

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
LABOUR DEPARTMENT
5, SHAM NATH MARG, DELHI-110054**

No. F.1/31/692/LC/Estt./Misc/2011/

Dated:

CIRCULAR

Sub: Regarding Election Commission Reference dated 07.09.2016 on Parliamentary Secretaries in GNCTD.

Please find enclosed herewith a reference No.113/5/ECI/LET/FUNC/JUD/RCC/2015/Vol-IV/959 dated 07.09.2016 (copy enclosed).

All Branch/Districts In-charge are requested that the **information in respect of all relevant queries raised by the Commission from Para 02 to 10 may be urgently provided to this office by 11.00 AM on 28.09.2016.**

This issues with the prior approval of the Competent Authority.

Encl: As above

(NITA SHARMA)
Dy.Labour Commissioner(Admn)

No. F.1/31/692/LC/Estt./Misc/2011/ 2070
Copy for information and necessary action to :-

Dated: 27/09/2016

1. The Secretary, DBOCWW Board, Vikas Bhawan-II, Civil Lines, Delhi.
2. All Joint Labour Commissioner/Dy.Labour Commissioner/Asstt.Labour Commissioner/Branch In-Charge of Labour Department, GNCT of Delhi.
3. System Analyses, Labour Department, 5 Sham Nath Marg, Delhi-110054 to update the official website
4. Guard file.


Dy.Labour Commissioner(Admn)

232 | Adell. LC(A) / HQ
26/9/16

MOST URGENT
ELECTION COMMISSION MATTER

8049/1e
14/9/16

1484/0024
21/9/16

Government of NCT of Delhi
General Administration Department
2nd Level, 'A' Wing: Delhi Secretariat
I.P. Estate: New Delhi-110002.

Sub.: Election Commission Reference dated 07.09.2016 on Parliamentary Secretaries in GNCTD.

Reference- Case No. 5 of 2015- U/S 15 of the NCT of Delhi Act, 1991 from the President of India- Petition from Sh. Prashant Patel, Advocate, East of Kailash, New Delhi alleging disqualification of 21 MLAs of Aam Admi Party, for being Members of the Delhi Legislative Assembly.

Please find enclosed herewith a reference No. 113/5/ECI/LET/FUNC/JUD/RCC/2015/VOL.-IV/959 dated 07.09.2016 addressed to the Chief Secretary, Delhi from the Election Commission of India in the above said matter. It is requested that **information in respect of all relevant queries raised by the Commission from Para 2 to 10 may be urgently provided to this office by 3:00 PM on 12.09.2016.** It may be added that this information should also be provided in respect of any Autonomous body/PSUs/Undertaking/Corporation/Commission/Sub-offices/Authorities under your administrative control.

This issues with the approval of the Chief Secretary.

(Signature)
Anil Kumar Singh
Secretary (GAD)

Encl: As above.

All Pr. Secretaries/Secretaries/ HODs of GNCTD

F.No. 17/57/2012/GAD/Pr. Secy./152

Dated: 10.09.2016

(Handwritten notes and signatures)
S
SP-LL
VOR/RCH
URGENT
Adell
23/9/16

(Handwritten note)
27-9-16

ALC(A)

Board
of Directors

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI - 110001.

No. 113/5/EC/LET/FUNC/JUD/RCC/2015/Vol-IV / 959

Dated: 7th September, 2016.

RBI To.
Govt. of NCT of Delhi

The Chief Secretary
N.C.T. of Delhi.

OFFICE OF THE CHIEF SECRETARY
GOVT. OF NCT OF DELHI

08 SEP 2016

Subject:

Reference Case No. 5 of 2015 - Under Section 13 of the NCT of Delhi Act, 1991 from the President of India - Petition from Shri Prashant Patel, Advocate, East of Kailash, New Delhi alleging disqualification of 21 MLAs of Aam Admi Party, for being Members of the Delhi Legislative Assembly.

09 SEP 2016

Dy. No.....

By: No.....
Sit.....

I am directed to refer to your letter No. 17/57/2012/GAD/Pr.Secy./144 dated 05.09.2016 on the subject cited and to state that after perusal of the enclosures attached with the said letter, it is observed that dates and contents of following enclosures are not legible. The said enclosures (total 66 Pages) are hereby returned with the direction to furnish the proper legible copy of the same.

