

मध्य प्रदेश शासन
वित्त विभाग
मंत्रालय, भोपाल

क्रमांक एफ एन.11-23/2004/नियम/चार
प्रति,

भोपाल, दिनांक 5 नवम्बर, 2004

शासन के समस्त विभाग

विषय - राज्य शासन के अधिकारियों द्वारा शासकीय कार्य एवं विदेश यात्रा के संबंध में दिशा -
निर्देश ।

शासकीय सेवकों द्वारा शासकीय कार्य से विदेश यात्रा के संबंध में भारत शासन वित्त
मंत्रालय नई दिल्ली से प्राप्त ज्ञापन क्रमांक एफ -1/15/ई.एम./2004, दिनांक 18.10.04 (छाया प्रति
संलग्न) द्वारा मार्गदर्शी निर्देश प्रसारित किए गए हैं ।

2. विभाग संलग्न दिशा निर्देशों के अनुरूप कार्यवाही करना सुनिश्चित करे ।

संलग्न - उपरोक्तानुसार

अजीत 30.10.04
(ए.पी.श्रीवास्तव)

सचिव

मध्य प्रदेश शासन, वित्त विभाग

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No. F.1/15/EM/2004
Government of India
Ministry of Finance
(Department of Economic Affairs)

संकेतित संख्या
4703
Date ... 25/10/2004

1673
28-10-04

New Delhi, the 18th October, 2004.

To

The Chief Secretaries to the
State Governments/Union Territories.
(By name)

27/10

Sub.: Guidelines regarding foreign travel on official account by the functionaries of State/Union Territory Governments.

Sir,

The procedure for processing foreign visits on official account by the functionaries of State/UT Governments is laid down in Cabinet Secretariat's letter No. 21/1/81-Cab. dated 16th August, 1982 (Annexure-I). In accordance with the procedure, Department of Economic Affairs (DEA) is the nodal Department for processing all such proposals. The concerned line Ministry examines the proposals from the point of view of essentiality, Ministry of External Affairs from political angle and Ministry of Home Affairs from FCRA angle (wherever foreign hospitality is involved). DEA obtains the approval of the competent authority for such visits and conveys the same to the concerned State/UT Governments. Policy guidelines have also been framed for processing such foreign visits vide DEA's letter No. F.1/67/EC/84 dated 17th December, 1985 (Annexure-II) indicating the nature and types of foreign travel permissible under the policy guidelines.

2398/AS/2005
26/10/04

PS. B. S.
Copies be sent to all Dept.
25/10

The Government of India has recently announced vide its OM No. 7(5)E.Coord/2004 dated 24th September, 2004 Guidelines on Expenditure Management which provide *inter alia*, that foreign travel should be restricted to unavoidable official engagements by restricting the size of official delegations to the barest minimum and that there shall be a ban on foreign travel for Study Tours, Seminars, Workshops etc. funded by the Government of India except for annual and other formal meetings of bilateral/multilateral bodies. State/UT Governments are requested to keep these guidelines in view while sending proposals for foreign travel of their functionaries to the Department of Economic Affairs.

Secretary
Shri B. Saha,
Chief Secretary,
Government of Madhya Pradesh,
Bhopal

Yours faithfully,

U.K. Sinha
18/10/04
(U.K. Sinha)

Joint Secretary to the Government of India

27/10
26/10/04
27/10/04

Copy forwarded for information and necessary action to all Secretaries of the Ministries/Departments of the Government of India (by name).

As per the existing procedure, while foreign visits of officials from State/UT Governments are decided at the official level in DEA, orders of Hon'ble Prime Minister are sought in the case of foreign visits of the political functionaries from State/UT Governments.

Cabinet Secretariat vide their O.M. No. 1/19/1/2000-Cab. dated 3rd September, 2004 (Annexure-III) have modified the procedural guidelines for foreign visits on official account by the political functionaries of State/UT Governments to the extent that such proposals would now be submitted by the Department of Economic Affairs to the Screening Committee of Secretaries, which in turn will make its recommendation to the Finance Minister for final orders.

Accordingly, the proposals for the foreign visits on official account of the political functionaries from State/UT Governments will henceforth be submitted by DEA to the Finance Minister for final orders through the Screening Committee of Secretaries, comprising Finance Secretary and Cabinet Secretary. The proposals relating to foreign visits on official account by the officials from State/UT Governments will continue to be decided at the official level in the Department of Economic Affairs, in consultation with the concerned Ministries/Departments.

