

D. O. No. 11188 (17)-Gen.

The 4th September 1957

Shri B. SIVARAMAN, I. C. S.
Chief Secretary to Government
To

Shri P. N. MHANTI, I. A. S.
Secretary to Government, Home Department.

My dear Mahanti,

I have been noticing in some files that when a Minister in a Department passes a certain order *suo moto* and sends it to the Secretary, the Department does not examine the proposal on merits and sometimes does not even consult the relevant Department with whom consultation is mandatory under Rules of Business. The Department treats the Minister's order as final and takes action sometimes contrary to the Rules of Business. I wish to draw your personal attention to this and to say that if a Minister passes an order *suo moto* it does not absolve the Department for examining the case on merits and making the necessary consultation with other Departments according to the Rules of Business. A duty is cast on every Department to advise its Minister on the propriety or otherwise of a certain order. This responsibility cannot be shelved just because an order has been passed *suo moto* by a Minister. Government have had occasion to notice that by not exercising this responsibility, Secretaries are sometimes putting Government in an awkward position. I am to express the hope that in future the Secretaries to the Department will exercise a better control over their staffs' works.

2. It is also noticed that files of the Departments for subjects presented to the Council of Ministers do not reach the Chief Secretary in time. Sometimes the Departments take the plea that the file is with the Ministers. As the Chief Secretary has to represent the Department first before the Council of Ministers, As the Chief Secretary has to represent the Department first before the Council of Ministers, it is necessary that the Chief Secretary should see the case in time if be able to present the case to the Council of Ministers. In the past in some cases, it had become very awkward for the Chief Secretary to explain the case as the file never reached him before the time fixed for the meeting. I am to express the hope that this will not recur.

Yours sincerely,

B. SIVARAMAN

No. 13411-sc-6-64/69-Gen.

GOVERNMENT OF ORISSA

POLITICAL & SERVICES DEPARTMENT

RESOLUTION

The 8th August 1969

Subject – Domicile restrictions on admission of students to Educational Institutions of the State and award of Government Scholarship.

The domicile rules under which the Oriyas living elsewhere in India were being given preference in the matters of admission into the educational Institutions run or aided by the State Government and award of Government Scholarships prior to 1948 were scrapped in the Home

Department Resolution No. 38/Reforms, dated the 18th January 1949 and the preference for them in these matters was withdrawn. Under the existing provisions, persons who are not permanent residents of the State of Orissa or not domiciled therein are not ordinarily considered eligible for admission into the educational or other Institutions run or aided by the State Government and award of Government Scholarships.

2. Due to settlement of boundaries of States some Oriya speaking areas have been merged in other neighbouring States as a result of which the Oriyas living in these areas who are now permanent residents of other States have been deprived of studying Oriya language and Oriya culture. In order to help the people of those Oriya speaking areas and also in the interest of expansion and development of Oriya language and Oriya Culture outside Orissa, the State Government have decided that the students of those Oriya speaking areas should be made eligible for admission into the educational Institutions run or aided by the State Government and award of Government scholarships while preference in these matters should continue to be given to the permanent residents of the State.

3. Concerned Departments and Heads of Departments are requested to regulate admissions and award of scholarship accordingly.

Order – Ordered that the Resolution should be published in the *Orissa Gazette*. Ordered also that copies of the Resolution be forwarded to all Departments of Government/all Heads of Departments for information and communication to all concerned.

By order of the Governor

S. N. SHARMA

Additional Secretary to Government

No. 21352-Gen.

GOVERNMENT OF ORISSA

POLITICAL & SERVICES DEPARTMENT

RESOLUTION

The 20th November 1969

Subject – Permission to Government servants to join educational institutions and to appear privately at various examinations.

Government from time to time have announced their policy for granting permission to Government servants to join educational and professional institutions for higher studies as also to appear privately at various examinations in order to make up the lee-way in the educational lag in the country and also to increase their academic and professional efficiency. A large number of circulars and instructions have been issued on the subject touching on the different aspects of the problem. Nonetheless, different Departments continue to make references on individual cases to the Political & Service Department from time to time for clarification and illucidation of Government policy with reference to those cases. There is, therefore, a necessity of having a comprehensive policy instruction in the matter.

2. Rule 179 of the Orissa Service Code lays down the conditions on which the State Government grant special study leave to Government servants to enable them to study scientific, technical or similar problems or to undergo special courses of instructions. Apart from this, Government servants while continuing work in offices, also apply for permission either to continue

study in morning and evening classes or to appear in some private examinations. For these later categories of employees various circulars and instructions have been issued on the subject.

