

POLICE ORDER No. 228

Relationship
between
members of
Parliament &
Legislature
& Govern-
ment servnt.

In the present set-up of democratic administration, the relationship between the public servants and the Members of the Parliament and the State Legislature plays a vital role in building up a healthy atmosphere and mutual understanding of matters relating to public interest. Members of Parliament and the State Legislature occupy a very important place as accredited representatives of the people in the country's democratic setup. 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 Departments of Government or seek interviews with the officers in connection with their legislative or other public duties otherwise than through putting questions or participating in debates in the legislatures. There have already been laid down certain principles and some conventions have been setup to regulate the relationship between them but some times it as noticed that there are occasional deviations from those principles and conventions for which it is necessary to reiterate and spell out the principles and practices in some detail which should govern the mutual relations of the Members of the Legislatures and the Government servants. Observance of these principles will no doubt increase the mutual understanding for the common interest of the country and will eliminate unnecessary misunderstanding. Government have therefore laid down the following to be followed by Government servants in their dealing with the accredited representatives of the people.

2. *Officials Duty*—It should be the endeavour of every officer to help the members of the Legislature to the extent possible in the discharge of their important functions under the Constitution. For this purpose, the members may require to interview the officers or may write officially for certain matters of public interest. When they come to see a Government servant he should show courtesy and consideration to them and rise in his seat to receive them and offer them a seat. Small gestures have symbolic value and therefore, the officer should be meticulously correct and courteous in the dealings with the members of the Legislature. The officer will carefully and patiently listen to what the member may have to say but in doing so, he should always act according to his best judgment. It should be the endeavour of every officer to help the members to the extent possible in the discharge of their important functions under the Constitution. In cases, however, when an officer is unable to accede to the request or a suggestion of the member, reasons for his inability to do so should be courteously explained to him.

In the district and Subdivisional levels, the officers have heavy public duties and responsibilities to perform and they are to plan out works with some care if they are to function effectively. An Officer should therefore, feel free to set apart some hours when he can refuse to meet visitors without being considered guilty of discourtesy or lack of consideration. But he should set apart a few hours every day for interviews when he is in the headquarters. Within these hours in which he is to meet visitors, he should give priority to members of the Legislature except when a visitor has come by previous appointment and a member of the Legislature has come without an appointment. In such a case the officer should see the members of the Legislature immediately after he has met the visitor who had come by previous appointment. Any deviation from an appointment made with the member of the Legislature or with any other persons must promptly be explained to the members concerned so that the least possible inconvenience is caused to him and fresh appointment should be fixed in consultation with him.

3. *Seeking information*—Information asked for by members only about matters of public or national interest in which they get themselves interested in the discharge of their public duties are very often asked by the members and such information may be supplied to them. If the information is not readily available for supply, they should be intimated of the reasons for which it was not readily available and when it will be possible for him to supply it. Such information should not be gathered to further private interests or for use in Court litigation or for giving other undue advantages to individuals against others. It is generally seen that a Government servant approaching a Member of the Legislature or sponsoring his individual case runs the risk of disciplinary action. Information asked for by the Members of the Legislature should be supplied to them but if the question asked for regarding cases of individual interest and the case is sponsored by the member of the Legislature, it is the adoption of a discriminatory course placing others who may not be fortunate enough to have such supporting position of disadvantage. Before asking for information of this nature, utmost consideration should be given. Sometimes the member of Legislature desire to see the files in an office in relation to a particular case and in such a case, a member will be courteously explained that the information on the subject will be supplied and no record or file can be shown to him.

4. *Correspondence*—Letters recieved from the Members of Legislature should be invariably acknowledged promptly. All such letters should receive careful consideration and responded to at appropriate level expeditiously. When asked for, information relating to matters of local importance as are readily available and are not confidential or when the informations is not such that its disclosure would be likely to lead to a controversy and embarrassment to Government may be supplied to them. In doubtful cases, the members will be courteously intimated that on receipt of instruction from the higher authority it may be supplied to them.

Members of the Parliament being respectable representative on the people are not to be summoned to the P. Ss. for obtaining from them some information which is unconnected with the investigation of any offence. If need be, the Police Officer should report to him personally and request him courteously to furnish the information required without causing annoyance, harassment or inconvenience to him.

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