U.K. Sinha
U.K. Sinha

(U.K. Sinha)

Joint Secretary to the Govt. of India

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NO. 21/1/1/81-Cab.
 GOVERNMENT OF INDIA (BHARAT SARKAR)
 CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 16th August, 1982
25th Sravana, 1904(S)

To

The Chief Secretaries to the State
 Governments/Union Territories.

Subject:- Guidelines regarding foreign travel of Ministers of State Governments and Union Territories, Members of State Legislatures and Union Territories and State Government officials.

Sir,

I am directed to say that references are received from time to time from State Governments for giving clearance to visits abroad of Ministers of State Governments in their official capacity or of Members of State Legislatures or of officials as members of official delegations or on invitation by foreign Governments or organisations. In this connection the following guidelines are being indicated which may be followed in the future in all such cases in respect of travel abroad of the aforesaid categories of persons:-

- (i) All proposals for visits of members of State Governments abroad in their official capacity will be sent by the State Government addressed to Secretary to Government of India in the Ministry of Finance, Department of Economic Affairs for approval and release of foreign exchange, and copies of the letter would be endorsed to:-
1. Ministry of External Affairs;
 2. Central Administrative Ministry concerned with the subject matter of the visit; and
 3. Ministry of Home Affairs.

It may be noted that MHA have also to consider applications under FCRA specifically when foreign hospitality or financial assistance is involved. It is the responsibility of the person concerned to obtain this clearance where such hospitality is involved.

This procedure will be applicable even in the case of proposals where the expenditure is borne by State Public Sector Undertakings or Corporations.

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- (ii) In case of official delegations, their composition and background of the members may be indicated.
- (iii) The work proposed to be transacted in each place of visit together with duration may be indicated, specially where official meetings are to take place with functionaries of foreign Governments. It would be appreciated that keeping in view the need for conserving foreign exchange, the duration of stay abroad should be the minimum necessary.
- (iv) On receipt of recommendations from the different concerned Ministries, Department of Economic Affairs will consolidate the case and issue final orders regarding clearance of the visit, the number of persons to go abroad, the places to be visited and duration of visit at each place.
- (v) Department of Economic Affairs will thereafter issue instructions to the Reserve Bank of India for release of foreign exchange towards personal incidentals. Simultaneously, Ministry of External Affairs would be advised to issue instructions to the Missions for release of Daily Allowance and other allowances as per rates prevalent in the country of visit and also for extending appropriate courtesies to the official delegation.
- (vi) On the basis of formal clearance from the Department of Economic Affairs, State Governments would issue necessary formal deputation orders endorsing copies thereof to all concerned Ministries of the Central Government and our Missions in the places to be visited. The number and date of clearance received from the Department of Economic Affairs should be quoted in the deputation orders. Without the Department of Economic Affairs' reference number, the Missions will not be in a position to honour these deputation orders.
- (vii) In places of visit where there are no Missions, or if otherwise DA etc. is required to be released in India itself, a certificate of entitlement may be obtained from the Ministry of External Affairs and forwarded to the Department of Economic Affairs for release of foreign exchange.
8. In making a reference to the Department of Economic Affairs, the name of the branch of the Reserve Bank of India from where the foreign exchange is required to be released should be clearly indicated.

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(viii) Within three weeks of the completion of the visit the leader of the delegation should send a report to the Ministry of Finance, Department of Economic Affairs with copies to the Ministry concerned with the subject matter of the visit.

2. Attention is drawn in this connection to the provisions of the Foreign Contribution (Regulation) Act of 1976 which lays down certain restrictions on acceptance of foreign hospitality. Prior permission of the Central Government is necessary before such hospitality (which includes travel assistance or concession) can be accepted by a Minister, Member of Legislature, office bearer of a political party, Government servant or employees of a Corporation. In cases where foreign hospitality is involved, including travel expenses, therefore, specific and prior clearance of the Ministry of Home Affairs is required before any acceptance is conveyed. A separate reference in the prescribed form FC.2 indicating the source from which the travel and stay expenses are proposed to be met should be made directly to that Ministry well in time.