3. The circulars and instruction issued on the subject from time to time are indicated below :-

Home Department Memo. No. 7170 (22)-A., dated 8-6-1951

Home (S. S.) Department Memo. No. 1906 (25)-A., dated 4-10-1952

Home (S. S.) Department Memo. No. 237 (51)-C., dated 1-2-1956

P. & S. Department Memo. No. 2222 (74)-Gen., dated 23-2-1961

P. & S. Department Memo. No. 2428 (55)-Gen., dated 27-2-1961

P. & S. Department Memo. No. 2773 (81)-Gen., dated 2-3-1962

P. & S. Department Memo. No. 8445 (84)-Gen., dated 30-6-1962

P. & S. Department Memo. No. 10693 (86)-Gen., dated 16-8-1962

P. & S. Department Memo. No. 13046 (28)-Gen., dated 6-10-1962

P. & S. Department Memo. No. 13086 (95)-Gen., dated 9-9-1963

P. & S. Department Memo. No. 3413 (97)-Gen., dated 6-3-1964

P. & S. Department Memo. No. 5173 (101)-Gen., dated 3-4-1964

P. & S. Department Memo. No. 2658 (122)-Gen., dated 12-2-1965

P. & S. Department Memo. No. 13009 (114)-Gen., dated 16-7-1965

P. & S. Department Memo. No. 10766 (43)-Gen., dated 22-5-1967

4. Various difficulties have been noticed in implementing these instructions. Not only that cases of unauthorized study are detected from time to time despite liberal permission given to employees, but there is also a tendency to utilize office hours for private study and to take long leave prior to the examination by the intending candidates. Government are also aware of the inherent risk involved in allowing large number of their employees to study in academic institutions which very often go on strike and demonstrations in the declining atmosphere of educational discipline in the country as a whole. While a liberal policy can be pursued in granting permission to Government servants to prosecute higher studies in academic and professional Institutions to make up the lee-way in education. It is also equally important that Government jobs are not treated as mere stepping stones for higher study and higher job prospects.

5. Taking all the above factors and circumstances into account and in supersession of all previous circulars and instructions in the matter Government have been pleased to decide as under :-

- (1) That such permission may only be granted by the Secretary (Additional Secretary), Head of the Department and Head of the District Offices including Settlement Offices to their employees.
- (2) That such permission may only be granted to any and all types of intending employees, provided that in case a Gazetted Government servants it is only the Secretary (Additional Secretary) of the Department who may allow such permission.
- (3) That such permissions may only granted to not more that 10% of the employees working in an office for an academic session.
- (4) That keeping the foregoing limits in view, the permission according authorities may at their discretion allow any of their employees to join any type of educational or professional institutions for any course, diploma or degree, provided that such courses are held in the morning hours or night hours so as not to conflict or over-lap with the office hours during which such employees normally attend to Government duties.

- (5) That keeping the foregoing limits in view the permission according authorities may at their discretion allow any of their employees appear privately in any examination for any course, diploma or degree.
- (6) While granting such permissions the permission according authorities shall impose specific conditions (i) that the Government works or the duties of the employees do not suffer (ii) that the permission so granted shall not be made an excuse for avoiding assignment of duties at any time, including at night, if called upon to do so, (iii) that the employee so granted with permission shall not apply for leave or be granted leave for appearing in the connected examinations beyond one week and the minimum number of days required for sitting in the examination, depending on their leave as due, and (iv) that the permission can be cancelled at any time without notice and without assigning any reasons thereof.
- (7) The permission so accorded should also be intimated to the authorities of the University, Collector/Institution where the employee intends to join or appear in private examination.

Order – Ordered that the Resolution should be published in the Orissa Gazette

Ordered also that copies of the Resolution be forwarded to all Departments of Government/all Heads of Departments/all District and Sessions Judges/District Magistrates/Secretary to the Governor/Secretary, Orissa Public Service Commission, Cuttack/Secretary, Orissa Legislative Assembly/Registrar, Orissa High Court/ Superintendent, Orissa Government Press/Accountant-General Orissa, Bhubaneswar for information and necessary action.

By order of the Governor
A. K. BARREN
Chief Secretary to Government

No. 4913 (29)-O & M/4-41/73-Gen.

GOVERNMENT OF ORISSA
POLITICAL & SERVICES DEPARTMENT

The 27th March 1973
The 6th Chaitra 1895

To

All Department of Government.

Subject – Affixing designation of officers below their signature in Secretariat files.

The undersigned is directed to say that the Governor has been pleased to observe that in most of the Secretariat files, the designations of the officers are not indicated below their signatures while submitting files to the Governor. As a result it is difficult to know immediately the source from which the files has been received by the Governor. In the interest of clarity it is desirable to indicate the designations of the officers below their signatures, preferably by affixing rubber stamps.

In view of this it is requested that all Departments may kindly instruct their officers to put their designations below their signatures while submitting files to the Governor by use of rubber stamps. This may kindly be brought to the notice of all concerned.

H. MOHAPATRA
Under-Secretary to Government

No. 9758 (121)-Gen.

GOVERNMENT OF ORISSA

POLITICAL & SERVICES DEPARTMENT

The 18th May 1976

To

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

Subject – Contacts by Senior Officers with the Public and Lower Staff – Grievances Cell.

