

No. 9/2015-Parl
Government of India
Ministry of Corporate Affairs

Shastri Bhawan, 5th Floor, 'A' Wing,
Dr.R.P.Road, New Delhi 110001
Dated: 10.02.2015.

OFFICE MEMORANDUM

Subject:- Laying of papers on the Table of Lok Sabha/Rajya Sabha and Statement by Minister— Guidelines regarding.

The following communications have been received from the Lok Sabha and Rajya Sabha Secretariats:-

S.No.	No.& date	Subject
1.	519/2/2014-2015/CII/CPL; 15.01.2015	Laying of Annual Report/Audited Accounts Reports/Review Statement and other documents with respect to Public Private Partnership(PPP), Production Sharing Contracts (PSCs) as also in Joint Ventures (JV) mode, on the Table of the House.
2.	RS.4/2015-T; 02.02.2015	Laying of papers on the Table of Rajya Sabha – Guidelines regarding
3.	RS.5/2015-T; 05.02.2015	Statement by Minister in the Rajya Sabha – supply of copies in English and Hindi

2. A copy each of the said O.Ms is being posted on MCA web-site for information and guidance of all concerned. **Kind attention is specifically invited to Para 5 of O.M. dated 15.01.2015 for compliance.**

3. All Officers/Sections in the Ministry of Corporate Affairs are requested to refer the same for guidance and compliance.


(J.S. AUDHKHASI)

Deputy Secretary to the Government of India
Tel. No.2338 1615

To

1. All Officers/Sections in the Ministry of Corporate Affairs.

Copy for information to:-

1. PSO/PS to Secretary
2. PPS to SS
3. PPS to JS(SP)/PS to JS(M)/PS to JS(B)/PS to JS(AM)
4. PS to Advisor(Cost)/PS to EA/PS to DII(NS)/PS to DII(SBG)
5. e-Governance Cell, along with copies of above said O.Ms. of Lok Sabha and Rajya Sabha Secretariat for up-loading on MCA website under category 'Parliament Matters'.

LOK SABHA SECRETARIAT
COMMITTEE BRANCH - II
(Committee on Papers Laid on the Table)Telegrams : LOKSABHA, NEW DELHI
FAX : 23010756PARLIAMENT HOUSE ANNEXE
NEW DELHI-110001

No. 19/2/2014-2015/CII/CPL

15 January, 2015
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K A m ton 20/1/15
OFFICE MEMORANDUM

Subject : Laying of Annual Report/Audited Accounts Reports and other documents with respect to Public Private Partnership (PPP), Production Sharing Contracts (PSCs) as also in Joint Ventures (JV) mode, on the Table of the House.

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The undersigned is directed to state Rule 305B of the Rules of Procedure and Conduct of Business in Lok Sabha, mandates the Parliamentary Committee on Papers Laid on the Table, *inter-alia*, to examine all papers laid on the Table of the House by Ministers and Report to the House on (i) whether there has been compliance with the provisions of the Constitution, Act, Rule or Regulation under which the Papers have been laid; (ii) whether there has been any unreasonable delay in laying of the Papers; (iii) if there has been such delay, whether a Statement explaining the reasons for delay has been laid on the Table of the House and whether those reasons are satisfactory.

2. In this context, it is the most pertinent to mention that Central Ministries/Departments to Govt. of India are required to lay copies of Annual Report in English and Hindi versions simultaneously. Besides, the following class of institutions/Organizations/ Companies are required to lay their Annual Report and Audit & Accounts Report on the Table of the House:-

- (i) Various Authorities/Organizations constituted under the constitution;
- (ii) Public Undertakings whether created under an Act of Parliament or Companies Act or any other Specific Act;
- (iii) Statutory/Autonomous bodies, Corporations, Joint Ventures, Societies which are financed out of funds drawn from the Consolidated Fund of India after being voted by Parliament in the form of shares, subsidies, Grant-in-aid, etc. either wholly or partially.
- (iv) Societies/Organizations receiving one time assistance of Rs. 50 lakh or more;
- (v) Private Voluntary Organizations receiving recurring grants-in-aid to the tune of Rs. 25 lakh and above.

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3. Further, a Ministry/Department of Government of India is also required to reflect in their Annual Report which is laid on the Table of the House, a Statement indicating the quantum of funds provided to each Organization and purpose of their utilization, for the following :- N/A fl.

- (i) Society receiving one time assistance of 10 lakh and below 50 lakhs;
- (ii) Private/Voluntary organizations receiving recurring Grant-in-aid to the tune of Rs. 10 to 25 lakhs.

