F. No. 16/IWAI/Estt./Misc/13/2019 Circular

Dated 04.07.2019

CIRCULAR

Subject: Direction from Cabinet Secretariat...

Copy of the Office Memorandum No. 1/13/1/2019-Cab. dated 04.06.2019 from Cabinet Secretariat regarding return of Cabinet/Cabinet Committee Notes after formation of new Government alongwith Instructions of Government Bills in Parliament dated 15th Oct, 1999 which is self-explanatory is attached herewith for information and necessary action.

This issues with the approval of the Competent Authority.

(Ajay Kumar)
Assistant Secretary (A&E)

Copy to :-

1. Chief Engineer (Technical)/Chief Engineer (JMVP)/Chief Engineer (Traffic)/Chief Engineer (Patna)/Hydrography Chief, IWAI, Noida/Patna
2. Director, IWAI, Patna/Kolkata/Kochi/Guwahati
3. Officer-in-charge/Dy. Director, IWAI, Sahibganj Sub-office
4. Director (Finance & Accounts), IWAI, Noida
5. Director (IT), IWAI, Noida – For uploading on IWAI website
6. Hindi Cell – for Hindi version
7. Office Copy
8. Master Copy

Copy for information to :-

PPS/PS/PA to Vice-Chairman/Member (Technical)/Member (Finance)/Member (Traffic)/Secretary
Slr (s),

Forwarded for necessary information and action please.

(C. M. Rout)
Director (MT)

From: raachar@nic.in
To: "Chandramani Rout" <chandramani@nic.in>
Sent: Friday, June 7, 2019 6:08:51 PM
Subject: FW: Directions from Cabinet Secretariat

PI share with RWA and TAMAP

From: V S Sehrawat <vs.sehrawat@nic.in>
Sent: Friday, June 7, 2019 5:46 PM
To: raachar@nic.in; Setinder Pal Singh <js.ship@nic.in>; Pravir Kishan <js.porta@nic.in>; Kailash Aggarwal <kailash.aggarwal@gov.in>; LUCAS L. KAMSUAN <lucask.mamsuan@nic.in>; Sunil Singh <sunil.singh@nic.in>; HN Aswath <hn.aswath@nic.in>
Cc: shashi.wadhw77 <shashi.wadhw77@nic.in>
Subject: Directions from Cabinet Secretariat

Respected Sirs,


Wing Heads are requested to kindly take further necessary action expeditiously in terms of the instructions contained in aforesaid letter/attachment.

Regards,
V. S. Sehrawat
Dy. Chief Controller of Chartering
Ministry of Shipping
Ph.: 23738989

[Handwritten notes and signatures]

https://mail.gov.in/wec_static/layout/shell.html?lang=en&3.0.1.2.0_15121607
OFFICE MEMORANDUM

No. 1/13/1/2019-Cab.
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 4th June, 2019

Subject: Action to be taken by Ministries/Departments in respect of final proposals forwarded to Cabinet Secretariat which have not been considered by Cabinet/Cabinet Committees and legislative proposals which have been considered by the Cabinet earlier and are to be pursued after the formation of the new Government.

The undersigned is directed to say that Ministries/Departments have forwarded a number of final proposals to the Cabinet Secretariat prior to formation of the new Government which have not been considered by the Cabinet/Cabinet Committees. The procedure for dealing with such cases has been laid down vide this Secretariat's O.M. no. 1/13/5/2009-Cab. dated 25.06.2009 regarding 'Return of Cabinet/Cabinet Committee notes after formation of the new Government' (copy enclosed) wherein Ministries/Departments were requested to obtain fresh approval of the Minister-in-charge. The requirement of inter-ministerial consultations was dispensed with in all cases where consultations were held during six months prior to formation of the new Government.

2. In addition to the above, Ministries/Departments may after review of their legislative business decide to pursue proposals which have been considered by the Cabinet earlier and relate to the following categories: (i) Bills which have lapsed; (ii) Proposals for legislation approved by previous Cabinet which have not been introduced as Bills; (iii) Bills which have not lapsed; and (iv) where an Ordinance has been promulgated and is required to be replaced by a Bill. Detailed instructions on the action to be taken by Ministries/Departments on such proposals have been laid down vide Cabinet Secretariat O.M. No. 1/46/3/99-Cab. dated 15.10.1999 regarding 'Introduction of Government Bills in Parliament' (copy enclosed).

