

**Enterprises to State Government for answering Question in the State Legislatures.**

SS. 16  
292

**Ref: 1. GI No.: BPE OM No. 9(133)/73-BPE(GM-II) dated 10th July, 1974.**

**2. GI No.: BPE OM No. 16/41/87-GM dated 26th October, 1988.**

The undersigned is directed to refer to the above mentioned OMs listing out procedure for furnishing material by Central Govt. Industrial and Commercial Enterprises to State Government for answering questions in the State Legislatures and it has been decided to issue consolidated guidelines on the subject merging these two guidelines into one. The question was raised as to the policy that Central Government Industrial and Commercial Enterprises should follow in responding to requests for information made by State Governments for answering Question raised in the State Legislatures. This matter was examined in consultation with the Department of Parliamentary Affairs and the Ministry of Law during 1973-74.

2. It is considered that, on matters, which come under the State List, the enterprises may furnish information directly to the State Government. However, on all sensitive issues, which may attract the responsibility of Central Government and Parliament, it would be necessary for the enterprises to furnish information to the State Government in consultation with their administrative Ministries at the Center.

3. Reference was also invited to the guidelines issued by this Ministry on the admissibility of Questions relating to public enterprises in Parliament on June 4, 1969. These guidelines have been forwarded to the State Governments with a request that they may evolve similar guidelines in consultation with their Presiding Officers.

4. Further, the policy to be followed in respect of subjects falling in the Concurrent List was also examined in consultation with the Ministry of Law and the Ministry of Parliamentary Affairs during 1987-88. It was decided that the public sector undertakings can supply information on these subjects directly to State Government whenever the information asked for is of simple and factual nature and that the same would not lead to any controversy. In case, the public sector undertakings feel that the information asked for is of sensitive or confidential nature, they should seek the advice/approval of the Central administrative Ministry concerned before supplying the same to the State Government/State Legislature/Committees of State Legislatures.

5. All administrative Ministries/Departments are requested to ensure compliance and to bring the contents of these guidelines to the notice of the PSEs under their administrative control.

**(DPE O.M. No. 42011/23/2004-Admn. GL-I dated 10th February, 2005)**