

Government of West Bengal
Personnel & Administrative Reforms Department
Training Cell
Writers' Buildings, Kolkata 700 001

OFFICE MEMORANDUM

No. : 92-PAR(Trg)/HR/O/3T-15/2012

Dated Kolkata, the 26th March, 2012.

Sub : **Guidelines regarding foreign visits of employees of State Government, Semi or Quasi-Government organisation including Corporations, Autonomous bodies, PSU's etc.**

In supersession of Memo No. 466-PAR(Trg)/HR/O/3T-112/97 dated 18th July, 2003 on the above subject, following guidelines are being issued in connection with foreign visits of employees of State Government, Semi or Quasi-Government organisation including Corporations, Autonomous bodies, PSU's etc. No official or private foreign visit shall be undertaken without the prior permission of the State Government as these rules.

2. **OFFICIAL VISIT** : A foreign visit of an employee shall be treated as an official visit if any part of the expenditure related to the visit is being borne by

- Central or State Government; or
- Multilateral agency like World Bank, ADB etc. or any other sponsoring agency and the employee has been nominated for this visit by the Central or State Government.

The application for permission shall be submitted by the employee to his/her department in the prescribed format (Annexure-I) and after processing the same shall be forwarded to the Under Secretary to the Government of West Bengal at least four (4) weeks before the commencement of such visit stating the following facts :-

- i) Whether a composite proposal in respect of all officers so nominated for the same event is being sent;
- ii) Whether there is any vigilance case or disciplinary proceeding, (pending or under contemplation) against the officer(s) (in case of IAS / WBCS (Executive) officers vigilance clearance would be obtained from this Department);
- iii) Whether the officer has been abroad earlier during the course of last three years and details thereof;
- iv) Whether the approval of the Minister In-Charge or Minister of State of the Department, as the case may be, has been obtained (in case Chief Minister is the Minister In-Charge, her / his approval not required at this stage);
- v) Outcome to be achieved by the proposed visit;
- vi) Justification why the number of delegates nominated for the same event cannot be reduced;
- vii) Why the purpose cannot be served by utilising the services of Indian Mission abroad, of another officer already abroad or any other officer being sent abroad;
- viii) Whether there is any direct / indirect financial involvement of the State Government.

After this following procedure shall be adopted for the following two cases :-

2.A. In case where visits are fully funded by the Government of India, Multilateral Agency like World Bank, ADB or any other sponsoring agency :- The application shall be forwarded by the Under Secretary to the Chief Secretary through the Secretary, Personnel & Administrative Reforms Department. After Chief Secretary's opinion the file shall be sent to the Chief Minister for order. **In terms of the Finance Department's Memorandum No. 1885-F(P) dated 2nd March, 2012 reference to the Finance Department shall not be required.**

No expenses for such visits, including insurance, travel from place of posting to the place of taking international flight etc. will be borne by the State Government. In case of funding by the multilateral agencies, there should be no share of the State Government funds in the Staff component of the project under which an employee is sent abroad. In case the State Government has contributed to the staff component of the project, such visits shall be deemed to come under 2B.

2.B. Official visits not coming under the purview of 2.A :- The application shall be forwarded by the Under Secretary to the Principal Secretary, Finance Department through the Secretary, Personnel & Administrative

Reforms Department. After obtaining the concurrence of the Finance Department, the file would be submitted to the Chief Minister through Chief Secretary.

Government of India's approval, regarding :-

- i) Clearance from the Nodal Ministry concerned with the subject matter;
 - ii) Political clearance from the Ministry of External Affairs;
 - iii) Clearance from the Department of Economic Affairs, Ministry of Finance; and
 - iv) Clearance under the Foreign Contribution (Regulation) Act, 2010 from the Ministry of Home Affairs *
- for all official visits, shall be obtained by the concerned Department through Personnel & Administrative Reforms Department.

The detailed guidelines for obtaining central government's permission are attached (Annexure II).

3. PRIVATE VISIT : Any visit which is not official shall be treated as private. Any visit being undertaken on invitation received by the officer by name shall be treated as private visit. Following procedure shall be adopted in this case:-

3.A. : When entire expenditure is borne by the employee or his / her family¹ : All such cases shall be governed by the Memo No. 42-PAR(Trg)/HR/O/3T-11/2011 dated 2nd March, 2011.

