

I/158016/2022

कार्यालय महालेखाकार (लेखापरीक्षा), पंजाब, चंडीगढ़
OFFICE OF THE ACCOUNTANT GENERAL (AUDIT) PUNJAB, CHANDIGARH

परिपत्र

प्रशा-1/अ/2022-23/170

दिनांक: 25/11/2022

विषय: प्रशासन और संसद व राज्य विधानसभाओं के सदस्यों के मध्य आधिकारिक व्यवहार में संलग्न कार्मिकों पर समेकित दिशानिर्देश - उचित प्रक्रिया के पालन से संबंधित।

मुख्यालय द्वारा कार्मिक, लोक शिकायत और पेंशन मंत्रालय एवं कार्मिक एवं प्रशिक्षण विभाग के प्रशासन और संसद व राज्य विधानसभाओं के सदस्यों के मध्य आधिकारिक व्यवहार में संलग्न कार्मिकों पर समेकित दिशानिर्देश से संबंधित दिनांक 13.09.2022 के कार्यालय ज्ञापन को अग्रेषित किया गया है।

कार्यालय के सभी अधिकारियों/कर्मचारियों को यह निर्देश दिया जाता है कि वे उपर्युक्त विषय से संबंधित संलग्न कार्यालय ज्ञापन में निहित अनुदेशों की अनुपालना सुनिश्चित करें।

Sd/-

उप-महालेखाकार (प्रशासन)

पृष्ठांकन संख्या प्रशा.1/सामा.विविध खंड-II/2022-23/654

दिनांक: 25/11/2022

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्रवाई हेतु, ई-मेल द्वारा प्रेषित है:

1. सभी समूह अधिकारियों को उनके सचिवालय के द्वारा।
2. महालेखाकार महोदया के सचिव।
3. उप महालेखाकार (प्रशासन) महोदय के निजी सहायक/गोपनीय सहायक
4. वरिष्ठ लेखापरीक्षा अधिकारी (मुख्यालय/सभी AMG व अनुभाग)
5. System Administrator को, कार्यालय वेबसाइट पर प्रसारित करने हेतु।

Sd/-

वरिष्ठ लेखापरीक्षा अधिकारी
(प्रशासन-I)

F. No. 11013/14/2022-Estt.A-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training

North Block, New Delhi
Dated 13 September, 2022

OFFICE MEMORANDUM

Subject: Consolidated guidelines on 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 interview with the officers.

2. The comprehensive guidelines regarding observance of proper procedure in official dealings between Administration and Members of Parliament and State Legislatures were issued by the Ministry of Personnel, Public Grievances and Pensions, vide OM No. [11013/4/2011-Estt.\(A\) dated 01.12.2011](#), to all the Ministries/Departments and to Chief Secretaries of all States/UTs, with the request to circulate these instructions to all State Government officials at the State/Division and District levels, in order to sensitize them with regard to their duties and obligations in relation to dealings with Members of Parliament and State Legislatures. These instructions have also been reiterated, from time to time, for compliance of the Government officials, both in letter and spirit. The provisions of the Central Secretariat Manual of Office Procedure regarding prompt disposal of communications from MPs have also been reiterated from time to time.

3. In an exercise to bring various instructions/guidelines on a subject initiated by DOP&T at one place, the various instructions (referred to in the **Annexure**) issued on the matter of observance of proper procedure in official dealings between Administration and Members of Parliament and State Legislatures have been consolidated and it has been decided to issue a comprehensive Office Memorandum on this subject. Accordingly, the essence of the various instructions/guidelines issued on the subject has been summarized in the following paras for guidance and better understanding of all the stakeholders: -

4. PROMPT DISPOSAL OF LETTERS RECEIVED FROM MEMBER OF PARLIAMENT:-

- (i) Communications received from a Member of Parliament should be attended to promptly.
- (ii) Where a communication is addressed to a Minister, it should as far as practicable, be replied to by the Minister himself. In other cases, a reply should normally be issued over the signature of an officer of the rank of Secretary only.

