

Bill No. XXXIV of 2006

THE QUOTING OF SOURCE OF LAW BILL, 2014

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BILL

*to provide for the quoting of source of law while publishing notifications, orders, circulars, tenders for bringing in transparency in government functioning and for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Sixty-fifth year of Republic of India as follows:—

1. (1) This Act may be called the Quoting of Source of Law Bill, 2014.

(2) It extends to the whole of India except to the State of Jammu and Kashmir.

5 (3) It shall come into force on such date as "the Central Government" may, by notification in the official gazette, appoint and different dates may be appointed for different States and Union Territories.

Short title,  
extent and  
commence-  
ment.

2. In this Act, unless the context otherwise requires—

Definitions.

10 (a) "appropriate Government" means in case of a State, the Government of that State and in other, cases the Central Government;

(b) "publish" means publishing through official gazette, newspapers, magazines and other print media;

(c) "prescribed" means prescribed by rules made under this Act.

Quoting of  
some of law by  
appropriate  
Govt.

3. Notwithstanding anything contained in any other law in the time being in force the appropriate Government shall not publish a notifications, orders, circulars, tenders without quoting of source of law viz. Constitution of India, Act of Parliament or State Legislatures, rules framed thereunder, regulations, bye-laws etc.

Power to make  
rules.

4. The Central Government may, by notification, in the official Gazette make rules 5  
for carrying out the provisions of this Act.

#### STATEMENT OF OBJECTS AND REASONS

The Central Government as also State Governments publish, from time to time notifications, orders, tenders etc. in Official Gazettes, newspapers and other print media. However, in most of the cases, the source of the law, namely, Constitution of India, Act of Parliament or the Act of a State Legislature, rules, regulations or byelaws, under which these are issued, do not find mention therein.

To ensure transparency in the administration public should know all the relevant aspects of government acts and deeds which are being published under the authority of law regulations.

Public, companies, corporations or other bodies affected by such notifications, orders etc. will get a clear idea if source of law under which these documents are published, is made known to them. If any notification, order or tender etc. is issued under the executive powers of any authority, constitutional or otherwise, the same should invariable be mentioned.

This will also prevent the authorities concerned from issuing notifications or orders etc., which are outside the scope of the law.

Hence this Bill.

SHANTARAM NAIK

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MEMORANDUM REGARDING DELEGATED LEGISLATION

The Clause 4 of the Bill empowers the Central Government to make rules for the purposes of this Bill. The rules relate to matters of details only.

The delegation of legislative power is of a Normal Character.

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*(Shri Shantaram Naik, M.P.)*