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No. EDN-A-Kha (15)-9/2015
Government of Himachal Pradesh
Department of Higher Education

From

The Addl. Chief Secretary (Education) to the,
Government of Himachal Pradesh Shimla-2.

To

Director of Higher Education,
Himachal Pradesh Shimla-171001.

Dated, Shimla-2

the

11th March, 2016.

Subject: Guidelines on State Legislations: regarding.

Sir,

I am directed to enclose herewith a photocopy of letter No. LLR-D(6)37/2011-Leg. dated:02.03.2016, received from DLR-cum-Deputy Secretary (Law) to the Govt. of HP Shimla-2 (along-with its enclosures) addressed to all administrative Secretaries to the Govt. of HP, on the subject cited above and to request you to take further necessary action in the matter accordingly.

Yours faithfully

(Pushpa Chaudhary)

Deputy Secretary (Hr. Edu.) to the,
Government of Himachal Pradesh.

Endst No. As above. Dated: Shimla the March, 2016.

Copy to:

1. The DLR-cum-Deputy Secretary (Law) to the Govt. of HP Shimla-2 for w.r.t. his letter referred to above.
2. Guard file.

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Deputy Secretary (Hr. Edu.) to the,
Government of Himachal Pradesh.

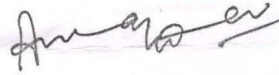
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Directorate of Hr. Education
Himachal Pradesh



Endst. No. EDN-H(1)B(15)1/2009- Imp. Instt. Dated Shimla-171001 the 13/4/2016
Copy for information and further necessary action is forwarded to :-

1. The Addl. Chief Secretary (Education) to the Govt. of HP Shimla-2 for w.r.t. his letter referred to above.
2. The Additional Director of Hr. Education (Adm.), H.P.
3. The Additional Director of Hr. Education (C), H.P.
4. The Additional Director of Hr. Education (S), H.P.
5. The Joint Director of Hr. Education, C-I / C-II, H.P.
6. The Joint Controller (F&A), Dte. of Hr. Education, H.P.
7. The OSD(C) / OSD(Skt.) Directorate of Hr. Education, H.P.
8. DDO Directorate of Hr. Education, H.P.
9. The PS to the Director of Higher Education, H.P.
10. All the Deputy Directors of Hr. Education, H.P.
11. The Chief Librarian, Center State Library Solan.
12. The Group Commander, GP HQ, Shimla -4.
13. All the District libraries in the H.P.
14. All the NCC units in the Pradesh.
- ✓ 15. *The Incharge Computer Cell, Dte. of Hr. Education, H.P with the remarks to upload the said orders on the deptt. Website.*
16. All the Branch officers & Superintendents in the Directorate of Hr. Education, H.P.
17. Guard File.


Addl. Director Hr. Education (Colleges)
Himachal Pradesh



11/3/16

106

Urgent
Legislative Matter

No. LLR-D(6)37/2011-Leg.
Government of Himachal Pradesh
Department of Law
.....

From:

The LR-cum-Pr. Secretary (Law) to the
Government of Himachal Pradesh.

To

All the Administrative Secretaries to the
Government of Himachal Pradesh.

Dated: Shimla-171002, the 2nd March, 2016.

Subject :-
Sir,

Guidelines on State Legislations regarding.

I am directed to enclose herewith a copy of letter
No.23/18/2015-Judl & PP(Part III) dated 19-2-2016, received from the
Under Secretary to the Government of India, Ministry of Home
Affairs(Judicial & PP Section) NDCC-II Building, 4th Floor, Jai Singh
Road, New Delhi, on the subject cited above. In this context, it is
requested that all concerned may kindly be instructed to follow these
guidelines scrupulously while processing legislative proposals
requiring presidential assent under article 201 read with article
254(2) or previous sanction of the President under article 304(b) and
Ordinances for the instructions of the President under article 213(1)
of the Constitution of India.

8/3

~~V.S. Choudhary~~

DS (H/E)

10/3

30/12/15

The receipt of this letter may kindly be
acknowledged.

Yours faithfully,

~~Handwritten signature~~

h.y.s.

Encl. as above.

DLR-cum-Dy. Secretary (Law) to the
Government of Himachal Pradesh.

IT cell

O to the Chief Secretary
Dy. No. 53507255
Dated. 11/10
Himachal Pradesh

1107

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)

W.L.R. -
By Secy (Law)
2. Secy (GAD)

19.2.16
NDCC-II Building, 4th Floor
Jai Singh Road, New Delhi - 110001
The February 19th 2016

OFFICE MEMORANDUM

Subject: Guidelines on State Legislations – regarding.

19/2
D.P. Singh
immediate

23/2

D.P. Singh

23/2

D.P. Singh
Kumar

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.

Thangkhulun Haokip

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

To,

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

rsued
10/02/16

W. J. R.