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Government of Orissa
General Administration Department

No. 21587 /Gen., Dt. 2/8/05
2R/1-13/2005

To

All Secretaries to Government,
All Heads of Departments,
All Collectors.

Sub: Promotion of Government servants who have been awarded with penalties in disciplinary / criminal proceedings.

Para 6.3 of G.A. Department OM No.3928/Gen., Dt.18.02.1994 as substituted vide OM No.29699/Gen., Dt.01.11.1997 lays down the procedure to be adopted in case of promotion of officers who have been awarded with minor penalties after conclusion of proceedings drawn up against them as per provisions of OCS (C.C. & A) Rules, 1962. In case of award of minor punishment of 'suspension', the date of promotion of the Government servant shall not be prior to the conclusion of the period of suspension. In case where the punishment of "withholding of promotion" has been imposed, the case of the officer for promotion will be taken up in the next Departmental Promotion Committee / Selection Board / Selection Committee."

As per provisions contained under Para 7 there under, if a major penalty is imposed on the Government servant as a result of the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover shall not be acted upon. His case for promotion may be considered by the next Departmental Promotion Committee / Selection Board / Selection Committee in the normal course and having regard to the penalty imposed upon him.

With a view to objectively assessing the suitability of officers for promotion to the next higher grade, besides referring to the required CCRs, other documents if any having a bearing on the performance and conduct of all eligible officers shall have to be referred to by the Departmental Promotion Committee / Selection

Board / Selection Committee. It was impressed upon all the appointing authorities in G.A. (SE) Deptt. Memo No. 10918 (110) / PRO., Dt. 23.11.1987 that all punishments awarded on any delinquent Government servant duly proceeded against, whenever the punishment is one of the penalties specified in Rule 13 of the OCS (CC & A) Rules, 1962 should be placed in the CCR of the officer concerned. It has come to the notice of the Government that in absence of information regarding award of penalties on the delinquent officers in the CCR folders of the concerned Government servants and in other records, the Departmental Promotion Committee / Selection Board / Selection Committee, recommend some officers suitable for promotion otherwise ineligible for award of penalties. This not only puts the Government to an embarrassing position but also paves way for avoidable litigation.

In order to avoid such situations, it is decided *that* henceforth the disciplinary authority / appointing authority *shall* invariably transmit a copy of the order of award of penalty to the authority entrusted to the task of maintenance of CCRs of *the* Government servants for placing the *same* in the CCR folder of *the* delinquent Government servants. In case of all delinquent officers of Group - 'A' posts / services, copy of order of penalty shall *be* transmitted to the GA (SE) Department.

It is requested that the above instructions may be brought to *the* notice of all concerned and meticulously followed.

Mandley

Special Secretary to Government

Memo No. 21588 / Gen. Dt. 2/8/05
Copy to the Special Secretary to OPSC for information.

P. S. Choudhary
1.8.05

Deputy Secretary to Government

Memo No. 21589 / Gen. Dt. 2/8/05
Copy to all sections of G.A. Department / G.A. Department Library (5 copies) / Guard file (20 copies).

P. S. Choudhary
1.8.05

Deputy Secretary to Government