CONFIDENTIAL/MOST IMMEDIATE

1/48/10/2015-Cab.
GOVERNMENT OF INDIA/BHARAT SARKAR
CABINET SECRETARIAT/MANTRIMANDAL SACHIVALAYA
RASHTRAPATI BHAWAN

New Delhi, the 4th August, 2015

OFFICE MEMORANDUM

Subject: Conferment of status of Cabinet Minister/Minister of State to the functionaries outside the Council of Ministers.

The undersigned is directed to refer to the Cabinet Secretariat D.O. letter no. 99/1/5/95-Cab. dated 16.11.1996 (copy enclosed) regarding the guidelines for formulating proposals for conferring any special status on the Chairperson/Vice-Chairperson of any Commission/Committee and to reiterate that these Guidelines be followed scrupulously by all concerned.

(Sanjukta Ray)
Director
Tele: 2379 2204

Encl. – as above.

All Secretaries to the Government of India.
Dear Secretary,

In terms of our d.o. letter No. 99/1/3/95-Cab., dated the 20th November, 1995, while preparing cases for the Cabinet/Cabinet Committees involving setting up of Commissions Committees/other Bodies in which the status of their Chairpersons/Vice-Chairpersons' members is also for consideration, Ministry of Home Affairs should invariably be consulted (copy enclosed). You are aware that a Standing Committee was constituted under the Chairmanship of the Cabinet Secretary, vide our Memo of even number dated 22.12.1995, to formulate guidelines for determining the status of such functionaries. The Standing Committee is being serviced by the Ministry of Home Affairs.

2. It has since been decided, on the recommendation of this Committee and with the approval of Prime Minister, that the following guidelines should be kept in mind while formulating proposals for conferring any special status on the Chairperson/Vice-Chairperson of any Commission/Committee.

(i) As a rule, it is not necessary to confer a special status on any person on the basis of the status he/she held prior to his/her appointment in a Commission. Thus, past appointment should not be relevant to the question of conferment of status on appointment in a Commission.

(ii) In exceptional cases, however, the question of granting a special status could be considered. For this purpose, the concerned Ministry/Department will refer individual cases to the Ministry of Home Affairs for advice. Wherever necessary, the Ministry of Home Affairs will submit the cases to the Standing Committee of Secretaries mentioned above.

• (iii) Special status so conferred on a person on appointment in a Commission will be personal to him/her and will not automatically devolve on his successor.

(iv) Special status, if any, conferred in the past on persons appointed in various Commissions/Committees/other Bodies shall be deemed to be personal to him for the duration of their terms of office. Future incumbents will not be given the same status automatically.

(v) Ministries/Departments of the Government of India should submit their proposals to the Ministry of Home Affairs giving adequate justification.

3. It is requested that the above guidelines may please be brought to the notice of all concerned to ensure that the proposals on the subject are processed strictly in accordance with the guidelines.

With regards,

Yours sincerely,

(Sd/-)

Shri K. Padmanabhaiah,
Home Secretary.
E. B. TANDON
Additional Secretary
Tel.No. 301 2697

D:O.No. 99/1/3/95-Cab.

November 20, 1995

Dear Shri

The status given to the Chairpersons/Vice-Chairpersons and members of the statutory/non-statutory Commissions set up in the various Ministries/Departments from time to time has a direct bearing on the Warrant of Precedence. While in some cases, the status of the Chairpersons/Vice-Chairperson/members of a commission is laid down in the statue/notification under which the Commission is created; in many cases, a decision regarding the status is taken after the Commission has begun to function, and sometimes after the Chairperson/Vice-Chairperson/members are appointed. It has been noticed that Ministry of Home Affairs, which is administratively concerned with Warrant of Precedence, is not generally consulted in these cases. This has led to avoidable controversy in some cases with regard to the dignitaries' position in the Warrant of Precedence.

2. In the above background, it is necessary that Ministry of Home Affairs is consulted in all cases which have a bearing on the Warrant of Precedence. It is, accordingly, requested that all cases submitted to the Cabinet/Cabinet Committees involving creation of Commission/Committees/other bodies in which the status of their Chairpersons/Vice-Chairpersons/members is also for consideration, Ministry of Home Affairs should invariably be consulted. Such consultation will also be necessary in respect of cases which are decided by the Ministries/Departments themselves and also in respect of proposals submitted to the Prime Minister for conformation of status.

3. You may kindly bring the above instructions to the notice of all concerned in your Ministry/Department for strict compliance.

With regards,

Yours sincerely,

(B. B. Tandon)

To

All Secretaries to the Govt. of India (by name)
No. 99/1/5/95-Cab.
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 22nd December, 1995
1 Pausa, 1917 (S)

Subject: Standing Committee of Secretaries to determine the status of the functionaries appointed by the Government in various Commissions/Committees/bodies.

It has been decided, with the approval of Prime Minister, to constitute a Standing Committee of Secretaries on the above subject, with the following composition:

Cabinet Secretary ...Chairman
Principal Secretary to the Prime Minister.
Secretary, Ministry of Home Affairs.
Foreign Secretary.
Secretary, Department of Legal Affairs.

2. The Committee will have the following functions:-

i) To formulate guidelines for determining the status of chairmen/vice-chairmen members of (the) various commissions/committees/other bodies and individual non-officials, wherever necessary, taking into consideration the nature of the organisations, their functions and the backgrounds of the individuals concerned.

ii) To consider cases where deviation from the above guidelines is proposed.

iii) To consider individual cases which are not covered by the above guidelines.

3. The recommendations of the Committee will be submitted to the Prime Minister for orders.

4. The Committee will formulate its own procedure and will meet as often as necessary.

5. The Committee will be serviced by Ministry of Home Affairs.

Sd/-
(D.M.M. Rao)
Deputy Secretary to the Cabinet:
Tele: 3015802

To
Principal Secretary to the Prime Minister.
Secretary, Ministry of Home Affairs.
Foreign Secretary.
Secretary, Department of Legal Affairs.