

No.6/317/11-PER/ 2826
Administration of Daman & Diu,
Department of Personnel &
Administrative Reforms,
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Dated : 08 / 12 / 2015
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OFFICE MEMORANDUM

Subject: Procedure for referring proposals to Personnel Department and Instructions for Proper maintenance of files – reg.

A large number of routines references are being made time and again to the Personnel Department by various Heads of Office, Daman & Diu. Most of the references are made just by way of seeking confirmation of the proposed action, resulting in avoidable procedural delay, grievances and unwanted litigations. Many of the references are based on assumptions / presumptions. In a large number of cases, proposals are sent to this department without getting the proposals seen by the Secretary of the concerned department. It has also been observed that files being put up by various departments in the Administration are not as per instructions / guidelines laid down in the Manual of Office Procedure.

2. It is further observed that many proposals / files are sent by Heads of Office to issue orders pertaining to confirmation, regular promotion, appointment, seniority list, relieving etc., for signature of the Deputy Secretary / Joint Secretary / Additional Secretary (Personnel).

3. All Heads of Office, Daman & Diu are advised to henceforth observe the following procedure for **proper maintenance of files and for referring proposals to Personnel Department.**

(i) All the files / proposals referred to Personnel Department should be routed through the Secretary of the concerned department.

(ii) The instructions for Proper maintenance of files are annexed as **Annexure.**

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(iii) The orders pertaining to service matters of IAS / IPS / IFS / DANICS / DANIPS and common cadre staff (viz. LDC, UDC, Assistant, Superintendent, Stenographers and Driver) of the UT of Daman & Diu shall be issued by the Personnel Department. In all other cases, the orders shall be issued by the Deputy / Joint / Additional Secretary of the concerned department, as the case may be, with the approval of the Competent Authority.

(iv) The proposals relating to Direct Recruitment / Promotion / framing / amendment of Recruitment Rules, ACP/MACP etc., for which proforma has been prescribed, should be processed in the prescribed proforma only.

(v) The proposal for advise / clarifications should be referred only on a file.


(vi) All the proposal referred should invariably indicate, in the concluding paras, the point(s) of doubt in respect of which clarification / advise of Personnel Department has been sought.

4. As regards **Court Cases** referred for advise, it may be mentioned that since each court case is to be contested on the basis of the specific facts and circumstances relevant to it, the concerned department will be in a better position to defend the case. While referring Court Case for advise to Personnel Department, the referring note should invariably indicate:

- (i) Brief history and facts of the case.
- (ii) Relief sought by the petitioner / applicant.
- (iii) Stand taken by the concerned department before the Hon'ble Court.
- (iv) Operative part of the judgment / direction.
- (v) Earlier advise / opinion of Personnel Department.
- (vi) Opinion of the Government Counsel on the Order of Hon'ble Court.

- (vii) Action proposed to be taken by the concerned department.
- (viii) Specific point on which advice/opinion of Personnel Department is sought.

5. It is further informed that no files will henceforth be accepted by the Personnel Department till above conditions are strictly adhered to. All Heads of Office, Daman & Diu are requested to follow the instructions scrupulously.


(R.C. Meena)
Deputy Secretary (Personnel)

Encl: Annexure.

To

All Heads of Office, Daman / Diu.

Copy to:

1. All Secretaries in the UT of Daman & Diu.
2. The Deputy Collector, Diu, to circulate the same to all Heads of Office in Diu District.

Instructions for Proper Maintenance of Files:

- a) Every new file opened shall be entered in File Index Register which is maintained by the department / office.
- b) Every file put up should have a subject and a proper file number (as per guidelines laid down in Manual of Office Procedure).
- c) The Noting and Correspondence side shall be numbered properly.
- d) All paragraphs in the noting side of the file should be serially and continuously numbered.
- e) Files which are continuing for several years should be closed and a new file should be opened, unless a decision on the issues dealt in the current file is yet to be taken. Copies of the relevant papers from the old file should be placed in the new file.
- f) References to various letters / OMs / Orders, etc. on noting must be made by indicating the relevant page numbers of correspondence pages / previous notings on the subject.
- g) Referencing to page numbers is to be done on the previous communications referred to in Paper Under Consideration (PUC) / Fresh Receipt (FR).
- h) Referencing should similarly be done to previous communication on the **draft** letters / OMs proposed to be issued.

- i) After issuance of the approved letter, draft letters with corrections may not be made part of the file and may be placed between the file and the binder, unless it is considered absolutely necessary to make the draft letter with corrections to be part of the file.

- j) **New Volume:** Once a file becomes bulky and it is considered necessary to continue with the same file, a **new volume** should be opened. The new volume should have all Noting pages in original, with copies of Noting pages kept in the earlier volume. The correspondence pages be numbered in continuation of earlier volume.

- k) **Part File:** When a file is under submission to higher authorities, and another paper on the same issue to be urgently processed, a Part File, with the same file number and suffix "PF", and with the same subject be opened. It must however be ensured that the part file is merged with the main file at the earliest opportunity when both the main file and part file have come back to the dealing assistant. Continuation of Part Files for indefinite period, as is often observed, is a unhealthy practice, leading to inconsistency and discontinuity in decision making and is strongly discouraged.