3.B. : Cases which does not fall under the purview of 3.A. : The application for permission shall be submitted in the prescribed format (Annexure-I) and the same after processing shall be forwarded to the Under Secretary to the Government of West Bengal at least four (4) weeks before the commencement of visit stating the following facts :-

- i) Nature and duration of leave sanctioned for the visit;
- ii) If the proposal has approval of the Departmental Minister In-Charge;
- iii) No expenditure devolves on the Central or State Government;
- iv) No vigilance case / disciplinary proceeding is either pending or under contemplation against them [in case of IAS / WBCS (Executive) officers vigilance clearance would be obtained from this Department];
- v) If any domestic / foreign hospitality or funding is being accepted on any component of the visit like travel, boarding etc. If the answer is affirmative, an intimation has to be given to the cadre controller authority;
- vi) Prior clearance of the Government of India as per procedure mentioned in Annexure-II should be obtained for visits being undertaken in professional capacity such as, participation in the seminar / workshop / international congress with acceptance of foreign hospitality².

The application shall be forwarded by the Under Secretary to the Chief Secretary through Secretary, Personnel & Administrative Reforms Department for order.

Sd/- Samar Ghosh
Chief Secretary

¹ *The term family means husband or wife as the case may be, sons and daughters including adopted sons and daughters, mother and father.*

² *Foreign Hospitality means any offer, not purely casual one, made by a foreign source for providing a person the cost of travel to any foreign country or territory or with board, lodging, transport or medical treatment. Foreign source include the government of any foreign country or territory or its agency; an international agency; a foreign company; and citizen of a foreign country. Agencies of the United nations, World Bank and some other International agencies multilateral organisations are exempted from the definition of 'foreign source' and some other International agencies or organisations is available on the website : <http://mha.nic.in/fcra.htm>.*

* *Only when hospitality is expected to be accepted from any Foreign Source.*

Copy forwarded for information and strict compliance to :-

- 1) The Additional Chief Secretary / Principal Secretary / Secretary / Special Secretary (In-charge) to the Government of West Bengal, _____
- 2) The Director General & Inspector General of Police, West Bengal, Writers' Buildings, Kolkata 700 001.
- 3) The Commissioner of Police, Kolkata, Lal Bazar, Kolkata 700 001.
- 4) The Principal Resident Commissioner to the Government of West Bengal, A/2, State Emporia Buildings, Baba Kharag Singh Marg, New Delhi 110 001.
- 5) The Divisional Commissioner, Presidency / Burdwan / Jalpaiguri Division.
- 6) The District Magistrate, _____
- 7) The Secretary, Public Service Commission, 161A, S.P. Mukherjee Road, Kolkata 700 026.
- 8) The Commissioner, State Election Commission, West Bengal, 18, Sarojini Naidu Sarani, Kolkata 700 017.
- 9) The Pay & Accounts Officer, Kolkata Pay & Accounts Office, 81/2/2, Phears Lane, Kolkata 700 012.
- 10) The Secretary, Vigilance Commission, West Bengal, Bikash Bhavan, Salt Lake, Kolkata 700 091.
- 11) The Secretary, West Bengal Legislative Assembly, Assembly House, Kolkata.
- 12) The Chief Executive Officer, Kolkata Metropolitan Development Authority, Prashasan Bhavan, Salt Lake, Kolkata 700 091.
- 13) The Municipal Commissioner, Kolkata Municipal Corporation, 5, S.N. Banerjee Road, Kolkata 700 012.
- 14) The Chairman & Managing Director, West Bengal State Electricity Distribution Company Ltd., Bidyut Bhavan, Block DJ, Salt Lake, Kolkata 700 091.
- 15) The Director, Administrative Training Institute, West Bengal, Sector-III, Salt Lake, Kolkata 700 091.
- 16) The Joint Secretary to the Government of West Bengal, Common Cadre Wing, Personnel & A.R. Department, Writers' Buildings, Kolkata 700 001.
- 17) The Joint Secretary to the Government of West Bengal, WBCS Cell, Personnel & A.R. Department, Writers' Buildings, Kolkata 700 001.
- 18) The Joint Secretary to the Government of West Bengal, Vigilance Cell, Personnel & A.R. Department, Writers' Buildings, Kolkata 700 001.
- 19) The Joint Secretary to the Government of West Bengal, General Cell, Personnel & A.R. Department, Writers' Buildings, Kolkata 700 001.
- *With request to circulate among all the cell of this Department.*
- 20) The Joint Secretary to the Government of West Bengal, Police Service Cell, Home (Police) Department, Writers' Buildings, Kolkata 700 001.

