

Government of Orissa
Parliamentary Affairs Department

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No. 6057 /P.A.D, Bhubaneswar, Dated, 30th August, 2005
CAB- 3/2005

From

Shri T. K. Pandey, I.A.S.
Commissioner-cum-Secretary to Government.

To

All Principal Secretaries to Government/
All Commissioner-cum-Secretaries to Government/
All Secretaries to Government and
Special Secretary to Government, G.A. Department

Sub

**Procedural requirements to be met while preparing/ submitting
Memorandum for the Cabinet/ Cabinet Committees/ Cabinet
Sub- Committees.**

Sir,

I am directed to say that in absence of clear instructions, the Cabinet Memoranda sent by different Departments to the Parliamentary Affairs Department for consideration of the Cabinet, sometimes lack essential details and information. It has, therefore, been decided to prescribe procedural requirements in this matter, which are enclosed herewith along with sample templates.

It is, therefore, requested that the Memoranda may please be prepared and forwarded to Parliamentary Affairs Department as per the Procedural guidelines. If there is any doubt, it may be brought to our notice immediately.

Yours faithfully,

Sd/-

(T. K. Pandey)

Commissioner-Cum-Secretary to Government

Encl.: As above
(10 pages)

Memo No 6058 /PAD.,

Date; 30.08.05

Copy to:

- (i) Private Secretary to Chief Minister/ Private Secretary to all Ministers.
- (ii) Private Secretary to Chief Secretary / Development Commissioner-cum-Additional Chief Secretary/ Agriculture Production Commissioner-cum-Additional Chief Secretary for information of Chief Secretary, D.C. & A.P.C.

Sd/-

Commissioner-Cum-Secretary to Government

**PROCEDURAL REQUIREMENTS TO BE MET WHILE
PREPARING/ SUBMITTING MEMORANDUM FOR THE
CABINET/ CABINET COMMITTEES/ CABINET
SUB-COMMITTEES.**

I. **FORMAT AND PRESENTATION OF THE MEMORANDUM:**

1. The copies of the Memorandum **should be made on A-4 size paper;**
2. (a) The Memorandum should be typed ***in computer and in double space (in font size 12-14)*** and preferably both sides of the paper should be used. Care should be taken to ensure that the impression is legible and clear in all the pages in all the copies/ photocopies.
(b) A **wide margin (not less than ¾ inch)** should be left on both sides of the paper.
(c) All Paragraphs and sub-paragraphs of the Memorandum should be appropriately numbered.
3. The Memorandum should be ***security graded ‘Secret’***. The copies of the Memorandum should also be numbered.
4. On the first page of the Memorandum security grading and below that copy number should be indicated on the top right side. Below that, in the centre, the file number and the name of the Sponsoring Department should be indicated.
5. The words “ ***Memorandum for the Cabinet” or “ Memorandum for the Cabinet Committee/ Cabinet Sub- Committee on _____***”, as the case may be, should appear below the name of the Department on the first page;
6. Below the caption “Memorandum for the Cabinet/ Cabinet Committee/ Cabinet Sub- Committee”, ***a brief subject heading should be given with the caption “ SUBJECT:”***. The heading should be fully indicative of the proposals contained in the paper.
7. The Memorandum ***should bear a date on the top page***, Which should be the date on which its copies are sent to the Parliamentary Affairs Department. In those cases where the Memorandum is required to be rectified/ revised and resubmitted, it should be given a fresh date accordingly’.

8. All the pages in the Memorandum, including the annexes, should carry continuous page numbers on the bottom extreme right hand corner.
9. ***Each page of the Memorandum including its Appendix and Annexure should bear the continuous page numbering, security grading, name of the sponsoring Department and the file number.*** The fact that Appendices/ Annexure are attached with the Memorandum should be indicated at appropriate place in the main Memorandum. On each Appendix/ Annex the relevant paragraph of the main Memorandum should be indicated, for easy reference.
10. The penultimate paragraph of the Memorandum should state that ***“the Synopsis in respect of the above proposal has been given in Appendix to the Memorandum.”*** The Synopsis marked ***as Appendix*** should ***be placed immediately after the main Memorandum*** and it should be followed by other Annexure (s). It should contain the following information:-
 - (a) Gist of the decision (s) sought ;
 - (b) Likely benefits/ expected outcomes arising out of the decisions (in physical / financial or social terms, e.g. employment generation, development of backward areas, benefits to target groups, etc.); and
 - (c) Time-frame and manner of implementation of the decision (for instance, the implementation could be in the form of amendment to an existing rule and the time period may be one month for such amendment).
11. It should be indicated at the end of the body of the Memorandum (last paragraph) that the proposals made therein have the approval of the Minister-in-charge of the sponsoring Department and the consent of the Chief Minister has been obtained to bring the Memorandum to the Cabinet;
(Specimen formats for the main Memorandum as well as the Synopsis are attached at the end).
12. The Memorandum as well as Statement of Implementation Schedule should ***be signed by an officer not below the rank of Special Secretary*** in the Department sponsoring the Memorandum.
13. Memorandum should be properly tagged or stapled. ***Spiral/ hard binding of the Memorandum should be avoided ;***