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LOK SABHA SECRETARIAT

Telegrams : LOKSABHA, NEW DELHI
FAX : 23010756

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4. The Annual Report and Audited Reports are required to be laid on the Table of the House within a period of nine months - after closure of the Accounting Year, failing which reasons for delay are also required to be furnished.

5. The Ministry/Department is also required to lay Review Statement on the working of Statutory/Autonomous bodies/Organisations and Companies incorporated under the Companies Act 1956, an Act of Parliament and any other Specific Act. The Review Statement needs to give salient points of achievements, total expenditure incurred by Govt. Bodies, how far the autonomous bodies/companies have achieved the objects for which it was set up and what are the salient features of its future programme. Where the Audit Report mention any serious irregularities or any matter of importance which need corrective action or further enquiry, it is expected of the Govt. to make a mention thereof in the Review about the action being taken in that direction. In the event, where the information on all the matters is already available in the Report and the Government has nothing to add thereto, the Government should lay on the Table along with Report, a Statement indicating that they are in agreement with the Report and hence no Review is being laid.

6. It may also be stated that with the passage of time, many new entities have come into being. There are now projects/schemes, including Public Private Partnership (PPP), Production Sharing Contracts (PSCs), Joint Ventures, Subsidiary Companies, etc. wherein financial and other stakes of Administrative Ministry/PSUs/Subordinate/Statutory/Autonomous Bodies, etc. are involved. Invariably, information/data on such legal entities is not reflected in the documents placed on the Table of the House and thereby such entities may escape the scrutiny of Parliament and its Committees. The Committee, therefore, desire to know the extant provisions/manner - in respect of such entities, with respect to placing the abovesaid vital financial and other information on the Table of the House for the perusal of Hon'ble Members of the Parliament.

7. It is to further state that Audit Reports of any Organisation including Public Sector Units need to reflect true and fair financial health of an entity. However, it is gathered that there had been instances in the past, where Registrar of Companies (RoC), Reserve Bank of India (RBI), Enforcement Directorate (ED), Securities and Exchange Board of India (SEBI) and other financial regulators have issued Show-Cause Notices to some of the Companies and other legal entities for violation of the Companies and other Statutory Acts in respect of their Audited Accounts. The Institutions, Companies & other legal entities in question, may have been served such notices after their Reports were laid on the Table of the House. In such a scenario, true and fair financial health of an organisation was not reported to Parliament and the violations skipped the scrutiny by the Committee.

8. The Ministry of Corporate Affairs are, therefore, requested to apprise the Committee of the procedure followed by the Administrative Ministry, Bodies, subordinate to PSUs and other entities with respect to para 1-5 above. The Ministry of Corporate Affairs are also requested to inform the extant provisions/manner-in respect of PPP, PSCs JVs, Subsidiary Companies, etc, with respect to placing the above-said vital financial information on the Table of the House and also report the cases of violation of the Companies and other Statutory Acts - in respect of their Audited Accounts for the kind perusal of the Committee latest by 27 January, 2015.

LOK SABHA SECRETARIAT

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Telegrams : LOKSABHA, NEW DELHI
FAX : 23010756

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9. The Receipt of this communication may please be acknowledged.



(R.S.KAMBO)

JOINT SECRETARY

rskambo@sansad.nic.in

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To

The Ministry of Corporate Affairs
(Shri Naved Masood, Secretary)
Shastri Bhawan,
New Delhi-110001.

S.No. 1 (P)

PARLIAMENT OF INDIA
RAJYA SABHA SECRETARIAT

Fax: (91 11) 23093238 PH
E-mail : rstable@sansad.nic.in
Telephone: 23035445 /4697/4581

PARLIAMENT HOUSE
New Delhi-110001

No.RS.4/2015-T

February 2, 2015

OFFICE MEMORANDUM

Subject: Laying of papers on the Table of Rajya Sabha - Guidelines regarding.

The undersigned is directed to state that it has been observed that Ministries quite often do not adhere to the prescribed time limit of 'three clear working days' for forwarding the papers to this Secretariat for laying on the Table of the Rajya Sabha during Session, resulting in avoidable delay in preparation of daily List of Business and, consequently, late circulation of copies thereof to Members and the Ministries. It has also been observed that Ministries/Departments do not adhere to the other stipulations laid down in the O.M. like supply of requisite no. of copies of Annual Reports and supporting documents; proforma indicating correct laying provision; improper authentication, etc. Therefore, to ensure smooth laying of papers, the following procedure need to be adhered to:—

- (i) The relevant papers should reach Table Office/Committee Section (Subordinate Legislation), as the case may be along with the prescribed proforma (copy enclosed) *at least three clear working days before the day on which laying thereof is sought by the Ministry/Department concerned.* For example, for items required to be laid on Monday, the 23rd of February, 2015, papers should be delivered in the Secretariat latest by 5:00 p.m. on Tuesday, the 17th of February, 2015. *Thus, the last date for receiving papers for laying for the 234th Session will be Friday, the 1st of May, 2015.*
- (ii) Where the number of Reports/Papers/Notifications, etc. pertaining to any Ministry to be laid on the Table during a Session is large, the Ministry may plan out its schedule in advance by staggering paper laying evenly over the whole Session instead of waiting for the last few days of the Session.

