PRELIMINARY RECOMMENDATIONS FOR STRENGTHENING

THE DRAFT RIGHT TO INFORMATION ORDINANCE 2008

Submitted by

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CHRI Recommendations

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Draft Right to Information Ordinance, 2008

1. In August 2005, the Commonwealth Human Rights Initiative (CHRI) wrote to the Minister of Law, Justice and Parliamentary Affairs, Government of Bangladesh offering support for the Government's efforts to review the *Official Secrets Act, 1923* and enact a Right to Information Act. Since then, CHRI has also been collaborating with Manusher Jonno, to promote greater awareness amongst the public and civil society networks about the value of the access to information legislation in Bangladesh. In April 2006, the Law Ministry wrote to CHRI informing us that the Government is currently reviewing the Bangladesh Law Commission's "Working Paper on the Proposed Right to Information Act, 2002" with a view to developing a Right to Information Bill. Since the Working Paper was drafted, more countries have passed access laws which Bangladesh could draw on. Most notably, in 2005, neighbouring India passed its *Right to Information Act, 2005,* which reflects many new developments in access legislation and is widely regarded as a good model law. In 2006 CHRI submitted another set of recommendations to the Government of Bangladesh based on its experience of involvement with the implementation of the Indian access law. In February 2008 CHRI submitted to the Ministry of Information, Government of Bangladesh detailed recommendations for strengthening the provisions of the draft Right to Information Bill prepared and submitted to the Government of Bangladesh by civil society organizations under the leadership of Manusher Jonno Foundation.

2. CHRI commends the current Care-taker Government for moving towards crafting a right to information law for Bangladesh. CHRI commends the Government for encouraging widespread consultation on the Draft Ordinance prior to its enactment. CHRI also lauds the Care-taker Government for drafting the Draft Ordinance in Bangla which is the native language of millions of Bangladeshis. This will ensure that literate citizens will be able to read and understand this uniquely empowering legislation for themselves. Experience has shown that a participatory law-making process can be a major factor in laying a strong foundation for an effective right to information regime. Implementation is strengthened if right to information laws are 'owned' by both the government and the public.

3. CHRI has gone through the contents of the Draft Ordinance and finds that it includes many best practice provisions. As this is a path breaking law with the potential to make government truly participatory and governance accountable to people in a real and practical sense, it is important to craft its provisions to the highest degree of precision. CHRI would like to make the following recommendations for strengthening the Draft Ordinance further.

Section number and topic	Summary of content	Recommendations for improvement
Use of terms uniformly	Citizen, public authority, Information Officer	Frequently occurring terms must be used uniformly across all provisions in order to avoid confusion and vagueness. In some provisions terms like 'authority' and 'public authority' are used interchangeably. In a few others the term 'person' is used to connote the information requestor but the term itself is not defined in the 'definitions' section. Similarly the Information Officer is the point person in a public authority for making decisions on information requests. ***Reference to this designation should be uniform across all provisions that deal with the duties and responsibilities of such officers.***
Section 2 Commencement date	This provision relates to the operationalisation of all provisions of this legislation	The current phrasing of this provision indicates that all provisions of this legislation will come into force on the 120th day of its notification in the Gazette. It is important to have a two-stage process for operationalisation of this law in order to ensure it proper implementation. For example, the tasks of designation of Information Officers and appellate authorities, constitution of the selection committee for identifying candidates for appointment as members of the Information Commission, notification of Rules for implementing this law in the executive, legislative and judiciary must begin from the very date of notification. The process of seeking information by making formal requests can begin only when all these systems have been put in place. So barring the provisions relating to requesting information and filing of appeals and complaints all other provisions must come into effect at once form the date of notification in the Gazette. ***Consideration may be given for operationalising the different provisions of this law in a two-stage process as recommended above.***