3. The above instructions may please be brought to the notice of the Chief Minister, all Ministers and other officials.

Yours faithfully,

sd/-

(Prem Kumar)

Additional Secretary to the Cabinet.

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CONFIDENTIAL

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(1) Copy forwarded for information and necessary action to all Secretaries of the Ministries and Departments of the Government of India (By name).

(2) Copy forwarded to the Secretary, Ministry of External Affairs, Secretary, Ministry of Home Affairs and the Secretary, Ministry of Finance (Department of Economic Affairs) with the remark that -

- (i) on receipt of the proposal from the State Government the Ministry of Finance (Department of Economic Affairs) will act as the nodal Ministry for processing it and a simultaneous reference would be made to the following:-
- (a) the Administrative Ministry concerned with the subject matter of the visit for advice on the essentiality of the visit;
 - (b) Ministry of External Affairs for clearance from the political angle; and
 - (c) Ministry of Home Affairs for clearance from the security angle and, where applicable, for giving permission under FCRA.
- (ii) Ministry of External Affairs would examine the proposal for political clearance and send their advice to Department of Economic Affairs with copies to Ministry of Home Affairs (FCRA Division) and another copy to Ministry of Home Affairs (Internal Security Division) - but not to State Government, to enable Ministry of Home Affairs to process the individual applications for grant of permission under FCRA and for giving security clearance.
- (iii) Ministry of Home Affairs will communicate to the Department of Economic Affairs the security clearance and not to State Government. However, as regards clearance under FCRA, a formal order will issue both in the name of prospective acceptors of hospitality with copy to State Governments and Department of Economic Affairs.
- (iv) Before issuing final orders regarding clearance of the visit, the number of persons to go abroad, the places to be visited and duration of visit at each place, Ministry of Finance (Department of Economic Affairs), would refer each proposal to the Prime Minister's Office for obtaining the clearance of Prime Minister.

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- (v) The Administrative Union Ministry certifying the essentiality of the visit will be responsible for processing of the report to be submitted by the State Government/Union Territory Government in terms of the guidelines mentioned at para 2 of this letter.

sd,-
(Prem Kumar)
Additional Secretary to the Cabinet.

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No.F.1/67/EC'84
Government of India
Ministry of Finance
(Department of Economic Affairs)

.....

New Delhi, the 17th December, 1985.

To

The Chief Secretaries to the State
Govts/Union Territories.

Subject:- Guidelines regarding foreign travel of Ministers
of State Govts/Union Territories, Members of
State Legislatures/Union Territories and State
Govt. Officials.

Sir,

I am directed to invite a reference to Cabinet Secretariat's letter No.21/1/1/81-Cab. dated the 16th August, 1982 on the above mentioned subject. In this connection it has been decided to prescribe the following guidelines for considering the proposals regarding travel abroad by Ministers of State Governments/Union Territories, Members of State Legislatures/Union Territories and State Government Officials:

A. Study tours/exploratory visits.

- i) Visits abroad for gathering general information or knowledge which are in the nature of general purpose study tours need not be approved in any circumstances.
- ii) If, however, the study tour abroad is related to any pending scheme of development in the State, such a visit may be approved for a period not exceeding 10 days provided some specific issue or aspect need to be studied. In such cases, the visit abroad will be approved only if the development project is an approved one and is covered by Plan allocation.
- iii) Pre-post conference study tours would be restricted to six days duration only. Such pre/post conference study tours would be allowed only when they are of the nature indicated at (ii) above.

- (9)
- iv) In the case of delegates participating in the Commonwealth Parliamentary Conferences, the duration of study tours would be restricted to six days and three countries, excluding travel time.

B. Visits abroad on hospitality basis.

Visits abroad on an invitation from a private source/organisations would not be encouraged/approved. Visits on hospitality basis, will, however, be regulated keeping in view the following criteria:

- i). Invitations should have been received either from a foreign Government or from an international body (like UN and its specialised agencies, recognised international organisations, regional groups or any other such body with the approval of the Ministry of External Affairs, etc.). These should have been received through Ministry of External Affairs.
- ii) In case of national political parties, the expenditure relating to international travel should be borne by the concerned political parties/individuals, etc., as the case may be, and not by any foreign Government/organisation etc.
- iii) In the case of Ministers, the invitations should bear a relationship to their portfolio.
- iv) Invitation should have been extended on some important occasion like National day, or an anniversary, etc. being celebrated by the host country. The period should not exceed normally 2 weeks.