2. It is pertinent to mention that Chief Secretary has to submit composite information regarding all the 11 queries sought by the Commission in respect of all departments/autonomous bodies/PSUs/Corporation/authorities of GNCTD pertaining to 21 Parliamentary Secretaries exhaustively.

3. (a) In reply to question No. 3 i.e. nature of duties assigned to all of 21 Parliamentary Secretaries information has been provided only regarding attending of some meetings by the parliamentary secretaries.

From the same it could not be inferred as to in what capacity they participated in such meetings; whether these were advisory, consultative meetings or some executive decisions were considered in these meetings. Further, whether the meetings referred to in reply were conclusive in nature or merely in the form of continued monitoring.

Therefore, the attendance sheet and a copy of minutes of all such meetings would be required.

(b) Whether the Parliamentary Secretaries have dealt with any official file, in the capacity of Parliamentary Secretaries. If yes, a copy of the same may be furnished.

4. (a) It is mentioned that some facilities like accommodation and/or official space was provided to these Parliamentary Secretaries in the capacity of MLA and not as Parliamentary Secretaries. A copy of the policy laid down in the regard may be furnished.

(b) Whether the allotment was done after these MLAs were appointed Parliamentary Secretaries? If yes, then how many other MLAs who are not Parliamentary Secretary have been allotted similar accommodation by the departments/autonomous bodies/PSUs/Corporation/authorities of GNCTD?

Most
Immediate
Shm
09.9.16
Secy (GAD)

Clearly indicate the following dates:-

- (a.) Date of creation of cabin on the request of the Minister of Transport, Development, GAD, Employment & Labour.
 - (b.) Date of occupation of these cabins by the Parliament Secretaries/OSD/other staff.
6. (a) A copy of the policy of the legislative assembly to allot rooms to Parliamentary Secretaries/MLAs may be submitted.
- (b) Copies of Room-allotment orders to 21 Parliamentary Secretaries in Legislative Assembly may be submitted.
- (c) Legible Copy of the order of legislative assembly keeping in abeyance the allotment of office space to Parliamentary Secretaries in the Legislative Assembly Secretariat.
7. The payment of any bills to the 21 Parliamentary Secretaries appointed by GNCTD, as ascertained through the Pay & Accounts Offices under Finance Department GNCTD may be furnished.
8. Copies of the information furnished to Shri Vivek Garg in response to his various RTI Application(s) addressed to Departments of GNCTD and Delhi Legislative Assembly on the issue of 21 Parliamentary Secretaries may be furnished.
9. Whether, the post of "Parliamentary Secretary" has been defined or provided for under the GNCT Act, 1991? Or whether any other procedure has been prescribed under the Rules of Business of GNCTD.
- If yes, the details may be provided.
10. (a) A copy of the Delhi Members of Legislative Assembly (Removal of Disqualification Act, 1997) Act No. 6 of 1997) may be provided.
- (b) A copy of the Delhi Members of Legislative Assembly (Removal of Disqualification) (Amendment) Act, 2006 may be provided.
- (c) A copy of the Delhi Members of Legislative Assembly (Removal of Disqualification) (Amendment) Bill, 2015 (Bill No. 6 of 2015) may be provided. Statement of objects and Reasons, Financial Memorandum and Memorandum Regarding Delegated Legislation should also be enclosed alongwith.
- (i) When the above Bill was presented before the Delhi Legislative Assembly and when this Bill was voted for by the Legislative Assembly of Delhi? Whether the Bill was passed by the Delhi Legislative Assembly?
 - (ii) If Yes, What is the Legal Status of the Bill which was passed by the Legislative Assembly of the National Capital Territory of Delhi? A copy of the Delhi Members of Legislative Assembly (Removal of Disqualification) (Amendment) Act, 2015 may be provided.
3. You are requested to provide the requisite information expeditiously and in any case, latest by 15th September, 2016.

Enclosure as above :

Yours faithfully

V. K. Pandey
(VIJAY KUMAR PANDEY)
DIRECTOR (LAW)