

Office Memorandum

Subject: Instructions regarding action on Matters raised by Member of Parliament under Rule 377 in Lok Sabha and by way of Special Mention in Rajya Sabha.

The Speaker permits members of the Lok Sabha to raise matters of urgent public importance under Rule 377 of the Rules of Procedure and Conduct of Business in the Lok Sabha. Similarly in the Rajya Sabha, the Chairman permits Members to raise such matters by way of "Special Mentions" under the Rules of Procedure and Conduct of Business in the Rajya Sabha. The Ministry of Parliamentary Affairs is the Nodal Ministry for ensuring that follow-up action is taken by the Ministries on the matters raised under Rule 377 and Special Mentions and timely replies are given. The Lok Sabha Secretariat has developed software for monitoring the issues raised under Rule 377 in the Lok Sabha, therefore discontinued the practice sending of necessary extracts of the matters raised in the Lok Sabha to Ministries for reply. Lok Sabha Secretariat uploads the extracts on the software through which Ministries can access their data. However, the Rajya Sabha Secretariat forwards necessary extracts of the matters raised by way of Special Mentions in the Rajya Sabha on a particular day to the concerned Ministry/Department on the succeeding day. In addition, this Ministry forwards a weekly list containing the gist of the issues raised in both Houses of Parliament to the Ministries concerned for sending replies.

2. As per the Parliamentary Procedure replies to these matters are required to be sent to the Members who raise them within a period of one month from the date on which the matters have been raised under the signature of the Minister concerned. In case it is not possible to adhere to this time limit, an interim reply should be sent from the Minister concerned stating the reasons for the delay and the approximate date by which the final reply will be given. However, the reviews conducted by the Ministry of Parliamentary Affairs from time to time, reveal that replies are not given within the stipulated time and some of the matters continue to be pending for a long time inviting adverse comments from the Members. In this regard, the General Purpose Committee of the Rajya Sabha in its meeting held on 18.12.2008 has expressed its displeasure over the delay in sending replies to the members in respect of Special Mentions raised by them.

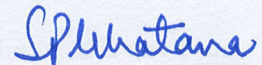
3. Keeping in view, the Ministry of Parliamentary Affairs circulates guidelines related to dealing with the issues raised in both the Houses from time to time. Comprehensive guidelines were issued to all Ministries/ Departments vide O.M. 14/10/2010-Leg-II dated 13.10.2010, O.M. 14(2)/2014-Leg-II dated 26th October 2015, and O. M. No. 14(1)/2020-Leg-II dated 09.11.2021 regarding disposal of the issues raised in both the Houses of Parliament.

4. The Ministries / Departments are, therefore, again requested that the stipulated time of **one month** for sending replies to matters of urgent public importance raised by members may be strictly adhered to. The procedure for follow-up action on these matters as enumerated in previous communications is once again reiterated for guidance and strict compliance:-

4.1	Immediate action on receipt of extracts of proceedings of the House or communication from both the Secretariat.	On receipt of extracts of proceedings/ communication from the Lok Sabha/ Rajya Sabha Secretariat, the Ministries are expected to submit the same to their Minister for information. On receipt of the weekly list of items from this Ministry, the Ministries should cross-check the same with the extracts of proceedings, and any discrepancy found between the two be brought to the notice of this Ministry immediately.
4.2.	The time limit for replies to be sent to members	<p><u>As per the decision of the Rules Committee of Lok Sabha and Rajya Sabha</u>, the Ministries should examine the matters and send replies under the signature of the Minister concerned to Members who raised them in the House, within a period of one month from the date the matters have been raised. In case it is not possible to adhere to the time period of one month for reasons such as having to collect information from several sources etc., an interim reply should be sent from the Minister to the Member concerned stating the reasons for the delay and the likely period that may be taken for final disposal of the matters. <u>Copies of the letter should be endorsed to this Ministry and also to the concerned Parliament Secretariat as the case may be for information.</u></p> <p><u>When a final reply is sent to the Member, a copy of the same must invariably be sent to this Ministry and the concerned Parliament Secretariat so that the item can be deleted from the list of pending matters.</u></p>
4.3	Interim replies to Members	In case a final reply is not feasible, an interim reply/ replies must be sent at regular intervals of not more than 2 months until the final reply to the Hon'ble Member has been sent. Copies of such interim reply too must be addressed to this Ministry and concerned Parliament Secretariat.
4.4	Address for sending communications to the Members	All communications should be sent to members of Parliament at their Delhi addresses when the Parliament is in Session. During the intersession period, such communications should be sent to both Delhi as well as permanent addresses of the Members.
4.5	Transfer of matters from one Ministry to another	In case a Ministry finds that the subject matter of any item does not pertain to their Ministry, they may take expeditious action for transferring the same to the Ministry concerned. However, while transferring the same they should ask the transferee-Ministry to accept the transfer and to intimate the acceptance of the transfer to this Ministry as well as to the concerned Parliament Secretariat. It should be noted that until such a confirmation is received from the transferee Ministry, the item will continue to be shown pending against the Ministry to whom it was originally sent.

4.6	Signatory of the communications regarding these matters	When a communication is addressed to a Minister, it will as far as possible be replied to by the concerned Minister himself. In other cases, a reply will normally be given under the signature of an <u>officer not below the rank of Secretary.</u>
4.7	Action on matters on the retirement of a Member who raised the same.	In case of matters raised under Rule 377 in the Lok Sabha and Special Mentions made under Rule 180A-E by way of Special Mention in the Rajya Sabha, if a member who had raised the matter resigns his seat in the House or passes away, or retires (from Rajya Sabha), reply to such matters stating the factual position will be sent by concerned Departments/Ministries to the Lok Sabha/Rajya Sabha Secretariat as the case may be under intimation to the Ministry of Parliamentary Affairs. However, if a member who had resigned his seat in the Lok Sabha is re-elected to the same Lok Sabha from which he had resigned or had resigned/retired from Rajya Sabha is re-elected to the Rajya Sabha the reply will be sent to the member under intimation to the Parliament Secretariat concerned and the Ministry of Parliamentary Affairs for updating the pendency position.
4.8	The effect of the dissolution of Lok Sabha	On the dissolution of the Lok Sabha, just as the Bill, Resolutions, Motions, etc., the matters raised under Rule 377 in Lok Sabha will also lapse. So far as the matters raised by way of Special Mentions in Rajya Sabha during the above period are concerned, they will continue to be pending until replies to the Members concerned under intimation to the Rajya Sabha Secretariat and this Ministry are sent.

5. All Ministries/ Departments are requested to circulate the above instructions to all officers and Sections in the Ministry and to ensure strict compliance to avoid criticism due to the delay. An updated list of pending matters raised under rule 377 in Lok Sabha and by way of Special Mentions in Rajya Sabha may be seen through this Ministry's website i.e. www.mpa.gov.in under the head "**Activities+**" (<https://mpa.gov.in/activities/rule-377> and <https://mpa.gov.in/activities/splm>) for perusal and compliance.



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To

All Secretaries to Govt. of India/ Parliament Divisions