

## GOVERNMENT OF TAMIL NADU

### ABSTRACT

Public Servants – Relationship with M.Ps/M.L.As – Code of Conduct – Instructions – Reiterated.

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### PERSONNEL AND ADMINISTRATIVE REFORMS (PER-A) DEPARTMENT

**G.O.Ms.No.177.**  
**Dated : 14.6.1993.**

#### **Read the following:**

1. (i) G.O.Ms.No.976, Public (Ser-A) Department, dated 24.5.1969.
- (ii) G.O.Ms.No.1927, Public (Ser-A) Department, dated 15.10.1969.
- (iii) Government Letter (Ms) No.825, Personnel and Administrative Reforms (Per-A) Department, dated 23.8.1982.
- (iv) From the Cabinet Secretary, Government of India, New Delhi, D.O.letter No.7172/1/92, Cab.(ii), dated 5.1.93.

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#### **ORDER :**

In the Government orders first and second read above, the Government evolved a detailed Code of Conduct to regulate the relationship between Legislators and Officials of this Government. The above instructions were lastly reiterated in the Government Letter third read above.

2. The Government have now decided to reiterate these instructions with some modifications such as observance of proper protocol conforming to warrant of precedence while addressing the communications to the Members of Parliament and State Legislature, giving interim and final replies etc. The Government accordingly reiterate the Code of Conduct as appended to this Order. The Government direct that all Officials working under the Government of Tamil Nadu and statutory boards under the State Government shall scrupulously observe all the provisions of the Code of Conduct. The Government also hope that the M.Ps/M.L.As in their turn would co-operate with the Officials in the implementation of the provisions contained in this Code so that the inter-personal relationship between the M.Ps/M.L.As and the Officials shall be one of mutual benefit.

(BY ORDER OF THE GOVERNOR)

**T.V. VENKATARAMAN,  
CHIEF SECRETARY TO  
GOVERNMENT.**

**To**

All Secretaries to Government.  
All Departments of Secretariat.  
All Heads of Department including the District Collectors, District Judges  
And Chief Judicial Magistrates.  
All Public Sector Undertakings/Boards.  
The Principal Commissioner and Commissioner of Revenue Administration, Madras-  
5.  
The Registrar, Tamil Nadu Administrative Tribunal, Madras-6.  
The Secretary, Tamil Nadu Public Service Commission, Madras-2.  
The Registrar, High Court, Madras-104.

Copy to :

The Cabinet Secretary, Government of India, New Delhi.  
All Sections in Personnel and Administrative Reforms Department.  
The Legislative Assembly Secretariat, Madras-9.  
The Secretary to Chief Minister, Madras-9.  
The Finance (BPE), Madras-9.

| FORWARDED | BY ORDER |

(Sd.)  
**SECTION OFFICER.**

### **APPENDIX**

#### **CODE OF CONDUCT TO REGULATE THE RELATIONSHIP BETWEEN MEMBERS OF PARLIAMENT AND OF STATE LEGISLATURE AND GOVERNMENT SERVANTS.**

1. Government servants should show courtesy and consideration to Members of Parliament and of the State Legislature.
2. While they should consider carefully what the M.Ps/M.L.As may have to say, they should always act according to their own best judgement.
3. Every Officer should endeavour to help the M.Ps/M.L.As to the extent possible in the discharge of their functions under the Constitution. In cases, however, when an Officer is unable to accede to the request or suggestion of a members, the reasons for such inability should be courteously explained to the member.
4. Many Officers have heavy public duties and responsibilities to shoulder. If they are to function effectively, they should plan out their day's work with some care and adhere to the plan. An Officer should feel free to set apart some hours when he may

not meet visitors without being considered guilty of discourtesy, lack of consideration and the like. However, he should set apart sufficient time every day when anybody can see him, and within this time and also during other office hours in which he is to meet visitor he must give priority to M.Ps/M.L.As except when a visitor has come by previous appointment and a Member of Parliament or of the State Legislature has come without an appointment. In such a case he should see the M.P/M.L.A. immediately after he has met the visitor who had come by previous appointment.

5. Any deviation from an appointment made with a Member of Parliament or of the State Legislature must promptly be notified and explained to the member concerned so that the least possible inconvenience is caused to him and a fresh appointment should be fixed in consultation with him. Fixing of appointments with M.Ps/M.L.As should not be routinely left at the hands of the personal staff of the officers.

6. When a Member of Parliament or of the State Legislature comes to see an Officer, he should rise from his seat to receive the Member and to see him off. Small gestures have symbolic value and Officers should, therefore, be meticulously correct and courteous in their dealings with Members of Parliament and of the State Legislature.