Definitions		
2 (ga) – "Authority"	This provision lays down the criteria for identifying bodies that are covered by the RTI Draft Ordinance	1) This provision includes entities in the non-government sector within the definition of 'authority' that has responsibilities under this legislation. The term 'authority' has a specific legal sense and implication in common law. This means a body that wields the power of the State and can issue orders and impose legal obligations on any person. Entities in the non-government sector do not have such powers and therefore they cannot be labeled as 'authorities'. ***Consideration may be given to bifurcate the bodies covered by this Draft Ordinance into 'public authorities' and 'private bodies' and the criteria for identification be given separately.*** 2) Criterion # 1 does not mention bodies established or constituted by the Constitution of Bangladesh such as Parliament, President, Prime Minister and the judiciary and such other bodies. ***This provision should include a reference to constitutional authorities as well.*** 3) 'besarkari malikana' (non-government ownership) mentioned in criterion #1 by implication includes all the entities mentioned in criterion # 2. ***If this is not a duplication the provisions must clarify the distinction between the two types of entities.***
2(gha) – "Right to Information"	This provision lays down the scope of the right of access to information	1) This provision unnecessarily gives another list of items that a requestor can access by right under this Draft Ordinance. This list is shorter than the list of items mentioned in the definition of 'information' at 2(ka) and the term 'document' does not find mention in that longer list. ***Consideration may be given to deleting this shorter list and linking it to all items mentioned in the definition of 'information at section 2(ka).*** **2)** The modes of access do not include 'inspection' and 'taking notes' which are inexpensive forms of access and would be a very

		cost effective way of granting access to citizens who cannot afford to pay for photocopying or other reproduction charges. ***Consideration must be given to include the right to inspect all items included in the definition of 'information' given in section 2(ka) as well as public works and the right to take notes during such inspection.***
Section 2(nga) "third party"	This provision defines a 'third party'	1) This provision is vaguely phrased. ***Consideration may be given to replacing it with a firmer phrasing to indicate that a 'third party' means any person other than the citizen or organization seeking information."*** 2) This provision includes within its ambit a 'public authority' who is also a duty holder under this Draft Ordinance. This is unfair. All public authorities (excluding private entities) are part of the State and therefore cannot legitimately claim separate status as third parties. As custodians of information they must be treated together as the 'second party' while the requestor forms the 'first party'.
Missing definitions		
'prescribed'	No provision exists	1) It is common practice to specify who has the power to make Rules for the implementation of any legislation. ***Consideration may be given to include a definition of the term 'prescribed'.*** 2) In a country like Bangladesh where there is a clear division of powers between the legislative, executive and judicial arms of the State the Government which primarily consists of the executive arm cannot make Rules for implementing this law outside its sphere of influence. ***Consideration may be given to include a definition of the term 'competent authority' indicating the Speaker of Parliament and the Chief Justice of Bangladesh, as well as the executive arm of the Government as authorities competent to make Rules for implementing this law within their respective spheres.***

Section 3 Overriding effect	This provision seeks to give this law primacy over the Official Secrets Act, 1923 and all other laws	This provision is welcome as it provides this legislation a place of primacy over all other laws which is in tune with international best practices. However this primacy should be applicable only to the extent of inconsistencies between this legislation and all other laws. The basic idea is to give primacy to the right to access information and not the operation of this law over all subjects covered by other laws in force. ***Consideration must be given to qualify the provision by stating that the overriding effect is to the extent of inconsistencies regarding access to information only.***
Section 4 (ka) Citizen's right to information	This provision reiterates the modes of access to information while establishing the citizen's right of access	The various modes of access and types of information accessible under this law are already dealt with in the definitions section. There is not need to repeat it here. Furthermore a general right to obtain information cannot be established at this stage without subjecting it to the section dealing with exemptions to disclosure. ***Consideration may be given for streamlining this provision by merely establishing the citizen's right to seek and obtain information from public authorities and private bodies subject to its provisions.***
Section 4(kha)	This provision has two parts – a) obligation of entities covered by this law to maintain records and information indexed and catalogued to facilitate easy access and b) right of information not to be subjected to withholding or limitation of access	1) The first part of this provision matches with the contents of section 5 dealing with the obligation of public authorities and private bodies. ***Consideration may be given to moving this part of the provision to the top of section 5.*** 2) The second part of this provision matches with the contents of section 4(ka) which deals with right to information. ***Consideration may be given to moving this part of the provision to section 4(ka) in accordance with the recommendation relating to that section given above.***
Section 4(ga)	This provision deals with the duty of the Information Commission to prepare guidelines for records keeping and management	This provision relates to the obligation of the Information Commission to guide entities covered by this Act for records maintenance and management. ***Consideration may be given to moving this provision to section 5 as it matches with the suo motu obligations of public authorities and private bodies.***
Section 5	This provision deals with voluntary	1) ***Consideration may be given to moving the first part of section***

