

Pausa 24, 1882(S)

ORDER

THE GOVERNMENT OF INDIA (TRANSACTION OF BUSINESS) RULES

In exercise of the powers conferred by clause (3) of article 77 of the Constitution and in supersession of all previous rules and orders on the subject, the President hereby makes the following rules for the more convenient transaction of the business of the Government of India: -

1. Short Title.- These rules may be called the Government of India (Transaction of Business) Rules, 1961.

2. Definition.- In these rules, "department" means any of the Ministries, Departments, Secretariats and Offices specified in the First Schedule to the Government of India (Allocation of Business) Rules, 1961.

3. Disposal of Business by Ministries.- Subject to the provisions of these Rules in regard to consultation with other departments and submission of cases to the Prime Minister, the Cabinet and its Committees and the President, all business allotted to a department under the Government of India (Allocation of Business) Rules, 1961, shall be disposed of by, or under the general or special directions of, the Minister-in-charge.

4. Inter-Departmental Consultations.- (1) When the subject of a case concerns more than one department, no decision be taken or order issued until all such departments have concurred, or, failing such concurrence, a decision thereon has been taken by or under the authority of the Cabinet.

Explanation- Every case in which a decision, if taken in one Department, is likely to affect the transaction of business allotted to another department, shall be deemed to be a case the subject of which concerns more than one department.

(2) Unless the case is fully covered by powers to sanction expenditure or to appropriate or re-appropriate funds, conferred by any general or special orders made by the Ministry of Finance, no department shall, without the previous concurrence of the Ministry of Finance, issue any orders which may-

(a) involve any abandonment of revenue or involve any expenditure for which no provision has been made in the appropriation act;

(b) involve any grant of land or assignment of revenue or concession, grant, lease or licence of mineral or forest rights or a right to water power or any easement or privilege in respect of such concession;

(c) relate to the number or grade of posts, or to the strength of a service, or to the pay or allowances of Government servants or to any other conditions of their service having financial implications; or

(d) otherwise have a financial bearing whether involving expenditure or not;

Provided that no orders of the nature specified in clause (c) shall be issued in respect of the Ministry of Finance without the previous concurrence of the Department of Personnel and Training.

(3) The Ministry of Law shall be consulted on-

- (a) proposals for legislation;
- (b) the making of rules and orders of a general character in the exercise of a statutory power conferred on the Government; and
- (c) the preparation of important contracts to be entered into by the Government.

(4) Unless the case is fully covered by a decision or advice previously given by the Department of Personnel and Training that Department shall be consulted on all matters involving-

- (a) the determination of the methods of recruitment and conditions of service of general application to Government servants in civil employment; and
- (b) the interpretation of the existing orders of general application relating to such recruitment or conditions of service.

(5) Unless the case is fully covered by the instructions issued or advice given by that Ministry, the Ministry of External Affairs shall be consulted on all matters affecting India's external relations.

5. Requests for Papers.- (1) The Prime Minister may call for papers from any Department.

(2) The Finance Minister may call for papers from any Department in which financial consideration is involved.

(3) Any Minister may ask to see papers in any other Department if they are related to or required for the consideration of any case before him.

6. Committees of the Cabinet. -

(1) There shall be Standing Committees of the Cabinet as set out in the First Schedule to these Rules with the functions specified therein. The Prime Minister may from time to time amend the Schedule by adding to or reducing the numbers of such Committees or by modifying the functions assigned to them.

(2) Each Standing Committee shall consist of such Ministers as the Prime Minister may from time to time specify.

(3) Subject to the provisions of rule 7, each Standing Committee shall have the power to consider and take decisions on matters referred to it by order of the Minister concerned or by the Cabinet.

(4) Ad hoc Committees of Ministers including Group of Ministers may be appointed by the Cabinet, the Standing Committees of the Cabinet or by the Prime Minister for investigating and reporting to the Cabinet on such matters as may be specified, and, if so authorised by the Cabinet, Standing Committees of the Cabinet or the Prime Minister, for taking decisions on such matters.

- (5) To the extent, there is a commonality between the cases enumerated in the Second Schedule and the cases set out in the First Schedule, the Standing Committees of the Cabinet, shall be competent to take a final decision in the matter except in cases where the relevant entries in the First Schedule or the Second Schedule, preclude the Committees from taking such decisions.
- (6) Any decision taken by a Standing or Ad hoc Committee may be reviewed by the Cabinet.
- (7) No case which concerns more than one Department shall be brought before a Standing or Ad hoc Committee of the Cabinet until all the Departments concerned have been consulted.

7. Submission of Cases to the Cabinet.- (i) all cases specified in the Second Schedule to these Rules except cases covered by sub-rule(5) of rule 6, shall be brought before the Cabinet :

Provided that no case which concerns more than one Department shall, save in cases of urgency, be brought before the Cabinet until all the Departments concerned have been consulted.