7. Similarly, seating arrangements at Public functions should receive very careful attention at all times and no room should be given for any misunderstanding on this score. At State functions arranged by the State Government, the seating arrangements for Members of Parliament and of the State Legislature should be made in accordance with the position assigned to them in the warrant of precedents approved by the Governor. Special care should be taken to see that notice is given to them in good time regarding the date, time, venue, etc. of meetings convened by the State Government departments. It should be ensured that there is no slip in any matter of detail, however, minor it may be.

8. Letters received from Members of Parliament and of the State Legislature should be acknowledged immediately. All such letters should receive careful consideration and should be responded to at an appropriate level and expeditiously. An interim reply should be given immediately. The final reply however should be given within two months. In respect of letters addressed to Secretaries to Government/Heads of Departments/Collectors, the interim and final replies should be signed by the Secretaries to Government/ Heads of Department/Collectors as the case may be, and not by any subordinates or next level officers. Similarly, replies to letters addressed to non-official chairmen of Boards, etc., should be signed by such Chairman wherever practicable. In other cases and in respect of letters addressed to the Chief Executives of Boards etc., the Chief Executive should sign the letters. This procedure is designed not merely to serve as a formality but also to ensure that the relevant information is properly furnished.

9. Officers should furnish to Members of Parliament and of the State Legislature, when asked for, such information or Statistics relating to matters of local importance as are readily available and are not confidential or when the information is not such that its disclosure would be likely to lead to a controversy embarrassing to the Government. In doubtful cases, instructions should be taken from a higher authority before refusing the request.

10. While addressing communications to the Members of Parliament / State Legislature proper protocol conforming to their position in the warrant of precedence should be observed. In all official correspondence, where the name of a Member of Parliament / a Member of Legislature is to appear along with others, the name should be listed according to the position assigned to the Members in the warrant of Precedence. In the case of Members of Parliament, care should also be taken to address each of them as Member of Parliament (or M.P.) and not as Member of Lok Sabha or Member of Rajya Sabha. If it is desired to be more specific about the House to which they belong, they may be addressed as Member of Parliament or M.P. (Lok Sabha / Rajya Sabha).

11. It is desirable that a letter addressed to a Minister should be acknowledged and replied to by the Minister himself. Where, however this is not convenient or practicable or the reply called for is of a routine nature, it may be issued under the signature of the Secretary of the Department and not by any subordinate official.

12. References from Committees of Parliament / Legislature should be attended to promptly and should not be passed on routinely down the line. A senior officer at the level of Joint Secretary of equivalent should be charged with the responsibility of ensuring that the references are attended to promptly.

13. While the Official dealings of Government servants with Members of Parliament and of the State Legislature have to be regulated as stated above, it is necessary to invite the attention of Government servants to what is expected of them in their individual capacity in respect of their own grievances in the matter of conditions of service. The Government Servants' Conduct Rules bar any attempt to bring any political or outside influence to bear upon any superior authority to further the interests of individual Government Servants. A Government servant shall not approach a Member of Parliament or of the State Legislature for sponsoring his individual case. A Government servant approaching a Member of Parliament or of the State Legislature for sponsoring his individual case runs the risk of disciplinary action.

14. Members of Parliament and of the State Legislature are expected to ask for information only about matters of Public interest or national interest in which they are interested in the discharge of their public duties as M.Ps/ Legislators. Information should not be gathered to further the private interests or for use in Court litigation or for giving other undue advantages to individuals against others.

15. Letters received from Members of Parliament and of the State Legislature are to be dealt with the utmost consideration, but if Government Officers take action on a priority basis in cases of individuals sponsored by Members of Parliament or of the State Legislature, they may be adopting a discriminatory course placing others who may not be fortunate enough to have such support, in a position of disadvantage. In the event of any attempt on the part of any Government servant to solicit their good offices to further his individual interest in Government Service, the Members of Parliament/ Legislature may, therefore, do well to warn him of likely consequences of his having overstepped the bounds of the Government Servants' Conduct Rules.

16. It is obviously not desirable that request should be made for intervention of officers in investigation of criminal cases, for issue of fire arms licenses, for grant of permits and licenses to particular individuals etc. Nor should request be made on behalf of individual Officers in matters like promotion, transfer, disciplinary proceedings, etc..

17. Instances of delay, injustice and the like in individual cases may be brought to the notice of the district officer or other similar officers with the request that they should look into the matter. In such cases, the officer should listen to all points of view with patience, but he must obviously take a decision according to his own best judgement. And when he does so, it would not be fair to accuse him of partisanship or even of insensitivity to the views of an accredited representative of the people.

(Sd.)  
**SECTION OFFICER.**