"voluntary disclosure by public authorities"	disclosure requirements of public authorities under this legislation.	***4(kha) to the top of this section as advised above.*** 2) ***Consideration may be given to moving section 4(ga) to the bottom of section 5 as advised above.*** 3) The opening line of this section requires public authorities to publish in the form of a report a range of voluntarily disclosed information once in two years. The terms 'publish' and 'publication' have specific meanings in law. By using these terms this law will end up insisting that all entities covered by this law must print their voluntary disclosure documents. This is not feasible for small offices, like Union Parishads, tehsil land office, and small scale NGOs. ***Consideration may be given to amending the opening line of section 5 to indicate that every public authority has a duty to prepare and disseminate the required information through various means such as hard copy publications, media advertisements (print and electronic), display on notice boards, computerized and accessible on websites. Where resources are scarce they must be put in a file and made available in a public place in the office for free inspection on demand.*** 4) ***Consideration may be given to the inclusion of the following categories of information in the list of items for voluntary disclosure in order to increase the range of information accessible to people without making a formal application–*** ***i) the channels of supervision and accountability in a decision-making process;*** ***ii) the norms set by a public authority for the discharge of its functions;*** ***iii) a statement of the categories of documents held by the public authority or under its control;*** ***iv) details of any arrangements such as committees, boards and councils that have been put in place for public consultation in the***

		formulation and implementation of policy, whether meetings of such bodies are open for the public to attend and whether the minutes of such meetings will be made available to the public; ***v) directories of officers and employees and the monthly remuneration given to them;*** ***vi) the budgets allocated to each agency of the public authority indicating the particulars of all plans, proposed expenditure and reports on disbursements made;*** ***vi) manner of implementation of welfare schemes and subsidy programmes including amounts allocated and disbursed and details of beneficiaries*** 5) This section does not place an obligation on public authorities to be accountable for their decisions which is in contrast to the objective of this law as mentioned in the preamble. ***Consideration may be given to including in this section a provision that makes it mandatory for public authorities to – 1) disclose all information and relevant facts while formulating any important policy or project that may affect people or sections of people and 2) give reasons for its administrative or quasi-judicial decisions to persons affected by such decisions.*** 6) Experience from India shows that IOs often force citizens to file written applications for obtaining proactively disclosed information. ***In order to avoid this situation in Bangladesh consideration may be given to include the following provision:*** ***"All materials and information prepared under sub-section (1) shall be disseminated taking into consideration the most effective method of communication and the information should be easily accessible, to the extent possible in print or electronic format with the Information Officer, available at such cost of the medium or the print cost price as may be prescribed and no person seeking***

		access to information disclosed under sub-section (1) shall be required to submit an application in writing."
Missing provisions	1) Listing of public authorities and private entities covered by this law	1) It is necessary to place the responsibility on the Government to identify public authorities and private bodies covered by this law and publish a list of such bodies. This will avoid confusion about who is covered and who is not and within each department which office is a public authority. ***So consideration may be given to adding the following new provision -*** ***"The Government shall within four months of the commencement of this Act cause to be published names and contact details of all public authorities and private bodies that have obligations to provide information under this Act and thereafter continue to update the same every year."***
	2) Appointment of Information Officer	2) It is necessary to have a provision enabling the appointment of IOs in entities covered by this law. Otherwise IOs may not be appointed under the pretext that nobody has the clear responsibility for doing so. ***So consideration may be given to including a new provision-*** ***"Every public authority or private body shall designate as many Information Officers as may be necessary in all its offices or administrative units to provide information under this Act."***
Section 6 "procedure for accessing information"	This provision deals with the procedures for seeking information	1) There is a reference to the use of pre-printed forms for seeking information. This is not in tune with international best practices. Requestors may be thwarted at the very first stage from seeking information if they do not have access to the printed forms. ***Consideration may be given to allowing applications on plain paper, or through electronic means and verbal requests.*** 2) The Draft Ordinance requires payment of a fee at the application stage itself. This is not in tune with international best practices and seems to be inspired by a similar provision in the Indian Right to Information Act. The Government and public authorities need not