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- (iii) *The laying provision is very important as it authorises Members of Parliament to move a motion for modification/annulment of the Notifications, etc. Ministries should, therefore, indicate the correct laying provision in the prescribed proforma. In case, the proforma is not correctly filled, the Reports/Papers/Notifications, etc. will not be processed and will be returned to the concerned Ministry.*
- (iv) If, for any particular day, any Ministry has items for laying under different Acts of Parliament or under different laying provisions of the same Act, the items under each laying provision or Act of Parliament (as the case may be) along with the Reports/Papers/Notifications, etc. should be sent **under a separate covering note.** In the case of Notifications, if the number of items, under any particular laying provision or Act, is large, say more than five, the Ministry should, besides the usual proforma, also send a statement giving details in both English and Hindi in the following format:

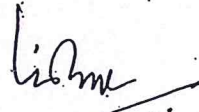
S.NO.	GSR NO.	DATE	NOTIFICATION NO.	BRIEF SUBJECT
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- (v) The Reports/Papers/Notifications should be properly authenticated by the Minister concerned and the **authentication should be done on the Report/Paper/Notification itself and not on loose slips or on glossy cover page where it is likely to get detached/erased.**
- (vi) Whenever there is a delay in laying of any Report/Paper/Notification, etc. on the Table of the House, it should be accompanied by a statement (in English and Hindi), duly authenticated by the Minister concerned, giving reasons for the delay in laying that paper.
- (vii) Where Hindi version of the Report/Paper/Notification is not being simultaneously laid, a Statement (in English and Hindi) giving reasons duly authenticated by the Minister may be provided.
- (viii) **Twelve (12) copies each of the English and Hindi versions of the Reports/Papers complete in all respects, along with equal no. of copies of Delay Statement, Review statement etc. including one copy each thereof duly authenticated by the Minister concerned along with a forwarding letter/O.M. and the prescribed proforma duly filled in has to be forwarded to Table Office for laying.**

2. All Ministries are accordingly requested to adhere to the above instructions strictly and forward Annual Reports/Papers to Table Office, Room No.33, Parliament House and all Gazette Notifications regarding Rules/Regulations to Committee Section (Subordinate Legislation), Room No. 529, Parliament House Annexe, for laying. One complete set may be endorsed to Committee Section (Papers Laid on the Table), Room No.533, Parliament House Annexe, New Delhi for their information and record.

3. The Ministries are also requested to bring the contents of this Office Memorandum to the notice of all concerned to ensure that the Reports/Papers/Notifications, etc. required to be laid on the Table of Rajya Sabha are henceforth forwarded to this Secretariat with the prescribed proforma correctly filled in and at least three clear working days before the date on which they are proposed to be laid. A chart indicating last date for receiving papers in the Secretariat for each day of sitting of Rajya Sabha is also enclosed (Annexure). The Ministries are requested to adhere to the date schedule strictly and no papers will be entertained if received after last date.

4. In case the above requirements are not met, the papers will not be included in the List of Business for the day and will be returned to the Ministry/Department.



(K. SUDHAKARAN)
JOINT DIRECTOR
Tele: 23035445

To

- (i) All Ministries/Departments of the Government of India/Prime Minister's Office and Cabinet Secretariat
- (ii) Parliament Sections of all the Ministries/Departments of the Government of India with the request to circulate the Office Memorandum to all Divisions/Sections in the Ministry/Department for strict adherence.