(Saurav Pahari)
OSD & Under Secretary to the
Government of West Bengal

DECLARATION IN CONNECTION WITH FOREIGN VISIT

(To be filled by the incumbent)

1.	Name of the officer	:	
2.	Service of the officer / Department	:	
3.	Designation	:	
4.	Name of the country / countries to be visited	:	
5.	Period of the proposed visit with specific dates	:	
6.	Purpose of the visit	:	
7.	Nature of visit (official / private)	:	
8.	Who will bear the cost of airfare i) if self, mention source like salary savings etc. or ii) if organization, details thereof, or iii) if individual, state the name, nationality and relation with the officer		
9.	Who will bear the cost of board and lodging and travel during visit i) if self, mention source like salary savings etc. or ii) if organization, details thereof, or ii) if individual, state the name, nationality and relation with the officer	:	
10.	Whether the officer will accept foreign hospitality during his / her stay abroad, if so, details thereof,	:	
11.	Whether the officer will accept any foreign employment / profession during his / her stay abroad, if so, details thereof,	:	
12.	Whether the officer will undergo any foreign training / workshop / seminar etc. programme while stay abroad, if so, details thereof	:	
13.	Whether the officer will accept any scholarship / award etc. in connection with his / her visit abroad	:	

I undertake that :-

- 1). I shall not visit abroad unless I get permission from the Government; and
- 2). I shall return and resume my official duty immediately after expiry of leave to be granted for the purpose

The above statements are true to the best of my knowledge and, if found incorrect, I shall be personally liable for the same.

Date :

Signature :

ANNEXURE II
Guidelines Regarding Foreign Travel of State Government Employees
(Procedure & Contact Persons)

1. All proposals for visits of Employees/Ministers of State Governments abroad in their official capacity or otherwise sent by the State Government are to be addressed to :
 - a. *The Secretary, Ministry of Finance, Department of Economic Affairs, North Block, New Delhi. Tel No. 23092611 / 23092555 Fax No. 23012477 / 23017511*
 - b. *The Secretary, Ministry of External Affairs, South Block, New Delhi. Tel No. 23012318 / 23012196 Fax No. 23013945 / 23010889*
 - c. *The Secretary, Central Administrative Ministry Concerned with the subject matter of the visit.*
 - d. *Under Secretary, Ministry of Home Affairs, Room No. 8, FCRA-Division, Hospitality Section, Jaisalmer House, 26, Man Singh Road, New Delhi Tel No. 011-23071170*
2. Government of India insists that at least 3 week's time should be given to the various ministries of the Government of India to consider the proposals for foreign visits. Government of India's approval is required for both, official and private visits of the State Ministers. For all visits of Ministers, the approval of the Finance Minister and for Chief Minister, the approval of Prime Minister is obtained by the Department of Economic Affairs after the political clearance from the Ministry of External Affairs and the administrative approval from the concerned line Ministry. The Government of India has clearly laid down that the proposals of visits of composite delegations consisting of Ministers / officials must be submitted together and processed together rather than being submitted in piece-meal.
3. The Government of India has also directed that generally no government functionary should accept hospitality from any organization during his/her visits abroad. Visits of all Government officials going abroad for non-project related work like attending workshops, seminars, study tours etc. require the approval of the Government of India. In such cases, the proposal is first referred to the administrative Ministry and after that for political clearance to the Ministry of External Affairs. Only thereafter, the Ministry of Finance, (Department of Economic Affairs) gives its clearance. If the visit is for longer than two weeks, the clearance of the Cadre Controlling Authority is also required, which is the department of Personnel in case of IAS officers, the Ministry of Home Affairs in case of IPS officers and Ministry of Environment and Forest in case of IFS officers.
4. In case of the official delegations their composition and background of the members may be indicated.
5. The work proposed to be transacted in each place of visit together with detailed itinerary of the visit may be indicated. Specifically where official meetings are to take place with functionaries of foreign Governments, copies of the invitation letters from the agencies and details of who would be bearing the expenditure of the visit are to be submitted along with the proposal.
6. On receipt of the recommendations from the different concerned Ministries, EC Division, Department of Economic affairs will consolidate the case and issue final orders to go abroad, the places to be visited and duration of visit at each place.
7. Department of Economic Affairs will thereafter issue instructions to the Reserve Bank of India for release of foreign exchange towards personal incidentals. Simultaneously, Ministry of External Affairs would be advised to issue instructions to the Missions for release of Daily Allowance and other allowances as per rates prevalent in the country of visit and also for extending appropriate courtesies to the official delegations.
8. In cases where foreign hospitality is involved, including travel expenses, prior clearance of the Ministry of Home Affairs, FCRA Division, Hospitality Section is required before any acceptance is conveyed. A separate reference in the prescribed form **FC-2** indicating the source from which the travel and stay expenses are proposed to be met, should be made directly to that Ministry well in time.
9. Letter No. 21/1/1/82-Cab. Dated 16th August, 1982 on the subject of Additional Secretary to the Cabinet is also attached for reference
10. **CONCERNED OFFICERS:**