C. Visits abroad for attracting NRI investment/ external assistance/ finalising collaboration agreement.

(a) NRI Investment

- i) The projects (promoted) by the State Governments in the State Sector should be approved plan projects covered by plan allocations.
- ii) Sufficient advance planning should have been made before delegations are sent for attracting NRI investment for specific projects.

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- iii) It would be necessary to send projects profile to the concerned offices abroad of the Indian Investment Centre to enable them to locate potential investors, etc.
- (iv) Chief Ministers/ Ministers need not be excluded from undertaking the visits.

(b) : External Assistance

Separate visits abroad by Ministers of State Governments/ Officials to negotiate external assistance for such projects need not be approved as this subject is within the purview of the Central Government which coordinates all external assistance.

(c) Collaboration Agreements

Collaboration agreement proposals both from the public sector and private sector are considered on merits of each case. Among other things, profitability aspect of the proposal is to be justified fully in each case. Negotiations with foreign parties in connection with collaboration agreements are matters which are required to be carried out by technical authorities connected with the project. While giving its approval in principle, in these cases, Govt. of India indicates broad parameters within which agreement has to be finalized with the overseas parties. In cases where any change is sought by the project authorities they have to seek Government of India's approval first. It is, therefore, proposed that the visits abroad by Ministers/Chief Ministers for discussions/negotiations in connection with collaboration agreements need not be encouraged.

4. It is requested that the above guidelines may please be kept in view while forwarding the proposals to the Department of Economic Affairs. It is hereby clarified that unless all procedural requirements are met and proposals are submitted to the Department of Economic Affairs at least three weeks in advance, it would be difficult for this Department to clear such proposals in time.

Yours faithfully,

Sd/-

(J.L. Bajaj)

Joint Secretary to the Government of India

Copy forwarded for information and necessary action to all Secretaries of the Ministries/Departments of the Government of India (By name).

Although the Cabinet Secretariat in their guidelines of 16th August, 1982 had prescribed that the administrative Ministries/Departments of the Government of India should go into the essentiality aspect of such proposals for tours abroad our experience hitherto has been that there was a tendency on the part of the Administrative Ministries/Departments to convey their 'No Objection' in a routine manner without really going into the essentiality aspect of the visit.

The Administrative Ministries/Departments are again requested to examine all such proposals carefully and certify the essentiality of the visit in an unambiguous manner.

As mentioned in the Cabinet Secretariat guidelines, the Administrative Ministries/Departments are also requested to send their views only to this Department (and not to the concerned State/Union Territory Governments).

Sd/-
(J.L. Bajaj)
Joint Secretary to the Govt. of India

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65-1104
8-9-04

CONFIDENTIAL/MOST IMMEDIATE

No. 1/19/1/2000-Cab.
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)
Rashtrapati Bhavan

New Delhi, the 3rd September, 2004

OFFICE MEMORENDUM

Subject: *Guidelines regarding foreign travel of Ministers of State Governments/Union Territories, Members of State Legislatures/ Union Territories and State Government officials.*

The undersigned is directed to refer to sub para 2(iv) of the endorsement of Cabinet Secretariat's letter No. 21/1/1/81-Cab. dated the 16th August, 1982 (*copy enclosed*) which prescribes the procedure to obtain Prime Minister's approval for foreign visits on official account by the Ministers of State Governments/Union Territories, Members of State Legislatures/ Union Territories and State Government officials and to say that this procedure stands modified to the extent that in respect of cases relating to foreign visits of Ministers of State Governments/UTs and MLAs/MLCs, the consolidated views of the Departments, including the Ministry of External Affairs (for political clearance) and Ministry of Home Affairs (for FCRA clearance, if necessary) would be submitted by the Department of Economic Affairs to the Screening Committee of Secretaries, which in turn will give its recommendation to the Finance Minister for final orders.

2. It is requested that the above modifications in the existing procedure may please be brought to the notice of all concerned.

(K.L. Sharma)
Deputy Secretary to Cabinet

To

All Secretaries to the Government of India

Copy to: The Chief Secretaries to the State Government/Union Territories.

(K.L. Sharma)
Deputy Secretary to Cabinet

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Separate caption

discuss
15/9/04

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