14. The papers should be ***sent to the Parliamentary Affairs Department well in advance of the meeting*** at which they are sought to be considered. It should be borne in mind that the papers are required to be circulated by the Parliamentary Affairs Department among the members of the Cabinet/ Cabinet Committees ***normally 72 hours before the time of the commencement of their meeting;***

II. **CONTENTS:**

15. Special attention needs to be paid in regard to the drafting quality of the Memorandum. ***The main Memorandum should be self-contained, lucid, and straightforward and should contain only the relevant details. It should not in any case exceed the prescribed length of 7-8 pages in double space in font size 12-14.*** Most of the details, which should also be brief as far as possible, should be put in annexure or appendices.
16. It may be ensured that all acronyms/ abbreviations used in the text of a Memorandum are explained when the term is first used in the Memorandum by writing its full form, with the acronym/ abbreviation given in brackets. Acronyms that are not commonly used may be avoided..
17. ***The approval paragraph should be self-contained*** and it should indicate the specific point or points on which the approval/decision is sought ***Reference to proposals in earlier paragraphs should be avoided :***
18. ***The names as well as the observations of the Departments consulted (and in relevant cases Orissa Public Service Commission) should be briefly indicated in the main Memorandum.*** The detailed comments, if any, along with the observations of the sponsoring Department thereon should be tabulated and attached as an ***Annexure.***
19. There have been instances in which the data/information, based on which proposals are formulated, has undergone significant changes by the time the proposals are actually considered by the Cabinet/Cabinet Committees/Cabinet Sub-Committees. In such cases, it would be advisable either to withdraw the Memorandum for necessary updating and revision or bring the facts to the notice of the Cabinet Secretary (Chief Secretary) before the Memorandum is taken up for consideration;

III. NO. OF COPIES :

20. Number of copies of the Memorandums required to be sent to Parliamentary Affairs Department are indicated below :-

Memorandum for consideration of Council of Ministers	40 copies
Memorandum for Cabinet	30 copies
Memorandum for Cabinet Sub-Committees	Number of copies depend on the number of Members of the Cabinet Sub-Committee plus participating department (responsibility for distribution with Convener Secretary); plus 3 copies to Parliamentary Affairs Department for record.

21. **2 (Two copies) each of the Acts, Ordinance, Rules and Regulations referred to in the Memorandum** should be sent to the Parliamentary Affairs Department along with the requisite number of copies of the Memorandum for placing before the Cabinet/Cabinet Committee;

IV. PRESS BRIEF :

22. (a) As per the existing instructions, a **“Draft Press Brief”** on the assumption that the proposal will be approved by the Cabinet/Cabinet Committee/GOM should be prepared and **2 copies** of the same be enclosed with the communication forwarding the Memorandum for the Cabinet/Cabinet Committee. In the case the “Draft Press Brief” is not attached to the Memorandum, the reasons for not doing so may be mentioned in the forwarding communication; and
- (b) When Assembly is in session, no draft press brief needs to be sent in respect of proposals **relating to major questions of policy.**

V. INTER-DEPARTMENTAL CONSULTATIONS :

V(A) Normal Procedure :

23. The sponsoring Department should consult all the Departments which may be concerned with the subject matter and should also show them, wherever necessary, the draft Memorandum in order to ensure that the views of other Departments are properly brought out in the Memorandum.

