

Government of Odisha

General Administration & Public Grievance Department

No. GAD-SC-GCS-0183-2021 - 269011 Gen., Bhubaneswar, dated the 5th October, 2021.

To

All Department of Government,

All Heads of Department,

All Collectors.

Sub: Promotion prospects of Government Servants during pendency of Criminal/Vigilance Proceedings – matters regarding

Elaborate provisions have been prescribed in GA & PG Department OM No. 3928, dated 18.02.1994 r/w O.M. No. 29699, dated 01.11.1997 and Circular No. 11962/Gen., dated 28.05.2012 for adoption of sealed cover procedure where the Government Servants are involved in departmental proceedings/ criminal proceedings. Subsequently, instructions are issued in GA & PG Department O.M. No. 9162/Gen., dated 29.04.2017 for review of the pending Disciplinary Proceedings/Criminal Cases on quarterly basis to ensure that such cases do not linger indefinitely. However, there is no enabling provisions to consider promotion of Government Servants during adjudication of Proceedings against them in the Criminal Courts.

Instances have been brought to the notice of the Government by different Administrative Departments that some Government Servants who are involved in criminal/vigilance proceedings have obtained orders from different Courts of Law for consideration of their promotion either by way of opening of the sealed cover maintained in their respect or by holding DPC on the ground of long pendency of Vigilance/Criminal Proceedings against them.

It is therefore, impressed upon all concerned Departments that, when there exists Vigilance/Criminal Proceedings against a Government Servant, but the Government Servant has obtained orders from the court of Law for consideration of his /her promotion, the said order may be challenged before the higher forum on obtaining orders of the Government in their Department and in consultation with the Law Department instead of referring the cases to the GA & PG Department soliciting views in the matter.

Gates
5.10.2021
Additional Secretary to Government

