GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

OFFICE ORDER No. 17 OF 2014

Sub: Official Dealings with Members of Parliament and State Legislature – Observance of Proper Procedure

Instructions exist for showing due promptness and courtesy by Senior Officers while attending to Hon'ble Members of Parliament. These instructions have been reiterated lastly under Office Order No. 14 of 2011.

2. Recently, Lok Sabha Secretariat vide its OM dated 11.2.2014 (copy enclosed) has brought to the notice of Board that during the sitting of Railway Convention Committee held recently, certain Members of Parliament expressed their serious concern over laxity in showing due courtesy/protocol as also failure on the part of the organizers to invite public representatives at public function organized by the Railways violating DoP&T's instructions dated 01.12.2011. The Committee has taken a serious note of such aberration and has desired strict compliance of the extant instructions.

3. A copy of DoP&T's OM No. 11013/4/2011-Estt.(A) dated 01.12.2011 is enclosed for information and guidance. Office Order No. 14 of 2011 and other related instructions are also available on Railnet and Internet under the link O&M of Secretary's branches.

4. All concerned may please ensure strict compliance of the above mentioned instructions.

Encl: Two

No.2014/O&M/2/5
Dated:07/03/2014

(K.Krishnan)
Joint Secretary, Railway Board

All Officers and Branches in Board's Office and at Metro Bhawan, Pragati Maidan.

भारत सरकार
रेल मंत्रालय
(रेलवे बोर्ड)

2014 का कार्यालय आदेश सं. 17

विषयः संसद तथा राज्य के विधानमंडल के सदस्यों के साथ सरकारी कार्यव्यवहार में समुचित प्रक्रिया का पालन करना।

विद्यमान अनुदेशों के अनुसार वरिष्ठ अधिकारियों द्वारा माननीय संसद सदस्यों के साथ बात-व्यवहार करते समय समुचित तत्परता तथा शिष्टाचार बरतना अपेक्षित है। ये अनुदेश पिछली बार 2011 के कार्यालय आदेश सं. 14 में दोहराए गए थे।

2. हाल ही में लोकसभा सचिवालय द्वारा दिनांक 11.2.2014 के अपने कार्यालय ज्ञापन (प्रतिलिपि संलग्न) के माध्यम से बोर्ड के ध्यान में यह तथ्य लाया गया है कि हाल ही में संपन्न हुई रेलवे अभिसमय समिति की बैठक के दौरान कुछ संसद सदस्यों ने उनके प्रति समुचित शिष्टाचार न बरतने अथवा प्रोटोकोल का पालन न करने के कार्मिक एवं प्रशिक्षण विभाग के दिनांक 01.12.2011 के अनुदेशों का उल्लघंन करते हुए रेलवे द्वारा आयोजित किए जाने वाले सार्वजनिक समारोहों में जन प्रतिनिधियों को आमंत्रित न किए जाने पर अत्यंत चिंता व्यक्त की है। समिति ने इस प्रकार की चूक को गंभीरता से लिया है और इच्छा व्यक्त की है कि विद्यमान अनुदेशों का कड़ाई से पालन किया जाए।

3. कार्मिक एवं प्रशिक्षण विभाग के दिनांक 01.12.2011 के कार्यालय ज्ञापन सं.11013/4/2011-इस्ट (ए) की प्रतिलिपि सूचना एवं मार्गदर्शन के लिए संलग्न है। 2011 का कार्यालय आदेश सं. 14 और अन्य संबंधित अनुदेश रेलनेट और इंटरनेट पर सचिव की शाखाओं के ओ एण्ड एम लिंक के अंतर्गत भी उपलब्ध हैं।

4. सभी संबंधित अधिकारी कृपया ऊपर उल्लिखित अनुदेशों का कड़ाई से पालन सुनिश्चित करें।

सं. 2014/ओ एण्ड एम/2/5
दिनांक 07/03/2014

(के. कृष्णन)
संयुक्त सचिव, रेलवे बोर्ड

बोर्ड कार्यालय तथा मेट्रो भवन, प्रगति मैदान के सभी अधिकारी तथा शाखाएं।

LOK SABHA SECRETARIAT

RAILWAY CONVENTION COMMITTEE BRANCH
PARLIAMENT HOUSE ANNEXE
NEW DELHI-110001

Telegrams LOKSABHA, NEW DELHI
FAX : 23010756

No.5/1/RCC-09

Dated : 11 February, 2014

OFFICE MEMORANDUM

Subject :Forwarding instructions of the Government of India regarding 'Official dealings between the Administration and Members of Parliament and State Legislature – Observance of proper procedure' to the Ministry of Railways.

...

The undersigned is directed to state that at the sitting of Railway Convention Committee held on 06.02.2014, some Members expressed their serious concern over non adherence to show due courtesy/protocol and failure to invite public representatives at public functions organized by Railway Authorities, thereby violating instructions issued by the Government of India vide Ministry of Personnel, Public Grievances & Pensions O.M.No.11013/4/2011-Estt.(A) dated 01.12.2011 regarding 'official dealings between the Administration and Members of Parliament and State Legislatures' by some of the officials of the Ministry of Railways.