		treat access to information as a means of revenue generation. The cost of realization of the application fee may be higher than the fee amount itself in some locations. ***Therefore consideration may be given to deleting the reference to payment of fee at the application stage.*** 4) The Draft Ordinance does not contain a provision that bars officers from asking the requestor his/her reasons for seeking information. International best practice indicates that information should be accessible from all public bodies without the requestor being required to disclose reasons. ***Consideration may be given to including a clear provision in this Draft Ordinance that bars Information Officers from asking the requestor why he or she wants such information.*** 5) ***Consideration may be given to deleting Section 6(gha) as the same point is mentioned in section 7 which is its correct place.***
Section 7 "procedure for giving information"	This provision relates to the procedure that will be followed by the IO for making a decision on an information request.	1) ***As the deletion of section 6(gha) has been recommended consideration may be given to including in section 7(ka) a provision that the Information Officer shall inform the requestor in writing the reasons for denial.*** 2) In section 7(gha) there is a reference to payment of fees for obtaining information in printed or electronic format. ***Consideration may be given to include an enabling provision for making Rules for the same by the Government and the competent authorities i.e. the Speaker for Parliament and the Chief Justice for the judiciary.*** 3) Fees must be charged at rates uniformly applicable across all entities covered by the law. If not similar categories of information may cost different sums of money in different departments or in different parts of the country. ***Therefore consideration may be***

		given to the prescription of Rules regarding fees by the Government and the competent authorities i.e. the Speaker for Parliament and the Chief Justice for the judiciary. 4) The Draft Ordinance does not include any provision for giving information free of cost to impoverished people. ***Consideration may be given to including a fee waiver in the Draft Ordinance for requestors belonging to the impoverished sections of society.***
Section 7(nga)	Giving access in the requested form	Subject this provision to criteria of availability of resources and safe-keeping of records.
Section 8 "exemptions to disclosure"	Grounds for withholding access to certain kinds of information 1) Provision relating to national security, sovereignty etc. 2) provision relating to IPRs and commercial interests of public authority 3) provision relating to economic interests of the State and undue loss or gain for any individual or organization 4) provision relating to system of tax administration not being affected	The section provides in the beginning *"an application for accessing information under this law may be rejected if:"* ***Consideration should be given to adding a non obstante clause such as the expression "notwithstanding anything contained in this Act" at the beginning of this provision so that a clear overriding relationship is established with other provisions and there is no confusion.*** 1. The key principle underlying any exemption to disclosure is that its purpose must be to genuinely protect and promote the public interest. In other words non-disclosure must also be based on the protection of a public interest. All exemptions should therefore be concerned with whether disclosure would actually cause or be likely to cause harm. The key issue should be whether disclosure would actually cause serious damage to a legitimate public interest which deserves to be protected. Even where exemptions are included in legislation, they should not apply to documents more than 10 years old because at that point they should be deemed to be no longer sensitive and thus declassified. It is important to have a sunset clause for all exemption provisions. In accordance with international best practice, every test for an exemption should be considered in 3 parts: (i) Is the information covered by a legitimate exemption?

	5) provisions relating to law enforcement and internal confidential discussions, incitement to offence, public order, 6) privacy 7) violation of parliamentary and court directions 8) published and saleable information 9) not to be published if it is against public interest.	(ii) Will disclosure cause substantial harm? (iii) Is the likely harm greater than the public interest in disclosure? ***In this context, the form of the harm test in s. 8(ka) "apprehension that disclosure of information would affect" may be reviewed because it is ambiguously worded and too low a test. Consideration should be given instead to withholding disclosure only when it will lead to "serious harm" or "serious damage" to national security or sovereignty. This makes the ground for non-disclosure narrower and the test is less open to abuse.*** 2. In s. 8 (kha) in order to minimise possibility of the exemption being used inappropriately, the paragraph could be replaced with a more objectively determined exemption with less room for speculation, for example: *"information including commercial confidence, trade secrets or intellectual property, the disclosure of which would cause unfair or serious detriment to the legitimate commercial or competitive interests of a Public Authority or a third party"*. 3. Section 8 (ga) and (gha) are too broadly worded and could potentially apply all information that is held by a public authority. There are no criteria in this exemption for officials to decide what type of information the exemption should legitimately apply to in order to protect economic interest of the state. If the release of the information affects or causes undue loss or gain to individual or organisation it would be already covered under 8 (kha). It is not clear why this additional exemption is justified. ***Consideration may be given to combining 8 (ga) and (gha) and replacing it with "A request for access to information may be refused if it would have a substantial adverse effect on the ability of the Government or an agency to manage the economy of the State."***

