

STUDY REPORT
ON
PARLIAMENTARY SECRETARY

MINISTRY OF PARLIAMENTARY AFFAIRS

1997

INDEX

S. No.	Chapter	Page
1.	I- Introduction and Methodology	2
2.	II- Rules and Regulations on the Institution of Parliamentary Secretary	3
3.	III- Institution of Parliamentary Secretary In U.K., Canada, Germany and France	4-8
4.	IV- Institution of Parliamentary Secretary in India	9-11
5.	V- Conclusion	12
6.	VI- Gains/Benefits	13

ANNEXURES

I	14
II	15
III	16-18
IV	19
V	20
VI	21-22
VII	23
VIII	24
IX	25-33
X	34-35
XI	36-37

INTRODUCTION AND METHODOLOGY

1.1. INTRODUCTION :

It has long been felt that a study may be undertaken on the Institution of the Parliamentary Secretary. The purpose of the study is to consolidate all the relevant and useable information on the Institution of Parliamentary Secretary in a scientific manner.

1.2. METHODOLOGY :

The following relevant files relating to Parliamentary Secretaries have been gone through to have an in depth knowledge about the Institution of Parliamentary Secretary in India as well as in U.K.:-

- (i) F.4(25)/84-WS
- (ii) F.4(5)/85-WS
- (III) F.4(21)/88-WS
- (IV) F.4(22)/90-WS

The Ministry of Home Affairs and Cabinet Secretariat, wherever felt necessary were also consulted.

**RULES AND REGULATIONS REGARDING PARLIAMENTARY
SECRETARIES**

- 2.1 The Parliamentary Secretary is not a member of the Council of Ministers as the term 'Minister' appearing in Articles 75 of the Constitution does not include Parliamentary Secretary and is not appointed by the President.
- 2.2 Rule 2 of the Rules of Procedures and Conduct of Business in Lok Sabha and Rajya Sabha, while defining the term Minister, has included the office of Parliamentary Secretary in India, who can discharge all functions of Ministers in the House on which he is a member.
- 2.3 Section 3(b) of the Parliament (Prevention of Disqualification) Act, 1959(Act No.10 of 1959) exempts the institutions of Chief Whip, Whips and Parliamentary Secretaries, from the disqualifications of holding an office of profit.
- 2.4 According to Government of India (Allocations of Business) Rule 1961, the Ministry of Home Affairs is concerned with (i) issue of notifications of appointment and resignation of the Parliamentary Secretaries and (ii) Salaries and Allowances of Parliamentary Secretaries, while the Ministry of Parliamentary Affairs is concerned with the functions of Parliamentary Secretaries.
- 2.5 The Cabinet Secretariat vide their O.M. No. 55/1/84 Cab. dt. 28.11.1984 (Annexure-I) had clarified that in conformity with relevant entries in Allocation of Business Rules, the salaries and allowances of Parliamentary Secretary of the Union are the concern of the Ministry of Home Affairs whereas their powers, privileges and amenities are the concern of the Department of Parliamentary Affairs.

INSTITUTION OF PARLIAMENTARY SECRETARY IN FOREIGN COUNTRIES

U.K.

- 3.1 In the United Kingdom, there are two institutions namely (i) **Parliamentary Secretary** and (ii) **Parliamentary Private Secretary**.
- 3.2 These two institutions are not to be confused with each other. The functions of these two institutions are explained separately:

(I) PARLIAMENTARY SECRETARY

- 3.3 Parliamentary Secretary has a status below that of a Cabinet Minister and a Minister of State. All Ministers of the Crown who control a major department have one or two Parliamentary Secretaries to assist them. If the Minister is a Secretary of state, his Parliamentary Secretary is designated as Under Secretary of State. He helps his Minister and deputises for the Minister in the House. Such need for deputisation was felt because in the United Kingdom, a Minister who is a member of one House cannot go to the other House. Therefore, Parliamentary Secretary was the member of the House from which the concerned Minister was excluded. He, thus, therefore, becomes a Minister's spokesman in that House. He has been considered a sort of "Junior Minister" and has to accept the doctrine of collective responsibility. In the United Kingdom, there exists no post of Deputy Minister. In this way, the Parliamentary Secretary could be considered as playing the role similar to that performed by the Deputy Minister. The Parliamentary Secretary is a paid servant. Under the Ministries of Crown Act, 1964, the number of Parliamentary Secretaries is limited to 36. This also shows that they belong to the ministerial hierarchy.
- 3.4 The Parliamentary Secretary is not a Minister and he must be careful not to speak or to conduct himself as if he was a member of the Government.
- 3.5 In his book "Government and Parliament" Lord Morrison refers to an incident where a Parliamentary Secretary to the Ministry of Food was required to resign after making a public statement on agriculture which conflicted with Government policy.
- 3.6 Parliament Secretaries have been entitled to an additional allowance of \$ 10500 per annum (Rs. 6,09,000 per annum) in addition to annual sessional allowance of \$ 64600(Rs 37, 35,200) and a tax-free expense allowance, ranging from \$ 21,300 to \$ 28,200 (Rs. 12,35,400 to Rs 16,35,600) depending on the district they represent, as admissible to every other Member of the House of Commons.

(An encyclopedia of Parliament of Norman Wilding & Philip Laundry)

(Obtained through Internet in Parliament House who obtained from MP's query Booth, Garipey, Jean- Jacques (Parl. Gc. Calgariiek). Sent: Mittwoch Reference from Vandrhoff-Silburt, Miriam, "The Role of Parliamentary Secretaries" vol.6, (4) 6-9, 1983.

II PARLIAMENTARY PRIVATE SECRETARY

3.7 A Parliamentary Private Secretary is appointed by a Minister primarily to help him in his work as a Member of Parliament. The Parliamentary Private Secretary is of course a Member of Parliament himself but he is not a member of the Government and carries no direct responsibility for Government policy, but the close association between him and his Minister imposes certain obligations upon him. In particular, he does not make statements in Parliament or put Parliamentary Questions on matters affecting the Department with which he is connected; and more generally he does not make any statement which is critical of the Government.

3.8 The detailed functions of Parliamentary Private Secretary largely depend upon the personal relationship between him and his Minister, and the work of different Parliamentary Private Secretaries varies considerably.

3.9 Although the official Private Secretary to Minister is responsible for seeing that he is properly briefed by his Department on what he should say in Parliament, and during Questions and Debates concerning his Department a Minister is attended by a Private Secretary and possibly by other officials, the Parliamentary Private Secretary is responsible for seeing that the Minister is in his place at the right time during Parliamentary proceedings and is available when necessary for Divisions. Officials are allowed in the official galleries of the House of Parliament but they are not technically within the precincts of the Houses and may not communicate with a Minister when his is in the House except by a written message. The Parliamentary Private Secretary, therefore, acts as a link between the Minister and officials.

3.10 A Parliamentary Private Secretary also assists his Minister on matters connected with the political party to which he belongs.

3.11 A Parliamentary Private Secretary may represent his Minister in meetings with Members of Parliament and members of the public and may correspond with Members of Parliament on behalf of his Minister, especially on matters affecting his political party. Correspondence with Members of Parliament or general questions raised by their constituents is usually conducted on behalf of a Minister by his official Private Secretary.

3.12 A Parliamentary Private Secretary often, but by no means always, conducts correspondence with his Minister's own constituents and may interview them on his Minister's behalf.

3.13 A Parliamentary Private Secretary may represent a Minister on social occasions and at funerals and memorial services especially for those connected with politics but he does not represent the Minister on occasions arising out of his office as a Minister of the Crown.

3.14 In brief, a Parliamentary Private Secretary to an extent varying with the personal relationship existing between him and his Minister, acts as the Minister's personal assistant in political party matters and as his eyes and ears in Parliament.

3.15 The functions of the Prime Minister's Parliamentary Private Secretary do not differ from those of any other Minister's except of course that he does not make any statements or

ask Questions on any matter of Government policy in Parliament and has rather wider range of contacts with other Members of Parliament.

3.16 In the United Kingdom, Parliament Private Secretaries are unpaid posts and are given to Members of Parliament who are either regarded as promising or to older ones as a mark of their services to the party, as a consolation prize. It is regarded as the first rung in the political ladder. These posts do not carry the right to administrative duties, or normally access to secret papers. Parliamentary Private Secretaries are not officials and are not governed by the principle of Cabinet responsibility.

(An Encyclopedia of Parliament by Norman Wilding and Philip Laundry)

CANADA

The office of Parliamentary assistant was introduced in 1943 to relieve some of the burdens on departmental Ministers. In 1959 legislation regularized this arrangement and changed the title of the position to Parliamentary Secretary. The seven parliamentary assistants of 1943 had become 15 or 16 Parliamentary Secretaries by the early 1960s. Parliamentary Secretaries were to be members of the House of Commons and were appointed for a term of one year, which was renewable. From 1971 their number was to correspond with the number of full Ministers now 28 and their term of office was to be two years, which was renewable. The role of these Parliamentary Secretaries is not well defined; indeed, they are apparently not officially regarded as junior Ministers but instead as non-ministerial assistants to Ministers. The doctrine of collective ministerial responsibility is held not to bind them in the same way as it does Cabinet Ministers, leaving them free to express their own views. Some have put down question on Order Paper and made statements in parliament as private members, but the realities of party politics and prime ministerial patronage ensure that they adhere to the government's line. Their role depends chiefly on the minister in charge of the department. A Parliamentary Secretary may appear in parliament to answer questions or at a committee, guiding a bill through the House of Commons. They may stand in for the minister at public speaking engagements. They may sometimes substitute for the minister at meetings of Cabinet Committees. Their departmental role is usually extremely limited. While it is common for them to receive copies of most departmental memoranda and to attend some of the meetings between the Minister and officials, few are given responsibility for specific aspects of Department's business on a day to day basis on even for particular assignment.

3.18 Canadian Parliamentary Secretaries carry much weight than even British Parliamentary Under Secretaries.

[Extract taken from the book on Junior Ministers in British Government by Kevin Theakston (edition 1987)].

GERMANY

3.19 In the federal Republic of Germany, junior Ministers date only from 1967, with the creation of the office of Parliamentary State Secretary. This partly reflected the fact that the demand for ministerial office exceeded its supply when the 'Grand Coalition' between the SPD and CDU/CSU was formed in 1966. After 1969, when one of the two main parties has been in Government along with the smaller FDP, coalition bargaining has sometimes meant that a department's Minister and Parliamentary State Secretary are drawn from different parties. Partly, too, the establishment of these posts was intended to furnish a ministerial apprenticeship for younger politicians angling for Cabinet appointments. And finally it was hoped that these junior ministers would support their departmental chiefs in their political roles.

3.20 The role of West German Junior Ministers in practice depends significantly on their relations with their minister and the department to which they are appointed. Nevil Johnson describes them as operating in a 'twilight zone', constrained because their role is not well defined in a system which strongly emphasizes legal definition of relationships and powers. In the Bundestag, parliamentary state secretaries make frequent appearances to answer for their department at question time and to speak in plenary debates; they also attend sessions of the specialized parliamentary committees which scrutinize legislative proposals and general departmental policies. Ministers have traditionally been assisted by their state secretaries equivalent to the British permanent secretaries in the conduct of parliamentary business, senior officials thus playing a more openly 'political' role than could be conceivable in Britain, but the Parliamentary state secretaries have taken over more of this work from them. Junior Ministers have also assisted their Ministers by helping to maintain contact with different party groups supporting the Government, and by substituting for them at meeting of the Cabinet and its committees, at which official state Secretaries may also appear. Inside the department the official rather than the parliamentary state secretary functions as the minister's deputy. Parliamentary state secretaries may supervise particular divisions or sections of the department's work, but Ministers inevitably rely much more on their senior bureaucratic aides in the process of policy-making. [Extract taken from the book on Junior Minister in British Government by Kevin Theakston (edition 1987)].

FRENCH

3.21 In the Fifth French Republic Junior Ministers go by the title of Secretaries of State (Secretaries d'état), though they were known as Under Secretaries in the Third Republic and both designations were used in the Fourth Republic. The number of junior ministers in de Gaulle's first Government was between four and ten, but more were appointed by his successors. In 1978, for instance, the Government, under the Prime Minister, was composed of 19 full Ministers and 18 Secretaries of State. Two of those junior Ministers headed independent Secretariats (minor departments) for Posts and for War Veterans; the others took

on specific aspects of the work of their ministries on behalf of the Minister rather than being general assistants with miscellaneous duties. All full Ministers attend the Council of Ministers, which is chaired by the President, Secretaries of State attending only if invited for particular items on the agenda concerning their responsibilities.

3.22 A crucial role in the French political administrative system is played by Ministerial Cabinets. These number between 10 and 20 staff in the Cabinets of full Ministers, and five to ten for Junior Ministers; their membership is drawn predominantly from the elite of the higher civil service. Their role is to act as ministerial advisers, as extra eyes, ears, arms, and legs in the ministry, and to link with other Ministers and Prime Minister's and President's staffs. The existence of cabinets affects the role of Junior Ministers. For instance, Ministers do attend, though are not members of the National Assembly to participate in debates on legislation and to answer questions, but Junior Ministers do not seem to have such a significant parliamentary role as in Britain partly because the National Assembly has a more limited role than the House of Commons, and has shorter sessions, but also because the top Minister's Cabinet handles important aspects of legislative business, such as conducting the negotiations with deputies. The relations between Junior Ministers and the Minister's Cabinet are potentially fraught with tension. Some Junior Ministers have apparently complained of a lack of contact with their Minister who is shielded by his cabinet.

[Extract taken from book on Junior Ministers in British Government by Kevin Theakston (edition 1987)].