2. The Committee has taken a serious note of such aberration and desired that the above instructions may be forwarded to the Ministry of Railways with a direction to ensure its strict compliance by all the officials of the Ministry as well as Zonal Railways.

3. The receipt of this communication may kindly be acknowledged.

(JUBY AMAR)
DEPUTY SECRETARY
TEL : 23034688

Encl: As above.

The Ministry of Railways,
(Shri Arunendra Kumar, Chairman, Railway Board),
Rail Bhawan, New Delhi-110001.

No. 11013/4/2011-Estt. (A)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

North Block, New Delhi.
01st December, 2011

OFFICE MEMORANDUM

Subject: Official dealings between the Administration and Members of Parliament and State Legislatures – Observance of proper procedure.

The Members of Parliament and State Legislatures as the accredited representatives of the people occupy a very important place in our democratic set-up. In connection with their duties, they often find it necessary to seek information from the Ministries/Departments of the Government of India or the State Governments, or make suggestions for their consideration or ask for interviews with the officers. Certain well-recognized principles and conventions to govern the relations between the Members of Parliament/ State Legislatures and Government servants have already been established.

2. Reference is invited to the guidelines concerning the official dealings between Administration and Members of Parliament and State Legislatures which were issued by the Cabinet Secretariat (Department of Personnel and Administrative Reforms, in the O.M. No 25/19/64-Estt. (A) dated 08.11.1974). The importance of adherence to these guidelines was reiterated in the Department of Personnel and Training's O.M. No. 11013/6/2005-Estt. (A) dated 17.08.2007. The provisions of the Central Secretariat Manual of Office Procedure regarding prompt disposal of communications from MPs have also been reiterated by the Department of Administrative Reforms and Public Grievances. The Minister of State for Personnel, Public Grievances and Pensions has also written to all Ministers in this regard vide D.O letter dated 5th May, 2011, requesting that a mechanism may be set up to periodically monitor progress in disposal of references received from Members of Parliament.

3. Some instances of non-adherence to the existing guidelines have been brought to Government's attention by Members of Parliament and a need has been felt for again sensitizing all administrative authorities concerned.

4. The Central Secretariat Manual of Office Procedure provides following instructions for prompt disposal of letters from Members of Parliament:-

Correspondence with Members of Parliament –

(1) Communications received from a Member of Parliament should be attended to promptly.
(2) Where a communication is addressed to a Minister or a Secretary to the Government, it should, as far as practicable, be replied to by

the Minister or the Secretary himself as the case may be. Where it is not practicable for the Minister to reply, a reply should normally be issued under the signature of an officer of the rank of Secretary to the Government.

(3) Where a communication is addressed to the head of an attached or subordinate office, Public Sector Undertakings, Financial Institutions (including nationalized banks) Division/Branch in charge in a Ministry/Department/Organization, it should be replied to by the addressee himself. In such cases, care may be taken to ensure that wherever policy issues are involved, approval of the competent authority is obtained before a reply is sent. It should, however, be ensured that the minimum level at which such replies are sent to Member of Parliament is that of Under Secretary and that also in a polite letter form only.

(4) Information sought by a Member of Parliament should be supplied unless it is of such a nature that it would have been denied to him, if similar information had been sought in Parliament.

(5) While corresponding with Members of Parliament, it should be ensured that the letter is legible. Pre-printed or cyclostyled replies should be scrupulously avoided.

(6) In case a reference from an ex-member of Parliament is addressed to a Minister or Secretary, reply to such reference may be sent by the concerned Divisional Head after obtaining approval of the Secretary of Ministry/Department.

In case the reference is addressed to a lower level officer, reply to such reference could be sent by the officer on his own in non-policy cases and after obtaining approval of the higher authorities in policy cases. Here also, it may be ensured that the minimum level at which a reply is sent is that of an Under Secretary and that too in a polite letter form only.

Prompt response to letters received –

(1) Each communication received from the Member of Parliament, a member of the public, a recognized association or a public body will be acknowledged within 15 days, followed by a reply within the next 15 days of acknowledgement sent.

(2) Where a delay is anticipated in sending a final reply, or where the information has to be obtained from another Ministry or another office, an interim reply may be sent within a month (from the date of receipt of the communication) indicating the possible date by which a final reply can be given.

(3) If any such communication is wrongly addressed to a department, it should be transferred promptly (within a week) to the appropriate department under intimation to the party concerned.

5. The aforesaid guidelines also cover Official dealings between Administration and Members of Parliament/State Legislatures. In this context, attention is also invited to Rule 3(2A) of All India Service (Conduct)

Rule, 1968 and Rule 3-A of Central Civil Service (Conduct) Rules, 1964 which provide as follows:-

Every member of the service shall in the discharge of his duties act in a courteous manner and shall not adopt dilatory tactics in his dealings with the public or otherwise.

