. Estate, New Delhi-110002.
- 108 2. The Adviser to the Administrator, UT of Dadra & Nagar Haveli, Secretariat, Silvassa. 25-9-17
3. The Secretary Finance, UT of Lakshadweep, Kavaratti.
4. The Chief Secretary, UT of Andaman and Nicobar Islands, Port Blair.
5. The Adviser to the Administrator, UT Chandigarh, Chandigarh.
6. The Adviser to the Administrator, UT of Daman & Diu Secretariat, Daman, Moti Daman.
7. The Chief Secretary, Government of Puducherry, Puducherry.

Subject: Compulsory pre-legislative stakeholder consultation - regarding.

Sir,

I am directed to forward herewith a copy of DO No. 216/2/2016-CA. IV dated 28/08/2017 of Cabinet Secretary along-with DO letter No. 11(35)/2013-L.I dated 05/02/2014 of Secretary, Ministry of Law & Justice, Legislative Department received through Parliament Section of this Ministry on the subject mentioned above and to say that appropriate instructions may kindly be issued to all offices under your administration control to ensure compliance in the matter.

2. It is, therefore, requested to initiate necessary action as per the direction of Secretary, M/o Law and Cabinet Secretary (copies enclosed).

Yours faithfully,

Encl : As above

(Sanjay Kumar)

Under Secretary to the Government of India

Ph.: 23093575

Misc.

1/4

2/9/17

2/11/17

(H.O.)

11/11/17

SH-1

11/11/17

13/11/17

17/11/17

23-10-17

No. H-11018/01/2017-Parl. (Part file)
Ministry of Home Affairs
Parliament Section
.....

New Delhi, dated 4th September, 2017

OFFICE MEMORANDUM

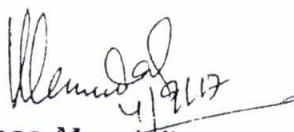
Sub : Compulsory pre-legislative stakeholder consultation.

04 SEP 2017

The undersigned is to forward herewith a copy of the Cabinet Secretary's D.O. letter No. 216/2/2/2016 - CA.IV dated 28.08.2017 addressed to the Secretaries of different Ministries / Organisations, alongwith enclosures on the above mentioned subject (copy enclosed) and to say that appropriate instructions may kindly be issued to all subordinate agencies under Ministry of Home Affairs to ensure compliance in the matter.

2. All the Divisional Heads are requested to initiate necessary action as per the directions of Secretary, Ministry of Law and Cabinet Secretary (copies enclosed).

Encl : As above.


(Manas Mondal)
Under Secretary (Parl.)
Ph : 23094422
Fax : 23093655

To

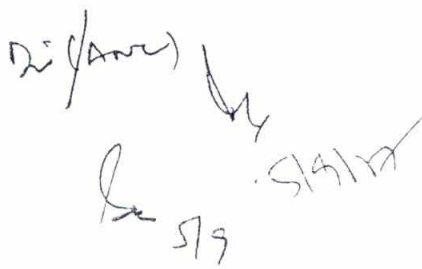
All the Divisional Heads in the Ministry of Home Affairs including RGI & Department of Official Language.

Copy for information to :

1. PSO/Sr PPS/ PPS to HS / SS(IS).
2. PSO / Sr. PPS / PPS to AS(LWE) / AS(P)/ AS(DM) / Sr EA / AS(UT) / AS(PM).

Copy to :

SO(IT), MHA with a request to upload the O.M. in Parliament folder in the e-office web portal for permanent record.


SO(Coord)
Rajesh

दीप कुमार सिन्हा
RADEEP K. SINHA



24/8
मंत्रिपरिषद्
भारत सरकार
CABINET SECRETARY
GOVERNMENT OF INDIA

D.O. No.216/2/2016-CA.IV

28.08.2017

Dear Secretary,

Subject: Compulsory pre-legislative stakeholder consultation.

A policy on pre-legislative consultation, has been formulated and communicated to all Secretaries of Government of India vide D.O. dated 5th February, 2014 of the Law Secretary. As part of the Policy, it was decided that every Department/Ministry shall publish the draft legislations in public domain, in print or electronic media, along with details such as its justification, important features, estimated assessment of the impact, broad financial and legal implications etc. This exercise would be applicable to all new principal and subordinate legislations. A copy of the policy is enclosed for your ready reference.

2. However, it has been observed that this policy on pre-legislative consultation is neither being followed in all cases nor implemented in its entirety by all Ministries/Departments. As it is a binding commitment now under Article 2 of the WTO Trade Facilitation Agreement (TFA), all Union Ministries, Departments and other government agencies need to ensure that the legislative changes, including subordinate legislation, related to the movement, release, and clearance of goods for importation and exportation are duly published or made publicly available in advance of their coming into force. Further, they should also grant a suitable time and opportunity to public, traders, importers, exporters etc. to comment on the proposed legislations or amendments.

3. I would be grateful if appropriate instructions are issued to all subordinate agencies under your Ministry/Department to ensure compliance in the matter.

Yours sincerely,

(P.K. Sinha)

JS(c) 8
31.8.17

JS(c) 119
US/JS(c)

Cabinet Secretariat, Rashtrapati Bhavan, New Delhi-110004
Tel: 23016606 23011241 Fax: 011-23018638 E-mail: cabinetsec@nic.in

श्री प्रकाश मल्होत्रा
सचिव
S. Malhotra
Secretary



GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
LEGISLATIVE DEPARTMENT

Dated the 5th February, 2014

D.O. No. 11 (35)/ 2013-LJ

Dear Shri

In the modern context, pre-legislative consultative policy as a process supports many of the legitimate and growing expectations for transparent and better informed Government. The process tends to resolve contentious and complex policies and the areas where Government is seeking a policy to build consensus.