24. ***When the differing Department's remarks are reproduced in the Annexure to the final Memorandum, no second reference to the differing Departments concerned is necessary.*** However, this is subject to the proviso that if any addition is made to the Memorandum by the sponsoring Department to rebut the arguments advanced against its proposal, it should be shown to the differing Departments. The obligation would, however, be limited only to showing the paper and not to securing consent to the views expressed by the sponsoring Department in rebuttal. In such cases, the fact that the Memorandum, in its final form, has been shown to the differing Department should be reflected in the Memorandum;
25. ***The suggestion either in the Memorandum or in the forwarding letter to the effect that the views of the Departments concerned have not been received and they may be obtained in the meetings would normally be an unacceptable departure from the rules and instructions.*** The appropriate adherence to the Rules demands that vigorous efforts are made to obtain the views of the Departments concerned, the difference of opinion, if any, is reconciled and the resultant position is incorporated in the Memorandum.

V.(B) Urgent and time bound proposals;

26. For urgent and time bound proposals, the following procedure may be followed ;
- (a) The Departments should furnish their comments/concurrence on Cabinet proposals to the sponsoring Department ***within 15 (fifteen) days of receipt of the same;***
- (b) In order to ensure that communication seeking the comments/concurrence of the Departments concerned on Cabinet proposals receive due attention at the appropriate level, it has to be ensured by the administrative Department that ***at least one copy of all such communications is invariably addressed to the Secretary of the Department by name, inter-alia indicating the urgency;***
- (c) In exceptional cases when it would not be feasible to furnish comments within the stipulated period of 15 days, the Departments consulted should indicate this position immediately with reasons to the Department and the Parliamentary Affairs Department.

- (d) In case the comments/concurrence are not communicated by the Departments consulted within the stipulated 15 days period and also no communication has been received from that Department seeking additional time for furnishing the comments, it would be appropriate if a demi official letter to the Secretary to that Department is issued bringing to his notice the lack of comments from his Department, so that there is no communication gap. It may also be mentioned therein that the Memorandum is proposed to be submitted to the Parliamentary Affairs Department, by a given date. While forwarding the Memorandum to the Parliamentary Affairs Department an advance copy of the Memorandum in the final form may also be sent to the Department concerned; and
- (e) If the comments are received after the Memorandum in final form has been sent to the Parliamentary Affairs Department, and these involve substantial differences or modification of the proposal, an attempt should be made to send a supplementary Memorandum dealing with the comments at the earliest possible, but before the proposal comes up for consideration in the Cabinet.

V (c) Cases considered by Cabinet Sub-Committees

27. Certain types of cases are considered in Cabinet Sub-Committee meetings before their consideration by the Cabinet. In respect of these cases a simplified procedure of inter-departmental consultations would be followed, which is given below :-
- (a) The Convenor-Secretary of the Cabinet Sub-Committee may circulate the Memorandum to the Members of the Sub-Committee and the Departments to be consulted in advance on the date fixed by the Chairman. The deliberations of the Sub-Committee should be kept confidential and the list of officers invited to attend the Sub-Committee meeting may be kept as record. Minutes of the meeting should be drawn up by the Convenor-Secretary and approved by the Chairman.
 - (b) Secretaries / representatives of Departments participating in the deliberations of the Cabinet Sub-Committee should obtain the orders of their respective Ministers immediately after the Sub-Committee takes a decision and communicate their comments, if any, to the Secretary of the Department sponsoring the proposal **within 15 days** of the receipt of the minutes of the Cabinet Sub-Committee meeting.

- (c) ***If the recommendations*** made by the Cabinet Sub-Committee ***are not accepted*** either by the Minister of the sponsoring Department or any other Minister, it will be obligatory for the sponsoring Department to show the Memorandum for the Cabinet/ Cabinet Committees/GOM to all concerned Departments before it is finalized for submission;
- (d) In other ***cases***, namely, those ***in which the recommendations*** of the Cabinet Sub-Committee ***are acceptable to all Departments concerned, the sponsoring Department will send the Memorandum for the Cabinet together with the minutes of the Sub-Committee meeting as an annexure thereto to the Parliamentary Affairs Department for consideration of the Cabinet.*** A Copy of the Memorandum should be simultaneously sent by the sponsoring Department to all Departments concerned.

