

Subject:- Preparation of memorandum for the consideration of the Council of Ministers.

Will all the Administrative Secretaries to Government, Haryana, kindly refer to the subject noted above?

2. The preparation/submission of memorandum for consideration of the Council of Ministers has been drawing the attention of the Government recently. It has been decided that every memorandum should, as far as possible, be so structured as to include paragraphs on :-

- Introduction/Background
- Proposal and its justification
- Inter-department consultations.
- Approval required and
- A paragraph stating that the prior approval of Hon'ble CM has been obtained.

3. Introduction/Background

This paragraph may include background of the proposal and other relevant details for better understanding.

4. Proposal and its justification

The memorandum should set out, with sufficient precision, the facts of the case and the points for decision as required by Rule 14 of the Rules of Business of the Haryana Government, Part II. The Administrative Department should give its recommendations in the case in a comprehensive and clear-cut manner without any ambiguity. Justification of the proposal may also be brought out clearly and the time limit for implementing the proposal should be spelt out in clear terms.

5. Inter-department consultations

(i) If there is any financial implication, the Finance Department should be consulted in accordance with the provisions contained in Rules 5 and 7 of the Rules of Business. The views of the Financial Department should invariably be included in full in the memorandum.

(ii) In case any legal points are involved, the L.R. should be consulted as per Rules 48 and 49 of the Rules Business and the opinion of the Law Department should be included in the memorandum.

(iii) In case of any amendments/framing of Service Rules or change of Mode of Recruitments in respect of class I and II or class III, the approval of

Haryana Public Service Commission or Haryana Staff Selection Commission respectively, as the case may be, should invariably be obtained and quoted in the memorandum.

(iv) In the cases which concern more Ministers than one, the Ministers concerned shall attempt by previous discussion to arrive at an agreement. If an agreement is reached, the memorandum shall contain the joint recommendations of the Ministers; and if no agreement is reached, the memorandum shall state the points of difference and the recommendations of each of the Ministers concerned. (Rule 15 of the Rules of Business of the Government of Haryana, 1977).

(v) When the subject matter of a case concerns more than one department, no orders shall be issued nor shall the case be laid before the Council of Ministers until it has been considered by all the departments concerned, unless the case is one of extreme urgency. (Rule 22 of the Rules of Business of the Government of Haryana, 1977). In the case of extreme urgency where consultaion is dispensed with, specific approval of Hon'ble CM may be taken by the Administrative Secretary through Chief Secretary.

It is also clarified that if the subject matter of the memorandum relates to more than one department, and when one department initiates action for the preparation of the memorandum, then it is necessary to consult the other department(s) and incorporate the advice/opinion of the other department(s) in the memorandum. The Administrative Departments are, therefore, requested to adhere to the procedure laid down in the Rules of Business and above mentioned instructions.

6. Approval required

This portion of the memorandum, should bring out clearly the point/s on which the approval/orders of the Council of Ministers are required.

7. Approval of Hon'ble C.M.

The permission of the Chief Minister to take the case to the Council of Ministers should be obtained through the Minister-in-Charge and mentioned in the memorandum. Attention in this regard is invited to Rule 11 of the Rules of Business of the Haryana Government, Part II, as amended from time to time. The concerned rule of the Rules of Business and the items in the Schedule appended to the Rules/the instructions of the Government which require that the case shall be brought before the Council of Ministers should also be mentioned.

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Instructions for the presentation of the Memorandum