INSTITUTIONS OF PARLIAMENTARY SECRETARIES IN INDIA

4.1 The institution of the office of Parliamentary Secretary has no statutory origin nor does it derive authority from the Constitution of India. The Office of the Parliamentary Secretary in India was first created in 1951. According to original concept in 1951, Parliamentary Secretaries were appointed purely for the purpose of assisting the Minister in parliamentary work, analogous to the position of Parliamentary Private Secretaries in United Kingdom. Unlike the Ministers, the oath is administered to the Parliamentary Secretaries by the Prime Minister and not by the President. The then Prime Minister had apparently in mind, these factors initially when he appointed Shri Satish Chandra and Shri S.N. Misra, Members of Parliament as Parliamentary Secretaries. According to note dated 25.7.1951 (Annexure- II) of the then Prime Minister Shri Jawahar Lal Nehru, the Parliamentary Secretaries have been in existence in provincial Governments for many years. They were in fact Deputy Ministers with undefined powers. The Ministers took a lot of such work as they liked. As mentioned in the said note, these two Parliamentary Secretaries are not Deputy Ministers and have no executive powers. They are paid no salaries and work in an honorary capacity. They resemble the Parliamentary Private Secretaries in the British Parliament. They may prepare the papers for the Ministers or study special questions but they have no executive powers and as such cannot pass any orders. The whole purpose is to give an opportunity to young Members of Parliament to get a little training. If the Parliamentary Secretaries have any kind of official work when parliament is not sitting, some kind of a daily allowance is paid for the actual days of work which is less than the normal MP's allowance. This practice continued till 1967.

4.2 The Ministry of Home Affairs had issued an O.M No. 14/12/57- PUB- I dated 24.6.1958 regarding the Allowances of Parliamentary Secretaries (Annexure- III). The Cabinet Secretariat vide their letter No. 55/2/CF/67 dated 15.12.1967 (Annexure- IV) have also mentioned therein that Parliamentary Secretaries work in an honorary capacity and have not been given any administrative work, but appointed to assist the Minister in his Parliamentary work. No orders specifying functions of this Parliamentary Secretaries in the Union Government have been issued by the Government of India. However, their functions are more or less the same as have been assigned to Parliamentary Secretaries in U.K.

4.3 From 1967 to 1984 no Parliamentary Secretary was appointed. Subsequently, in 1984, the Prime Minister appointed three Parliamentary Secretaries. Although, Parliamentary Secretaries were appointed from time to time since 1951, but the question of status, functions and salaries and Allowances in respect of Parliamentary Secretaries was not examined until 1984. At this stage, a need was felt to identify the functions of Parliamentary Secretary and also for revision of their salary, allowances etc. Accordingly, the functions of the Parliamentary Secretaries were considered by the Committee of Secretaries in May 1985 and the Committee identified the following as functions of Parliamentary Secretary:-

- i) He will assist the Minister in his official work.
 - ii) He will represent the Department/Ministry in the House to which he belongs.
 - iii) He will perform such functions as may be assigned to him by the Minister. (Since an oath of secrecy is administered to a Parliamentary Secretary, he will have access to official papers).
- 4.4 Subsequently, the Ministry of Parliamentary Affairs had issued an O.M No. F4(25)/84-WS dated 4.11.1985 regarding the functions of Parliamentary Secretaries (Annexure-V).
- 4.5 The Committee on 28th August, 1985 also considered the salary and allowances which could be sanctioned for a Parliamentary Secretary, Cabinet Secretariat vide their Secretariat letter No. 55/1/2/84 Cab. dated 4.10.1985(secret) circulated the minutes of the meeting of Secretaries held on 28.8.1985. Subsequently, the Cabinet Secretariat vide their D.O. Letter No. 55/1/2/84- Cab dated 1.10 .1985 (Secret) intimated that with the approval of the Prime Minister, it has also been decided that a Parliamentary Secretary should get a car and his staff members be allowed to go with him on tour. As per decisions of the Cabinet, the Ministry of Home Affairs who are concerned with the Salaries and Allowances of Parliamentary Secretaries had also accordingly issued revised O.M. No. 10/27/84/MNG dated 21.2.1986 regarding Salaries and Allowances etc. of Parliamentary Secretaries (Annexure- VI).
- 4.6 The functions, powers and status of Parliamentary Secretaries were again considered in the meeting of the Committee of Secretaries held on 29.6.1989. The Cabinet Secretariat vide their letter No. 55/1/2/88- Cab. dated 7.5.1990 (Annexure- VII) had intimated that no minutes of meeting of Committee of Secretaries held on 29.6.1989 were issued. However, the Cabinet Secretariat vide their D.O. Letter No. 55/1/2/88- Cab. dated 8.8.1989 (Annexure VIII) intimated the position regarding status, powers and functions of the Parliamentary Secretary which is as under:-
- i) The appointment of a Parliamentary Secretary is entirely the discretion of the Prime Minister who will decide when and who should be appointed as Parliamentary Secretary.
 - ii) The Salary, allowances and other pre-requisites will be decided by the Government from time to time keeping in view various factors including the exigencies of duties that may require to be performed by Parliamentary Secretary.
 - iii) The position regarding the status, powers and functions of Parliamentary Secretary is well set by the then Prime Minister Shri Jawaharlal Nehru in his note dated 25.7.1951 (Annexure-II).
- 4.7 Shri Nakul Nayak, M.P. was appointed as the last Parliamentary Secretary to the Prime Minister on 24.11.1990.

PERSONAL STAFF OF PARLIAMENTARY SECRETARY

- 4.8 As per Department of Personnel & Training O.M. No. 8/3/92- CS (II) dated 14.1.1994 (Annexure- IX) the entitlement of the personal staff of Parliamentary Secretary is as under :

Category of Staff	No. of Posts	Scale of pay (as revised w.e.f. 1.1.86)	Remarks
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
First P.A	1	(Rs. 2000-3500)	Included in Gr. A & B (merged) of the CSSS.
2 nd Pay	1	(Rs. 1640-2900)	Included in Gr. C of the CSSS
Driver	1	(RS. 950-1500)	
Peon	1	(RS. 750-940)	
Total	5		

(O.M. No. 8/5/85-CS II dated 2.4.85 and 11.6. 91)

- 4.9 The Ministry of Home Affairs further examined the aspects for enhancement of Salaries and Allowances etc. to Parliamentary Secretaries, keeping in view, such enhancement made to the Members of Parliament as contained in the Salary and Allowances and Pensions of Members of Parliament Act, 1954 and the rules made thereunder, but it could not be finalised so far.
- 4.10 A list showing the Parliamentary Secretary appointed so far since 1951 is at (Annexure- X).

CONCLUSION

- 5.1 The Parliamentary secretary is appointed entirely at the discretion of the Prime Minister who will decide when and who should be appointed as Parliamentary Secretaries. The Oath of Secrecy/Affirmation of Secrecy whose specimen in English and Hindi is shown at Annexure- XI, is administered to the Parliamentary Secretary by the Prime Minister. The functions of the Parliamentary Secretary with which the Ministry of Parliamentary Affairs is concerned are as shown in their O.M No. F4(25)/84- WS dated 4.11.1985 (Annexure- V). The salary, allowances etc. of the Parliamentary Secretary which concerns the Ministry of Home Affairs are as shown in their O.M. No. 10/27/84- M&G dated 21.2.1986 (Annex VI). The entitlement of personal staff of Parliamentary Secretary will be as shown in Department of Personnel & Training O.M. No. 8/3/92- CS(II) dated 14.11.1994 (Annexure- IX). The Parliamentary Secretaries so far appointed since 1951 are shown in Annexure- X.

GAINS/BENEFITS

- 6.1 The benefits/gains which will accrue from the Report are unquantifiable. This report will disseminate a comprehensive knowledge on the history and all aspects of the Institution of Parliamentary Secretary in a consolidated form. It will help to the officers/officials on the job in this Ministry to make use of the material contained in the Report readily. It will thus save their labour and time. Besides, it will also enlighten to the new entrants in the Ministry as well as to the officers/officials of the State Government participating in the Orientation Course conducted by this Ministry.

ANNEXURE- I

(para 2.5)
Most Immediate

No.55/1/2/84- Cab
Government of India(Bharat Sarkar)
Cabinet Secretariat (MantrimandalSachivalaya)

New Delhi- 28 November, 1984
7 Agrhayana 1906 (S)

OFFICE MEMORANDUM

Subject:- Pay and Allowances to Shri Arun Singh, M.P. as Parliamentary Secretary.

The undersigned is directed to refer to the Rajya Sabha Secretariat U.O. No. RS13/84-MSA dated the 24th November, 1984 on the subject captioned above and to state that in conformity with relevant entries in Allocation of Business Rules, the salaries and allowances of Parliamentary Secretary of the Union are the concern of the Ministry of Home Affairs whereas their powers, privileges and amenities are the concern of the Department of Parliamentary Affairs pursuant to respectively Entry 56 under the Ministry of Home Affairs and Entry 16 under the Department of Parliamentary Affairs. It is requested that the Ministry of Home Affairs may kindly be consulted in this regard.

Sd/-
(K. Ramiah)
Director

To
Rajya Sabha Secretariat,
(Shri C.K. Ramiah- Senior Executive Officer)
New Delhi.

Copy also forwarded to the Ministry of Home Affairs (Shri S. Narayanaswamy- Additional Secretary) with a copy to the Rajya Sabha U.O referred to above for taking necessary action pursuant to Entry 56 under the Ministry of Home Affairs in the Govt. of India Amendment of Business Rules, 1961.

Sd/-
(K. Ramiah)
Director

ML
2 Copies

PRIME MINISTER'S SECRETARIAT

Parliamentary Secretaries have been in existence in provincial governments for many years. They were in fact Deputy Ministers with undefined powers. The Minister could allot such work as he likes to them.

The Prime Minister's recent appointment of two Parliamentary Secretaries is however quite different. They are not Deputy Ministers and they have no executive powers. They are paid no salary and work in an honorary capacity. They resemble the Parliamentary Private Secretaries in the British Parliament. Usually bright young men are chosen there by the Prime Minister or some other Ministers. These young men help in parliamentary work. They may also help in other work. That would depend on the Minister concerned. They may prepare papers for the Minister or study special questions. As stated above, they have no executive powers and therefore cannot pass any orders. The whole purpose is to give an opportunity to young members of Parliament to get a little training. In regard to the Prime Minister's two Parliamentary Secretaries, they are not paid anything during the sessions of Parliament. If they have any kind of official work at other times, when Parliament is not sitting, some kind of a daily allowance is paid to them for the actual days of work. This allowance is less than the normal M.Ps' allowance.

(J. Nehru)

25-07-1951

ANNEXURE – III

(Para 4.2)

No. 14/12/57- Pub. I
Government of India
Ministry of Home Affairs

New Delhi- 1
Dated the 24th June, 1958
3rd Asadha, 1980

OFFICE MEMORANDUM

Subject: Allowances of Parliamentary Secretaries.

The undersigned is directed to say that the allowances at present admissible to Parliamentary Secretaries are governed by the orders issued in this Ministry's letter No. 18/26/51- Pub. I dated 21st November, 1951 as modified from time to time. It has been represented by Audit that these orders are not clear about the terms of appointment of the Parliamentary Secretaries. The terms of travelling allowance and daily allowance given to Parliamentary Secretaries (who are also members of Parliament) have also been under review, consequent on the abolition of the old first class recommendation and the passing of the Salaries and Allowances of Members of Parliament (Amendment) Act, 1955. Under these Acts, each member of Parliament is provided with a free 1st class pass which he can use for travel throughout India. The Government of India except the Parliamentary Secretaries, who are also Members of Parliament, to use this pass even when they proceed on tour in connection with their official duties as and when required by the Minister to whom they are attached. The President is, therefore, pleased to decide that in supersession of all previous orders on the subject, the allowances etc. of the Parliamentary Secretaries will be regulated as follows :-

(i) **DAILY ALLOWANCE DURING RESIDENCE IN DELHI.**

- (a) When Parliament is in session or when the Parliamentary Secretaries are required to attend meeting of any of its Committees, daily allowance will be granted in accordance with the normal rules applicable to the Members of Parliament in similar circumstances.
- (b) When the grant of daily allowance is not regulated in accordance with (a) above, the Parliamentary Secretaries will be allowed daily allowance of Rs20/- provided they are on official duty throughout such residence.

(ii) TRAVELLING ALLOWANCE ON DUTY TOURS

- (a) In respect of journey by air, Parliamentary Secretaries will be entitled to 1/5 of the standard air fare each day.
- (b) In respect of journey by rail they will use the free first class pass and will be entitled to an allowance for incidental expenses at the rate of 12 paise per mile.
- (c) In respect of journey by road, etc. they will be entitled to rates of mileage allowance as admissible to government servants of the first grade. In respect of the journey performed by road, when provided with free road conveyance at government expense the Parliamentary Secretaries will be governed by the provision of S.R. 182.
- (d) In respect of journey made for the purpose of either attending the session of Parliament or transacting any other business connected with their duties as Members of Parliament as also for returning home at the conclusion of the Session or any other business connected with Parliament, they will be entitled to travelling allowance in accordance with special rules applicable to Members of Parliament. No travelling allowance will, however, be admissible to them for journeys performed on private and personal business during non-session or on party business even if it be on behalf of their Minister.
- (e) The Parliamentary Secretary shall be their own controlling officers for the purpose of travelling allowance when such allowance is not drawn by them in their capacity as Member of Parliament. In the later case their T.A bills will be signed by the controlling officers of the Parliament Secretariat as is done in the case of other Members of Parliament.

(iii) DAILY ALLOWANCE DURING HALTS ON TOUR

- (a) The Parliamentary Secretaries will be entitled to draw allowance at Rs. 20/- during a halt on tour on duty. They will be entitled to draw half daily allowance for the day of departure, irrespective of whether the arrival or the departure occurs in the forenoon or in the afternoon. No daily allowance will be admissible in respect of a place of halt from which a Parliamentary Secretary departs on the same day on which he arrived there or vice-versa. The provisions of supplementary Rule 75 would be applicable for a continuous half of more than ten days at any one place. No daily allowance will be admissible for the day or days spent on journey.
- (b) When treated as State guests, while on tour the Parliament Secretaries will be entitled to actual expenses subject to a maximum of half the daily allowance admissible. The actual expenses may include presents to bearers and drivers etc. during the period of stay in a state.

