

GOVERNMENT OF INDIA  
CABINET SECRETARIAT



GOVERNMENT OF INDIA  
( TRANSACTION OF BUSINESS )  
RULES, 1961

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RASHTRAPATI BHAVAN,  
NEW DELHI.

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## 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 order shall be 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 Ministry of Home Affairs.

- (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 that Ministry, the Ministry of Home Affairs 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. **Request 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 number 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 may be appointed by 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, for taking decisions on such matters.

(5) Any decision taken by a Standing or *Ad hoc* Committee may be reviewed by the Cabinet.

(6) 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.**—All cases specified in the Second Schedule to these Rules 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.

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

<i>Name of the Standing Committee</i>	<i>Functions</i>
(1) Appointments Committee	(i) To consider all recommendations and take decisions in respect of appointments specified in the Annexure to this Schedule ; and (ii) to decide all cases of disagreement relating to appointments between the department concerned and the Union Public Service Commission.
(2) Committee on Food	To consider cases pertaining to food position in the country, fixation of ceiling prices, local movement, imports, etc.
(3) Committee on Heavy Industry.	To bring about close co-ordination at all levels in the heavy industries in the public sector.
(4) Committee on Oil	To consider cases pertaining <i>inter-alia</i> to :— (i) the exploration, exploitation, production and transport of crude mineral oil and natural gas ; and (ii) production, supply, distribution and prices of petroleum products.
(5) Defence Committee	To deal with all important questions relating to the defence of the country.
(6) Economic Committee	To direct and co-ordinate all Governmental activities in the economic field and generally to regulate the working of the national economy.
(7) Foreign Affairs Committee	To deal with all important questions relating to foreign affairs.

<i>Name of the Standing Committee</i>	<i>Functions</i>
(8) Information and Broadcasting Committee.	To consider, direct and co-ordinate important activities in the information field including Government's relations with the press and the public and to determine information, broadcasting and film policies in general.
(9) Manpower Committee	<ul style="list-style-type: none"> <li>• To consider the problem of manpower in an integrated manner.</li> </ul>
(10) Parliamentary and Legal Affairs Committee.	<ul style="list-style-type: none"> <li>(a) 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 ;</li> <li>(b) to scrutinise and consider the attitude of the Government on all non-official bills and resolutions to be presented to the Parliament ; and</li> <li>(c) to maintain a review from an all-India point of view of legislation undertaken by State Legislatures.</li> </ul>
(11) Rehabilitation Committee	<ul style="list-style-type: none"> <li>• To deal with all matters connected with relief and rehabilitation of displaced persons.</li> </ul>
(12) Scientific Committee	<ul style="list-style-type: none"> <li>• (i) To advise the Cabinet— <ul style="list-style-type: none"> <li>(a) in the formulation and implementation of the Government's scientific policy ;</li> <li>(b) on the co-ordination of scientific work between the various departments and between Government and semi-governmental scientific institutions in the country, including the scientific and technical departments of the Universities ;</li> <li>(c) on scientific and technical co-operation with other countries, and with international scientific and technical organisations ; and</li> <li>(d) on such matters as may be referred to it ; and</li> </ul> </li> <li>(ii) to place before the Cabinet such proposals and advice as may improve and develop scientific and technical work in the country.</li> </ul>

ANNEXURE TO THE FIRST SCHEDULE

**Appointments requiring the approval of the Appointments  
Committee of the Cabinet**

<i>Departments</i>	<i>Appointments</i>
Ministry of Railways	<ul style="list-style-type: none"><li>1. Chairman, Railway Board.</li><li>2. Members and Additional Members of the Railway Board.</li><li>3. Financial Commissioner for Railways.</li><li>4. General Managers of Railways and equivalent appointments.</li></ul>
Ministry of External Affairs	<ul style="list-style-type: none"><li>1. Secretariat appointments of and above the rank of Deputy Secretary.</li><li>2. Field appointments above the rank of First Secretaries to Missions except appointments of Ambassadors, Heads of Missions and other higher dignitaries.</li></ul>
Ministry of Defence	<ul style="list-style-type: none"><li>1. Secretariat appointments of and above the rank of Deputy Secretary.</li><li>2. Scientific Adviser to the Defence Minister.</li><li>3. Director General, Armed Forces Medical Services.</li><li>4. Chairmen, Managing Directors and General Managers of State-owned public corporations, companies and enterprises, salaried or otherwise.</li><li>5. Other appointments in the State-owned public corporations, companies and enterprises carrying an ultimate salary exceeding Rs. 2,000 p.m.</li></ul>

