

BOOK CIRCULAR
No. 47

GOVERNMENT OF ORISSA
PARLIAMENTARY AFFAIRS DEPARTMENT

No. OLA-II-21/2005 7820 /PAD
Dated the 2nd December, 2005

From

Shri T.K. Pandey, IAS
Commissioner-cum-Secretary to Government.
Parliamentary Affairs Department.

To

All Secretaries to Government/
All Revenue Divisional Commissioners/
All Heads of Departments/
All Collectors.

Subject:- Relationship between Members of Parliament and Legislators and Government Servants.

Sir,

In our democratic set up, the relationship between the public servants and the Members of the Parliament and the State Legislature plays a vital role in building a healthy and congenial atmosphere of mutual understanding. Members of Parliament and State Legislature occupy a very important place as representatives of the people. They have important functions to perform under the Constitution for which they may occasionally find it necessary to obtain information from or address suggestions to the Department of Government and such other functions at different levels of administration or seek interviews with the officers in connection with their legislative or other public duties, otherwise than through the formal business in the Parliament and State Legislative Assembly. Over the last few decades certain principles have been laid down and conventions established governing the relationship between Government servants and legislators. Government find no reason to doubt the sincerity on the part of Government servants in establishing cordial rapport with the Legislators. Nevertheless, there seems to be a necessity to reiterate certain principles in this regard and to spell out certain important matters in further detail. Accordingly, Government have been pleased to lay down as follows:-

2. Official Duty

2. 1. Every official shall, in the discharge of her/his duties, act in a courteous manner and shall not adopt dilatory tactics in her/his dealings with the Members.

2. 2. It should be a part of the duty of every official to provide adequate assistance to the Members to enable them to fulfill their obligations to the people.

2. 3. When a Member comes to see an official, the latter should rise and receive her/him forthwith courteously. He should also give her/him a polite send-off.

2. 4. At the district and sub-divisional levels the officials should set apart a fixed time everyday for interview, when they are at headquarters and priority in this should be given to the Members. In case it is not possible to accommodate with the fixed hours notified by an officer because of heavy public demand on her/his time and

engagements, she/he should accommodate the Members over outside the fixed hours.

2. 5. If any Member contacts any Officer over telephone, the latter shall promptly respond to the call while in his office and if absent in the office, shall give a call back for which a register shall also be maintained in the office of the latter.

3. Correspondence with Members of Parliament and Legislative Assembly.

3. 1. Communications received from Members should be attended to promptly.

3. 2. 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.

3. 3. Where, however, a communication is addressed to the head of an attached or subordinate office, Public Sector Undertaking, Financial Institution (including nationalised banks), Divisional /Branch-in charge in a department/organisation, it should be replied to by the addressee himself. In routine matters not involving question of policy, he may send an appropriate reply on his own. In matters involving questions of policy, the Officer should have prior consultation with higher authorities before sending a reply. It should, however, be ensured that minimum level at which such replies are sent to Members is that of Deputy Secretary and that also in letter form only.

3. 4. 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 House of Parliament or Legislative Assembly.

3. 5. When requested, an Officer should furnish to the Members such information or statistics relating to matters of public importance as are readily available and are not secret or confidential in nature. In doubtful cases, instructions on the matter should be obtained from the immediate superior. Information concerning personal matters and matters relating to cases pending in a court or under investigation may not be furnished and in that case the Members should be politely informed of the reasons why the information asked for cannot be furnished. Original records or files are not to be shown.

4. Prompt response to the letters received from the M.Ps. and M.L.As.

4. 1. Hon'ble M.Ps. and M.L.As. may transmit their suggestions/proposals always in writing.

4. 2. Letters received by the Government Officer to whom it is addressed shall acknowledge the receipt of such proposal or request then and there at the first instance, carefully considered and a suitable reply sent at an appropriate level within 15 days. In case where a final reply will take more than 15 days time, an interim reply may be given to the concerned Member.

4. 3. Where (i) delay is anticipated in sending a final reply, or (ii) information has to be obtained from another Department or another Office, an interim reply will be sent within a fortnight indicating the suitable date by which a final reply can be given.

4. 4. If any such communication is wrongly addressed to a department, it will be transferred promptly (within three days) to the appropriate department under intimation to the party concerned.

4. 5. Whenever the official does not find it possible to accede to the requests or suggestions of a Member, reasons for his inability to do so should be politely explained.

4. 6. As far as possible, requests from Members, should be looked at from the users point of view and not solely from the point of view of what may be administratively convenient.

5. Watch on disposal of communications received from Members of Parliament & Legislative Assembly.

5. 1. A separate diary register should be maintained in each department of the Secretariat and in each subordinate office for facility of locating the letters received from Members directly or sent by the Chief Minister, Deputy Chief Ministers, Ministers, Ministers of State or Deputy Ministers.

5. 2. Similarly to keep a special watch on speedy disposal, each section will maintain a register and mark it out prominently those communications finally disposed of by rounding off the serial numbers in red ink.

On the 1st and 15th day of each month review shall be made by the concerned Under-Secretary/Deputy Secretary about disposal of those letters and report submitted to the Controlling Officer who shall take such action as it deemed necessary for timely disposal.

6. Participation of Government servants in ceremonial functions etc.

6. 1. Government servants should not preside over ceremonial functions wherein Ministers and Deputy Ministers, Members participate.

7. Execution of Relief, Labour Intensive and such other works and furnishing information when asked for by M.Ps. and M.L.As.

7. 1. In the matter of execution of relief works, suggestions received from Members in this regard are to be considered on priority and disposed of expeditiously under intimation to the concerned Members.

7. 2. An Officer entrusted with the execution of any development work, including labour intensive and employment generation works should furnish to Members, when asked for, such information or statistics relating to matters of public importance as are readily available and relate to the Constituency which a Member represents. Statistics for the whole State and the whole district may not be furnished, as they are otherwise available to the Members at the State Level and District Level Meetings. Information to local Members on location of the works, physical targets, estimated cost and expenditure incurred as well as release of funds may be furnished on demand.

8. Suggestions/Recommendations made by M.Ps./M.L.As. in meeting attended by them.

8. 1. The Members, by virtue of their office, are associated with a number of Committees of the State and Districts, Subdivision and local level organisations. It is necessary that utmost importance should be attached at their views and action taken on their recommendations/suggestions. The Presiding authorities must ensure that they do not feel embarrassed.

9. Accommodation of Members during their tour both outside and inside the State.

9. 1. The relevant rules relating to reservation of accommodation in Circuit House and Inspection Bungalow, have been modified to accord priority in reservation in favour of Legislative Committees and individual Members. Strict adherence to these

rules should be ensured.

10. Revealing the identity.

The Hon'ble Member should reveal her/his identity in the first instance as and when required in exigencies of public service.

11. Government hope and trust these instructions are followed meticulously at all levels and there is no occasion for any complain against officials on this account.

12. Violation of the instructions of Book Circular No. 47 shall be viewed seriously and action as deemed proper shall be initiated against such erring Officer.

Book Circular No. 47 issued vide this Department No. 8021-PAD, dated the 30th July 2002 is hereby modified.

Yours faithfully,

T. K. PANDEY

Commissioner-cum-Secretary to Government.