Provided further that no case which falls under entry (h) of the Second Schedule and where specific powers have been delegated to Ministries/ Departments or Public Sector Undertakings under a decision of the Cabinet or a Standing Committee of the Cabinet and duly notified by the concerned Department, shall be brought before the Cabinet .

Provided also that cases pertaining to the implementation of the nuclear doctrine and handling/deployment of the strategic assets, including matters relating to staffing and creation of the assets, shall be brought before the Political Council of the Nuclear Command Authority, headed by the Prime Minister.

(ii) The Prime Minister may from time to time amend the Second Schedule by adding to or reducing the number or class of cases required to be placed before the Cabinet.

8. Submission of Cases to the Prime Minister and the President.- All cases of the nature specified in the Third Schedule to these Rules shall, before the issue of orders thereon, be submitted to the Prime Minister or to the President or to the Prime Minister and the President, as indicated in that Schedule.

9. Submission of Periodical Returns to the Cabinet.- Each department shall submit to the Cabinet a monthly summary of its principal activities and such other periodical returns as the Cabinet or the Prime Minister may from time to time require.

10. Submission of Certain Papers to the President.- The periodical reports and other papers specified in the Fourth Schedule to these Rules shall be submitted to the President for information as early as possible.

11. Responsibility of Departmental Secretaries.- In each department, the Secretary (which term includes the Special Secretary or Additional Secretary or Joint Secretary in independent charge) shall be the administrative head thereof, and shall be responsible for the proper transaction of business and the careful observance of these rules in that department.

12. Departure from Rules.- The Prime Minister may, in any case or classes of cases permit or condone a departure from these rules, to the extent he deems necessary.

RAJENDRA PRASAD,
President.

THE FIRST SCHEDULE
[Rule 6(1)]

STANDING COMMITTEES OF THE CABINET AND THEIR
FUNCTIONS:-

Name of the Standing Committee	Functions
1. Appointments Committee of the Cabinet.	(i) To take decisions in respect of appointments specified in Annexure I to the First Schedule to the Government of India (Transaction of Business) Rules, 1961; (ii) to take decisions in respect of empanelments specified in Annexure II to the First Schedule to the Government of India (Transaction of Business) Rules, 1961; (iii) to decide all cases of disagreement relating to appointments between the Department or Ministry concerned and the Union Public Service Commission; (iv) to decide cases of extension of tenure, under the Central Staffing Scheme(s) or relevant central tenure norms, of officers belonging to the All India Services and other Group 'A' Services beyond the prescribed limits; (v) to decide cases relating to lateral shift of officers serving on Central deputation; (vi) to decide cases of premature repatriation of officers serving with the Central Government to their parent cadre or Department; (vii) to decide cases relating to inter-cadre deputation or transfer of All India Services Officers; (viii) to decide cases of extension of service beyond the age of superannuation under Fundamental Rule 56(d); (ix) to decide all cases of disagreement with the recommendations of the Search-cum-Selection Committee constituted in accordance with the statutory requirements or the relevant instructions of the Department of Personnel and Training in respect of officers of the rank or pay (pay band plus Grade Pay) equivalent to or higher than a Joint Secretary of the Central Government; (x) to consider and decide representations, appeals and memorials from officers of the rank or pay (pay band plus Grade Pay) equivalent to or higher than a Joint Secretary in the Central Government, except from those working in the cadre, against adverse remarks; (xi) to decide all cases of disagreement, including in the order of preference of the Public Enterprises Selection Board panel, between the administrative Ministry or Department concerned and the Public Enterprises Selection Board;

	(xii) to decide all cases of inter-company transfers of Chairman, Managing Director and functional Directors of Public Sector Undertakings between holding companies and subsidiaries and within the subsidiaries including Memorandum of Understanding signing Public Sector Undertakings; (xiii) to decide all cases relating to intra-company transfer of Managing Director and functional Directors of Public Sector Undertakings including Memorandum of Understanding signing Public Sector Undertakings; and (xiv) to decide cases relating to employment or re-employment of any person, who has attained the age of superannuation, in any Department of the Government of India, any State-owned public corporation, company or enterprise, in a post, appointment to which requires approval of the Appointments Committee of the Cabinet.
2. Cabinet Committee on Accommodation.	(i) To determine the guidelines or rules and terms and conditions to govern out-of-turn allotment of Government accommodation; (ii) to decide upon the allotment of Government accommodation to various categories of non-eligible persons and organisations and the rate of rent to be charged from them; (iii) to consider the question of allotment of accommodation from the General Pool to the Members of Parliament; (iv) to consider proposals regarding shifting of the existing Central Government Offices to places outside Delhi and the location of new offices in Delhi; and (v) to consider and decide upon the proposals relating to- (a) revision of scales of accommodation to various categories of persons; (b) revision of licence fee for various types of Government accommodation; and (c) other matters, like, allotment of accommodation to the various categories of Central Government servants from the 'Central Pool' or 'Special Pool'.