3. Ministries/Departments are advised to finalize Cabinet notes for these legislative proposals with the approval of the Minister-in-charge as per O.M. dated 15.10.1899. In order to cut delays, it has inter alia been stipulated that in cases where legislative proposals were approved after necessary inter-ministerial consultations and there is no major deviation from the earlier proposal, fresh consultations may not be insisted upon for their consideration again by the Cabinet. However, Secretary of the sponsoring Ministry/Department may separately advise the Secretary of the consulted Ministry/Department to brief the Minister-in-charge regarding views of the Ministry/Department in the matter.

4. Ministries/Departments are requested to take necessary action expeditiously in terms of the aforementioned instructions.

(Rajesh Bhushan)
Additional Secretary
Tele No. 2301 2697

To
All Secretaries to the Government of India.
CONFIDENTIAL/MOST IMMEDIATE

No. 1/46/3/99-Cab.
GOVERNMENT OF INDIA (SHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 15th October, 1999.


The undersigned is directed to invite attention to Article 107(5) of the Constitution which stipulates that "a bill which is pending in the House of People or which having been passed by the House of People is pending in the Council of States shall, subject to the provisions of Article 108 lapse on a dissolution of the House of People". Consequent on the dissolution of the Twelfth Lok Sabha, bills falling under the above category have lapsed. If the Ministries/Departments concerned wish to proceed with the lapsed bills, again they will have to initiate action for obtaining Cabinet approval for their introduction in Parliament.

2. Apart from the bills which have lapsed, proposals for legislation may have been approved by the previous Cabinet which have yet to be introduced as bills in Parliament. If the Ministries/Departments wish to proceed with the proposals, fresh approval of the new Cabinet will be needed.

3. Where an ordinance has already been promulgated and is required to be replaced by a bill, action may be taken to obtain Cabinet approval on priority basis.

4. Since many proposals/Bills are of urgent nature, it has been decided, with the approval of the Prime Minister, under Rule 12 of the Government of India (Transaction of Business) Rules, 1961, that in relation to the Bills pending in Rajya Sabha and the legislative proposals which were approved by the Cabinet immediately before the dissolution of the 12th Lok Sabha and the Bills wherefor are not pending in Rajya Sabha the following course of action may be adopted:

   a) The relevant Note for the Cabinet seeking approval of the Cabinet for pursuing the Bill pending in Rajya Sabha or seeking fresh approval of the Cabinet for introducing a Bill may be finalised with the approval of the Minister-in-charge of the Ministry drawing attention of the Cabinet to the approval earlier accorded. The Note for the Cabinet which was approved by the Cabinet earlier in relation to such Bill/Proposal may be annexed to the fresh Note for the Cabinet.

   b) Where such legislative proposals was approved after necessary inter-ministerial consultation(s) and the proposal now does not involve major deviations from the earlier proposal, fresh consultation(s) with the Ministries/Departments need not be insisted upon before its consideration again by the Cabinet. Such proposals may be sent to the Cabinet Secretariat after obtaining the approval of the Minister-in-charge.
5. It is requested the legislative proposals may be reviewed in the light of the position explained above. Notes in the usual form in respect of such items as are intended to be sponsored in the next session of Parliament may be sent to this Secretariat for consideration at the earliest.

(Pawan Chopra)
Additional Secretary.

To

All Secretaries to the Govt. of India.
(by name).
OFFICE MEMORANDUM

Subject:- Return of Cabinet/Cabinet Committee notes after formation of the new Government.

The undersigned is directed to state that some of the notes received for consideration of the Cabinet/Cabinet Committees in the Cabinet Secretariat during the last few weeks, could not be placed before the Cabinet/Cabinet Committees in view of the General Elections. With a view to ensure that there is no avoidable delay in the decision-making process, it has been decided that while the Ministries/Departments shall obtain fresh approval of the Minister-in-charge, the requirement of inter-ministerial consultations be dispensed with in all cases where such consultations have been held during last six months. However, the sponsoring Ministry/Department shall, in all such cases, write to the Secretary of the consulted Ministry/Department to brief the Minister-in-charge so that he can present the Department’s views, as approved by him, in the meeting of the Cabinet/Cabinet Committee(s).

2. The Ministries/Departments are accordingly requested to take further action in the matter.

(K. L. Sharma)
Director (Cabinet)
Tele No. 2301 5802

All Secretaries to the Government of India (as per list attached).