**A SUMMARY OF THE IMPORTANT POINTS FOR THE TEXT OF THE
MEMORANDUM IS LISTED BELOW**

- (1) Contents should be typed in double space (in font size of 12-14) not exceeding 7 to 8 pages. All pages of all copies should be legible.
- (2) Each paragraph and sub-paragraph should be appropriately numbered.
- (3) The fact that Appendix and Annexes are attached with the Memorandum should be indicated at relevant place (s) in the Memorandum. Continuous page numbers of the Appendices/Annexures should also be indicated in bracket against each. On each Appendix/Annexure the relevant paragraph of the main Memorandum should be indicated for easy reference
- (4) The names of the Departments consulted on the proposal (s) should be indicated in a separate paragraph. Their views together with the comments of sponsoring Department thereon should be briefly indicated in the Memorandum. The details in this regard may be indicated in a tabular form in ***annexure*** to be attached with the Memorandum.

- (5) There should be a separate approval paragraph which should be self-contained and seek approval to the specific proposal/proposals.
- (6) The penultimate paragraph should indicate about the **Synopsis** attached as Appendix. (This appendix is to be placed immediately after the main Memorandum).
- (7) The last paragraph should indicate about the approval of the Minister-in-charge to the proposal(s) contained in the Memorandum and the consent of the Chief Minister to bring up the proposal to the Cabinet.

SPECIMEN FORMAT*

SECRET

Copy No. _____

File No. _____

_____ DEPARTMENT

Bhubaneswar, the _____

(date of the Memorandum)

MEMORANDUM FOR THE CABINET

OR

MEMORANDUM FOR THE CABINET SUB-COMMITTEE

ON _____

Subject : _____

1) ***

2) ***

3) ***

**Signature _____

Name _____

Designation _____

(Not below the rank of Special Secretary in the sponsoring Department).

-
- This text is not to be reproduced.
 - ** This will be in the last page of the memorandum.
 - *** Here the actual text of the memorandum with paragraph numbers will be given.

SPECIMEN FORMAT FOR THE SYNOPSIS*

APPENDIX

SECRET

File No. _____

_____ Department

Bhubaneswar, the _____

(date of the Memorandum)

Subject : _____

SYNOPSIS

Sl..No.	Gist of decision required	Benefits/Expected outcomes	Time-frame and manner of implementation.

Signature _____

Name _____

Designation _____

(Not below the rank of Special Secretary in the sponsoring Department)

*This text is not to be reproduced.

SPECIMEN OF DRAFT PRESS BRIEF

Subject : Privatization of Cooperative Spinning Mills at Nuapatna, Tirtol & Khurda.

The State Government have signed an MoU with the Ministry of Finance, Government of India to undertake Medium Term Fiscal Restructuring Programme (MTFRP). As per the Plan of Action under MTFRP, the State Co-operative Spinning Mills have been identified for privatisation.

Present proposal

01) Jagannath Spinning Mill at Nuapatna

The Mill was registered in the year 1980. The commercial production was started in April, 1984 with the capacity of 24,624 spindles. The investment of the Government was Rs.523.00 lakhs in form of share capital. The accumulated loss of the Mill was Rs.3661.15 lakh as on 31st March, 2001.

The system of conversion was adopted as an interim arrangement to keep the mill in operative condition, so that it will be convenient to attract private buyers. However, the conversion receipts were not adequate to meet the required monthly operational charges as well as payment of statutory dues of the employees. The production of the Mill has ceased w.e.f 12.01.05.

02) Sarala Spinning Mill at Tirtol.

The Mill was registered in the year 1981 with an investment of Rs.569.00 lakh by the State Government. The commercial production was started in October,1985 with capacity of 24.752 spindles. The production activities of the Mill have ceased since 1999 i.e after super cyclone. The accumulated loss of the Mill was Rs.2526.00 lakh as on 31st March 2003.

03) Utkal Spinning Mill at Khurda.

The Mill was registered in the year 1976 with an investment of Rs.478.48 lakh by the State Government. The commercial production was started in May 1985 with the installed capacity of 24,960 spindles. The production activities of the Mill has ceased since 1998.

The State Government have provided financial assistance to implement Voluntary Retirement Scheme Sarala Spin Mill and Utkal Spin Mill.

The Government is not in a position to provide the required fund to bring back these three Co-operative Spinning Mills into operative Condition.

Therefore, the Cabinet in the meeting held on 26.04.05 gave in-principle approval for privatization of Co-operative Spinning Mills at Nuapatna, Tirtol & Khurda.