3. Cabinet Committee on Economic Affairs.	(i) to review on a continuous basis economic trends, problems and prospects with a view to evolving a consistent and integrated economic policy framework for the country; (ii) to direct and coordinate all activities in the economic field including foreign investment, requiring policy decisions at the highest level; (iii) to deal with matters relating to fixation of prices of agricultural products and price controls of industrial raw materials and products, industrial licensing policies and foreign investment policies; (iv) to deal with increase in the prices of essential commodities or bulk goods under any form of formal or informal control; (v) to lay down priorities for public sector investment and to consider specified proposals for investment of not less than rupees three hundred crores as cleared by the Public Investment Board/Expenditure Finance Committee/Expanded Board of the Railways/Public Private Partnership Appraisal Committee, etc. except proposals involving setting up of new Companies, Autonomous Bodies, Institutions, special purpose vehicles, etc. or creation of posts carrying pay scale or pay band plus Grade Pay equivalent to that of a Joint Secretary to the Government of India and higher, which shall continue to be placed before the Cabinet; (vi) to deal with industrial licensing cases involving proposals from the Ministries for the establishment of Joint Sector Undertakings; (vii) to review the performance of Public Sector Enterprises and consider cases relating to their structural re-organisation or financial re-structuring; (viii) to review progress of activities related to rural development including those concerning small and marginal farmers;
--	---

	(ix) to facilitate finalisation of factual reports on the accomplishments of the Ministries, Agencies and Public Sector Undertakings involved in implementation of prioritised schemes or projects for evaluation by the Prime Minister; (x) to consider issues relating to disinvestment; (xi) to decide the price band and final price of sale of shares held by Government of India in all Central Public Sector Enterprises; Note.- Decisions in respect of functions listed in sub-paragraph (xi) above may unless the composition of the Empowered Group of Ministers (EGoM) is modified by the competent authority specified in sub-rule (4) of rule 6 of the Government of India (Transaction of Business) Rules, 1961, be taken by the Empowered Group of Ministers (EGoM) consisting of the Minister of Finance, Minister of Home Affairs, Deputy Chairman, Planning Commission and the Minister-in-Charge of the administrative Ministry concerned with the public sector enterprise whose proposals come up for consideration. The composition of the EGoM shall, if modified by the competent authority, be duly notified by the Cabinet Secretariat. (xii) to decide the final pricing of the transaction and the strategic partner in case of the strategic sales; and (xiii) to consider cases of increase in the firmed up cost estimates or revised cost estimates due to reasons such as time overrun, changes in scope, under-estimation, etc. in respect of proposals that are required to be placed before the Cabinet Committee on Economic Affairs for which the procedure stipulated in the Second Schedule to the Government of India (Transaction of Business) Rules, 1961, in respect of similar cases will apply.
4. Cabinet Committee on Management of Natural Calamities.	(i) To oversee all aspects relating to management of natural calamities including assessment of the situation and identification of measures considered necessary to reduce its impact; (ii) to examine and implement programmes for reducing the adverse impact of natural calamities; (iii) to monitor and suggest long term measures for prevention of such calamities in future; and (iv) to formulate and recommend programmes for public awareness for building up society's resilience to natural calamities. The Committee will be serviced by the Ministry of Home Affairs in all cases except in cases relating to Drought Management and Epidemics when it will be serviced, as the case may be, by the Department of Agriculture and Cooperation and Department of Health and Family Welfare.

5. Cabinet Committee on Parliamentary Affairs.	(i) To watch the progress of Government business in Parliament and to give such directions as may be necessary from time to time, in order to secure smooth and efficient conduct of such business; (ii) to scrutinise, and to consider the attitude of the Government on non-official Bills and resolutions to be presented to Parliament; Note: The Minister of Parliamentary Affairs, may take a decision in cases, where the recommendation of the concerned Ministry/Department is that the non-official Bill/Resolution may be opposed, or the Members may be persuaded/requested to withdraw the Bill/Resolution, failing which it may be opposed. Decisions so taken by the Minister may be placed before the Cabinet Committee on Parliamentary Affairs or if no meeting of the Committee is envisaged, within a reasonable period of time, these may be circulated to the Members of the Committee for ratification. (iii) to review legislations undertaken by State Legislatures from an all-India point of view; and (iv) to consider proposals to summon or prorogue the Houses of Parliament. Note: The Committee shall, unless otherwise decided by the Cabinet Secretary, be serviced by the Ministry of Parliamentary Affairs.
6. Cabinet Committee on Political Affairs.	(i) To deal with problems relating to Centre-State relations; (ii) to consider economic and political issues that have to be judged with a wider perspective; and (iii) to deal with policy matters concerning foreign affairs that do not have external or internal security implications.
7. Cabinet Committee on Prices.	(i) To monitor the general price situation in the country and to decide upon appropriate corrective measures including measures relating to prices of essential commodities; (ii) to assess the internal availability of all essential and agricultural commodities and to authorise effective steps; (iii) to take decisions on export of all essential and agricultural commodities particularly from Food Corporation of India stocks keeping in view the price implications for the domestic market; (iv) to consider measures required for making the Public Distribution System more efficient and effective and to determine the prices of articles supplied through the System; (v) to consider measures necessary for augmenting the supply of requisite commodities for stabilizing the prices including through imports; and (vi) to review measures regarding enforcement of the Essential Commodities Act and other related statutory provisions.