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**PROFORMA TO BE ATTACHED TO THE O.M. FORWARDING PAPERS TO BE LAID ON THE
TABLE OF RAJYA SABHA**

1. Brief purport of the matter the paper/Notification covers:
 2. Statutory or other requirement under which the paper is to be laid on the Table: (and not the Statutory Provision under which it has been issued/made).
 - (i) in the case of Central Govt. Notification, name of the Act and section which provides for laying should be clearly stated:
 - (ii) in the case of State Govt. Notification, the laying provision in the State Act should be reproduced:
 3. Whether published in the Gazette, if so,
 - (i) G.S.R./S.O./S.R.O. number of Notification published in the Gazette:
 - (ii) Date, Part and Section of the Gazette:
 4. Whether subject to modification by the House? :
 5. Period specified in the principal Act by which it is required to be laid:
 6. Whether paper/Notification is being laid within the stipulated time, if not, whether any delay statement has been enclosed?:
 7. Whether it has been previously laid on the Table of the Rajya Sabha and, if so, on what date?:
 8. Whether English and Hindi versions are being laid together?
If not, the date on which the English version was laid?:
 9. Date on which the paper is proposed to be laid on the Table:
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RAJYA SABHA SECRETARIAT

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Chart showing last date for receiving papers for laying and days of sittings of Rajya Sabha during the 234th Session

Date of sitting of Rajya Sabha	Last date for receiving papers in Rajya Sabha Secretariat [Table Office/Committee Section (Subordinate Legislation)]
23.02.2015	17.02.2015
24.02.2015	18.02.2015
25.02.2015	19.02.2015
26.02.2015	20.02.2015
27.02.2015	23.02.2015
02.03.2015	24.02.2015
03.03.2015	25.02.2015
04.03.2015	26.02.2015
05.03.2015	27.02.2015
09.03.2015	02.03.2015
10.03.2015	03.03.2015
11.03.2015	04.03.2015
12.03.2015	05.03.2015
13.03.2015	09.03.2015
16.03.2015	10.03.2015
17.03.2015	11.03.2015
18.03.2015	12.03.2015
19.03.2015	13.03.2015
20.03.2015	16.03.2015

[The House will adjourn on Friday, the 20th March, 2015 to meet again on Monday, the 20th April, 2015]

20.04.2015	14.04.2015
21.04.2015	15.04.2015
22.04.2015	16.04.2015
23.04.2015	17.04.2015
24.04.2015	20.04.2015
27.04.2015	21.04.2015
28.04.2015	22.04.2015
29.04.2015	23.04.2015
30.04.2015	24.04.2015
05.05.2015	28.04.2015
06.05.2015	29.04.2015
07.05.2015	30.04.2015
08.05.2015	01.05.2015

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**PARLIAMENT OF INDIA
RAJYA SABHA SECRETARIAT**

Tel : 23034697/23034581
Fax: 23093238
E-mail: rstable@sansad.nic.in

**PARLIAMENT HOUSE
NEW DELHI**

No.RS.5/2015-T

February 5, 2015

OFFICE MEMORANDUM

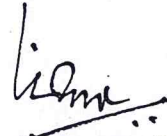
Subject: Statement by Minister in the Rajya Sabha— supply of copies in English and Hindi.

The undersigned is directed to state that as per the established practice in the Rajya Sabha, Members seek clarifications when a Minister makes a Statement in the House on a matter of urgent public importance. Members are, therefore, supplied with copies of the Statement at the time the Minister makes the Statement.

2. The Two Hundred and Thirty-fourth Session of the Rajya Sabha is scheduled to commence from Monday, the 23rd of February, 2015. All the Ministries/Departments of Government of India, etc., are accordingly requested to ensure that besides the copy of the Statement along with the Notice, **300 copies of the English version and 150 copies of the Hindi version of the Statement proposed to be made, are supplied to this Secretariat (Table Office, Room No.33, Parliament House)** well in advance of the time when the Minister is to make the Statement.

3. *All Ministries/Departments are also requested that in the case of Statements regarding Status of implementation of recommendations contained in the Reports of Department-related Parliamentary Standing Committees in pursuance of the Direction of the Chairman, Rajya Sabha dated 24th September, 2004 in accordance with the provisions of Rule 266 of the Rules of Procedure and Conduct of Business in the Council of States which are laid on the Table of the House, besides the authenticated copy (in English and Hindi) along with the Notice, only 25 copies each in English and in Hindi may be supplied to this Secretariat (Table Office, Room No.33, Parliament House) well in advance of the time when the Minister is to make the Statement.*

4. All Ministries/Departments of the Government of India may also please send along with the forwarding letter, the electronic text of the Statement (in English and Hindi) in a CD/e-mail (rstable@sansad.nic.in).


**(K. SUDHAKARAN)
JOINT DIRECTOR
TEL.NO.: 23035445**

To

1. Prime Minister's Office, Cabinet Secretariat,
2. Ministry of Parliamentary Affairs,
3. All Ministries/Departments of the Government of India,
4. Parliament Sections of all Ministries/Departments of the Government of India *with the request* to circulate the O.M. to all Divisions/Sections of the Ministry/Department for strict adherence.