

Circular regarding presentation of Bill by Govt. of India

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MOST IMMEDIATE
STATE LEGISLATION

No 17/03/2009-Judl & PP
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya

Jaisalmer House, Mansingh Road,
New Delhi-11, dated the 15 April, 2009

OFFICE MEMORANDUM

Subject:- The Orissa Excise Bill, 2008.

The undersigned is directed to forward herewith a copy each of the Bill as introduced and Bill as passed in the State Legislature and forwarding letter received from the State Government on the above mentioned subject for comments.

2. As per the Cabinet Guidelines for disposal of State Legislative proposals, the Ministries/Departments may examine the Bill and make observations immediately in respect of the following:-

- (a) whether the proposed legislation is Constitutionally valid; or
- (b) whether there is any conflict with an existing Central Law, and, if so, whether the conflict may be consciously permitted; or
- (c) whether the proposed State enactment involves any deviation from existing national or Central policy to its detriment, or would be a hindrance to enactment of uniform laws for the country.

This Ministry may also be advised whether the assent of the President may be accorded to the Bill under article 201 of the Constitution of India.

3. It may be noted that if the views of the Ministries/Departments are not received within six weeks, the Bill would be processed without waiting further for their comments, as per the Cabinet Guidelines. If any inconsistency is noticed at a later stage, the concerned Ministry/Department would be held responsible for that.

4. Since the Ministry of Law & Justice (Department of Legal Affairs) is consulted by the Ministry of Home Affairs after receipt of views/comments from the concerned Ministries/Departments, administrative Ministry should not hold back the comments on the plea that Ministry of Law is being consulted.

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5. Ministries/Departments are requested to please adhere to the time schedule.

S. B. T.
19/4/09
(Santha Thampi)
Under Secretary (Judl)
Tele. No.23073178

Encl.: As above.

To

1. Ministry of Law & Justice (Legislative Department) (Dr.T.K. Viswanathan, Secretary), Shastri Bhavan, New Delhi.
2. Ministry of Finance(D/o.Revenue), (Dr.P.V. Bhide, Secretary), North Block, New Delhi.
3. Ministry of Law & Justice (D/o.Justice) (Shri S.B. Biswas, Director (HC&J), Jaisalmer House, Man Singh Road, New Delhi- 110 011 .
4. Judicial Cell of MHA (Shri S.N. Rana, Section Officer), Jaisalmer House, Man Singh Road, New Delhi

Copy for information to :-

The Resident Commissioner, 4, Bordoloi Marg, Chanakyapuri, New Delhi-110 021.