8. Cabinet Committee on Security.	(i) to deal with all Defence related issues; (ii) to deal with issues relating to law and order, and internal security; (iii) to deal with policy matters concerning foreign affairs that have internal or external security implications including cases relating to agreements with other countries on security related issues; (iv) to deal with economic and political issues impinging on national security; (v) to review the manpower requirements relating to national security including proposals concerning creation of posts carrying the pay scale or pay band plus Grade Pay equivalent to that of a Joint Secretary to the Government of India and higher, and setting up new structures to deal with security related issues; (vi) to consider cases relating to projects, acquisition or procurement of security related equipment not delegated to be approved either by the Minister-in-Charge of the concerned Department or/and by the Minister of Finance; (vii) all matters relating to atomic energy; and (viii) to consider cases of increase in the firmed up cost estimates/revised cost estimates due to reasons such as time overrun, changes in scope, under-estimation, etc. in respect of proposals that are required to be placed before the Cabinet Committee on Security for which the procedure stipulated in the Second Schedule to the Government of India (Transaction of Business) Rules, 1961, in respect of similar cases will apply.
9. Cabinet Committee on World Trade Organisation Matters.	To consider and decide on issues pertaining to the World Trade Organization.
10. Cabinet Committee on Infrastructure	(i) to consider and take decisions in respect of all infrastructure related proposals costing more than rupees three hundred crores specifically those concerning Energy, Railways, Roads and National Highways, Ports, Airports, Telecommunications, Information Technology, Irrigation, Housing and Urban Development with particular emphasis on rural housing and augmentation of facilities in urban slums; (ii) to consider and decide measures; namely, fiscal, financial, institutional and legal required to enhance investment in the infrastructure sector, including grant of requisite approvals to facilitate private sector investment in specific projects; (iii) to lay down annual parameters and targets for performance for all infrastructural sectors; (iv) to review the progress of infrastructural projects; and (v) to consider cases of increase in the firmed up cost estimates/revised cost estimates due to reasons such as time overrun, changes in scope, under-estimation, etc. in respect of proposals that are required to be placed before the Cabinet Committee on Infrastructure for which the procedure stipulated in the Second Schedule to the Government of India (Transaction of Business) Rules, 1961, in respect of similar cases will apply.

11. Cabinet Committee on Unique Identification Authority of India related issues.	All issues relating to the Unique Identification Authority of India including its organization, plans, policies, programmes, schemes, funding and methodology to be adopted for achieving the objectives of that Authority.
---	---

ANNEXURE I TO THE FIRST SCHEDULE
APPOINTMENTS REQUIRING THE APPROVAL OF THE
APPOINTMENTS COMMITTEE OF THE CABINET

Departments	Appointments
A. All Ministries/ Departments	1. Secretariat appointments of and above the rank of Joint Secretary in the Central Government. 2. All other appointments of civilian officers in the Government of India carrying a salary or salary scale or pay band plus Grade Pay equivalent to or higher than the minimum of such scale or pay band plus Grade Pay payable to a Joint Secretary to the Government of India except - (i) appointment of Indian Police Service officers of Inspector General and Additional Director General levels in the Central Police Organisations under the Ministry of Home Affairs; (ii) appointment of officers of the Defence Forces of the rank of Major General or equivalent in the Central Police Organisations under the Ministry of Home Affairs; and (iii) appointment of organised Group 'A' Central Services officers to the posts in the cadre other than the posts which carry the pay scale equivalent to the Secretary to the Government of India. 3. Appointment of officers abroad (other than officers belonging to the Ministry of External Affairs), to the posts of the rank of Third Secretaries or equivalent and above in Indian Missions or outside such Missions. 4. Appointment of Private Secretaries, and Officers on Special Duty, in the office of the members of the Union Council of Ministers. 5. Appointment in autonomous institutions and statutory bodies, under the Central Government to the posts of the Chief Executive in the salary or salary scale or pay band plus Grade Pay equivalent to or higher than the minimum of such scale or pay band plus Grade Pay payable to a Joint Secretary to the Government of India. 6. Appointment, whether salaried or not, of Chairman, and other Members of the Board of Management (including the Managing Director and the Financial Adviser, if the Financial Adviser is a member of the Board of Management) of any Schedule 'A' or Schedule 'B' State-owned public corporation, Public Sector Banks, Public Sector Insurance Companies and Financial Institutions, company or enterprise, except where such appointment is made ex-officio by the Government.