*Departments**Appointments*Ministry of Defence—*contd.*

## ARMY

6. Chief of the Army Staff.
7. Deputy Chief of the Army Staff.
8. General Officer Commanding-in-Chief, Southern Command.
9. General Officer Commanding-in-Chief, Eastern Command.
10. General Officer Commanding-in-Chief, Western Command.
11. Principal Staff Officers, i.e., Chief of the General Staff, Adjutant-General, Master-General of the Ordnance and Quarter-Master General.

## NAVY

12. Chief of the Naval Staff.
13. Flag Officer Commanding, Indian Fleet.
14. Deputy Chief of the Naval Staff.
15. Flag Officer, Bombay.
16. Commodore-in-charge, Cochin.
17. Principal Staff Officers, i.e., Chief of Personnel, Chief of Material and Chief of Naval Aviation.
18. Commodore, East Coast.

## AIR FORCE

19. Chief of the Air Staff.
20. Deputy Chief of the Air Staff.
21. Air Officer Commanding-in-Chief, Operational Command.
22. Air Officer Commanding, Training Command.
23. Air Officer Commanding, Maintenance Command.
24. Principal Staff Officers, i.e., Air Officer-in-charge, Maintenance and Air Officer-in-charge, Administration.

*Departments*

All other departments

*Appointments*

1. Secretariat appointments of and above the rank of Deputy Secretary.
2. Chairmen, Managing Directors and General Managers of State-owned public corporations, companies and enterprises, salaried or otherwise, including Governor and Deputy Governors of the Reserve Bank of India.
3. Other appointments in the State-owned public corporations, companies and enterprises carrying an ultimate salary exceeding Rs. 2,000 p.m.
4. All other appointments which are made by the Government of India or which require the approval of the Government of India and which carry an initial or ultimate salary of Rs. 2,000 p.m. or above.

## 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.
- (e) Proposals for sending abroad of delegations or of persons in any other capacity, other than normal postings.
- (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) Important proposals involving creation of corporations or companies in the Public Sector.
- (i) Proposals relating to—
  - (i) creation of posts carrying pay exceeding Rs. 3,000 per month ; and
  - (ii) the re-employment of Government servants where the pay (including pension) proposed to be fixed exceeds Rs. 3,000 per month.
- (j) Cases involving financial implications on which the Finance Minister desires a decision of the Cabinet.
- (k) Cases in which a Minister 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.

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.

Sl. No.	Nature of cases	Reference to provision of the Constitution, if any	Authority to whom to be submitted
I	2	3	4
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.
13.	References to the Supreme Court of India.	Article 143	The Prime Minister and the President.
14.	Appointment, resignation and removal of the 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.

Sl. No.	Nature of cases	Reference to provision of the Constitution, if any	Authority to whom to be submitted
1	2	3	4
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 the 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 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 investigate into conditions of backward classes.	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
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.
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, Charge d'Affaires and other high dignitaries accredited to the foreign countries.	..	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

Sl. No.	Nature of cases	Reference to provision of the Constitution, if any	Authority to whom to be submitted
1	2	3	4
36.	Such other cases of administrative importance as the Prime Minister may specify.	..	The President.
37.	Appointment, resignation and removal of Chairmen 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) Dismissal, removal, compulsory retirement or reduction in rank of an officer of an all-India Service or a Central Service, Class I, holding a post appointment to which requires the 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 or the Central Services, Class I, in respect of which there is a difference of opinion between the departments concerned or between the department concerned and the Union Public Service Commission.	..	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
40.	Delegations to International (including Commonwealth) Assemblies and Conferences.	..	The Prime Minister.
41.	Grant of permission to take up employment in commer- cial, industrial or other pri- vate concerns to persons who have held posts, ap- pointments to which are required to be made with the approval of the Appoint- ments Committee of the Cabinet or the Prime Minister.	..	The Prime Minister.
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 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.