2. The effectiveness and importance of pre-legislative scrutiny was under consideration of the Government for quite some time. Briefly, the pre-legislative scrutiny takes place before the final drafting of a Bill has been decided and it is introduced in Parliament. As per past practice, only a limited number of Bills were published in draft form and scrutinised this way.

3. While following this process, the Government sets out clearly the policy problem that is to be addressed through the provision of supportive evidence and analysis, the options that it has considered and the reasons for the choices the Government have made in bringing forward a legislation. The process also involves the study of social and financial costs, benefits and the key challenges that required to be settled before undertaking the legislation. Looking into all these aspects facilitate formation of perfect policy objectives which a Bill intends to achieve and improve the efficacy of any Act in its implementation.

4. Taking into consideration the recommendations of the National Advisory Council, the National Commission to Review the Working of the Constitution and the practice followed in other countries, the Committee of Secretaries has formulated a policy on pre-legislative consultation which should invariably be followed by every Ministry/ Department of the Central Government before any legislative proposal is submitted to the Cabinet for its consideration and approval. This policy should also guide and govern the handling of subordinate legislations. The details of such legislative process are given in the Appendix to facilitate systematic compliance and adherence with the policy so laid down. It is requested that the policy document be given wide publicity in your Ministry/Department for strict adherence.

With regards,

Yours sincerely,

(P.K. Malhotra)

To : All Secretaries to the Government of India.

Copy to Cabinet Secretary, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.

P.K. Malhotra

To

- ✓ Secretary, Ministry of Home Affairs
- Secretary, Ministry of Shipping
- Secretary, Ministry of Civil Aviation
- Secretary, Ministry of Road Transport and Highways
- Secretary, Ministry of Environment, Forest & Climate Change
- Secretary, Ministry of Health & Family Welfare
- Secretary, Ministry of Textiles
- Secretary, Ministry of Steel
- Secretary, Ministry of Coal
- Secretary, Ministry of Mines
- Secretary, Ministry of Chemicals and Fertilizers
- Secretary, Ministry of External Affairs
- Secretary, Ministry of Electronics and Information Technology
- Secretary, Department of Commerce
- Secretary, Department of Industrial Policy and Promotion
- Secretary, Department of Agriculture, Co-operation & Farmers Welfare
- Secretary, Department of Consumer Affairs
- Secretary, Department of Animal Husbandry, Dairying and Fisheries
- Secretary, Department of Telecommunications
- Director General of Foreign Trade

Decisions taken in the meeting of the Committee of Secretaries (CoS)
held on 18th January, 2014 under the Chairmanship of Cabinet
Secretary on the Pre-legislative Consultation Policy (PLCP)
(including principal and subordinate legislation).

1. Every Department/Ministry shall proactively publish the proposed legislations both on the internet as also through other means; the detailed modalities of such publication may be worked out by the Department/Ministry concerned.
2. The Department/Ministry concerned should publish/place in public domain the draft legislation or at least the information that may *inter alia* include brief justification for such legislation, essential elements of the proposed legislation, its broad financial implications, and an estimated assessment of the impact of such legislation on environment, fundamental rights, lives and livelihoods of the concerned/affected people, etc. Such details may be kept in the public domain for a minimum period of thirty days for being proactively shared with the public in such manner as may be specified by the Department/Ministry concerned.
3. Where such legislation affect specific group of people, it may be documented and disclosed through print or electronic media or in such other manner, as may be considered necessary to give wider publicity to reach the affected people.
4. As a matter of practice, a provision regarding the previous publication of rules should be made in all new principal legislations.
5. Every draft legislation or rules, placed in public domain through pre-legislative process should be accompanied by an explanatory note explaining key legal provisions in a simple language.
6. The summary of feedback/comments received from the public/other stakeholders should also be placed on the website of the Department/Ministry concerned.
7. The Department/Ministry concerned might, in addition to placing the proposal in public domain, also hold consultations with all stakeholders. However, the degree of participation and mode of consultations may be decided by the Department/Ministry concerned and may vary according to the nature of the subject and the potential impact on those who will be affected by such legislation.

8. The Bill should be referred to the Ministry of Law and Justice after the pre-legislative consultation is over. As inter-departmental consultations are over, The Ministry of Law and Justice shall also, at the time of examination of the draft legislation or rules, ensure that the concerned Department/Ministry has complied with the process of pre-legislative consultation.
9. The Department/Ministry concerned should include a brief summary of the feedback received from stakeholders (including Government Departments and the public) along with its response in the note for the Cabinet along with the draft legislation.
10. The summary of pre-legislative process should also be placed before the Department Related Parliamentary Standing Committee by the Department/Ministry concerned when the proposed legislation is brought to the Parliament and is referred to the Standing Committee.
11. If the Department/Ministry concerned is of the view that it is not feasible or desirable to hold pre-legislative consultation as detailed above, it may record the reasons in the note for the Cabinet.
12. The Manual for Parliamentary Procedures in the Government of India, and the instructions issued by the Cabinet Secretariat on writing Cabinet Notes may, to the extent required, be suitably modified.