(iv) RENT-FREE-ACCOMODATION ETC.

While holding the appointment of Parliamentary Secretary they will be provided with rent-free furnished accommodation in Delhi throughout the year. The accommodation

will be of the same class as is admissible to the Member of Parliament, and shall include two servants' quarters and one garage. The charges for additional services include water, electricity and maintenance of flower beds but do not include conservancy arrangements made by Government for the upkeep of the buildings which shall be met by the Parliamentary Secretary. Rent will also be recoverable for any furniture issued over and above the prescribed scale.

(v) **MEDICAL FACILITIES**

Parliamentary Secretaries will be entitled to facilities for such medical attendance and treatment when on duty for themselves and their families as admissible to Deputy Ministers and their families. The expenditure on this account will be adjustable under the sub-head 'A-2 Allowances' under the Demand for Cabinet.

2. The expenditure for the period when daily allowance is not regulated in accordance with the rules applicable to Member of Parliament is debitable to sub-head 'A-2' under the Demand for Cabinet and for the period when allowances are drawn from the Parliament Secretariat as Members of Parliament the expenditure is debitable to the Demand for Parliament.

Sd/-
(Fateh Singh)
Joint Secretary to the Govt. of India

To

All Ministries including the Cabinet/P.M. Sect.
Planning Commission and the Dept. of Parliamentary Affairs.

3. A.G.C.R
4. Comptroller & Auditor General of India.

No. 55/2/CF/67
CABINET SECRETARIAT

15th December, 1967

To
The Under Secretary to the Govt. of Gujarat,
General Administration Department,
Sachivalaya,
Ahmedabad-15

Sir,

Subject:- Assignment of work to Parliamentary Secretaries.

I am directed to refer to your letter No. 1067-K dated October, 1967, and 5th December, 1967, regarding the function assigned to the Parliamentary Secretaries in the Union Government and to say that Parliamentary Secretaries have in the past been appointed by the Prime Minister from time to time. They were administered an oath of secrecy only and no office. Parliamentary Secretaries work in an honorary capacity. They have not been given any administrative work but have been appointed to assist the Minister in his Parliamentary and political work. No orders specifying the functions of a Parliamentary Secretary in the Union Govt. have been issued by the Govt. of India. Their functions have more or less been the same as have been assigned to Parliamentary Secretaries in the United Kingdom. A note in regard to the functions of Parliamentary Secretary in the United Kingdom is sent herewith for information.

2. When a new Council of Ministers was set up in March, 1967, no Parliamentary Secretary has been appointed by the Prime Minister.

Your faithfully,

Sd/-

(D.P. Chopra)

Under Secretary to the Cabinet.

ANNEXURE- V
(Para 4.4)

No.F. 4(25)/84-WS
GOVERNMENT OF INDIA
MINISTRY OF PARLIAMENTARY AFFAIRS & TOURISM
(DEPTT. OF PARLIAMENTARY AFFAIRS)

87, Parliament House,
New Delhi.

4th November, 1985

OFFICE MEMORANDUM

Subject:- Functions of Parliamentary Secretaries.

The undersigned is directed to say that the question of norms of Parliamentary Secretaries has been under consideration of the Government for some time past. It has been now decided with the approval of the Prime Minister that the functions of a Parliamentary Secretary will be as under:-

- (i) He will assist the Minister in his official work;
- (ii) He will represent the Department/Ministry in the House to which he belongs; and
- (iii) He will perform such functions as may be assigned to him by the Minister.

Note: Since an Oath of Secrecy is administered to a Parliamentary Secretary, he will have access to official papers.

(D.R. Tiwari)

Deputy Secretary to the Govt. of India

To

1. All Ministers/Departments of the Government of India
2. Cabinet Secretariat (Five Copies) with reference to their D.O. No. 55/1/2/84-Cab, dated 1st October, 1985.
3. Prime Minister's Office.
4. Ministry of Home Affairs (M&G Section- 5 copies)

ANNEXURE- VI

(Para 4.5)

Most Immediate

No.10/27/84- M&G
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA

New Delhi- 110001, the 21.2.1986

OFFICE MEMORANDUM

Sub:- Allowances of Parliamentary Secretaries.

The undersigned is directed to invite a reference to this Ministry's O.M. No. 14/12/57-Pub.I dated 24th June, 1958, regulating the allowances etc. of the Parliamentary Secretaries and to say that the President is pleased to decide that in supersession of the said Office Memorandum, the allowances, etc, of the Parliamentary Secretaries will be as under:-

SALARY, ALLOWANCE ETC.

- (a) A Parliamentary Secretary will draw salary and allowances (including additional facilities allowance) which are payable to a Member of Parliament.
- (b) For the period when the House, of which is a Member, is not in session, he shall draw a daily allowance of Rs. 40/-
- (c) He will be entitled for a rent free type VIII accommodation in Delhi throughout the year and to the free use of furniture up to the value of Rs. 20,000/-. Rent as per rules would be recovered for any furniture issued over and above the limit of Rs. 20,000/-
- (d) He will have free use of electricity and water up to the charges not exceeding Rs. 300/- per month. The conservancy arrangements for the upkeep of the building will be made free by the Government.
- (e) He will be exempted from payment of any charges for local calls made from the telephone installed at his residence in New Delhi. He is also entitled, as a Member of Parliament, to 7500 free calls during a year from the telephone installed in his constituency.
- (f) While on official tour, he will draw travelling allowance as a Member of Parliament. His staff members will be allowed to go with him on tour.

- (g) There will be no restrictions regarding frequency or mode of travelling while on official tour.
- (h) Medical facilities will be provided on the same scales as for a Member of Parliament.
- (i) The expenditure for the period when daily allowance is not regulated in accordance with the rules applicable to an MP, is debitible to the demand of the Ministry/Department to which the Parliamentary Secretary is attached.
- (j) He will be entitled to get a car.

2. This will come into force w.e.f. 12.11.1984

Sd/-

(A.K.Basak)

Joint Secretary to the Govt. of India

To

1. All Ministries/Departments of the Govt. of India
2. Cabinet Secretariat, New Delhi.
3. Prime Minister's Office, New Delhi.
4. Department of Parliamentary Affairs (Work Study Section), New Delhi (2 copies).

ANNEXURE- VII

(Para 4.6)

No. 55/1/2/88-Cab.
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 7th May, 1990,
17 Vaisakha, 1912 (s)

Subject:- Meeting of the Committee of Secretaries regarding functions, powers and status of Parliamentary Secretaries held on 29th June, 1989.

The undersigned is directed to refer to the Ministry of Parliamentary Affairs U.O. No. F.4(21)/88- WS dated 16th April, 1990 on the above mentioned subject and to state that no minutes were issued of the meeting of the Committee of Secretaries held on 29th June, 1989 regarding status, powers and functions of the Parliamentary Secretaries. In this connection, a copy of the D.O. letter No. 55/1/2/88-Cab. dated 8th August, 1990 to the Lok Sabha Secretariat is enclosed.

Sd/-
(G.S. Chatterjee)
(Officer on Special Duty)
Tele: 3015970

Ministry of Parliamentary Affairs
(Shri I.D. Sharma, Under Secretary)
New Delhi.

VS
2 Copies

ANNEXURE- VIII

(Para 4.6)

D.DAS GUPTA

JOINT SECRETARY

TELE. 3011964

D.O. No. 55/1/2/88- Cab.

8th August, 1989.

Dear Shri Rastogi,

Kindly refer to Lok Sabha Secretariat's UO No. 30/1/88/T dated 10th November, 1988 regarding 'Parliamentary Secretary'.

2. The position regarding status, power and functions of the Parliament Secretary is as under:-

(i) The appointment of a Parliament Secretary is entirely the discretion of the Prime Minister who will decide when and who should be appointed as Parliamentary Secretary.

(ii) The salary, allowances and other prerequisites will be decided by the Government from time to time keeping in view various factors including the exigencies of duties that may require to be performed by Parliamentary Secretary.

(iii) The position regarding the status, powers and functions of Parliamentary Secretary is well set by the then Prime Minister Shri Jawaharlal Nehru in his note dated 25.7.51 (Annexure- I).

3. A copy of the incumbents of the office of the Parliamentary Secretary since 1951 is enclosed at Annexure- II

Yours sincerely

(D. Das Gupta)

Shri K.C. Rastogi,

Joint Secretary,

Lok Sabha Secretariat

New Delhi.

ANNEXURE- IX

(para 4.8)

No.8/3/92- CS(II)
GOVERNMENT OF INDIA
DEPARTMENT OF PERSONNEL AND TRAINING

Dated 14th January, 1994

OFFICE MEMORANDUM

Subject: Personal staff of Ministers/Deputy Ministers/Parliamentary Secretaries-
Entitlement and related matters- consolidated instructions- regarding

.....

The undersigned is directed to say that instructions have been issued by this Department from time to time indicating the scale of personal staff admissible to Ministers /Deputy Ministers/Parliamentary Secretaries in the Union council of Ministers and related matters. For facility of reference, the orders issued on subject have been updated and consolidated in this O.M.

2. The expression ‘Single Ministry or independent Department’ used hereinafter would mean any single Ministry or a separate Department as mentioned in the First Schedule to the Govt. of India (Allocation of Business) Rules, 1961 as amended from time to time. This would not include different Departments of a single Ministry like Department of Expenditure, Department of Economic Affairs, etc. of the Ministry of Finance, but would include separate independent Departments such as the Department of Space, Department of Electronics, etc.

3. **NORMAL ENTITLEMENT**

The scale of personal staff normally admissible to the Ministers/Deputy Ministers/Parliamentary Secretaries when they hold charge of a single Ministry or a single independent Department is as follows:-

CABINET MINISTER

Category of staff	No. of posts	Scale of pay (as revised w.e.f. 1.1.86)	Remarks
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
Addl. Private Secy.	2	(Rs.3000-4500)	
Asstt. Private Secy.	2	(Rs. 2000-3500)	Included in Grade A & Grade B (Merged) of the Central Secretariat Stenographers Service (CSSS).
First P.A.	1	(Rs.2000-3500)	Included in Grade A & Grade B (Merged) of the Central Secretariat Stenographers Service (CSSS).
Second P.A	1	(Rs. 1640-2900)	Included in Grade C of the CSSS.
Stenographer	1	(Rs. 1400-2600)	Not included in CSSS (If required by the Minister)
Clerk	1	(Rs.950-1500)	Included in L.D. Grade of the Central Secretariat Clerical Service (CSCS)
Driver	1	(Rs950-1500)	
Jamadar	1	(Rs 775-1025)	
Peon	4	(Rs. 750-940)	
Total	15		

MINISTER OF STATE

Category of staff	No. of posts	Scale of pay (as revised w.e.f. 1.1.86)	Remarks
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
Addl. Private Secy.	1	(Rs.3000-4500)	
Asstt. Private Secy.	1	(Rs. 2000-3500)	Included in Grade A & Grade B (Merged) of the CSSS. A MOS holding independent charge of a Ministry/Dept. may be given one extra Asst. P.S, if required.
First P.A.	1	(Rs.2000-3500)	Included in Grade A & Grade B (Merged) of the Central Secretariat Stenographers Service (CSSS).
Second P.A	2	(Rs. 1640-2900)	Included in Grade C of the CSSS.
Hindi Steno	1	(Rs. 1400-2600)	Not included in CSSS (If required by the Minister)
Clerk	1	(Rs.950-1500)	Included in LD Grade of the CSCS.
Driver	1	(Rs950-1500)	
Jamadar	1	(Rs 775-1025)	
Peon	3	(Rs. 750-940)	
Total	13		

DEPUTY MINISTER

Category of staff	No. of posts	Scale of pay (as revised w.e.f. 1.1.86)	Remarks
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
First P.A.	1	(Rs.2000-3500)	Included in Grade A & Grade B (Merged) of the Central Secretariat Stenographers Service (CSSS).
Second P.A	1	(Rs. 1640-2900)	Included in Grade C of the CSSS.
Clerk	1	(Rs.950-1500)	Included in LD Grade of the CSCS.
Driver	1	(Rs950-1500)	
Jamadar	1	(Rs 775-1025)	
Peon	1	(Rs. 750-940)	
Total	7		

PARLIAMENTARY SECRETARY

Category of staff	No. of posts	Scale of pay (as revised w.e.f. 1.1.86)	Remarks
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
First P.A.	1	(Rs.2000-3500)	Included in Grade A & Grade B (Merged) of the Central Secretariat Stenographers Service (CSSS).
Second P.A	1	(Rs. 1640-2900)	Included in Grade C of the CSSS.
Driver	1	(Rs 950-1500)	
Peon	1	(Rs. 750-940)	
Total	5		

(O.M. No. 8/5/85-CS-II dated 2.4.85, 4.4.85 and 11.6.91)

4. ENTITLEMENT IN SPECIAL/SPECIFIED SITUATIONS

a) Cabinet Minister holding charge of two independent Ministries:-

In situations where a Cabinet Minister is holding charge of two independent Ministries on regular basis (not holding temporarily), the complement of staff laid down for a Cabinet Minister as mentioned in para 3 above will be admissible separately for each of two Ministries.

(O.M. NO. 8/7/89-CS- II dated 22.6.90)

b) MoS holding additional charges

A Minister of State holding additional charge of another Ministry or a separate independent Department under another Ministry will be entitled to one additional post of special P.S (Rs. 3700-5000) if the same is required by the Minister. This will not be admissible to a Minister of State holding charge of more than one Department within the same Ministry.

(vide O.M. No. 8/5/85-CS-II dated 6.8.91)

However, it has been decided to keep in abeyance the provision of admissibility of special P.S.

