

**INSTRUCTIONS FOR SUBMISSION
OF CASES TO THE CABINET/CABINET COMMITTEES**

Salient features of the procedure for submission of Cabinet/Cabinet Committee cases given in the Rules of Business, 1973, are explained below:

- (i) ^{1(a)}For inclusion of a case in the agenda of a Cabinet meeting, the Summary (complete in all respects) is required to reach the Cabinet Division at least **seven clear days in advance of the meeting**. The Cabinet Division may not accept any Summary received after this period.
- (ii) ^{1(b)}A Summary reaching the Cabinet Division after the prescribed period shall be included in the agenda **of a subsequent Cabinet meeting, provided it is in order**.
- (iii) ²If a case concerns more than one Division, the Summary should not be submitted to the Cabinet/Cabinet Committee Division unless **all the Divisions concerned have been consulted** and their views/comments whether positive or negative, are clearly reflected in the Summary.
- (iv) ³When a case, listed in rule 16(1) of the Rules of Business, 1973, is required to be submitted to the Cabinet/Cabinet Committee, the Secretary concerned shall submit a **self-contained, concise, lucid and printed Summary (not exceeding two pages)**. The Summary should contain **background of the case, relevant facts, points for decision and recommendations/ approval of the Minister-in-Charge**.
- (v) ⁴In terms of rule 18(7) of the Rules of Business, 1973, it shall be the duty of the Cabinet Secretary to satisfy himself/herself that the papers submitted by a Secretary of the Ministry/Division concerned are complete and in appropriate form. He/She may return the case until the requirements of the rules have been complied with. If the Cabinet Secretary is satisfied that the case does not merit consideration of the Cabinet/Cabinet Committee, he/she may advise the matter to be placed before an appropriate forum or require it to be submitted to the Prime Minister.
- (vi) ⁵When portfolio of a Ministry/Division has not been allocated to a Minister, that Ministry or Division shall be in the charge of the Prime Minister. In that case the Summary shall be submitted with the approval of the Prime Minister in his capacity as Minister-in-Charge of that Ministry or Division. The summary for the Cabinet **should not be submitted** with the authorization of the Minister of State, Advisor to the Prime Minister or Special Assistant to the Prime Minister, unless, the Prime Minister has authorized them to do so as a special case.

^{1(a)(b)}Rule 18(6) of the Rules of Business, 1973

²Rule 8(1) of the Rules of Business, 1973

³Rule 18(1) of the Rules of Business, 1973

⁴Rule 18(7) of the Rules of Business, 1973

⁵Rule 3(4) of the Rules of Business, 1973

- (vii) ⁶**Proposals** for approval of the cabinet/Cabinet Committee in Summary **should be highlighted in bold letters.**
- (viii) ⁷**One signed copy of the Summary with initials on each page** (with blue ink) by the Secretary/Additional Secretary In-charge should be provided to the Cabinet Division.
- (ix) ⁸All cases involving negotiations with foreign countries are required to be submitted to the Minister-in-Charge for **approval in principle and actual negotiations should be initiated only after the proposal has been approved by the Minister-in-Charge.**
- (x) ^{9(a)}Rule-16(1)(h) of the Rules of Business, 1973 prescribes that international instruments (Agreements, Memoranda of Understanding, Conventions, Protocols etc) are required to be submitted to the Cabinet/Cabinet Committee for:-
- a. Approval to sign the negotiated instrument(s); and
- ^{9(b)} b. *After signing of the instrument (s), approval for ratification of the Cabinet is required in all those instrument(s) **which require ratification by virtue of a specific provision in its text to that effect.***
- (xi) ¹⁰Ex-post facto approvals of the Cabinet mentioned in para (x) above should be avoided and discouraged.
- (xii) ¹¹In case of a proposed legislation requiring approval, in principle, of the Cabinet/Cabinet Committee, the Summary should clearly bring out the main issues to be legislated upon (**without annexing the draft legislation**). In case the proposed legislation is an amendment to an existing legislation, a **comparative statement** showing the existing provisions and the amended provisions should be attached with the Summary.
- (xiii) ¹²In pursuance of rule 20(6) *ibid*, no case shall be discussed nor any issue raised in a Cabinet meeting unless Summary relating to it has first been circulated to Cabinet/Cabinet Committee members.
- (xiv) ¹³**All papers submitted to the Cabinet are secret until Cabinet discussion has taken place.** The Summaries are required to be supplied to the Cabinet/Cabinet Committee Division in double sealed covers, inner cover being marked as "TO BE OPENED BY THE ADDRESSEE ONLY".

⁶Cabinet Division vide u. o. Note No.10/CM/2017-D, dated 7th September, 2017

⁷Cabinet Division vide u. o. Note No.F.2-2/2016-Cab, dated 6th September, 2016

⁸Cabinet Division vide u. o. Note No.08/CM/2017-D, dated 28th August, 2017

^{9(a)}Rule 16(1)(h) of the Rules of Business, 1973

^{9(b)}Foreign Affairs Division vide u. o. Note No.P(I-A)-2/1/2014, dated 9th July, 2017

¹⁰Cabinet Division vide u. o. Note NoF.2-3/2008-Cab, dated 2nd July, 2012

¹¹Cabinet Division vide u. o. Note No.F.2-3/2008-Cab, dated 8th September, 2015

¹²Rule 20(6) of the Rules of Business, 1973

¹³Rule 24(8) of the Rules of Business, 1973

- (xv) ¹⁴All papers issued to Cabinet/Cabinet Committee members for discussion in a Cabinet meeting are required to be returned to the Cabinet Division immediately after the Cabinet discussions have taken place and should not be shared with unauthorized personnel at any time.
- (xvi) ¹⁵The record/discussions of a Cabinet/Cabinet Committee meeting are confidential in public interest and appropriate information is shared at the right time by designated spokespersons. The need for secrecy and confidentiality is of paramount importance.

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¹⁴Rule 24(9) of the Rules of Business, 1973

¹⁵Cabinet Division vide u. o. Note No.F.2-3/2008-Cab, dated 8th September, 2015