	7. Appointment to the posts of part-time non-official Directors on the Boards of Management of any State-owned public corporation, company or enterprise. 8. Appointment of Chief Vigilance Officers (CVOs) in Public Sector Undertakings, Autonomous organizations and statutory bodies, under the Central Government in the salary or salary scale or pay band plus Grade Pay equivalent to or higher than the minimum of such scale or pay band plus Grade Pay payable to a Joint Secretary to the Government of India.
B. Appointments specific to some Ministries in addition to those specified under “A” above- Ministry of Defence	1. Scientific Adviser to the Defence Minister. 2. Director General, Armed Forces Medical Services. 3. Director General, Ordnance Factories. 4. Additional Director General, Ordnance Factories. 5. Director General, Defence Estates. 6. Director General, Quality Assurance. 7. Additional Director General, Quality Assurance. 8. Director Grade I in Director General Quality Assurance Organisation. 9. Controller General of Defence Accounts. 10. Additional Controller General of Defence Accounts. 11. Principal Controllers of Defence Accounts and equivalent posts in Indian Defence Accounts Service. 12. Director, Institute for Defence Studies and Analyses (IDSA). ARMY 13. Chief of the Army Staff. 14. Vice-Chief of the Army Staff/General Officers Commanding-in-Chief, Central Command, Southern Command, Eastern Command, Western Command, Northern Command, South Western Command and Army Training Command.

	15. Principal Staff Officers at Army Headquarters, namely, Deputy Chief of the Army Staff, Adjutant General, Quarter-Master General, Master General of the Ordnance, Military Secretary, Engineer-in-Chief and Director General of Military Operations (DGMO). NAVY 16. Chief of the Naval Staff. 17. Flag Officers Commanding-in-Chief, Western, Eastern and Southern Naval Commands, Vice-Chief of the Naval Staff and Principal Staff Officers at Naval Headquarters in the rank of Vice-Admiral, that is, Chief of Personnel, Chief of Material, and Deputy Chief of the Naval Staff. AIR FORCE 18. Chief of the Air Staff. 19. Vice Chief of the Air Staff; Air Officers Commanding-in-Chief of the Western, Central, Eastern, Maintenance, Training, Southern and South Western Air Commands. 20. Principal Staff Officers at Air Headquarters, that is, Deputy Chief of the Air Staff; Air Officer-in-charge, Maintenance, Air Officer-in-charge, Administration, Air Officer-in-charge, Personnel, and Inspector General. HEADQUARTER INTEGRATED DEFENCE STAFF AND INTER-SERVICE COMMANDS 21. Chief of Integrated Defence Staff to the Chairman; Chiefs of Staff Committee; Commander-in-Chief, Andaman and Nicobar Command; and Commander-in-Chief, Strategic Force Command. 22. Deputy Chief of Integrated Defence Staff (Doctrine, Organisation and Training); Deputy Chief of Integrated Defence Staff (Policy, Planning and Force Development); Deputy Chief of Integrated Defence Staff (Operations); and Director General Defence Intelligence Agency and Deputy Chief of Integrated Defence Staff (Intelligence). Note.- No reference to the Appointments Committee of the Cabinet is required for transfer of an officer approved for an appointment to any post included in entries 14, 15, 17, 19, 20 and 22 to another post included in the same entry;
Ministry of Finance	Governor and Deputy Governors of the Reserve Bank of India.
Ministry of Law and Justice	Solicitor General and Additional Solicitor General.
Ministry of Railways	1. Chairman, Railway Board. 2. Members and Additional Members of the Railway Board. 3. Financial Commissioner for Railways. 4. General Managers of Railways and equivalent appointments.

ANNEXURE II TO THE FIRST SCHEDULE
EMPANELMENTS REQUIRING THE APPROVAL OF THE
APPOINTMENTS COMMITTEE OF THE CABINET

1. Empanelment of officers of All India Services, and Organised Group 'A' Central Services for holding Secretariat posts at the level of Joint Secretary, Additional Secretary and Secretary in the Central Government.
2. Empanelment of officers belonging to the Central Secretariat Service for appointment to posts at the level of Joint Secretary, Additional Secretary and Secretary in the Central Government.
3. Empanelment for making appointment to posts in Grades I to III of the Indian Foreign Service.
4. Empanelment of Indian Police Service officers for holding posts at the level of Inspector General, Additional Director General and Director General or equivalent ranks in the Central Police Organisations.
5. Empanelment of Indian Forest Service Officers for holding the post of Inspector General of Forests, Additional Director General of Forests and Director General of Forests.
6. Empanelment for making appointments to the Senior Administrative Grade of organized Group 'A' Central Services other than Organised Group 'A' Services under the Ministry of Railways and Indian Telecommunications Services and other services under the Department of Telecommunications.
7. Empanelment of officers of all Central Services under the Ministry of Railways for making appointment to the posts of Additional General Manager and above in the Indian Railways.
8. Empanelment of officers of the Indian Telecommunications Services for making appointment to a post carrying a Grade Pay of Rs. 12,000/- in the pay band of Rs. 37400-67000 and above under the Telecom Commission.
9. Empanelment for making appointments to the posts of Lieutenant General in the Indian Army and equivalent ranks in the Indian Navy, and the Indian Air Force; Director General of Armament Supply, Naval Armament Supply Officer (SAG) and Senior Director (Naval Stores) in Naval Head Quarter; and Additional Director General, Chief Engineer, Chief Architect and Chief Engineer (Quantity Surveying and Contract) in Military Engineer Services.