- (iii) 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 routine matters, he may send an appropriate reply on his own. In policy matter, however, it should 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.
- (iv) Normally information sought by a Member should be supplied unless it is of such a nature that it would have been denied to him even if asked for on the floor of the Houses of Parliament.
- (v) As far as possible, for correspondence with Member of Parliament, pre-printed replies should be avoided.
- (vi) 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. However, the minimum level at which a reply could be sent should be that of an Under Secretary and that too in a polite letter form only.
- (vii) 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.
- (viii) Where (a) delay is anticipated in sending a final reply; or (b) information has to be obtained from another Ministry or another office, an interim reply will be sent within 15 days (from the date of receipt) indicating the possible date by which a final reply can be given.
- (ix) If any such communication is wrongly addressed to a department, it should be transferred promptly (within 5 working days of its receipt) to the appropriate Department under intimation to the party concerned.
- (x) Where the request of a Member of the Public cannot be acceded to for any reason, reasons for not acceding to such a request should be given courteously.
- (xi) As far as possible, requests from members of public, should be looked at from the user's point of view and not solely from the point of view of what may be administratively convenient.

[\[Para 8.8 and 8.9 of the CSMOP, 2019\]](#)

5. BASIC PRINCIPLES TO BE BORNE IN MIND BY THE GOVERNMENT SERVANTS WHILE INTERACTING WITH THE MEMBERS OF PARLIAMENT AND STATE LEGISLATURES:

(A) Courteous behavior with Members of Parliament and State Legislatures

- (i) 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.
[Rule 3(2A) of All India Services (Conduct) Rules, 1968]
- (ii) No Government servant shall (a) in the performance of his official duties, act in a discourteous manner; (b) in his official dealings with the public or otherwise adopt dilatory tactics or wilfully cause delays in disposal of the work assigned to him.
[Rule 3A of CCS (Conduct) Rules, 1964]
- (iii) Government servants should show courtesy and consideration to Members of Parliament and State Legislatures.
[Para 5(i) of OM No. 11013/4/2011-Estt.(A) dated 01.12.2011]
- (iv) 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.
[Para 5(ii) of OM No. 11013/4/2011-Estt.(A) dated 01.12.2011]
- (v) 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.
[Para 5(iii) of OM No. 11013/4/2011-Estt.(A) dated 01.12.2011]
- (vi) 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 of local Government. Arrangements may also be made to permit entry of vehicles of the Members to these Offices subject to security requirements/restrictions;
[Para 5(iv) of OM No. 11013/4/2011-Estt.(A) dated 01.12.2011]
- (vii) 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.
[Para 5(xii) of OM No. 11013/4/2011-Estt.(A) dated 01.12.2011]

(B) Public function or Meeting

- (i) 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 Members of that constituency who have confirmed participation in these functions. 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.

[Para 5(v) of OM No. 11013/4/2011-Estt.(A) dated 01.12.2011]

- (ii) 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.P.s, 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.

[Para 5(vi) of OM No. 11013/4/2011-Estt.(A) dated 01.12.2011]

(C) Response to the communication of Member of Parliament and State Legislatures

- (i) 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;
- [Para 5(vii) of OM No. 11013/4/2011-Estt.(A) dated 01.12.2011 and Para 8.9 of CSMOP, 2019]*
- (ii) 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.
- [Para 5(viii) of OM No. 11013/4/2011-Estt.(A) dated 01.12.2011]*
- (iii) 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.
- [Para 5(ix) of OM No. 11013/4/2011-Estt.(A) dated 1.12.2011]*
- (iv) 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.

[Para 5(x) of OM No. 11013/4/2011-Estt.(A) dated 1.12.2011]

- (v) References from the Committees of Parliament must be attended to promptly.
[\[Para 5\(xi\) of OM No. 11013/4/2011-Estt.\(A\) dated 1.12.2011\]](#)
- (vi) 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.
[\[Para 5\(xiii\) of OM No. 11013/4/2011-Estt.\(A\) dated 1.12.2011\]](#)

(D) Outside political influence

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, 1964

[\[Para 5\(xiv\) of OM No. 11013/4/2011-Estt.\(A\) dated 1.12.2011\]](#)