(vide O.M. No. 8/5/85-CS-II dated 8.12.92)

c) Minister holding additional charge temporarily

When a Minister is given, temporarily, additional charge of a portfolio held earlier by another Minister who has quit the Council of Ministers by resignation or otherwise, he is entitled to a separate set of personal staff for the additional charge to the extent indicated below for the duration he holds the additional charge:

1. Private Secretary/Addl. Private Secretary	1
2. First P.A	1
3. Second P.A	1
4. LDC	1
5. Jamadar	1
6. Peon	1

Note 1: If Private Secretary is already there, he need not be changed and may be allowed to continue for the reason that sometimes officers are taken from various services as Private Secretaries and it may be desirable to allow him to continue till a permanent incumbent takes charge.

Note2: The above mentioned decision will not be applicable in a case where a part of any Ministry/Department is clubbed with the existing portfolio of the Minister. In doubtful cases, the test that may be applied is whether any particular Ministry/Department which has been put under charge of a Minister, as an additional one, was earlier having any Minister in charge of it.

Note 3: The post of Spl. Private Secretary admissible to a Minister of State on including a long of more than one independent department as mentioned in sub part (b) above will not be available in addition to the additional staff indicated above to a Minister of State when he is given additional charge temporarily in the above situation.

(O.M. No. 8/6/86-CS- II dated 4.6.87)

d) Deputy Minister holding additional charge

When a Deputy Minister is given charge of another Ministry/Department in addition to this original charge due to any reason, and is required to function from two different locations he is entitled to have the following staff in addition to the normal entitlement as mentioned in para 3 above:-

Personal Assistant	(Rs. 1640-2900)	1
Peon	(Rs. 750-940)	1

(O.M. No. 8/17/88- CS dated 30.5.89 read with O.M. dated 7.6.89)

5. Level of the post of Private Secretary

All members of the Council of Ministers are entitled to have Private Secretaries of the same rank, i.e. Deputy Secretary (Rs. 3700-5000)/Director (Rs. 4500-5700)).

(O.M. No. 8/10/89-CS-II dated 3.8.90)

6. CREATION OF POSTS IN EXCESS OF THE PRESCRIBED SCALE/UPGRADTION OF POSTS IN THE PERSONAL STAFF OF THE MINISTER

6.1 The posts beyond the prescribed scale of personal staff admissible to Ministers, etc. cannot be created except after obtaining prior approval of the Ministry of Finance and the Department of Personnel.

(O.M. No. 8/7/85-CS- II dated 28.5.85)

6.2 Proposals for creation of additional posts on the personal staff of Ministers are considered in the Ministry of Finance and Department of Personnel & Training subject to matching savings being made available from within the entitlement of personnel staff of the concerned Minister, by surrendering some posts admissible. However, the post of Private Secretary cannot be allowed to be surrendered for providing matching savings. Ministries/Departments should also ensure that, as far as possible, the lower level posts including the posts meant for stenographers service are not surrendered for providing matching savings for creation of additional posts in excess of the entitlement.

(O.M. No. 8/5/85- CS- II dated 6.8.91)

6.3 Upgrading of posts in the personal staff of Ministers to higher scales of pay with a view to regularise the appointment of officials drawing pay in higher pay scales against posts carrying lower pay scale should not be resorted to. Upgradation of posts amounts to creation of new posts in view of the existing posts on the personal staff and as such it can be done after obtaining prior approval of Ministry of Finance and the Department of Personnel & Training.

(O.M. No. 8/11/85- CS- II dated 18/20.12.85)

7 TENURE OF PRIVATE SECRETARIES AND OTHER CONDITIONS OF THEIR APPOINTMENT

Ministers have discretion in the matter of selection of persons-serving officers or outsiders for appointment in their personal staff and such appointment will be co-terminus with the office of the Ministers. However, the policy laid down in regard to the tenure of Private Secretary is as follows:-

- i) Appointment to the post of Private Secretaries to Ministers, Minister of State, and Deputy Ministers should not be above the rank of Director in the Govt. of India (scale of pay Rs. 4500-5700). The question as to what scale of pay should be allowed to an officer would be decided keeping in view his eligibility for Central deputation in the rank of Under Secretary, Deputy Secretary or Director, as the case may be.
- ii) A Private Secretary's tenure would be three year or until he ceases to be a Private Secretary, whichever is earlier.
- iii) On completion of his term as Private Secretary, an officer would be entitled to continue, unless there are other reason for his not being so appointed, at the appropriate level in the Ministry, for the balance period of the normal tenure of the Central deputation. In this respect, no distinction would be made between officers picked from the "offer list" prepared by the Establishment officer or directly from the cadre. Appointment at the appropriate level will be subject to availability of vacancy and approval by the competent authority in each case.
- iv) An officer appointed as a Private Secretary in relaxation of the normal 'cooling off' rules, where such relaxation exceeded period of six months, would be entitled to hold office for a maximum period of three years or he will ceases to hold the post of Private Secretary, whichever is earlier, and he would not be entitled to any further tenure.

- v) Officer of the Central Secretariat Service appointed as Private Secretaries to Minister would be exempted from the rules of rotation of CSS officers on promotion in the event of their being promoted while serving as Private Secretaries. On their ceasing to hold the post of Private Secretary, they would, however, have to move to a Department other than one in which they had gained experience as a Deputy Secretary.

(O.M. NO. 31/22/90-EO(MM) dated 13.8.90)

8. While the scale of personal staff admissible to a Minister holding charge of more than one Ministry/Department is regulated by the instructions mentioned above, there is no objection to some of the posts being created in one Department and the remaining other Department under the charge of the concerned Minister. The concerned Ministries/Departments should also ensure that as far as possible 'included posts' of 1st P.A., APS and the 2nd P.A. are created in different Departments under the charge of the Minister in equitable proportion.

(O.M.No. 10/53/77- CS- II dated 3.2.78) and O.M. No. 15/2/78- CS-II dated 20.5.78)

9. The staff Car Driver may be provided to Ministers from the strength of the Ministry/Department concerned. Appointment of Driver from outside for the official car of the Minister may be avoided.

(O.M. No. 13/19/83- CS-II dated 2.12.83)

10. DEMITTING OF OFFICER BY MINISTERS AND CONTINUENCE OF PERSONAL STAFF TO WIND UP THE OFFICE

All the members on the personal staff of outgoing Minister may continue to hold their posts for a period not exceeding 15 days so as to enable the Ministries/Departments to make arrangements for their repatriation etc. Thereafter, only two members on the personal staff of the outgoing Minister should be allowed to continue for another 15 days, if required by the outgoing Minister to wind up his office.

(O.M. No. 10/20/79- CS-II dated 2.8.79)

11. VERIFICATION OF CHARACTER AND ANTECEDENTS OF NON OFFICIALS APPOINTED ON THE PERSONNEL STAFF OF MINISTERS

Relevant instructions for verification of character and antecedents of persons to be appointed to the personal staff of the Minister, should be observed while making the appointments. Instructions on the subject have been issued by Establishment Division (Estt. B) of Department of Personnel & Training.

12. APPOINTMENT OF GOVERNMENT SERVANTS/OUTSIDERS ON THE PERSONAL STAFF OF MINISTER

While no recruitment rules have been framed for the personnel staff of Ministers/Dy. Ministers, it is clarified that:-

- i) No upper age limit need be insisted upon provided the incumbent cannot hold any post after the attaining the age of 58 years:
- ii) Educational qualifications including typing, shorthand speed for corresponding posts, will have to be satisfied, and
- iii) Relaxation in (i) and (ii) above can be done only with concurrence of the Department of Personnel & Training.

(O.M. No. 8.7.87-CS-II dated 21.1.88)

13. ENTITLEMENT TO PERSONAL STAFF OF FUNCTIONARIES HAVING STATUS OF A MINISTER BUT WHO ARE NOT MEMBERS OF COUCIL OF MINISTERS

Norms laid down for entitlement of personal staff by this Department in this and other official Memoranda are not applicable in the case of functionaries having status of a Minister but who are not members of Council of Ministers. Their entitlements depends on the actual workload, which may not be identical with those of the members of Union Council of Ministers of the corresponding rank, who have to deal with a substantial amount of work connected with Cabinet and its committees, Parliament and its committees besides discharging their Ministry's function and public responsibilities. Therefore, the entitlement of such functionaries to the personal staff has to be determined by the concerned Ministry/Department without reference to the norms applicable in the case of member of Union Council of Ministers, on the basis of actual workload, and in consultation with the Ministry of Finance.

14. Since the object of this OM is only to give a comprehensive view of the policy/instruction on the subject, for detailed provision on different aspects of the policy, various OMs issued from time to time may be referred to.

All the Ministries/Departments are requested to bring this to the notice of all concerned.

Hindi version will follow.

Sd/-

(M.S. Bali)

Director (CS)

To

All Ministries/Departments of Government of India.

LIST OF PARLIAMENTARY SECRETARIES

1.	Shri Satish Chandra	w.e.f. 11.6.1951
2.	Shri S.N. Mishra	w.e.f. 11.6.1951
3.	Shri K.D. Malavyer	w.e.f. 5.6.1952
4.	Shri M.V. Krishnappa	w.e.f. 12.7.1952
4.	Shri Sadat Ali Khan	w.e.f. 17.11.1953
4.	Dr. Mono Mohan Dass	w.e.f. 18.12.1953
7.	Shri G. Rajgopalan	w.e.f. 18.12.1953
8.	Dr. K.L. Shrimali	w.e.f. 18.12.1953
9.	Shri Kakshmi N. Menon	w.e.f. 11.8.1952
10.	Shri Jogendra Nath Hazarika	w.e.f. 11.8.1952
11.	Shri Shah Nawaz Khan	w.e.f. 11.8.1952
12.	Shri B.R. Bhagat	w.e.f. 11.8.1952
13.	Shri Sadat Ali Khan	w.e.f. 18.7.1961 to 31.3.1962
14.	Shri JogendraNath Hazarika	w.e.f. 18.7.1961 to 31.3.1962
15.	Shri Fateh Singh Rao Pratap Singhrao Gaekwad	w.e.f. 18.7.1961 to 31.3.1962
16.	Shri Anand Chandra Joshi	w.e.f. 18.7.1961 to 31.3.1962
17.	Shri Gajendra Pratap Sinha	w.e.f. 18.7.1961 to 31.3.1962
18.	Shri Shyam Dhar Mishra	w.e.f. 18.7.1961 to 31.3.1962
19.	Shri Anna Saheb Shinde	w.e.f. 12.5.1962
20.	Shri D. Erring	w.e.f. 12.5.1962
21.	Shri S.C. Jamir	w.e.f. 12.5.1962
22.	Shri S. Ahmad Mehdi	w.e.f. 12.5.1962
23.	Shri DadderThimmaiah	w.e.f. 12.5.1962
24.	Shri M.R. Krishna	w.e.f. 12.5.1962
25.	Shri Lalit Sen	w.e.f. 6.9.1964

- | | | |
|-----|-----------------------|------------------|
| 26. | Shri Annasahib Shinde | w.e.f. 15.1.1966 |
| 27. | Shri Lalit Sen | w.e.f. 15.1.1966 |
| 28. | Shri J.C. Jamir | w.e.f. 15.1.1966 |

From 1967 to 11.11.1984 no Parliamentary Secretary was appointed

- | | | |
|-----|----------------------|------------------------------|
| 29. | Shri Arun Singh | w.e.f. 12.11.1984 to 24.9.85 |
| 30. | Shri Oscar Fernandes | w.e.f. 12.11.1984 to 24.9.85 |
| 31. | Shri Ahmed Patel | w.e.f. 12.11.1984 to 24.9.85 |
| 32. | Shri Nakul Naik | w.e.f. 24.11. 1990 |

**OATH OF SECRECY AND AFFIRMATION OF SECRECY FOR A
PARLIAMENTARY SECRETARY**

OATH OF SECRECY

I,.....

DO SWEAR IN THE NAME OF GOD THAT I WILL NOT DIRECTLY OR INDIRECTLY COMMUNICATE OR REVEAL TO ANY PERSON OR PERSONS ANY MATTER WHICH SHALL BE BROUGHT UNDER MY CONSIDERATION OR SHALL BECOME KNOWN TO ME AS A PARLIAMENTARY SECRETARY EXCEPT AS MAY BE REQUIRED FOR THE DUE DISCHARGE OF MY DUTIES AS SUCH PARLIAMENTARY SECRETARY.

AFFIRMATION OF SECRECY

I,.....

DO SOLEMNLY AFFIRM THAT I WILL NOT DIRECTLY OR INDIRECTLY COMMUNICATE OR REVEAL TO ANY PERSON OR PERSONS ANY MATTER WHICH SHALL BE BROUGHT UNDER MY CONSIDERATION OR SHALL BECOME KNOWN TO ME AS A PARLIAMENTARY SECRETARY EXCEPT AS MAY BE REQUIRED FOR THE DUE DISCHARGE OF MY DUTIES AS SUCH PARLIAMENTARY SECRETARY.

