

SHRI B. SIVARAMAN, I. C. S.

CHIEF SECRETARY TO GOVERNMENT

To

SHRI P. N. MAHANTI, I. A. S.

SECRETARY TO GOVERNMENT, HOME DEPARTMENT

Bhubaneswar, the 4th September 1957

MY DEAR MAHANTI,

I have been noticing in some files that when a Minister in a Department passes a certain order *suo moto* and sends it to the Secretary, the Department does not examine the proposal on merits and sometimes does not even consult the relevant Departments with whom consultation is mandatory under the Rules of Business. The Department treats the Minister's order as final and takes action sometimes contrary to the Rules of Business. I wish to draw your personal attention to this and to say that if a Minister passes an order *suo moto*, it does not absolve the Department of examining the case on merits and making the necessary consultations with other Departments according to the Rules of Business. A duty is cast on every Department to advise its Minister on the propriety or otherwise of a certain order. This responsibility cannot be shelved just because an order has been passed *suo moto* by a Minister. Government have had occasion to notice that by not exercising this responsibility, Secretaries are sometimes putting Government in an awkward position. I am to express the hope that in future the Secretaries to the Departments will exercise a better control over their staff work.

2. It is also noticed that files of the Departments for subjects presented to the Council of Ministers do not reach the Chief Secretary in time. Sometimes the Departments take the plea that the file is with the Minister. As the Chief Secretary has to represent the Department first before the Council of Ministers, it is necessary that the Chief Secretary should see the case in time to

be able to present the case to the Council of Ministers. In the past in some cases, it had become very awkward for the Chief Secretary to explain the case as the file never reached him before the time fixed for the meeting. I am to express the hope that this will not recur.

Your's sincerely

B. SIVARAMAN