

No. 1/3/2/2012-Cab.
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)
RASHTRAPATI BHAVAN

New Delhi, the 16th February 2012

OFFICE MEMORANDUM

Subject:- Instructions on preparation of notes for the Cabinet/Cabinet Committees/Empowered Group of Ministers/Group of Ministers.

The undersigned is directed to state that some instances have been brought to the notice of the Government where the National Commission for the Scheduled Castes, and/or the National Commission for the Scheduled Tribes have not been consulted as envisaged under the Constitution on major policy matters affecting the Scheduled Castes or the Scheduled Tribes, respectively, by the Ministries/Departments concerned. All Ministries/Departments have, keeping in view the Constitutional mandate of Article 338(9) and Article 338A(9), been advised *vide* Cabinet Secretary's D.O. letters no. 701/6/4/2007-CA.V dated 20.11.2007 and 703/1/1/2011-CA.V dated 04.01.2012 to ensure strict compliance of the relevant provisions of the Constitution. It has further been clarified *vide* D.O. letter no. 703/1/1/2011-CA.V dated 10.02.2012 from Secretary (Coord.), Cabinet Secretariat that such consultations would also be required in respect of major policy issues placed before the Cabinet/Cabinet Committees.

2. Accordingly, the sponsoring Ministries/Departments are advised to ensure that the National Commission for the Scheduled Castes, and the National Commission for the Scheduled Tribes, as the case may be, shall mandatorily be consulted by them through the Ministry/Department administratively concerned with the Commission before finalization of such notes for consideration of the Cabinet/Cabinet Committees. In all such cases, the administrative Ministry/Department concerned will place the views of the concerned National Commission, as the case may be, as received by them, before the Minister-in-charge of the Ministry/Department before their final views/comments on such issues are communicated to the sponsoring Ministry/ Department. It has also been decided that the unabridged/unedited views of the concerned Commission along with the views of the Ministry/Department administratively concerned with the Commission be included in/enclosed with the note for consideration of the Cabinet/Cabinet Committees along with responses thereon by the sponsoring Ministry/Department.

3. It is requested that the above instructions may be disseminated to all concerned for ensuring strict compliance.

4. The consolidated instructions relating to preparation of notes for the Cabinet/Cabinet Committees, as also the Handbook on writing Cabinet notes stand duly modified to the extent as indicated above.

(K.L. Sharma)
Director (Cabinet)
Tele No. 2301 5802

To

All Secretaries to the Government of India.