- (i) The memorandum should indicate correctly the designations of the Minister-in-Charge and the Administrative Secretary concerned.
- (ii) The copies of the memorandum are to be made both in English and Hindi and both versions are to be sent together.
- (iii) The memorandum is to be typed neatly in double space (in Arial font, size 12-14) and both sides of the paper are to be used.
- (iv) A wide margin should be left towards the edge of the papers (the left edge on the obverse and the right edge on the reverse) as these are placed in pads for the meetings.
- (v) The main memorandum should, preferably, not exceed 3-4 pages in double space. Other details, especially tables, charts, diagrams, maps etc. which should, as far as possible, be brief and can be relegated to annexure.
- (vi) In the documents annexed, marginal notings if any, must be removed. In case, such documents have a poor impression, these must be retyped.
- (vii) All paragraphs and sub-paragraphs of the memorandum are to be appropriately numbered. Bullets, arrows and other similar markings are not to be used as a replacement for paragraphs or sub-paragraphs.
- (viii) Below the caption of the memorandum for the Cabinet brief subject heading is to be given. While being brief, the heading should be fully indicative of the proposals contained in the memorandum.
- (ix) On the bottom left corner of the last page, the date should be indicated clearly.
- (x) All pages in the memorandum, including the annexes, appendices etc. are to carry continuous page numbers on the bottom extreme right hand.
- (xi) The fact that Appendix/Annex/Annexure are attached with the memorandum should be indicated in the main memorandum and also duly referenced wherever these are referred to for the first time.
- (xii) Only relevant papers are to be annexed with the memorandum. Unrelated papers/annexure are not to be attached.

- (xiii) The memorandum should be properly tagged or stapled. No other form of binding is advised. There should be no spiral/hard binding of the memorandum.
- (xiv) Memorandum for the Cabinet should be signed by the Administrative Secretary.

9. Timely submission

Administrative Secretary should forward the memorandum to the Council of Ministers atleast 3 days before the date fixed for the meeting. The supplementary items for the agenda will be circulated only if it can reach all the Ministers 24 hours before the schedule time of the meeting except in extremely emergent cases for which the Secretary to the Council of Ministers will decide as necessary. Hence, the supplementary agenda items should reach the Cabinet Secretariat at least 48 hours before the scheduled time of the meeting.

10. Press note

'Draft Press Note' prepared on the assumption that the proposal would be approved as such by the Cabinet with two copies each of the same in Hindi and English should be enclosed with the communication forwarding the memorandum for the Cabinet. In case, the 'Draft Press Note' is not attached with the memorandum the reasons for not doing so may be mentioned in the forwarding communication. The press note should bring out the essence of the proposals or highlight the details about their possible impact, implementation strategy, targets and benefits expected to be achieved.

The Administrative Secretaries are accordingly requested to keep the above instructions in mind while preparing the memorandum for the Council of Ministers and ensure that the above guidelines are adhered to meticulously. The memorandum should be complete and self-explanatory so that these are not returned to the departments for necessary corrections.

Receipt of this communication may please be acknowledged.


Special Secretary to Government, Haryana,
Political and Services Department

To

All Additional Chief Secretaries/Principal Secretaries/Commissioner
and Secretaries to Government of Haryana.

U.O.No 10/11/2011-2 Cabinet

Dated Chandigarh, the 17th July, 2012

CONFIDENTIAL

MEMORANDUM

Minister-in-Charge

Administrative Secretary

Subject :-

1 Introduction/Background

This paragraph may include background of the proposal and other relevant details for better understanding.

2 Proposal and its justification

The facts of the case and the proposal should be included in this para. The Administrative Department should give its recommendations in the case in a comprehensive and clear-cut manner without any ambiguity. Justification of the proposal may also be brought out clearly in this para and the time limit for implementing the proposal should be spelt out in clear terms.

3 Inter-department consultations

Advice/opinion and concurrence, if required, of Chief Secretary, Finance Department, Legal Remembrancer and Haryana Public Service Commission/Haryana Staff Selection Commission should be included in this section alongwith their reference No. and date without translating the language. If the matter concerns more than one department or two departments then their views/opinion should be brought out in this section alongwith their reference No. and date.

4. Approval required

This portion of the memorandum, should bring out clearly the point/s on which the approval/orders of the Council of Ministers are required.

5 Approval of Hon'ble C.M.

The permission of the Chief Minister to take the case to the Council of Ministers should be mentioned in this para. The relevant rule of the Rules of Business and the item in the Schedule appended to the Rules/the instructions of the Government which require that the case shall be brought before the Council of Ministers should also be mentioned in this para.

Dated

-Sd-
Administrative Secretary