EC Division Department of Economic Affairs, Ministry of Finance North Block, New Delhi Deputy Secretary, Tel: 23092222, 23014413 Section Officer, Tel: 23093228, Fax: 23092477	Coordination Division Ministry of External Affairs South Block, New Delhi Joint Secretary, Tel: 23092987 Under Secretary, Tel: 23013902 Fax: 230107273.	FCRA-Division, Hospitality Section, Ministry of Home Affairs Room No. 8, Jaisalmer House 26, Man Singh Road, New Delhi Under Secretary, Tel: 23071170
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No. 21/1/82-Cab.

GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

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

To

The Chief Secretary to the State
 Governments / Union Territories.

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

Sir,

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

- (i) All proposals for visits of members of State Governments abroad in their official capacity will be sent by the State Government addressed to Secretary to the Government of India in the Ministry of Finance, Department of Economic Affairs for approval and release of foreign exchange, and copies of the letter would be endorsed to :-
 1 – Ministry of External Affairs
 2 – Central Administrative Ministry concerned with the subject matter of visit; and
 3 - Ministry of Home Affairs
 It may be noted that MHA have also to consider applications under FCRA specifically when foreign hospitality or financial assistance is involved. It is the responsibility of the person concerned to obtain this clearance where such hospitality is involved.
 This procedure will be applicable even in the case of proposals where the expenditure is borne by the State Public Sector Undertakings or Corporations.
- (ii) In case of official delegations their composition and background of the members may be indicated.
- (iii) The work proposed to be transacted in each place of visit together with duration may be indicated, specially where official meetings are to be take place with functionaries of foreign Governments. It would be appreciated that keeping in view the need for conserving foreign exchange, the duration of stay abroad should be the minimum necessary.
- (iv) On receipt of recommendations from the different concerned Ministries, Department of Economic Affairs will consolidate the case and issue final orders regarding clearance of the visit, the number of persons to go abroad, the places to be visited and duration of visit at such place.
- (v) Department of Economic Affairs will thereafter issue instructions to the Reserve Bank of India for release of foreign exchange towards personal incidental. Simultaneously, Ministry of External Affairs would be advised to issue instructions to the Missions for release of Daily Allowance and other Allowance as per rates prevalent in the country of visit and also for extending appropriate courtesies to the official delegations.
- (vi) On the basis of formal clearance from the Department of Economic Affairs, State Government would issue necessary formal deputation orders endorsing copies thereof to all concerned Ministries of the Central Government and our Missions in the places to be visited. The number and date of clearance received from the Department of Economic Affairs should be quoted in the deputation orders. Without the Department of Economic Affairs reference number, the Missions will not be in a position to honour these deputation orders.
- (vii) 1. In places of visit where there are no Missions, or if otherwise DA etc. Is required to be released in India itself, a certificate of entitlement may be obtained from the Ministry of External Affairs and forwarded to the Department of Economic Affairs for release of foreign exchange.

2. In making a reference to the Department of Economic Affairs, the name of the branch of Reserve Bank of India from where the foreign exchange is required to be released should be clearly indicated.
- (viii) Within three weeks of the completion of the visit, the leader of the delegation should send a report to the Ministry of Finance, Department of Economic Affairs with copies to the Ministry concerned with the subject matter of the visit.

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

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

Yours faithfully,

Sd/-

(Prem Kumar)

Additional Secretary to the Cabinet