		4. Section 8 (cha) While it is common to exempt the disclosure of information that would constitute an unwarranted invasion of personal privacy, nonetheless this exemption is too broad. In particular, it is worrying that the section uses the phrase "undue interference" instead of a stronger harm test to protect legitimate personal information. This could be misused to permit non-disclosure of information about public officials. ***Consideration may be given to replacing the phrase - "undue interference of personal information" with the phrase "unwarranted invasion of personal privacy."*** Section 8 (ja) permits denial if the information is already published. This is wholly unnecessary and does not protect any public interest. If the information has already been published the public authority may simply provide a copy to the requestor or direct him/her to buy it from a sales counter. However in many cases requests may be received for publications that are out of print. In such instances denial of access under this clause becomes unreasonable and unjustifiable. The public authority ought to be able to provide photocopies of the document that is out of print as a copy would have been saved for its files. ***Consideration may be given to deleting this provision.*** Section 8 (jha) As long as the more general protection which guards against disclosures that would prejudice a protected interest, is retained, the relevant interests will be protected. There is no need for such a blanket exemption. ***Consider deleting this provision in order to reduce the chances of its abuse by officials who may use this frequently to deny all sorts of information.***
Section 9 "severability"	This provision allows severing of exempt information	This provision is not adequately fleshed out. In order for this provision not to remain a dead letter, it must spell out a clear procedure for making the decision of severability such as that given

		in section 10 of the Indian *Right to Information Act, 2005*. ***Consideration may given to expanding this provision to include procedural elements such as a decision-making authority who is different in rank from the Information Officer and a notice to be issued to the requestor about the decision to grant partial access which can then be challenged before the appellate authority.***
Section 10 "public interest disclosure"	Allowing disclosure in public interest	This is the all important provision that requires the public authority to make a decision in favour of disclosure even if one or more exemptions are applicable. It must be worded with precision leaving no room for doubt about its primacy. ***Consideration may be given to improving the provision to indicate that the public authority 'shall' disclose information if disclosure outweighs the harm to the interests protected in the exemptions clauses. Similarly consideration may be given to rephrasing the title of this section to- a more appropriate - "disclosure in public interest."***
Section 12 "Information Commission"	Provision relating to the constitution of the Information Commission.	1. Sec 12 (gha) Ideally the Selection Committee would consist of a total number of members that is an odd number in order to enable making of decisions by vote if consensus is not achievable.***Consideration should be given to having odd number of members in the Selection Committee.*** See also further comments under section 14. 2. Section 12 (chha) (2) ***Please amend the list of qualifications as necessary for an Information Commissioner to ensure at a minimum that they are committed to transparency and accountability in Government, are not tainted in any way by allegations of corruption or criminality, are respected by civil society and have the expertise to do the job. Consideration should be given to include 'media' in the list of areas of specialization.***
Section 16 "Removal of Information	Section 16 (ka): Stipulates that the procedure for removal of the Chief Information Commission/IC will be the	Section 16 (ka): ***Consideration may be given to putting in place a procedure by which the Chief Justice of the Supreme Court is enabled to conduct inquiries against Chief Information***

Commissioners"	same as the procedure laid down for Supreme Court judges,	***Commission/ICs on a reference made by the President and give his recommendations for removal or otherwise to the President.*** Section 16 (gha): ***Consideration may be give to include conflict of interest situations that may prejudicially affect the functioning of Chief Information Commissioner and the Information Commisssoners***.
Section 17 "Powers, functions and appeal."	Section 17 (kha) empowers the Commission to initiate an inquiry if it is satisfied that there are reasonable grounds to inquire into a complaint. Section 17 (gha) gives *suo moto* powers to the Commission to conduct inquiries on a complaint when needed.	Section 17 (gha): The distinction between Section 17 (kha) and 17 (gha) is not clear. CHRI considers that it is not necessary to link the Commission's *suo moto* powers to enquire into complaints alone as Section 17 (kha) already deals with the Commission's power to inquire on a complaint. ***Consideration may be given to empowering the Commission with suo moto powers in general and not limiting them to complaints alone.***
Section 18 "Examination of Records"	Provision for examination of records in a complaints case has been placed in a new section (18) when it should be part of the section dealing with complaints (17)	1) Section 18 appears to be part of section 17. ***Consideration may be given to include the provision of this section within section 17 and also to adding a clause that "no record may be withheld from the Commission on any ground".*** 2) The best practice internationally is to give Information Commissions search and seizure powers as well. This is not clearly mentioned in the Indian law but it is there in the Canadian law. ***So consideration may be given to including vesting the Information Commission with powers or search and seizure based on the model provided bye the Canadian Access to Information Act:*** ***"Search, Seizure and Examination of Information: (1) Notwithstanding anything inconsistent contained in any other law for the time being in force, the Information Commission shall during any inquiry initiated of its own accord or upon receipt of a***

