

# PROCEDURE OF THE CABINET

- Rule 13 - The Chief Secretary, or such other Officer as the Chief Minister may appoint shall be the Secretary to the Cabinet.

- Rule 14 -- All cases referred to in the Second Schedule shall after consideration by the Minister be sent to the Chief Secretary with a view to obtaining orders of the Chief Minister for circulation of the case under Rule 15 or for bringing it up for consideration at a meeting of the Cabinet.

- Rule 15 -- The Chief Minister may direct that any case referred to in the Second Schedule may, instead of being brought up for discussion at a meeting of the cabinet be circulated to the Ministers for opinion and if all the Ministers are unanimous and the Chief Minister thinks that a discussion at a meeting of the Cabinet is unnecessary,
- the case shall be decided without such discussion. If the Ministers are not unanimous or if the Chief Minister thinks that a discussion at a meeting is necessary, the case shall be discussed at a meeting of the Cabinet.

- Rule 15(2) -- If it is decided to circulate for opinion any case to the Ministers, copies of all papers relating to such case which are circulated among the Minister shall simultaneously be sent to the Governor.

- Rule 16(1) -- In cases which are circulated for opinion under Rule 15, the Chief Minister may direct, if the matter be urgent, that if any Minister fails to communicate his opinion to the Secretary to the Cabinet by a date to be specified by him in the Memorandum or circulation, it shall be assumed that he has accepted the recommendations contained therein.

- Rule 16(2) -- If the Ministers have accepted the recommendations contained in the memorandum for circulation or the date by which they were required to communicate their opinion has expired, the Secretary to the Cabinet shall submit the case to the Chief Minister.
- If the Chief Minister accepts the recommendations and if he has no observation to make he shall return the case to the Secretary to the Cabinet, who will pass it on to the Secretary concerned who will thereafter take steps to issue the necessary orders.

- Rule 17 --When it has been decided to bring a case before the Cabinet,
- the Department to which the case belongs shall, unless the Chief Minister otherwise directs,
- prepare a Memorandum indicating with sufficient precision on the salient fact of the case and the points for decisions.
- Such Memorandum and such other papers as are necessary to enable the case to be disposed of shall be circulated to the Ministers.
- Copies of the Memorandum and other papers shall at the same time be sent to the Governor.



- Rule 18 -- In cases which concern more Ministers than one, the Ministers shall attempt by previous discussion to arrive at an agreement.
- If an agreement is reached the memorandum referred to in Rules 16 or 17 shall contain the joint recommendations of the Ministers;
- and if no agreement is reached, the Memorandum shall state the points of difference and the recommendation of each of the Ministers concerned.

- Rule 19 --The memorandum as required under Rules 16,17 or 18 shall be submitted by the Secretary to the Chief Secretary who shall ensure that it is complete and in the proper form, he may return it if it is incomplete or is not in the proper form.'

- Rule 20(1) -- The Cabinet shall meet at such place and time as the Chief Minister may direct.
- Rule 20(2) -- After an agenda paper showing the cases to be discussed at a meeting of the Cabinet has been approved by the Chief Minister,
- copies thereof, together with copies of such Memorandum as have not been circulate under Rule 17, shall be sent by the Secretary to the Cabinet to the Chief Minister and other Minister so as to reach them two clear days before the date of such meeting.
- The Chief Minister may, in the case of emergency, curtail the said period of two days.
- Copies of the agenda and the memoranda shall at the same time be sent to the Governor.

- Rule 20(3) -- Except with permission of the Chief Minister, no case shall be placed on the agenda of a meeting unless papers relating thereto have been circulated as required by Rule 17.
- Rule 20(4) -- If any Minister is on tour, the agenda paper shall be forwarded to the Secretary in a Department concerned who, if he considered that the discussion of any case should await the return of the Minister, may request the Secretary to the Cabinet to take the order of Chief Minister for postponement of the discussion of the case until the return of the Minister.

- Rule 20(5) -- The Chief Minister or, in his absence, any other Minister nominated by him shall preside at a meeting of the Cabinet.
- Rule 20(6) -- The Secretary to the Cabinet shall attend the meeting of the Cabinet and shall prepare a record of the decisions.
- He shall forward a copy of such a record after approval by the Chief Minister or by any other Minister presiding, to the Chief Minister, the other Cabinet Ministers and the Governor.

- Rule 21 (1) -- When a case has been decided by the Cabinet after discussion at a meeting, the Minister concerned shall take action to give effect to the decision.
- If, however, any deviation is proposed to be made from that decision, the case shall be submitted to the Chief Minister by the Minister concerned and further action on it will be taken according to any direction of the Chief Minister.
- The Secretary in the Department concerned will in each such cause to be supplied to the Secretary to the Cabinet such documents as the latter may require to enable him to maintain his record of the case.

- Rule 21(2) -- The record of the case to be maintained by the Secretary of the Cabinet shall consist of :
  - (i) a copy of all papers circulated and records prepared under Rules 16,17 and 20 and
  - (ii) all documents supplied under sub-rule (1) of this rule.

**THANK YOU**