

North Block,
New Delhi
Dated 13th August, 2010

OFFICE MEMORADUM

Subject:- **Processing of files referred to DoP&T for advice/clarification- procedure to be followed.**

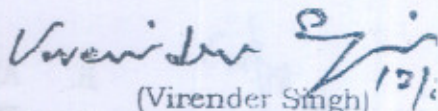
It has been observed that the files received from various Ministries/Departments in DoP&T for advise/clarifications are not properly docketed or referenced. In some cases even the page numbers or the rules/documents cited in the noting portions are missing. This results in avoidable delays in decision making and disposal of the cases. Hence forth all the Ministries/Departments are advised to observe the following procedure for referring the proposal to DoP&T:

- i. All the proposals referred to DoP&T should have approval of Joint Secretary concerned in the Administrative Ministry/Department.
- ii. All the pages should be properly numbered, docketed, referenced/cross referenced.
- iii. A legible copy of orders/rules/instructions/circulars/O.M. etc., issued by the Administrative Department or DoP&T etc. and cited in the noting portion should be placed on file under reference. Besides flagging the cited documents, page numbers should also be invariably indicated in the noting portions.
- iv. Telephone number of the concerned Director/Deputy Secretary/Under Secretary level officer who has processed the case should be indicated in the noting portion.
- v. The proposal relating to amendments of Recruitment Rules etc., for which a proforma has been prescribed, should be referred to DoP&T in the prescribed proforma only.

- vi. Any proposal having financial implications referred to DoP&T for advise/clarifications, should have approval of concerned Financial Adviser (FA) in the Ministry/Department.
- vii. The proposal for advise/clarifications should be referred to DoP&T only on file. References through letter, O.M. etc. should be avoided.
- viii. To facilitate simplification of the rules/instructions etc., all the proposals referred to DoP&T should invariably indicate, in the concluding paras, the relevant rule position and the difficulty faced in its interpretation which necessitated the referral to DoP&T.

2. It has also been observed that while filing the counter replies to various C.A./court cases in C.A./High Courts, the relevant rule position is not clearly explained in the counter replies and in some cases no counter reply is filed at all. This results in avoidable delays and in some cases, in bench situations, the grievance redressal mechanism in both Ministry/Department should be strengthened and all the grievances redressed expeditiously. While replying to the grievances, the relevant rule position and its implication in the content of the case should be clearly explained to obviate the need of any litigations.

3. The content of this O.M. may be given wide publicity and brought to the notice of all concerned.


(Virender Singh) 17/12

Under Secretary to the Government of India
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To

1. All Ministries/Departments of the Government of India
2. All officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of the Ministry.
3. President's Secretariat/Vice President's Secretariat/Prime Minister's Office/Supreme Court/Rajya Sabha Secretariat/Lok Sabha Secretariat/Cabinet Secretariat/UPSC/CVC/C&AG/Central Administrative Tribunal (Principal Bench), New Delhi.
4. Estt. (D) Section - 200 copies.
5. NIC, DOPT, North Block for up-dating of the OM in DOPT website.
6. Hindi Section for Hindi version.