संसदीय सचिव के लिए गोपनीयता शपथ तथा गोपनीयता प्रतिज्ञान

गोपनीयता की शपथ

मैंईश्वर की शपथ पूर्वक प्रतिज्ञान करता हूँ कि संसदीय सचिव के रूप में जो विषय मेरे विचार के लिए लाया जाएगा अथवा मुझे ज्ञात होगा उसे किसी व्यक्ति या व्यक्तियों को, उस अवस्था को छोड़कर जबकि ऐसे संसदीय सचिव के रूप में अपने कर्तव्यों के उचित निर्वहन के लिए ऐसा करना अपेक्षित हो, अन्य अवस्था में, मैं, प्रत्यक्ष अथवा परोक्ष रूप से संसूचित या प्रकट नहीं करूँगा ।

गोपनीयता प्रतिज्ञान

मैंसत्य निष्ठा से प्रतिज्ञान करता हूँ कि संसदीय सचिव के रूप में जो विषय मेरे विचार के लिए लाया जाएगा अथवा मुझे ज्ञात होगा उसे किसी व्यक्ति या व्यक्तियों को, उस अवस्था को छोड़कर जबकि ऐसे संसदीय सचिव के रूप में अपने कर्तव्यों के उचित निर्वहन के लिए ऐसा करना अपेक्षित हो, अन्य अवस्था में मैं, प्रत्यक्ष अथवा परोक्ष रूप में संसूचित या प्रकट नहीं करूँगा ।

Functions assigned to the Ministry of Parliamentary Affairs may be seen under the heading “About us” and sub-heading “functions” on the website of this Ministry. Item No. 15 is “Parliamentary Secretaries – functions”. As mentioned in this Study-Report, “functions of Parliamentary Secretaries” has been assigned to this Ministry and “Salary, allowances etc. of Parliamentary Secretaries” has been allotted to the Ministry of Home Affairs.

Following are references of Supreme Court and High Court cases where the Hon’ble Courts have considered the constitutional validity of appointment of Parliamentary Secretaries.

- 1. CWP No. 6715 of 2012(O&M)(Jagmohan Singh Bhatti vs Union of India & others**
- 2. CWP No. 10167 of 2012(O&M) (HC Arora vs State of Punjab & others)(Punjab & Haryana High Court)**
- 3. PIL WP No. 05 of 2007 (Adv. Aires Rodrigues vs State of Goa) in the High Court of Bombay Bench at Panaji.**
- 4. WP No.7326(W) of 2013(Vishak Bhattarcharya vs the State of West Bengal & others.)(Calcutta High Court)**
- 5. WP No. 8321 of 2013 (Puspall Chakraborty vs the State of Bengal & others.)**
- 6. (Calcutta High Court)**
- 7. Citizen Rights Protection Forum vs Union of India(UOi) and others on 18 August, 2005.(Himachal Pradesh High Court)**

STUDY REPORT
ON
PARLIAMENTARY SECRETARY

US (R)

MINISTRY OF PARLIAMENTARY AFFAIRS
1997

I N D E X

<u>S. No.</u>	<u>Chapter</u>	<u>Page</u>
1.	I- Introduction and Methodology	2
2.	II- Rules and Regulations on the Institution of Palimentary Secretary	3
3.	III- Institution of Parliamentary secretary in U.K., Canada, Germany and France	4-9
4.	IV - Institution of Parliamentary Secretary in India	10-13
5-	V - Conclusion	14
6.	VI - Gains/Benefits	15

ANNEXURES

I	16
II	17
III	18-22
IV	23
V	24
VI	25-26
VII	27
VIII	28
IX	29-38
X	39-40
XI	41-42

INTRODUCTION AND METHODOLOGY

1.1. INTRODUCTION :

It has long been felt that a study may be undertaken on the Institution of the Parliamentary Secretary. The purpose of the study is to consolidate all the relevant and useable information on the Institution of Parliamentary Secretary in a scientific manner.

1.2 METHODOLOGY :

The following relevant files relating to Parliamentary Secretaries have been gone through to have an in depth knowledge about the Institution of Parliamentary Secretary in Indian as well as in U.K. :-

- i) F. 4 (25) /84-WS
- ii) F. 4 (5) / 85-WS
- iii) F.4 (21) /88-WS
- iv) F.4 (22) /90-WS

The Ministry of Home Affairs and Cabinet Secretariat, wherever felt necessary, were also consulted.

**RULES AND REGULATIONS REGARDING
PARLIAMENTARY SECRETARIES**

- 2.1 The Parliamentary Secretary is not a member of the Council of Ministers as the term 'Minister' appearing in Articles 75 of the Constitution does not include Parliamentary Secretary and is not appointed by the president.
- 2.2 According to Rule 2 of the Rule of Procedures and Conduct of Business in Lok Sabha and Rajya Sabha which defines the Minister, has included the office of Parliamentary Secretary in India, who can discharge all functions of Ministers in the Houses on which he is a member.
- 2.3 Section 3 (b) of the Parliament (Prevention of Disqualifications) Act, exempts the institutions of Chief Whip, Whips and Parliamentary Secretaries, from the disqualifications of holding an office of profit.
- 2.4 According to Government of India (Allocations of Business) Rule 1961, the Ministry of Home Affairs is concerned with (i) issue of notifications of appointment and resignation of the Parliamentary Secretaries and (ii) Salaries and Allowances of Parliamentary Secretaries, while the Ministry of Parliamentary Affairs are concerned with the functions of Parliamentary Secretaries.
- 2.5 The Cabinet Secretariat vide their O.M. No. 55/1/84 Cab. dt. 28.11.1984 (Annex-I) had clarified that in conformity with relevant entries in Allocation of Business Rules, the salaries and allowances of Parliamentary Secretary of the Union are the concern of the Ministry of Home Affairs whereas their powers, privileges and amenities are the concern of the Department of Parliamentary Affairs.

**INSTITUTION OF PARLIAMENTARY SECRETARY
IN FOREIGN COUNTRIES**

U.K.

- 3.1 In the United Kingdom, there are two institutions namely (i) **Parliamentary Secretary** and (ii) **Parliamentary Private Secretary**.
- 3.2 These two institutions are not to be confused with each other. The functions of these two institutions are explained separately :
- (I) **PARLIAMENT SECRETARY**
- 3.3 Parliamentary Secretary has a status below that of a Cabinet Minister and a Minister of State. All Ministers of the Crown who control a major department have one or two Parliamentary Secretaries to assist them. If the Minister is a Secretary of state, his Parliamentary Secretary is designated as under Secretary of State. He helps his Minister and deputises for the Minister in the House. Such need for deputisation was felt because in the United Kingdom, a Minister who is a member of one House cannot go to the other House. Therefore, Parliamentary Secretary was the member of the House from which the concerned Minister was excluded. He, thus, therefore, becomes a Minister's spokesman in that House. He has been considered a sort of "Junior Minister" and has to accept the doctrine of collective responsibility. In the United Kingdom, there exists no post of Deputy Minister. In this way, the Parliamentary Secretary could be considered as playing the role similar to that performed by the Deputy Minister. The Parliamentary Secretary is a paid servant. Under the Ministries of Crown Act, 1964, the number of Parliamentary Secretaries is limited to 36. This also shows that they belong to the ministerial hierarchy.
- 3.4 The Parliamentary Secretary is not a Minister and he must be careful not to speak or to conduct himself as if he was a member of the Government.
- 3.5 In his book "Government and Parliament" Lord Morrison refers to an incident where a Parliamentary Secretary to the Ministry of Food was required to resign

after making a public statement on agriculture which conflicted with Government policy.

- 3.6 Parliament Secretaries have been entitled to an additional allowance of \$ 10500 per annum (Rs.6,09,000) per annum) in addition to annual sessional allowance of \$ 64600 (Rs. 37,35,200) and a tax-free expense allowance, ranging from #21,300 to \$ 28,200 (Rs. 12,35,400 to Rs. 16,35,600) depending on the district they represent, as admissible to every other Member of the House of Commons.

(An encyclopaedia of Parliament of Norman Wilding & Philip Laundry).

- * (Obtained through Internet in Parliament House who obtained from MP's query Booth, Gariepy, Jean-Jacques (Parl. gc. Calgariék). Sent : Mittwoch Reference from Vandsrhoff-Silburt, Miriam. "The Role of Parliamentary Secretaries" vol. 6, (4) 6-9, 1983).

II PARLIAMENTARY PRIVATE SECRETARY

- 3.7 A Parliamentary Private Secretary is appointed by a Minister primarily to help him in his work as a Member of Parliament. The Parliamentary Private Secretary is of course a Member of Parliament himself but he is not a member of the Government and carries no direct responsibility for Government policy, but the close association between him and his Minister imposes certain obligations upon him. In particular, he does not make statements in Parliament or put Parliamentary Questions on matters affecting the Department with which he is connected; and more generally he does not make any statement which is critical of the Government.
- 3.8 The detailed functions of the Parliamentary Private Secretary largely depend upon the personal relationship between him and his Minister, and the work of different Parliamentary Private Secretaries varies considerably.
- 3.9 Although the official Private Secretary to a Minister is responsible for seeing that he is properly briefed by his Department on what he should say in Parliament, and during Questions and Debates concerning his Department a Minister is attended by a Private Secretary and possibly by other officials, the Parliamentary Private Secretary is responsible for seeing that the Minister is in his place at the right time during Parliamentary proceedings and is available when necessary for

Divisions. Officials are allowed in the official galleries of the House of Parliament but they are not technically within the precincts of the Houses and may not communicate with a Minister when he is in the House except by a written message. The Parliamentary Private Secretary, therefore, acts as a link between the Minister and officials.

- 3.10 A Parliamentary Private Secretary also assists his Minister on matters connected with the political party to which he belongs.
- 3.11 A Parliamentary Private Secretary may represent his Minister in meetings with Members of Parliament and members of the public and may correspond with Members of Parliament on behalf of his Minister, especially on matters affecting his political party. Correspondence with Members of Parliament or general questions raised by their constituents is usually conducted on behalf of a Minister by his official Private Secretary.
- 3.12 A Parliamentary Private Secretary often, but by no means always, conducts correspondence with his Minister's own constituents and may interview them on his Minister's behalf.
- 3.13 A Parliamentary Private Secretary may represent a Minister on social occasions and at funerals and memorial services especially for those connected with politics but he does not represent the Minister on occasions arising out of his office as a Minister of the Crown.
- 3.14 In brief, a Parliamentary Private Secretary to an extent varying with the personal relationship existing between him and his Minister, acts as the Minister's personal assistant in political party matters and as his eyes and ears in Parliament.
- 3.15 The functions of the Prime Minister's Parliamentary Private Secretary do not differ from those of any other Minister's except of course that he does not make any statements or ask Questions on any matter of Government policy in Parliament and has rather wider range of contacts with other Members of Parliament.
- 3.16 In the United Kingdom, Parliamentary Private Secretaries are unpaid posts and are given to Members of Parliament who are either regarded as promising or to older ones as a mark of their services to the party, as a consolation prize. It is

regarded as the first rung in the political ladder. These posts do not carry the right to administrative duties, or normally access to secret papers. Parliamentary Private Secretaries are not officials and are not governed by the principle of cabinet responsibility.

(An Encyclopaedia of Parliament by Norman Wilding and Philip Laundry)

CANADA

- 3.17 The office of Parliamentary assistant was introduced in 1943 to relieve some of the burdens on departmental Ministers. In 1959 legislation regularized this arrangement and changed the title of the position to Parliamentary Secretary. The seven parliamentary assistants of 1943 had become 15 or 16 Parliamentary Secretaries by the early 1960s. Parliamentary Secretaries were to be members of the House of Commons and were appointed for a term of one year, which was renewable. From 1971 their number was to correspond with the number of full Ministers now 28 and their term of office was to be two years, which was renewable. The role of these Parliamentary Secretaries is not well defined; indeed, they are apparently not officially regarded as junior Ministers but instead as non-ministerial assistants to Ministers. The doctrine of collective ministerial responsibility is held not to bind them in the same way as it does Cabinet Ministers, leaving them free to express their own views. Some have put down questions on the Order Paper and made statements in parliament as private members, but the realities of party politics and prime ministerial patronage ensure that they adhere to the government's line. Their role depends chiefly on the minister in charge of the department. A Parliamentary Secretary may appear in parliament to answer questions or at a committee, guiding a bill through the House of Commons. They may stand in for the minister at public speaking engagements. They may sometimes substitute for the minister at meetings of Cabinet Committees. Their departmental role is usually extremely limited. While it is common for them to receive copies of most.
- 3.18 Canadian Parliamentary Secretaries carry much less weight than even British Parliamentary Under Secretaries.

(Extract taken from the book on Junior Minister in British Government by Kevin Theakston (edition 1987).

GERMANY

- 3.19 In the federal Republic of Germany, junior Ministers date only from 1967, with the creation of the office of Parliamentary state Secretary. This partly reflected the fact that the demand for ministerial office exceeded its supply when the 'Grand Coalition' between the SPD and the CDU/CSU was formed in 1966. After 1969, when one of the two main parties has been in Government along with the smaller FDP, coalition bargaining has sometimes meant that a department's Minister and Parliamentary state Secretary are drawn from different parties. Partly, too, the establishment of these posts was intended to furnish a ministerial apprenticeship for younger politicians angling for Cabinet appointments. And finally it was hoped that these junior ministers would support their departmental chiefs in their political roles.
- 3.20 The role of West German Junior Ministers in practice depends significantly on their relations with their minister and the department to which they are appointed. Nevil Johnson describes them as operating in 'a twilight zone', constrained because their role is not well defined in a system which strongly emphasizes legal definition of relationships and powers. In the Bundestag parliamentary state secretaries make frequent appearances to answer for their department at question time and to speak in plenary debates; they also attend sessions of the specialized parliamentary committees which scrutinize legislative proposals and general departmental policies. Ministers have traditionally been assisted by their state secretaries equivalent to the British permanent secretaries in the conduct of parliamentary business, senior officials thus playing a more openly 'political' role than could be conceivable in Britain, but the Parliamentary state secretaries have taken over more of this work from them. Junior Ministers have also assisted their Ministers by helping to maintain contact with the different party groups supporting the Government, and by substituting for them at meeting of the Cabinet and its committees, at which official rather than the parliamentary state secretary functions as the minister's deputy. Parliamentary state secretaries may supervise particular divisions or sections of the department's work, but Ministers inevitably rely much more on their senior bureaucratic aides in the process of policy-making.

(Extract taken from the book on Junior Minister in British Government by Kevin Theakston (edition 1987).

