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Government of Orissa
General Administration Department
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No.SC/3.8/99- 26992 / Gen.,

Bhubaneswar, dated the 16th September, 1999.

To

All Departments of Government/
All Heads of Departments /
All Collectors.

Sub:- Non-reference of administrative actions for advice
of the Orissa Public Service Commission.

The undersigned is directed to say that in pursuance of provisions contained under the Orissa Public Service Commission (Limitations of Functions) Regulations, 1989 read with Provisions of rule-15 and 16 of O.C.S. (C.G. & A) Rules, 1962, the Orissa Public Service Commission shall be consulted (wherever necessary) before imposition of any of the penalties specified under rule 13 of Orissa Civil Services (Classification, Control and Appeal) Rules, 1962 on a Government Servant.

2. But it is reported by the Orissa Public Service Commission that a good number of proposals are being referred to them for advice / concurrence relating to disciplinary proceeding cases and imposition of the following punishments on the concerned Government Servants.

- 1) Treating the period of unauthorised absence from duty as Extraordinary leave not to be counted as service.
- 2) Warning to be careful in future.
- 3) Warning to be recorded in C.C.Rolls.
- 4) Treating the period of absence from a particular duty till resumption of duty as leave without pay.

5. The above penalties are not the prescribed punishments specified under rule 13 of the O.C.S. (C.C. & A) Rules, 1962.

Contd.....

These are the administrative actions to be taken by the concerned authority after completion of procedural formalities in which Orissa Public Service Commission is not required to offer their advice/concurrence.

4. It is, therefore, clarified that the disciplinary proceedings in which the concerned authority propose to take administrative actions on a Government Servant, they need not refer the same to Orissa Public Service Commission for advice/concurrence since the Orissa Public Service Commission confine their advice on the punishments specified in Rule 13 of the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962. It is further clarified that administrative actions as suggested at Serial 1 and 4 referred to in Para-2 above cannot be imposed as a measure of penalty if leave is available in the leave account of the concerned Government Servant.

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15-9-99

SPECIAL SECRETARY TO GOVERNMENT.

Memo No. 26993 /Gen., dated the 16 September 99.

Copy forwarded to Secretary O.P.S.C. : Cuttack for information with ^{reference to} his Letter No.3648 dated 29.7.99 / All Branches of G.A.Department/ Guard file (50copies) for information.

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15/9/99

Deputy Secretary to Government.

Pr.