THE SECOND SCHEDULE

(Rule 7)

CASES WHICH SHALL BE BROUGHT BEFORE THE CABINET

- (a) Cases involving legislation including the issue of Ordinances.
- (b) Addresses and messages of the President to Houses of Parliament.
- (c) Proposals to summon or prorogue the Houses of Parliament or dissolve the House of the People.
- (d) Cases involving negotiations with foreign and Commonwealth countries on treaties, agreements and other important matters:

Provided that-

- (i) Cultural Agreements and Agreements on Science and Technology not impacting the national security or our relations with other countries which are duly approved by the Minister-in-Charge of the Department concerned and the Minister of External Affairs and where requisite inter-Ministerial consultations in terms of rule 4 have been carried out may only be circulated to the Cabinet for information;
 - (ii) such foreign aid agreements and commercial agreements as are duly approved by the Minister-in-Charge of the concerned Department and as are within the broad frame-work already approved by the Cabinet need not be formally placed before the Cabinet.
- (e)
 - (i) Cases relating to commencement or cessation of a state of war and related matters.
 - (ii) Cases relating to a proclamation of emergency under articles 352 to 360 of the Constitution and other matters related thereto.
- (f) Proposals to appoint public commissions or committees of inquiry and consideration of the reports of such commissions or committees.
- (g) Any proposal to withdraw otherwise than in accordance with competent legal advice, any prosecution instituted by or at the instance of the Government of India.
- (h) Proposals relating to -
 - (i) (A) creation of new corporations or companies wholly owned by the Central Government or by a public sector undertaking;
 - (B) setting up of new autonomous bodies, institutes of national importance, Central Universities or deemed to be universities, special purpose vehicles etc.;
 - (ii) participation by the Central Government or a public sector undertaking in providing share capital to a new or any existing corporation or company involving investments of not less than rupees three hundred crores except in cases where the authority to do so has specifically been delegated to other authorities and other than the proposals to acquire shares from the public in private sector organisations in which Government have a share or an interest;

- (iii) winding up, amalgamation or such other major schemes of structural re-organisation of public sector undertakings;

except in pursuance of a decision already taken by the Cabinet or the Standing Committee(s) of the Cabinet;

- (iv) (1)(i) increase in the firmed up cost estimates of schemes and projects, procurement and acquisition cases relating to different departments including by the Ministry of Railways, the State owned public corporations, companies, enterprises and projects, where such increase is more than twenty percent of the original cost estimates based on feasibility report already approved by the competent authority;
- (ii) cost increase due to reasons such as time overrun, changes in scope, under-estimation, etc. for the purpose of entry (iv) (1) (i) to be arrived at after excluding the escalation due to increase in statutory levies, exchange rate variation and price escalation within the original approved project time cycle;
- (2) any further increase of 5% in the revised cost estimates referred to in entry (iv) (1) (after excluding the escalation due to increase in statutory levies, exchange rate variation and price escalation within the approved project time cycle):

Provided that no case of revised cost estimates mentioned in entry (h) (iv) where the revised cost estimate is less than rupees three hundred crores or is within the powers delegated under second proviso to rule 7 irrespective of the authority which had initially approved the project, shall be brought before the Cabinet;

- (v) Cases relating to establishment or expansion of any scheme (including any lines of production) and procurement or acquisition by any Department, State-owned public corporation, company or enterprise where such cases involve an outlay of not less than rupees three hundred crores.
 - (i) Proposals relating to creation of all posts carrying a pay scale of Rs. 18400-22400 and above.
- Note.- This clause does not apply to posts in Public Sector Undertakings and scientific posts under the Flexible Complementing Scheme.
- (j) Cases involving financial implications on which the Minister of Finance desires a decision of the Cabinet.
 - (k) Cases in which the Minister-in-Charge of the concerned department desires a decision or direction of the Cabinet in a matter of importance on a subject assigned to his charge.
 - (l) Cases in which a difference of opinion arises between two or more Ministers and a Cabinet decision is desired.
 - (m) Proposals to vary or reverse a decision previously taken by the Cabinet.
 - (n) Any other cases which the President or the Prime Minister may by general or special order require to be brought before the Cabinet.

Note.- (i) For the purpose of this Schedule, any case or the class of cases that are covered or have been included in the First Schedule to these rules shall be disposed of by the concerned Committee of the Cabinet and shall not be required to be placed before the Cabinet except in terms of sub-rule (6) of rule 6.

(ii) Cases relating to creation of new posts carrying a pay scale of Rs.18,400 - 22,400 and above, setting up of Joint Ventures, special purpose vehicles, new entities such as institutes of national importance, Central Universities or deemed to be universities, Public Sector Undertakings, etc. shall be brought before the Cabinet and not disposed of by the Standing Committees except in respect of requirements relating to national security.