FRENCH

- 3.21 In the Fifth French Republic Junior Ministers go by the title of Secretaries of State (Secretaries d'etat), though they were known as Under Secretaries in the Third Republic and both designations were used in the Fourth Republic. The number of junior ministers in the Gaulle's first Government was between four and ten, but more were appointed by his successors. In 1978, for instance, the Government, under the Prime Minister, was composed of 19 full Ministers and 18 Secretaries of State. Two of those Junior Ministers headed independent Secretariats (minor departments) for Posts and for War Veterans: the others took on specific aspects of the work of their ministries on behalf of the Minister rather than being general assistants with miscellaneous duties. All full Ministers attend the Council of Ministers, which is chaired by the President, Secretaries of State attending only if invited for particular items on the agenda concerning their responsibilities.
- 3.22 A crucial role in the French political administrative system is played by Ministerial Cabinets. These number between 10 and 20 staff in the Cabinets of full Ministers, and five to ten for Junior Ministers; their membership is drawn predominantly from the elite of the higher civil service. Their role is to act as ministerial advisers, as extra eyes, ears, arms and legs in the ministry, and to link with other Ministers and the Prime Minister's and President's Staffs. The existence of cabinets affects the role of Junior Ministers. For instance, Ministers do attend, though are not members of, the National Assembly to participate in debates on legislation and to answer questions, but Junior Ministers do not seem to have such a significant parliamentary role as in Britain partly because the National Assembly has a more limited role than the House of Commons, and has shorter sessions, but also because the top Minister's Cabinet handles important aspects of legislative business, such as contacts the negotiations with deputies. The relations between Junior Ministers and the Minister's cabinet are potentially fraught with tension. Some Junior Ministers have apparently complained of a lack of contact with their Minister who is shielded by his Cabinet.

(Extract taken from book of Junior Ministers in British Government by Kevin Theakston (edition 1987).

INSTITUTIONS OF PARLIAMENTARY SECRETARIES IN INDIA

- 4.1 The institution of the office of Parliamentary Secretary has no statutory origin nor does it derive authority from the Constitution of India. The Office of the Parliamentary Secretary in India was first created in 1951. According to original concept in 1951, Parliamentary Secretaries were appointed purely for the purpose of assisting the Minister in parliamentary work, analogous to the position of Parliamentary Private Secretaries in United Kingdom. Unlike the Ministers, the oath is administered to the Parliamentary Secretaries by the Prime Minister and not by the President. The then Prime Minister has apparently in mind, these factors initially when he appointed Shri Satich Chandra and Shri S.N. Misra, Members of Parliament as Parliamentary Secretaries. According to note date 25.7.1991 (Annex-II) of the then Prime Minister Shri Jawahar Lal Nehru the Parliamentary Secretaries have been in existence in provincial Governments for many years. They were infact Deputy Ministers with underfined powers. The Ministers took a lot of such work as he likes to them. As mentioned in the said note, these two Parliamentary Secretaries are not Deputy Ministers and have no executive powers. They are paid no salaries and work in an honourary capacity. They resemble the Parliamentary Private Secretaries in the British Parliament. They may prepare the papers for the Ministers or study special questions but they have no executive powers and as such cannot pass any orders. The whole purpose is to give an opportunity to young Members of Parliament to get a little training. If the Parliamentary Secretaries have any kind of official work when parliament is not sitting, some kind of a daily allowance is paid for the actual days of work which is less than the normal MPs' allowance. This practice continued till 1967.
- 4.2 The Ministry of Home Affairs had issued an O.M. No. 14/12/57-PUB-I dated 24.6.1958 regarding the Allowances of Parliamentary Secretaries (Annex-III). The Cabinet Secretariat vide their letter No. 55/2/CF/67 dated 15.12.1967 (Annex-IV) have also mentioned therein that Parliamentary Secretaries work in an

honourary capacity and have not been given any administrative work, but appointed to assist the Minister in this Parliamentary work. No orders specifying functions of the Parliamentary Secretaries in the Union Government have been issued by the Government of India. However, their functions are more or less the same as have been assigned to Parliamentary Secretaries in U.K.

- 4.3 From 1967 to 1984 no Parliamentary Secretary was appointed. Subsequently, in 1984, the Prime Minister appointed three Parliamentary Secretaries. Although, Parliamentary Secretaries were appointed from time to time since 1951, but the question of status, functions of Salaries and Allowances in respect of Parliamentary Secretaries was not examined until 1984. At this stage, a need was felt to identify the functions of Parliamentary Secretary and also for revision of their salary, Allowances etc. Accordingly, the functions of the Parliamentary Secretaries were considered by the Committee of Secretaries in May 1985 and the Committee identified the following as functions of Parliamentary Secretary :-
- i) He will assist the Minister in his official work.
 - ii) He will represent the Department/Ministry in the House to which he belongs.
 - iii) He will perform such functions as may be assigned to him by the Minister. (Since an Oath of secrecy is administered to a Parliamentary Secretary, he will have access to official papers).
- 4.4 Subsequently, the Ministry of Parliamentary Affairs had issued an O.M. No. F4(25)/84-WS dated 4.11.1985 regarding the functions of Parliamentary Secretaries (Annex-V).
- 4.5 The committee on 28th August, 1985 also considered the salary and allowances which could be sanctioned for a Parliamentary Secretary, Cabinet Secretariat vide their Secretariat letter No. 55/1/2/84 Cab. dated 4.10.1985 (Secret) circulated the minutes of the meeting of Secretaries held on 28.8.1985.

Subsequently, the Cabinet Secretariat vide their D.O. Letter No. 55/1/2/84-Cab dated 1.10.1985 (secret) intimated that with the approval of the Prime Minister, it has also been decided that a Parliamentary Secretary should get a car and his staff members be allowed to go with him on tour. As per decisions of the Cabinet, the Ministry of Home Affairs who are concerned with the Salaries and Allowances of Parliamentary Secretaries had also accordingly issued revised O.M. No. 10/27/84/MNG dated 21.2.1986 regarding Salaries and Allowances etc. of Parliamentary Secretaries (Annex-VI)

4.6 The functions, powers and status of Parliamentary Secretaries were again considered in the Meeting of the Committee of Secretaries held on 29.6.1989. The Cabinet Secretariat vide their letter No. 55/1/2/88-Cab. dated 7.5.1990 (Annex VII) had intimated that no minutes of the meeting of committee of Secretaries held on 29.6.1989 were issued. However, the Cabinet Secretariat vide their D.O. Letter No. 55/1/2/88-Cab. dated 8.8.1989 (Annexe VIII) intimated the position regarding status, powers and functions of the Parliamentary Secretary which is as under :-

- i) The appointment of a Parliamentary Secretary is entirely the discretion of the Prime Minister who will decide when and who should be appointed as Parliamentary Secretary.
- ii) The salary, allowances and other pre-requisites will be decided by the Government from time to time keeping in view various factors including the exigencies of duties that may require to be performed by Parliamentary Secretary.
- iii) The position regarding the status, powers and functions of Parliamentary Secretary is well set by the then Prime Minister Shri Jawaharlal Nehru in his note dated 25.7.51 (Annexure II).

4.7 Shri Nakul Nayak, M.P. was appointed as the last Parliamentary Secretary to the Prime Minister on 24.11.1990.

PERSONAL STAFF OF PARLIAMENTARY SECRETARY

- 4.8 As per Department of Personnel & Training O.M. No. 8/3/92-CS(II) dated 14.1.1994 (Annex. IX) the entitlement of the personal staff of Parliamentary Secretary is as under :-

<i>Category of Staff</i>	<i>No. of Posts</i>	<i>Scale of pay (as revised w.e.f. 1.1.86)</i>	<i>Remarks</i>
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
First P.A.	1	(Rs. 2000-3500)	Included in Gr. A & B(merged) of the CSSS.
2nd P.A.	1	(Rs. 1640-2900)	Included in Gr. C. of the CSSS.
Driver	1	(Re. 950-1500)	
Peon	1	(Rs. 750-940)	
Total	5		

(O.M. No. 8/5/85-CS II dated 2.4.85, 4.4.85 and 11.6.91)

- 4.9 The Ministry of Home Affairs further examined the aspects for enhancement of Salaries and Allowances etc. to Parliamentary Secretaries, keeping in view, such enhancement made to the Members of Parliament as contained in the salary and Allowances and pensions of members of Parliament Act, 1954 and the rules made thereunder, but it could not finalised so far.
- 4.10 A list showing the Parliamentary Secretaries appointed so far since 1951 is at (Annex X).

CONCLUSION :

- 5.1 The Parliamentary Secretary is appointed entirely at the discretion of the Prime Minister who will decide when and who should be appointed as Parliamentary Secretaries. The oath of Secrecy/Affirmation of secrecy whose specimen in English and Hindi is shown in Annex XI, is administered to the Parliamentary Secretary by the Prime Minister. The functions of the Parliamentary Secretary with which the Ministry of Parliamentary Affairs is concerned are as shown in their O.M. No. F 4(25)/84-WS dated 4.11.1985 (Annex V). The Salary, Allowances etc. of the Parliamentary Secretary which concerns the Ministry of Home Affairs are as shown in their O.M. No. 10/27/84-M&G dated 21.2.1986 (Annex VI). The entitlement of personal staff of Parliamentary Secretary will be as shown in the Department of Personnel & Training O.M. No. 8/3/92-CS(II) dated 14.11.1994 (Annex IX). The Parliamentary Secretaries so far appointed since 1951 are shown in Annex X.

GAINS / BENEFITS

- 6.1 The benefits/gains which will accrue from the Report are unquantifiable. This report will disseminate a comprehensive knowledge on the history and all aspects of the Institution of Parliamentary Secretary in a consolidated form. It will help to the officers/officials on the job in this Ministry to make use of the material contained in the Report readily. It will thus save their labour and time. Besides, it will also enlighten to the new entrants in the Ministry as well as to the officers/officials of the State Governments participating in the Orientation Course conducted by this Ministry.

ANNEXURE - I

(Para 2.5)

Most Immediate

NO. 55/1/2/84-Cab.
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi - 28 November, 1984
7 Agraphayana 1906 (S)

OFFICE MEMORANDUM

Subject :- Pay and Allowances to Shri Arun Singh, M.P. as Parliamentary Secretary.

The undersigned is directed to refer to the Rajya Sabha Secretariat U.O. No. RS/13/84-MSA dated the 24th November, 1984 on the subject captioned above and to state that in conformity with relevant entries in Allocation of Business Rules, the salaries and allowances of Parliamentary Secretary of the Union are the concern of the Ministry of Home Affairs whereas their powers, privileges and amenities are the concern of the Department of Parliamentary Affairs pursuant to respectively Entry 56 under the Ministry of Home Affairs and Entry 16 under the Department of Parliamentary Affairs. It is requested that the ministry of Home Affairs may kindly be consulted in this regard.

sd/-
(K. RAMIAH)
Director.

To

*Rajya Sabha Secretariat,
(Shri C.K. Ramiah-Senior Executive Officer)
New Delhi.*

Copy also forwarded to the Ministry of Home Affairs (Shri S. Narayanaswamy- Additional Secretary) with a copy of the Rajya Sabha U.O. referred to above for taking necessary action pursuant India Amendment of Business Rules 1961.

sd/-
(K. RAMIAH)
Director.

ML
2 copies

PRIME MINISTER'S SECRETARIAT

Parliamentary Secretaries have been existence in provincial Governments for many years. They were in fact Deputy Ministers with undefined powers. The Minister could allot such work as he likes to them.

The Prime Minister's recent appointment of two Parliamentary Secretaries is however quite different. They are not Deputy Ministers and they have no executive powers. They are paid no salary and work in an honorary capacity. They resemble the Parliamentary Private Secretaries in the British Parliament. Usually bright young men are chosen there by the Prime Minister or some other Ministers. These young men help in parliamentary work. They may also help in other work. That would depend on the Minister concerned. They may prepare papers for the Minister or study special questions. As stated above, they have no executive powers and therefore cannot pass any orders. The whole purpose is to give an opportunity to young members of Parliament to get a little training. In regard to the Prime Minister's two Parliamentary Secretaries, they are not paid anything during the sessions of Parliament. If they have any kind of official work at other times, when Parliament is not sitting, some kind of a daily allowance is paid to them for the actual days of work. This allowance is less than the normal M. Ps' allowance.

(J. NEHRU)

25-07-1951

ANNEXURE - III

(Para 4.2)

No. 14/12/57- Pub. I
Government of India
Ministry of Home Affairs

Dated New Delhi - 1, the 24th June, 1958
3rd Asadha, 1980

OFFICE MEMORANDUM

Subject : Allowances of Parliamentary Secretaries.

The undersigned is directed to say that the allowances at present admissible to Parliamentary Secretaries are governed by the orders issued in this Ministry's letter No. 13/26/51-Pub. I dated 21st November, 1951, as modified from time to time. It has been represented by Audit that these orders are not clear about the terms of appointment of the Parliamentary Secretaries. The terms of travelling allowance and daily allowance given to Parliamentary Secretaries (who are also members of Parliament) have also been under review, consequent on the abolition of the old first class accommodation and the passing of the salaries and Allowances of members of Parliament (Amendment) Act, 1955. Under these Acts, each member of Parliament is provided with a free 1st Class pass which he can use for travel throughout India. The Government of India except the Parliamentary Secretaries, who are also Members of Parliament, to use this pass even when they proceed on tour in connection with their official duties as and when required by the Minister to whom they are attached. The President is, therefore, pleased to decide that in supersession of all previous orders on the subject, the allowances etc. of the Parliamentary Secretaries will be regulated as follows :-

(i) DAILY ALLOWANCE DURING RESIDENCE IN DELHI.

- (a) When Parliament is in session or when the Parliamentary Secretaries are required to attend meeting of any of its Committees, daily allowance will be granted in accordance with the normal rules applicable to the Members of Parliament in similar circumstances.
- (b) When the grant of daily allowance is not regulated in accordance with (a) above, the Parliamentary Secretaries will be allowed daily allowance of Rs.20/- provided they are of official duty throughout such residence.

