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PART II—Section 2

प्राधिकार से प्रकाशित

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Separate paging is given to this Part in order that it may be filed
as a separate compilation

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 22nd June, 1977:—

BILL No. III of 1977

A Bill further to amend the Oil and Natural Gas Commission Act, 1959.

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows.—

1. This Act may be called the Oil and Natural Gas Commission (Amendment) Act, 1977. Short title.
- 43 of 1959 2 In section 14 of the Oil and Natural Gas Commission Act, 1959 (hereinafter referred to as the principal Act), sub-section (3) shall be omitted. Amendment of section 14.
3. In section 15 of the principal Act, for the proviso, the following proviso shall be substituted, namely:— Amendment of section 15.

“Provided that before exercising its powers in respect of the following matters, it shall obtain the previous approval of the Central Government, namely:—

(a) the creation of any post, the salary or honorarium of which would either be more than such amount as may be prescribed, or where no such amount has been prescribed, more

than rupees two thousand seven hundred and fifty or be on a scale the maximum of which exceeds such amount as may be prescribed or where no such amount has been prescribed, exceeds rupees two thousand seven hundred and fifty, and the appointment of any person to any such post;

(b) the implementation of any scheme or proposal which will involve a capital expenditure exceeding such amount as may be prescribed, or where no such amount has been prescribed, exceeding fifty lakhs of rupees,

(c) the disposal of any property, right or privilege the original or book value of which exceeds such amount as may be prescribed, or where no such amount has been prescribed, exceeds ten lakhs of rupees”

Amend-
ment of
section 19.

4 In section 19 of the principal Act, in sub-section (3), for the words “or where there is neither an office of that Bank, nor an agent of that Bank”, the words, brackets and figures “or in a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 or in such other bank as may be prescribed, or” 5 of 1970, shall be substituted.

Insertion
of new
section
30A.

5. After section 30 of the principal Act, the following section shall be inserted, namely:—

Commis-
sion to
comply
with
direc-
tions.

“30A The Commission shall be bound by such directions, including directions regarding reservation of posts for the Scheduled Castes and the Scheduled Tribes, as the Central Government may, from time to time, for reasons to be recorded in writing, give to the Commission in respect of its affairs”.

Amend-
ment of
section 31

6 In section 31 of the principal Act,—

(a) in sub-section (2), after clause (g), the following clauses shall be inserted, namely:—

“(g1) the amount of salary, or honorarium, or the maximum of the scale of pay of any post, the creation of which requires the previous approval of the Central Government under section 15,

(g2) the amount of capital expenditure in respect of any scheme or proposal the implementation of which would require the previous approval of the Central Government under section 15, or the original or book value of any property, right or privilege the disposal of which would require such approval;

(g3) any bank in which the monies of the Commission may be deposited as provided in section 19;”,

(b) in sub-section (3), for the words “in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following”, the words “in two or more successive sessions, and if before the expiry of the session immediately following the session or the successive sessions aforesaid” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Under section 15 of the Oil and Natural Gas Commission Act, 1959, for creating any post the salary of which exceeds a specified amount, or for implementing any scheme involving a capital expenditure of a specified amount, or for disposing of any property whose value exceeds a specified amount, the Oil and Natural Gas Commission has to obtain the previous approval of the Central Government. Having regard to the vastly expanded activities of the Commission in recent years, Government consider that the Commission should have enhanced powers in these matters and it is accordingly proposed to amend section 15 to take power to specify in the rules to be made under the Act such limits on the exercise of the powers of the Commission as may be considered necessary by the Government from time to time. As the activities of the Commission extend to many outlying areas where there may be no branches of the Reserve Bank of India or the State Bank of India or a Government Treasury, it is further proposed to amend sub-section (3) of section 19 to facilitate keeping of monies of the Commission in other banks. Provision is also proposed to be made for issue of directions (including directions for reservation of posts for the Scheduled Castes and the Scheduled Tribes) by the Central Government to the Commission generally regarding its affairs.

2 Opportunity is being taken to modify sub-section (3) of section 31 of the Act relating to laying of rules before Parliament to make it conform to the rule-laying formula recommended by the Committee on Subordinate Legislation.

3 The Bill seeks to achieve the above objects.

NEW DELHI;
The 14th June, 1977.

H N BAHUGUNA.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6(a) of the Bill which seeks to insert new clauses (g1), (g2) and (g3) in sub-section (2) of section 31 of the Oil and Natural Gas Commission Act, 1959, empowers the Central Government to make rules for determining—

(a) the amount of salary, or honorarium, or the maximum of the scale of pay of any post, the creation of which requires the previous approval of the Central Government under section 15 of the Act;

(b) the amount of capital expenditure in respect of any scheme or proposal the implementation of which would require the previous approval of the Central Government under that section, or the original or book value of any property, right or privilege the disposal of which would require such approval;

(c) any bank in which the monies of the Commission may be deposited as provided in section 19.

The matters in respect of which such rules may be made are generally matters of procedure and administrative detail. The delegation of the legislative power is, therefore, of a normal character

S. S. BHALERAO,
Secretary-General.