THE THIRD SCHEDULE

(Rule 8)

CASES FOR SUBMISSION TO THE PRIME MINISTER AND THE PRESIDENT

Sl. No.	Nature of Cases	Reference to provision of the Constitution, if any	Authority to whom to be submitted
(1)	(2)	(3)	(4)
1.	President's emoluments, allowances, privileges and official residences.	Article 59(3)	The Prime Minister and the President.
2.	Grant of pardons, reprieves, respites, suspension, remission or commutation of a Sentence of death.	Article 72	The President.
3.	Appointment and resignation of the Prime Minister and other Ministers of the Union.	Article 75	The President.
4.	Appointment, resignation and removal of the Attorney General for India.	Article 76	The Prime Minister and the President.
5.	Nomination of members of either House of Parliament.	Articles 80 and 331	The Prime Minister and the President.
6.	Summoning or prorogation of the Houses of Parliament or dissolution of the House of the People.	Articles 85 and 108	The Prime Minister and the President.
7.	The President's address and messages to Houses of Parliament.	Articles 86 and 108	The Prime Minister and the President.
8.	Disqualifications of Members of Parliament.	Article 103	The Prime Minister and the President.
9.	Bills passed by the Houses of Parliament for the President's assent.	Article 111.	The President.
10.	Recommendations of the President for presentation to the Houses of Parliament of Annual Financial Statements and Statements relating to supplementary, additional or excess grants; appropriation bills, bills affecting taxation in which States are interested.	Articles 112, 114, 115, 117 and 274.	The President.
11.	Promulgation and withdrawal of Ordinances.	Article 123	The Prime Minister and the President.
12.	Appointment, resignation and removal of Judges of the Supreme Court of India.	Articles 124, 126, 127 and 128.	The Prime Minister and the President.

Sl. No.	Nature of Cases	Reference to provision of the Constitution, if any	Authority to whom to be submitted
(1)	(2)	(3)	(4)
13.	References to the Supreme Court of India.	Article 143	The Prime Minister and the President.
14.	Appointment, resignation and removal of Comptroller and Auditor-General of India.	Article 148	The Prime Minister and the President.
15.	Appointment, resignation and removal of Governors of States and Administrators of Union Territories of the status of Lieut. Governor.	Articles 155 and 239.	The Prime Minister and the President.
16.	Provision for the discharge of the functions of the Governor of a State or in case of failure of constitutional machinery in States.	Articles 160 and 356.	The President.
17.	Bills reserved by the Governor of a State for the President's assent.	Article 201	The President.
18.	Appointment, resignation and removal of Judges of the High Courts for States.	Articles 217, 223 and 224.	The Prime Minister and the President.
19.	Establishment of Inter-State Councils.	Article 263	The Prime Minister and the President.
20.	Appointment, suspension, resignation and removal of the Chairman and Members of the Finance Commission.	Article 280	The Prime Minister and the President.
21.	Appointment, resignation and removal of Chairman and Members of the Union Public Service Commission.	Articles 316 and 317.	The Prime Minister and the President.
22.	Appointment, resignation and removal of the Chief Election Commissioner and other Election Commissioners.	Article 324	The Prime Minister and the President.
23.	Appointment, resignation and removal of Special Officer for Scheduled Castes and Scheduled Tribes.	Article 338	The Prime Minister and the President.
24.	Appointment, resignation and removal of the Chairman and Members of the Commission to report on the administration of Scheduled Areas and the Welfare of Scheduled Tribes in the States.	Article 339	The Prime Minister and the President.
25.	Appointment, resignation and removal of the Chairman and Members of the Commission to	Article 340	The Prime Minister and the President.

Sl. No.	Nature of Cases	Reference to provision of the Constitution, if any	Authority to whom to be submitted
(1)	(2)	(3)	(4)
	investigate into conditions of backward classes.		
26.	Appointment, resignation and removal of the Chairman and Members of the Commission on Official Language of the Union.	Article 344	The Prime Minister and the President.
27.	Proclamation of Emergency and Proclamation as to financial emergency and other provisions arising out of such proclamations.	Articles 352 to 360	The Prime Minister and the President.
27A.	Declaration of commencement or cessation of a State of war.	..	The Prime Minister and the President.
28.	Recognition of Rulers of former Indian States.	Article 366(22)	The Prime Minister and the President.
29.	Amendment of the Constitution.	Article 368	The Prime Minister and the President.
30.	Proposals under Articles 370 and 371.	..	The Prime Minister and the President.
31.	Assent to Regulations made under paragraph 5(2) of the Fifth Schedule to the Constitution.	..	The President.
32.	Appointment and removal of Ambassadors, Ministers, <i>Charge d' Affaires</i> and other high dignitaries accredited to the foreign countries.	..	The Prime Minister and the President.
32A.	Grant of refusal of agreement for persons proposed to be accredited as heads of foreign diplomatic missions /High Commissions and declaring them <i>persona non grata</i> .	..	The Prime Minister and the President.
33.	Award of Medals, Decorations and "Mention in Despatches".	..	The Prime Minister and the President.
34.	Messages to Heads of foreign countries.	..	The President.
35.	Appointments, resignations and removal of such other authorities as the President may, by general or special order, prescribe.	..	The President.
36.	Such other cases of administrative importance as the Prime Minister may specify.	..	The President.