6. Recommendations of various Parliamentary Committees on this issue:

- (i) The Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha, in Paragraph 63 of its First Report table in the Lok Sabha on 06.02.2014, has recommended that this Department may sensitize all civil servants and officials in various Ministries and Departments particularly under them for strict compliance of the instructions relating to official dealings issued in this regard between and Administration and the Members of Parliament.
[\[Para 3 of OM No. 11013/2/2012-Estt.A dated 19.11.2014\]](#)
- (ii) The Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha, at its first sitting held on 28October, 2014, also felt that the consolidated instructions/ guidelines issued by the Department of Personnel & Training (DoPT) on 1 December, 2011 on Official Dealing between Administration and Members of Parliament need to be circulated again to all concerned Executive Functionaries.
[\[Para 4 of OM No. 11013/2/2012-Estt.A dated 19.11.2014\]](#)
- (iii) The Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha, in its Second Report tabled in the Lok Sabha on 04.01.2018, has recommended that the consolidated instructions/ guidelines on Official dealing between the Administration and Member of Parliament and State Legislature should strictly be complied by all the Government servants, both in letter and spirit.
[\[Para 3 of OM No. 11013/4/2018-Estt.A-III dated 07.02.2018\]](#)
- (iv) The Committee on Violation of Protocol Norms and Contemptuous Behaviour of Government Officers with Members of Lok Sabha, in Paragraph 43 of its Third Report tabled in the Lok Sabha on 4.01.2018, has recommended discouraging and desisting the State Governments to involve Private companies/ agencies in organizing/ sponsoring functions which essentially fall under the domain of State Governments.
[\[Para 4 of OM No. 11013/4/2018-Estt.A-III dated 07.02.2018\]](#)

7. 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.

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

9. List of the OMs mentioned in this document is annexed. In case any reference to the relevant OM is required, the same may be accessed from the Archive Section of DOPT's website.

10. Hindi version will follow.


13/9/22

(Umesh Kumar Bhatia)

Deputy Secretary to the Government of India

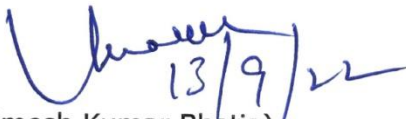
Tel: 011-23094471

To

1. The Secretaries of All the Ministries/Departments of Government of India (as per the standard list)
2. Chief Secretaries of all States/UTs (as per the standard list)

Copy to: -

1. Presidents Secretariat, New Delhi
2. Vice President Secretariat, New Delhi
3. The Prime Minister's Office, New Delhi
4. Cabinet Secretariat, New Delhi
5. Rajya Sabha Secretariat/ Lok Sabha Secretariat, New Delhi
6. The Comptroller and Auditor General of India, New Delhi
7. The Secretary, Union Public Service Commission, New Delhi
8. The Secretary, Staff Selection Commission, New Delhi
9. All attached offices under the Ministry of Personnel, Public Grievances and Pensions
10. National Commission for Scheduled Caste, New Delhi
11. National Commission for Scheduled Tribes, New Delhi
12. National Commission for OBC, New Delhi
13. Secretary, National Council (JCM), 13, Feroze Shah Road, New Delhi
14. CVOs of all Ministries/ Department
15. ADG (M&C), Press Information Bureau, DoPT
16. NIC, Department of Personnel & Training, North Block, New Delhi [for uploading the same on the website of this Department]
17. Hindi Section, DoPT


13/9/22

(Umesh Kumar Bhatia)

Deputy Secretary to the Government of India

Tel: 011-23094471

List of OMs mentioned in this Document

1. [OM No. 11013/4/2011-Estt.\(A\) dated 01.12.2011](#)
2. D.O. Letter No. 11013/4/2011-Estt.(A) dated 9.10.2012
3. [OM No. 11013/2/2012-Estt.\(A\) dated 19.11.2014](#)
4. [OM No. 11013/4/2018-Estt.A-III dated 07.02.2018](#)
5. [OM No. 11013/4/2018-Estt.A-III dated 11.10.2018](#)
6. OM No. 11013/4/2018-Estt.A-III dated 10.02.2020
7. [OM No. 11013/4/2018-Estt.A-III dated 15.03.2021](#)