		complaint, under this Act have the power – ***(a) to enter any premises occupied by any public body that is the subject of the inquiry;*** ***(b) to conduct a search for any information that is the subject of the inquiry;*** ***(c) to seize records, documents, files and any material defined in sub-section (a) of section (2) of this Act relating to information that are the subject of the inquiry;*** ***(d) to examine any information seized from a public body under this section;*** ***(e) to converse in private with any person in any premises entered pursuant to paragraph (a) and otherwise carry out therein such inquiries within the authority of the Information Commission as may be appropriate.*** ***(2) A public authority or private body that is the subject of an inquiry under this Act shall provide all reasonable assistance to the Information Commission and any of their authorized representative to enable the smooth conduct of the inquiry and shall not withhold access to any information from the Information Commission or their authorized representative.***
Section 19 (ka) Appeal	Provision deals with the appeals process.	Section 19 (ka), third proviso: ***Consideration may be given to stipulating that rejection of any appeal should be by a reasoned order.***
Section 20 "Representation at Appeals"	Providing for the mandatory requirement of physical presence or through a representative during appeal hearing.	It is an international best practice that personal appearance of the appellant or complainant should not be a necessary requirement, but the presence of Information Officer/Appellate Authority in an appeal hearing before the Commission is mandatory. Participation of

		legal professionals should be restricted to matters which involve significant questions of law. ***Consideration may be given to deleting the requirement of physical presence (or through a representative) of the appellant/complainant and making it mandatory for the Information Officer/Appellate Authority to be present. Also representation by legal professionals should be limited to hearings involving significant questions of law.***
Section 21 "Offences and Penalty"	Provides for the penalties.	The acts inviting penalties under this section are not 'offences' but only lesser contraventions of the law (of a grade lower than a felony). Unless such acts are specifically recognized in the law as 'offences' and unless the court competent to try a person for such acts is mentioned in the law they do not become 'triable offences'. The Information Commission is merely an adjudicatory body like a tribunal vested with quasi-judicial powers to resolve information access related disputes. While they can impose penalties for contraventions they cannot try any offences. ***Consideration may be given to removing the word 'offence' from the title.***
Section 22 Application of the Limitation Act 1908		In view of the overriding powers over all other laws under Section 3, application of the Limitation Act in appeal cases is not valid. ***Consideration may be given to deleting this Section.***
Section 27 Rule making powers	Provides for the rules making power under this Ordinance.	The power to make rules should not be vested in two bodies. The power to make rules should be with Government and the competent authorities such as the Chief Justice for the judiciary and Speaker for Parliament (see recommendation on section 2 above). The power to make regulations should be with the Information Commission in the context of its own work and not for other bodies covered by the law. At best it should have the power to issue directions and guidelines for records management and voluntary disclosure. All other rule making powers should be vested with the competent authorities.

		Rules made by the Government for application in the executive sphere must be subjected to debate in Parliament. ***Instead this provision may be reworded as follows-*** ***"Power to make Rules: (1) The competent authority shall by notification in the Official Gazette make rules to carry out the provisions of this Act.*** ***(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for all or any of the following matters, namely: -*** ***(a) the cost of the medium or print cost price of the materials to be disseminated under subsection (xxx) of section xxx;*** ***(b) the salaries and allowances payable to and the terms and conditions of employment of officers and other employees under section xxx;*** ***(c) the procedure to be adopted by the Information Commission in deciding appeals under section xxx and complaints under section xxx;*** ***(d) any other matter which is required to be, or may be, prescribed."*** ***(3) Every rule made by the Government under this Act shall be laid as soon as may be after it is made before Parliament while it is in session, for a total period of thirty days which may be comprised in one session or two or more successive sessions and if before the expiry of the session immediately following the session or the successive sessions aforesaid, Parliament makes any modification in the rule or resolves that any rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification***

		or annulment shall be without prejudice to the validity of anything previously done under that rule."