

Dated the 3rd June, 2015

OFFICE MEMORANDUM

Subject: Memorandum of Understanding (MoU) signed with other countries- matters to be brought for consideration before the Cabinet - regarding.


Reference is invited to the Second Schedule to the Government of India (Transaction of Business) Rules, 1961 which provide the types of cases which have been brought before the Cabinet including para (d) Cases involving negotiation with foreign and Commonwealth countries on treaties, agreements and other important matters. Instructions issued in this matter *vide* this Secretariat's O.M. No.1/50/3/2014-Cab. dated 09.02.2015 and OM of even number dated 24.04.2015 are reiterated herewith as various Ministries/Departments have sought clarification.

2. It has been decided that:

(i) while seeking approval of the Cabinet for entering into Memorandum of Understanding (MoU), in terms of the provisions of the Government of India (Transaction of Business) Rules, 1961, Ministries/Departments must provide the rationale of opting for the MoU route. Ministries/Departments should also enclose a list and status of existing MoUs while seeking approval of a new MoU;

(ii) prior approval of the Cabinet is required to be obtained in all cases involving treaties, agreements and other important matters including MoUs to be signed with any foreign agency/country except provisos as defined under para (d) in the Second Schedule of the Government of India (Transaction of Business) Rules, 1961; and

(iii) these instructions are applicable to all subordinate/attached offices including Statutory bodies and authorities of Ministries/Departments and the various Commissions under the Constitution.


(Dheeraj Bhaskar)
Under Secretary
Tele: 2301 9170

To:
All Secretaries to the Government of India