(ii) TRAVELLING ALLOWANCE ON DUTY TOURS

- (a) In respect of journey by air, Parliament Secretaries will be entitled to 1 1/5 of the standard air fare each day.
- (b) In respect of journey by rail they will use the free first class pass and will be entitled to an allowance for incidental expenses at the rate of 12 pies per mile
- (c) In respect of journey by road, etc. they will be entitled to rates of mileage allowance as admissible to Government Servants of the first Grade. In respect of the journey performed by road, when provided with free road conveyance at Government expense the Parliamentary Secretaries will be governed by the provisions of S.R. 182.
- (d) In respect of journey made for the purpose of either attending the session of

Parliament or transacting any other business connected with their duties as Members of Parliament as also for returning home at the conclusion of the Session or any other business connected with Parliament, they will be entitled to travelling allowance in accordance with the special rules applicable to Members of Parliament. No travelling allowance will, however, be admissible to them for journeys performed on private and personal business during non-session period or on party business even if it be on behalf of their Minister.

- (ii) The Parliamentary Secretaries shall be their own controlling officers for the purpose of travelling allowance when such allowance are not drawn by them in their capacity as Member of Parliament. In the later case their T. A. bills will be signed by the controlling officers of the Parliament Secretariat as is done in the case of other Members of Parliament.

(iii) DAILY ALLOWANCE DURING HALTS ON TOUR

- (a) The Parliamentary Secretaries will be entitled to draw daily allowance at Rs. 20/- during a halt on tour on duty. They will be entitled to draw half daily allowance for the day of departure, irrespective of whether the arrival or the departure occurs in the forenoon or in the afternoon. No daily allowance will be admissible in respect of a place of halt from which a Parliamentary Secretary departs on the same of supplementary Rule 75 would be applicable for a continuous halt of more than ten days at any one place. No daily allowance will be admissible for the day or days spent on journey.

- 20
- (b) When treated as a State guests, While on tour the Parliamentary Secretaries will be entitled to actual expenses subject to a maximum of half the daily allowance admissible . The actual expenses may include presents to bearers and drivers etc. during the period of stay in a State.

(c) **RENT-FREE-ACCOMMODATION ETC.**

While holding the appointment of Parliamentary Secretary they will be provided with rent-free furnished accommodation in Delhi throughout the year. The accommodation will be of the same class as is admissible to the Member of Parliament, and shall include two servants' quarters and one garage. The charges for additional services include water, electricity and maintenance of flower beds but do not include conservancy arrangements made by Government for the upkeep of the buildings which shall be met by the Parliamentary Secretary. Rent will also be recoverable for any furniture issued over and above the prescribed scale.

(d) **MEDICAL FACILITIES**

Parliamentary Secretaries will be entitled to facilities for such medical attendance and treatment when on duty for themselves and their families as are admissible to Deputy Ministers and their families. The expenditure on this account will be adjustable under the sub-head 'A -2 Allowances' under the Demand for Cabinet.

The Expenditure for the period when daily allowance is not regulated in accordance

with the rules applicable to Member of Parliament is debitable to sub-head 'A-2,' under the Demand for Cabinet and for the period when allowances are drawn from the Parliament Secretariat as Members of Parliament the expenditure is debitable to the Demand for Parliament.

Sd/-
(Fateh Singh)
Joint Secretary to the Govt. of India

All Ministries including the Cabinet/P.M. Sectt.

Planning Commission and the Deptt. of Parliamentary Affairs.

SECRET

Comptroller & Auditor General of India.

No. 55/2/CF/67
CABINET SECRETARIAT

15th December, 1967

To

The Under Secretary to the Govt. of Gujarat,
General Administration Department,
Sachivalaya,
Ahmedabad-15.

Re

Subject :- Assignment of work to Parliamentary Secretaries.

I am directed to refer to your letter No. 1067-K dated October, 1967, and 5th December 1967, regarding the functions assigned to the Parliamentary Secretaries in the Union Government and to say that Parliamentary Secretaries have in the past been appointed by the Prime Minister from time to time. They were administered an oath of secrecy only and no office. Parliamentary Secretaries work in an honorary capacity. They have not been given any administrative work but have been appointed to assist the Minister in his Parliamentary and political work. No orders specifying the functions of a Parliamentary Secretary in the functions have more or less been the same as have been assigned to Parliamentary Secretaries in the United Kingdom. A note in regard to the functions of Parliamentary Secretary in United Kingdom is sent herewith for information.

When a new Council of Ministers was set up in March, 1967, no Parliamentary Secretary has been appointed by the Prime Minister.

Your faithfully,

Sd/-
(D.P. Chopra)
Under Secretary to the Cabinet.

ANNEXURE - V
(Para 4.4)

NO.F. 4 (25) /84-WS
GOVERNMENT OF INDIA
MINISTRY OF PARLIAMENTARY AFFAIRS & TOURISM
(DEPTT. OF PARLIAMENTARY AFFAIRS)

87, Parliament House,
New Delhi.

4th November, 1985

OFFICE MEMORANDUM

Subject: Functions of Parliamentary Secretaries.

The undersigned is directed to say that the question of norms of Parliamentary Secretaries has been under consideration of the Government for some time past. It has now been decided with the approval of the Prime Minister that the function of a Parliamentary Secretary will be as under :-

- (i) He will assist the Minister in his official work;
- (ii) He will represent the Department/Ministry in the House to which he belongs; and
- (iii) He will perform such functions as may be assigned to him by the Minister.

Note: Since an Oath of Secrecy is administered to a Parliamentary Secretary, he will have access to official papers.

(D.R. Tiwari)
Deputy Secretary of the Govt. of India

- To
- 1 All Ministries/Departments of the Government.
 - 7 Cabinet Secretariat (Five copies) with reference their D.O. No. 55/1/2/84-Cab, dated 1st October, 1985.
 - 1 Prime Minister's Office.
 - 1 Ministry of Home Affairs (M&G Section-5 copies)

ANNEXURE - VI

(Para 4.5)

Most Immediate

NO. 10/27/84-M&G
GOVERNMENT OF INDIA/ BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA

New Delhi - 110001, the 21.2.1986

OFFICE MEMORANDUM

Sub :- Allowances of Parliamentary Secretaries.

The undersigned is directed to a reference to this Ministry's O.M. No. 14/12/57-Pub. I dated the 24th June, 1958, regulating and the allowances etc. of the Parliamentary Secretaries to say that the President is pleased to decide that in suppression of the said office Memorandum, the allowances, etc. of the Parliamentary Secretaries will be as under :-

SALARY, ALLOWANCE ETC.

- (a) A Parliamentary Secretary will draw Salary and allowances (including additional facilities allowance) which are payable to a Member of Parliament.
- (b) For the period when the House, of which he is Member, is not in session, he shall draw a daily allowance of Rs. 40/-
- (c) He will be entitled for a rent free type VIII accommodation in Delhi through out the year and to the free use of furniture up to the value of Rs. 20,000/- rent as per rules would be recovered for any furniture issued over and above the limit of Rs. 20,000/-
- (d) He will have free use of electricity and water up to the Charges not exceeding Rs. 300/- per month. The conservancy arrangements for the upkeep of the building will be made free by the Government.

- He will be exempted from payment of any charges for local calls made from the telephone installed at his residence in New Delhi. He is also entitled, as a Member of Parliament, to 7500 free calls during a year from the telephone installed in his constituency.
- While on official tour, he will draw travelling allowance as a Member of Parliament. His state members will be allowed to go with him on tour.
- There will be no restrictions regarding frequency or mode of travelling while on official tour.
- Medical facilities will be provided on the same scales as for a Member of Parliament.
- The expenditure for the period when daily allowance is not regulated in accordance with the rules applicable to an M.P., is debit to the demand of the Ministry/ Department to which the Parliamentary Secretary is attached.
- He will be entitled to get a car .

This will be come into force w.e.f. 12. 11. 1984

sd/-
(A.K. Baska)
Joint Secy. to the Govt. of India

- To
- 1 All Ministries/Departments of the Govt. of India.
 - 2 Cabinet Secretariat, New Delhi.
 - 3 Prime Minister's Office, New Delhi
 - 4 Department of Parliamentary Affairs (Work Study Section), New Delhi (2 Copies).

ANNEXURE - VII

(Para 4.6)

No. 55/1/2/88-Cab.
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 7th May, 1990.
17 Vaisakha, 1912 (s).

Subject : Meeting of the Committee of Secretaries regarding functions, powers and status of Parliamentary Secretaries held on 29th June, 1989.

The undersigned is directed to refer to the Ministry of Parliamentary Affairs U.O. No. P.4 (21) / 88 P 38/- WJ dated 16th April, 1990 on the above mentioned subject and to state that no minutes were issued of the meeting of Committee of Secretaries held on 29th June, 1989 regarding Status, Powers and functions of the Parliamentary Secretaries. In this connection a copy of the D.O. letter No. 55/1/2/88-Cab. dated 8th August, 1990 to the Lok Sabha Secretariat is enclosed.

sd/-
(G.S. Chatterjee)
Officer on Special Duty
Tele : 3015970

Ministry of Parliamentary Affairs
(Shri I.D. Sharma, Under Secretary)
New Delhi

VS
2 Copies

ANNEXURE - VIII

(Para 4.6)

D. DAS GUPTA
JOINT SECRETARY
TELE. 3011964

D.O. No. 55/1/2/88-Cab.

8th August, 1989.

Dear Shri Rastogi,

Kindly refer to Lok Sabha Secretariat's UO No. 30/1/88/T dated 10th November, 1988, regarding 'Parliamentary Secretary'.

2. The position regarding status, power and functions of the Parliamentary Secretary is as under :-
 - (i) The appointment of a Parliamentary Secretary is entirely the discretion of the Prime Minister who will decide when and who should be appointed as Parliamentary Secretary.
 - (ii) The salary, allowances and other prerequisites will be decided by the Government from time to time keeping in view various factors including the exigencies of duties that may require to be performed by Parliamentary Secretary.
 - (iii) The position regarding the status, powers and functions of Parliamentary Secretary is well set by the then Prime Minister Shri Jawaharlal Nehru in his note dated 25.7.51 (Annexure I).
3. A copy of the incumbents of the office of the Parliamentary Secretary since 1951 is enclosed at Annexure-II

Yours Sincerely,

(D. Das Gupta)

Shri K.C. Rastogi,
Joint Secretary
Lok Sabha Secretariat
New Delhi.

ANNEXURE - IX

(Para 4.8)

No. 8/3/92 - CS (II)
GOVERNMENT OF INDIA
DEPARTMENT OF PERSONNEL AND TRAINING

Dated 14th January, 1994

OFFICE MEMORANDUM

Subject : Personal Staff of Ministers/Deputy Ministers/Parliamentary Secretaries - Entitlement and related matters - consolidated instructions - regarding

.....

The undersigned is directed to say that instructions have been issued by this Department from time to time indicating the scale of personal staff admissible of Ministers/Deputy Ministers/Parliamentary Secretaries in the Union Council of Ministers and related matters. For facility of reference, the orders issued on the subject have been updated and consolidated in this O.M.

2. The expression "single Ministry or independent Department" used hereinafter would mean any single Ministry or a separate Departmental in the First Schedule to the Govt. of India (Allocation of Business) Rules, 1961 as amended from time to time. This would not include different Departments of a single Ministry, like, Department of Expenditure, Department of Economic Affairs, etc. of the Ministry of Finance, but would include separate independent Departments such as the Department of Space, Department of Electronics, etc.

3. **NORMAL ENTITLEMENT**

The scale of personal staff normally admissible to the Ministers/Deputy Ministers/Parliamentary Secretaries when they hold charge of a single Ministry of a single independent Department is as follows :-

CABINET MINISTER

<i>Category of Staff</i>	<i>No of posts</i>	<i>Scale of pay (as revised wef 1.1.86)</i>	<i>Remarks</i>
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
Addl. Private Secy.	2	(Rs. 3000-4500)	
Asstt. Private Secy.	2	(Rs. 2000-3500)	Included in Grade 'A & B ' (Merged of the Central Secretariat Stenographers Service (CSSS).
First P.A.	1	(Rs. 2000-3500)	Included in Grade 'A & B ' (Merged of the Central Secretariat Stenographers Service (CSSS).
Second P.A.	1	(Rs. 1640-2900)	Included in Grade 'C' of the CSSS.
Stenographer	1	(Rs. 1400-2600)	Not included in CSSS (If required by the Minister)
Clerk	1	(Rs. 950-1500)	Included in L.D. Grade of the Central Secretariat Clerical Service (CSCS).
Driver	1	(Rs. 950-1500)	
Jamadar	1	(775-1025)	
Peon	4	(Rs. 750-940)	
Total	15		

MINISTER OF STATE

<i>Category of Staff</i>	<i>No of posts</i>	<i>Scale of pay (as revised wef 1.1.86)</i>	<i>Remarks</i>
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
Addl. Private Secy.	1	(Rs. 3000-4500)	
Asstt. Private Secy.	1	(Rs. 2000-3500)	Included in Grade A & B (merged) of the CSSS. A MOS holding independent charge of a Ministry/Deptt. may be given one extra Asstt. P.S., if required.
First P.A.	1	(Rs. 2000-3500)	Included in Grade A&B (merged) of the CSSS.
Second P.A.	2	(Rs. 1640-2900)	Included in grade C of the CSSS.
Hindi Steno	1	(Rs. 1400-2600)	(Not included in the CSSS). (If required by the Minister)
Clerk	1	(Rs. 950-1500)	Included in LD Grade of the CSCS.
Driver	1	(Rs. 950-1500)	
Jamadar	1	(Rs 775-1025)	
Peon	3	(Rs 750-940)	
Total	13		

DEPUTY MINISTER

<i>Category of Staff</i>	<i>No of posts</i>	<i>Scale of pay (as revised wef 1.1.86)</i>	<i>Remarks</i>
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
First P.A.	1	(Rs. 2000-3500)	Included in Grade A&B (merged) of the CSSS.
Second P.A.	1	(Rs. 1640-2900)	Included in Grade C of the CSSS.
Clerk	1	(Rs. 950-1500)	Included in LD Grade of the CSCS.
Driver	1	(Rs. 950-1500)	
Jamadar	1	(Rs 775-1025)	
Peon	1	(Rs 750-940)	
Total	7		

PARLIAMENTARY SECRETARY

<i>Category of Staff</i>	<i>No of posts</i>	<i>Scale of pay (as revised wef 1.1.86)</i>	<i>Remarks</i>
Private Secretary	1	(Rs. 3700-5000)/ (Rs. 4500-5700)	
First P.A.	1	(Rs. 2000-3500)	Included in Grade A&B (merged) of the CSSS.
Second P.A.	1	(Rs. 1640-2900)	Included in Grade C of the CSSS.
Driver	1	(Rs. 950-1500)	
Peon	1	(Rs 750-940)	
Total	5		

(O.M. No. 8/5/85-CS-II dated 2.4.85, 4.4.85 and 11.6.91)

4. ENTITLEMENT IN SPECIAL/SPECIFIED SITUATIONS

a) Cabinet Minister holding charge of two independent Ministries :

In situations where a Cabinet Minister is holding charge of two independent Ministries on regular basis (Not holding temporarily), the complement of staff laid down for a Cabinet Minister as mentioned in Para 3 above will be admissible separately for each of the two Ministries.