Sl. No.	Nature of Cases	Reference to provision of the Constitution, if any (3)	Authority to whom to be submitted (4)
(1)	(2)	(3)	(4)
37.	Appointment, resignation and removal of Chairman and members of any other statutory Commissions, not mentioned above and important <i>ad hoc</i> Commissions and members thereof.	..	The Prime Minister.
38.	Appointment of Indians to important posts on executive and other organs of International bodies such as the International Monetary Fund and the International Bank.	..	The Prime Minister.
39(i)	Cases of disciplinary action where the authority otherwise competent under the relevant rules concludes that the penalty of dismissal, removal, compulsory retirement or reduction in rank is justified to be imposed on the holder of a post, appointment to which ordinarily requires approval of the Appointments Committee of the Cabinet.	..	The Prime Minister and the President.
(ii)	Cases of disciplinary action, against officers of the All India Services and all Group A Central Civil Services including those under the Ministry of Railways, where there is a difference of opinion between the Departments concerned or between the Department concerned and the Union Public Service Commission, and which are not required to be placed before the Prime Minister and the President in accordance with 39(i) above.	..	The Prime Minister.
40.	Delegations to International (including Commonwealth) Assemblies and Conferences.	..	The Prime Minister.
41(i)	Cases considered by the Group of Ministers (GoM) relating to grant of permission, for taking up remunerated employment in any private (commercial, industrial or other) concern to a person who held a post in the rank of Secretary to the Government of India or equivalent or higher and immediately before his	..	The Prime Minister.

Sl. No. Nature of Cases

**Reference to
provision of the
Constitution, if
any
(3)**

**Authority to
whom to be
submitted
(4)**

(1)**(2)**

retirement belonged to: (a) an All India Service and was under the Central Government at any time during a period of two years prior to his retirement; or (b) any of the Central Civil Services including those under the Ministry of Railways.

Note.- The requests for grant of permission in respect of all officers of the level of Secretary and above, shall, before being placed before the Prime Minister, be considered by a Group of Ministers (GoM) comprising the Minister of State in the Department of Personnel and Training or when there is no Minister of State in the Department of Personnel and Training, the Minister-in-Charge of the Department of Personnel and Training, the Minister-in-charge of the cadre controlling Department of the Service to which such person belongs to, and the Minister-in-Charge of the Department where such a person worked during last one year. Provided that in cases, where the Cadre Controlling Ministry of the officer whose case is being considered is also the Department of Personnel and Training, the Group of Ministers shall include the Minister of Home Affairs.

(ii)

Cases relating to grant of permission to officers of the level of Joint Secretary to the Government of India or equivalent and higher but less than the Secretary to the Government of India or equivalent belonging either to the All India Services or the Central Civil Services including those under the Ministry of Railways, where the GoM in accordance with 41(i), did not recommend grant of such permission. Provided that approval of the Prime Minister shall not be required, where the GoM recommends grant of such permission to an officer of this level.

..

The Prime Minister.

41A. Engagement of a non-

..

The Prime Minister.

Sl. No.	Nature of Cases	Reference to provision of the Constitution, if any	Authority to whom to be submitted
(1)	(2)	(3)	(4)
	governmental foreign agency for investigation or detective purposes.		
42.	Any other matter which the Prime Minister may from time to time by general or special order, specify.	..	The Prime Minister.

THE FOURTH SCHEDULE
(Rule 10)

PERIODICAL REPORTS AND OTHER PAPERS WHICH SHALL BE
SUBMITTED TO THE PRESIDENT FOR HIS INFORMATION

- (1) Agenda and connected papers for meetings of the Cabinet and its Committees and cases circulated to the Ministers for recording their opinion.
 - (2) Record of decisions reached on cases either circulated to Ministers, or decided at a meeting of the Cabinet or any of its Committees.
 - (3) Monthly summaries and such other periodical returns as are required to be submitted by departments to the Cabinet.
 - (4) Weekly Intelligence summaries from the Director, Intelligence Bureau.
 - (5) Fortnightly reports about the internal political situation, etc., from States and Union Territories.
 - (6) Annual reports or reports submitted by officers, committees and commissions appointed either by Government or by the President in accordance with the provisions of the Constitution.
 - (7) Important telegrams exchanged between the Ministry of External Affairs and Representatives abroad.
 - (8) Copies of orders issued by departments conveying -
 - (a) Instructions from the President under the proviso to clause (I) of article 213 for the promulgation of ordinances by Governors of States; and
 - (b) Sanctions of the President under the proviso to article 304 to the introduction in the Legislature of a State of Bills or amendments imposing restrictions on the freedom of trade, commerce or intercourse with or within that State.
 - (9) Such other information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for.
-