The existing instructions are hereby appropriately strengthened to emphasize the basic principles to be borne in mind by the Government servants while interacting with the Members of Parliament and State Legislatures. These are as follows :-

(i) Government servants should show courtesy and consideration to Members of Parliament and State Legislatures;

(ii) while the Government servants should consider carefully or listen patiently to what the Members of Parliament and of the State Legislatures may have to say, the Government servant should always act according to his own best judgment and as per the rules;

(iii) Any deviation from an appointment made with a Member of Parliament/State Legislature must be promptly explained to him to avoid any possible inconvenience. Fresh appointment should be fixed in consultation with him;

(iv) An officer should be meticulously correct and courteous and rise to receive and see off a Member of Parliament/State Legislature visiting him. Arrangements may be made to receive the Members of Parliament when, after taking prior appointment, they visit the officer of the Government of India, State Government or local Government. Arrangements may also be made to permit entry of vehicles of the Members to these Offices subject to security requirements/restrictions;

(v) Members of Parliament of the area should invariably be invited to public functions organized by a Government office. Proper and comfortable seating arrangements at public functions and proper order of seating on the dais should be made for Members keeping in view the fact that they appear above officers of the rank of Secretaries to Government of India in the Warrant of Precedence; The invitation cards and media events, if organized for the function held in the constituency, may include the names of the Members of that constituency who have confirmed participation in these functions.

It is clarified that if a constituency of any Member of Parliament is spread over more than one District, the M.P should invariably be invited to all the functions held in any of the Districts which are part of his/her constituency;

(vi) Where any meeting convened by the Government is to be attended by Members of Parliament, special care should be taken to see that notice is given to them in good time regarding the date, time, venue etc. of the meeting. It should also be ensured that there is no slip in any

matter of detail, however minor it may be. It should especially be ensured that:–

(a) intimations regarding public meetings/functions are sent through speedier communication devices to the M.Ps, so that they reach them well in time, and

(b) that receipt of intimation by the M.P is confirmed by the officer/official concerned;

(vii) Letters from Members of Parliament and Members of State Legislatures must be promptly acknowledged, and a reply sent at an appropriate level expeditiously as per the relevant provisions of the Central Secretariat Manual of Office Procedure;

(viii) Information or statistics relating to matters of local importance must be furnished to the MPs and MLAs when asked for. The information so supplied should be specific and answer the points raised. A soft copy of the information should also be sent to the Member via e-mail;

(ix) If the information sought by a Member of Parliament cannot be given and is to be refused, instructions from a higher authority should be taken and the reasons for not furnishing the information should be given in the reply;

(x) Wherever any letter from a Member of Parliament is in English and the reply is required to be given in Hindi in terms of the Official Languages Act, 1963 and the rules framed there under, an English translation should also be sent along with the reply for the convenience of such Members of Parliament from non Hindi speaking areas;

(xi) References from the Committees of Parliament must be attended to promptly;

(xii) The officers should not ignore telephonic messages left for them by the Members of Parliament/State Legislatures in their absence and should try to contact at the earliest the Member of Parliament/State Legislature concerned. These instructions also include SMS and e-mails received on official mobile telephones which also should be replied to promptly and on priority;

(xiii) All Ministries/Departments may ensure that the powers of Members of Parliament/State Legislatures as Chairpersons/ Members of committees under various Centrally Sponsored/Central Sector government schemes are clearly and adequately defined; and

(xiv) A Government servant should not approach MPs/MLAs for sponsoring his individual case as bringing or attempting to bring political or non-official or other outside influence is prohibited under the conduct Rules e.g. Rule 18 of the All India Service (Conduct) Rules, 1968 and Rule 20 of the Central Civil Services (Conduct) Rules.

6. All Ministries/Departments are requested to ensure that the above basic principles and instructions are followed by all officials concerned, both in letter and spirit. Violation of the guidelines laid down on this subject will be viewed seriously.

7. Any violation of relevant Conduct Rules in this regard, which violation is established after due enquiry will render the Government servant concerned liable for appropriate punishment as per Rule.

(C.A. Subramanian)
Joint Secretary to the Government of India

To

All the Ministries/Departments of Government of India

Copy to:-

1. Presidents Secretariat/ Vice Presidents Secretariat.
2. PMO/Cabinet Secretariat.
3. Comptroller and Auditor General of India.
4. UPSC/SSC/LBSNAA/ISTM/CVC/CIC.
5. Lok Sabha Secretariat/ Rajya Sabha Secretariat.
6. All Officers/Sections in Ministry of Personnel, PG & Pension.
7. NIC, DOPT-please upload this OM on this Department's website.

Copy also to:

Chief Secretaries of all States / UTs with a request to circulate these instructions to all State Government officials at the State/Division and District levels and to periodically review implementation.

(C.A. Subramanian)
Joint Secretary to the Government of India