(O.M. No. 8/7/89-CS-II dated 22.6.90)

b) MOS holding additional charge

A Minister of State holding additional charge of another Ministry or a separate independent Department under another Ministry will be entitled to one additional post of Special P.S. (Rs. 3700-5000) if the same is required by the Minister. This will not be admissible to a Minister of State holding charge of more than one Department with in the same Ministry.

(vide O.M. No. 8/5/85-CS-II dated 6.8.91)

However, it has been decided to keep in a beyance the provision of admissibility of special P.S.

(vide O.M. No. 8/5/85-CS-II dated 8.12.92)

c) Minister holding additional charge temporarily

When a Minister is given, temporarily, additional charge of a portfolio held earlier by another Minister who has quit the Council of Ministers by resignation or otherwise, he is entitled to a separate set of personal staff for the additional charge to the extent indicated below for the duration he holds the additional charge :

1.	Private Secretary/Addl. Private Secretary	1
2.	First P.A.	1
3.	Second P.A.	1
4.	LDC	1
5.	Jamadar	1
6.	Peon	1

Note 1 : If Private Secretary is already there, he need not be changed and may be allowed to continue for the reason that sometimes officers are taken from various services as Private Secretary and it may be desirable to allow him to continue till a permanent incumbent takes charge.

Note 2 : The above mentioned decision will not be applicable in a case where a part of any Ministry/ Department is clubbed with the existing portfolio of the Minister. In doubtful cases, the test that may be applied is whether any particular Ministry/Department which has been put under charge of a Minister, as an additional one, was earlier having any Minister in charge of it.

Note 3 : The post of Spl. Private Secretary admissible to a Minister of state on including a long of more than one independent department as mentioned in sub part (b) above will not be available in addition to the additional staff indicated above to a Minister of state when he is given additional charge temporarily in t he above situation.

(O.M. NO. 8/6/86-CS-II dated 4.6.87)

d) Deputy Minister holding additional charge :

When a Deputy Minister is given charge of another Ministry/Department in addition to this original charge due to any reason, and is required to function from two different locations he is entitled to have the following staff in addition to the normal entitlement as mentioned in para 3 above :-

Personal Assistant	(Rs. 1640-2900)	1
Peon	(Rs. 750-940)	1

(O.M. No. 8/17/88-CS-II dated 30.5.89 read with O.M. dated 7.6.89)

5. Level of the post of Private Secretary

All members of the Council of Ministers are entitled to have Private Secretaries of the same rank, i.e. Deputy Secretary (Rs. 3700-5000)/Director (Rs. 4500-5700).

(O.M. No. 8/10/89-CS-II dated 3.8.90)

6. CREATION OF POSTS IN EXCESS OF THE PRESCRIBED SCALE/UPGRADATION OF POSTS IN THE PERSONAL STAFF OF MINISTER

- 6.1 The posts beyond the prescribed scale of personal staff admissible to Ministers, etc. cannot be created except after obtaining prior approval of the Ministry of Finance and the Department of Personnel

(O.M. No.8/7/85-CS-II dated 28.5.85)

- 6.2 Proposals for creation of additional posts on the personal staff of Ministers are considered in the Ministry of Finance and Department of Personnel & Training subject to matching savings being made available from within the entitlement of personnel staff of the concerned Minister, by surrendering some posts admissible. However, the post of Private Secretary cannot be allowed to be surrendered for providing matching savings. Ministries/Departments should also ensure that, as far as possible, the lower level posts including the posts meant for stenographers service are not surrendered for providing matching savings for creation of additional posts in excess of the entitlement.

(O.M. No. 8/5/85-CS-II dated 6.8.91)

- 6.3 Upgrading of posts in the personal staff of Ministers to higher scales of pay with a view to regularise the appointment of officials drawing pay in higher pay scales against posts carrying lower pay scale should not be resorted to. Upgradation of posts amounts to creation of new posts in view of the existing posts on the personal staff and as such it can be done only after obtaining prior approval of Ministry of Finance and the Department of Personnel & Training.

(O.M. No.8/11/85-CS-II dated 18/20.12.85)

7. TENURE OF PRIVATE SECRETARIES AND OTHER CONDITIONS OF THEIR APPOINTMENT

Ministers have discretion in the matter of selection of persons-serving officers or outsiders-for appointment in their personal staff and such appointment will be co-terminous with the office of the Ministers. However, the policy laid down in regard to the tenure of Private Secretary is as follows :-

- i) Appointments to the post of Private Secretary to Ministers, Ministers of State, and Deputy Ministers should not be above the rank of Director in the Govt. of India (scale of pay Rs. 4500-5700). The question as to what scale of pay should be allowed to an officer would be decided keeping in view his

illegibility for Central deputation in the rank of Under secretary, Deputy Secretary or Director, as the case may be.

- ii) A Private Secretary's tenure would be three years or until he ceases to be a Private Secretary, whichever is earlier.
- iii) On completion of his term as Private Secretary, an officer would be entitled to continue, unless there are other reason for his not being so appointed, at the appropriate level in the Ministry, for the balance period of the normal tenure of the Central deputation. In this respect, no distinction would be made between officers picked form the 'Offer list' prepared by the Establishment officer or directly from the cadre. Appointment at the appropriate level will be subject to availability of vacancy and approval by the competent authority in each case.
- iv) An officer appointed as a Private Secretary in relaxation on the normal 'Cooling off' rules, where such relaxation exceeded period of six months; would be entitled to hold office for a maximum period of three years or will he ceases to hold the post of Private Secretary, whichever is earlier, and he would not be entitled to any further tenure.
- v) Officer of the Central Secretariat Service appointed as Private Secretaries to Ministers would be exempted from the rule of rotation of CSS officers on promotion in the event of their being promoted while serving as Private Secretaries. On their ceasing to hold the post of Private Secretary, they would, however, have to move to a Department other than the one in which they had gained experience as a Deputy Secretary.

(O.M. No. 31/22/90-EO(MM) dated 13.8.90)

8. While the scale of personal staff admissible to a Minister holding charge of more than one Ministry/ Department is regulated by the instructions mentioned above, there is no objection to some of the posts being created in one Department and the remaining other Department under the charge of the concerned Minister. The concerned Ministries/Departments should also ensure that as far as possible 'included posts' of 1st P.A., APS, and the IInd P.A. are created in different Departments under the charge of the Minister in equitable proportion.

(O.M. No. 10/53/77-CS-II dated 3.2.78) and
O.M. No. 15/2/78-CS-II dated 20.5.78)

9. The Staff Car Driver may be provided to Ministers from the strength of the Ministry/Department concerned. Appointment of Driver from outside for the official car of the Minister may be avoided.

(O.M. No. 13/19/83-CS-II dated 2.12.83)

10. DEMITTING OF OFFICER BY MINISTERS AND CONTINENCE OF PERSONAL STAFF TO WIND UP THE OFFICE

All the members on the personal staff of outgoing Minister may continue to hold their posts for a period not exceeding 15 days so as to enable the Ministries/Departments to make arrangements for their repatriation etc. Thereafter, only two members on the personal staff of the outgoing Minister should be allowed to continue for another 15 days, if required by the outgoing Minister to wind up his office.

(O.M. No. 10/20/79-CS-II dated 2.8.79)

11. VERIFICATION OF CHARACTER AND ANTECEDENTS OF NON OFFICIALS APPOINTED ON THE PERSONAL STAFF OF MINISTERS.

Relevant instructions for verification of character and antecedents of persons appointed to the personal staff of Minister, should be observed while making the appointments. Instructions on the subject have been issued by Establishment Division (Estt. B) of Department of Personnel & Training.

12. APPOINTMENT OF GOVERNMENT SERVANTS/OUTSIDERS ON THE PERSONAL STAFF OF MINISTER

While no recruitment rules have been framed for the personnel staff of Ministers/Dy. Minister, it is clarified that :-

- i) No upper age limit need be insisted upon provided the incumbent cannot hold any post after attaining the age of 58 years:
- ii) Educational qualifications including typing, shorthand speed for corresponding posts, will have to be satisfied, and
- iii) Relaxation in (i) and (ii) above can be done only with the concurrence of the Department of Personnel & Training.

(O.M. No. 8.7.87-CS-II dated 21.1.88)

13. ENTITLEMENT TO PERSONAL STAFF OF FUNCTIONARIES HAVING STATUS OF A MINISTER BUT WHO ARE NOT MEMBERS OF COUNCIL OF MINISTERS

Norms laid down for entitlement of personal staff by this Department in this and other officer Memoranda are not applicable in the case of functionaries having status of a Minister but who are not members of Council of Ministers. Their entitlement depends on the actual workload, which may not be identical with those of the members of the Union Council of Ministers of the corresponding rank, who have to deal with a substantial amount of work connected with Cabinet and its committees, parliament and its committees besides discharging their Ministry's functions and public responsibilities. Therefore, the entitlement of such functionaries to the personal staff has to be determined by the concerned Ministry/ Department without reference to the norms applicable in the case of member of Union Council of Ministers, on the basis of actual workload, and in consultation with the Ministry of finance.

14. Since the object of this OM is only to give a comprehensive view of the policy/instruction on the subject, for detailed provision on different aspects of the policy, various OMs issued from time to time may be referred to .

All the Ministries/Departments are requested to bring this to the notice of all concerned.

Hindi version will follow.

sd/-
(M.S. Bali)
Director (CS)

To
All Ministries/Departments of Government of India.

LIST OF PARLIAMENTARY SECRETARIES

1.	Shri Satish Chandra	w.e.f. 11.6.1951
2.	Shri S.N. Mishra	w.e.f. 11.6.1951
3.	Shri K.D. Malavyer	w.e.f. 5.6.1952
4.	Shri M.V. Krishnappa	w.e.f. 12.7.1952
5.	Shri Sadath Ali Khan	w.e.f. 17.11.1953
6.	Dr. Mono Mohan Dass	w.e.f. 18.12.1953
7.	Shri G. Rjagopalan	w.e.f. 18.12.1953
8.	Dr. K.L. Shrimali	w.e.f. 18.12.1953
9.	Shri Kakshmi N. Menon	w.e.f. 11.8.1952
10.	Shri Jogendra Nath Hazarika	w.e.f. 11.8.1952
11.	Shri Shah Nawaz Khan	w.e.f. 11.8.1952
12.	Shri B.R. Bhagat	w.e.f. 11.8.1952
13.	Shri Sadath Ali Khan	w.e.f. 18.7.1961 to 31.3.1962
14.	Shri Jogendra Nath Nazarika	w.e.f. 18.7.1961 to 31.3.1962
15.	Shri Fateh Singh Rao Pratap	w.e.f. 18.7.1961 to 31.3.1962
16.	Shri Singhrao Gackward	w.e.f. 18.7.1961 to 31.3.1962
17.	Shri Anand Chandra Joshi	w.e.f. 18.7.1961 to 31.3.1962
18.	Shri Gajendra Prasad Sinha	w.e.f. 18.7.1961 to 31.3.1962
19.	Shri Shyam Dhar Mishra	w.e.f. 18.7.1961 to 31.3.1962
20.	Shri Anna Saheb Shinde	w.e.f. 12.5.1962
21.	Shri D. Erring	w.e.f. 12.5.1962
22.	Shri S.C. Jamir	w.e.f. 12.5.1962
23.	Shri S. Ahmad Mehdi	w.e.f. 12.5.1962
24.	Shri Dadder Thimmaiah	w.e.f. 12.5.1962

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|-----|-----------------------|------------------|
| 25. | Shri M.R. Krishna | w.e.f. 6.9.1964 |
| 26. | Shri Lalit Sen | w.e.f. 6.9.1964 |
| 27. | Shri Annasahib Shinde | w.e.f. 15.1.1966 |
| 28. | Shri Lalit Sen | w.e.f. 15.1.1966 |
| 29. | Shri S.C. Jamir | w.e.f. 15.1.1966 |

From 1967 to 11.11.1984 on Parliamentary Secretary was appointed.

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|-----|----------------------|------------------------------|
| 30. | Shri Arun Singh | w.e.f. 12.11.1984 to 24.9.85 |
| 31. | Shri Oscar Fernandes | w.e.f. 12.11.1984 to 24.9.85 |
| 32. | Shri Ahmed Patel | w.e.f. 12.11.1984 to 24.9.85 |
| 33. | Shri Nakul Naik | w.e.f. 24.11.1990 |