

F.No.11012/1/2007-Estt. (A)-Vol.II
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Personnel & Training

New Delhi
Dated the 17th August, 2007

OFFICE MEMORANDUM

Subject : Rules, Orders, Procedures on service matters – Instructions regarding avoidance of references by the various administrative Ministries/Departments to the Department of Personnel & Training.

The Ministry of Personnel, P.G. & Pensions is the nodal Ministry responsible for formulating policies and framing rules and regulations relating to service conditions and other aspects of personnel administration of Government servants. The administrative Ministries/ Departments are responsible for considering individual cases of Government servants and issuing appropriate orders thereon in accordance with the rules and instructions on the subject.

2. This Department had issued instructions to the various administrative Ministries etc. to faithfully and properly implement the existing policies, rules regulations etc. in service matters and avoid making unnecessary references as in the following Office Memoranda :-

- (i) O.M. No. 11013/6/94-Estt. (A) dated 27.05.1994
- (ii) OM No. 40011/3/98-Estt. (Res.) dated 16.03.1998
- (iii) DO letter No. 21011/1/85-O&M dated 07.02.1985.
- (iv) OM No. 28027/9/99-Estt. (A) dated 01.05. 2000.

3. In the aforesaid O.M. dated 27.05.1994, emphasis has been laid on faithful and proper implementation of the prescribed policy/rules etc. in service matters so as to reduce the possibilities of litigation. As per the instructions laid down in the aforesaid Office Memoranda dated. 16.03.1998, 07.02.1985 and 01.05.2000, cases involving (i) substantive issues for advice/interpretation etc.; (ii) concurrence or relaxation of rules/instructions or policy; and (iii) implementation of the order of courts/tribunals which are against the rules policy and instructions are to be referred to the DOPT over the signature of an officer not below the rank of Joint Secretary in the Ministry/Department concerned. In spite of these instructions, a number of routine references are being received in this Department at various levels seeking clarification, removal of doubts etc. leading to unnecessary delays in the processing and decision-making.

4. All Ministries/Departments etc. are requested to keep the instructions laid down in the aforementioned office Memoranda in view to avoid making unnecessary references/consultations with the DOPT and strictly follow the abovementioned instructions.


(C.B. PALIWAL)
Joint Secretary to the Government of India

All Ministries/Departments of the Government of India.

Copy to :

1. Comptroller and Auditor General of India, New Delhi
2. Union Public Service Commission, New Delhi.
3. Central Vigilance Commission, New Delhi.
4. Central Bureau of Investigation, New Delhi.
5. All Union Territory Administrations.
6. Lok Sabha/Rajya Sabha Secretariat.
7. All attached and Subordinate Offices of the Ministry of Personnel, Public Grievances and Pensions and Ministry of Home Affairs.
8. All officers and sections in the Ministry of Personnel, Public Grievances and Pensions and Ministry of Home Affairs.


(C.B. PALIWAL)
Joint Secretary to the Government of India