During the past few months most of the senior officers from the Secretariat, from the offices of the Heads of Departments and in the field have been touring in different parts of the State more or less regularly to ensure proper implementation of the 20-Point Economic Programme. One of the principal objectives for which such tours were insisted upon by the Government was to bridge the gap in the formulation of policy at the Governmental level and its implementation at the field level as also to provide a feed-back from the field to the Government about any special difficulties or problems standing in the way of effective implementation of the new policies of Government. While these objectives are by and large being served, Government have felt that in the course of their tours, the senior officers are not giving adequate attention to the grievances of the public nor are opportunities being given to the members for the public or their representatives to meet them and place before them their actual difficulties and problems. This is considered as a serious omission particularly in the context of the anxiety of the Government to secure prompt attention to the difficulties and problems of the weaker sections of the population. Undoubtedly, these matters would come to notice at the lower levels of the Government machinery but for providing immediate redress the normal procedure of these grievances coming through various channels to the level at which redress can be provided is far too circuitous and time taking. If the senior officers who are either in a position to take immediate decision or to secure such decisions promptly were to get first hand knowledge of these problems, the solutions to be provided would be prompt and effective.

2. Government, therefore, desire that, when senior officers undertake tours in different parts of the State, they should set apart, on each tour, two or three hours for meeting the members of the public, take note of their specific grievances and either take steps to redress them on the spot or give consideration at the headquarters immediately on return from their tours. This approach will also enable them to determine whether the existing departmental procedures are causing delay or harassment to the public and to what extent they should be simplified.

3. Government also desire that each Secretary, heads of Department and Collector should set apart each week one forenoon for meeting freely the members of the public as well as their own Class III and Class IV staff to enable them to present their difficulties and problems. They should thereafter ensure that the specific grievances are attended to immediately and redress, if possible, provided without any loss of time.

4. For the purpose of processing these matters, each Department should have a Grievances Cell in direct charge of an Officer not below the rank of a Deputy Secretary in the Secretariat, a Deputy Director in the offices of Head of Departments and a Deputy Collector in a district who should function directly under the Secretary or the Head of Department or the Collector as the case may be. The Secretary, the Head of Department, the Collector should get regularly a fortnightly progress report from this officer indicating the action taken on the various grievances and take serious note of delays in looking into these matters constructively and with understanding and sympathy.

5. It is also suggested that wide and adequate publicity should be given to this new procedure to be followed, day and time set apart for the purpose clearly indicated and deviations strictly avoided unless under very special or emergent circumstances. It will be desirable if all the Secretaries, Heads of Departments and Collectors set apart each Wednesday from 10 A. M. to 1. P. M. (or 7 A. M. to 10 A. M. where morning office hours are observed) for this purpose and all concerned should ensure that no official meetings are arranged on Wednesday forenoon. If for any reason on any particular occasion, it is not possible for an officer to adhere to this programme, he should fix another day in advance and notify that day and time so as not to cause any inconvenience to the public.

6. I am also to make it clear that Government do not propose to entertain proposals for any extra staff for this purpose and the Grievance Cell should be constituted from within the existing personnel of the Department/ Office. The Officer and staff to be earmarked for this purpose should, however, be carefully chosen so that the object of securing prompt and effective solutions to the problems of the people is not defeated by rigid, unsympathetic or unimaginative approach.

7. I am also to request that a report may please be sent to the undersigned at the end of each month briefly indicating the action taken in pursuance of this circular, highlighting the important grievances brought to notice and the remedial action taken. These assessment reports may be personally attended to by Secretaries, Heads of Departments and Collectors and not allowed to become a routine matter.

8. The receipt of this letter may please be acknowledged immediately.

J. A. DAVE
Chief Secretary, Orissa

No. 25980-Gen.

GOVERNMENT OF ORISSA
GENERAL ADMINISTRATION DEPARTMENT

The 29th September 1981

To

The Secretaries of all Departments.

The question of assigning some additional responsibilities to the Section Officers of the Secretariat with a view to enable them to exercise better control over the staff working under them has been under the consideration of Government for some time. It has been decided in this connection that the Section Officers should be empowered to sanction Casual Leave to their staff for two days at a time and for seven days in a year. According to paragraph 8 of the Appendix-6 of the Orissa Service Code, Administrative Departments of Government may, by order, prescribe the authorities competent to sanction C. L. to their subordinate officers and staff. I am therefore, to request you to kindly delegate powers to the Section Officers of your Department in accordance with this provision, so as to enable them to sanction C. L. to their staff to the extent mentioned above.

C. NARAYANASWAMY
Special Secretary to Government

No. 28294-Gen.

GOVERNMENT OF ORISSA
GENERAL ADMINISTRATION DEPARTMENT
ORDER

The 6th November 1981

According to Sub-section (2) of Section 20 of the Cr. P. C., 1973 (Act. No. 2 of 1974) before its amendment in 1978 the A. D. M. of a district was vested with all or any of the powers of a District Magistrate. But the said Section has been amended w.e.f. 18-12-1978 to the effect that such of the powers of a District Magistrate under the Cr. P. C. or under any other Law for the time being in force shall be exercised by the Addl. District Magistrates as may be directed by State Government. In pursuance of the amended provision of sub-section (2) of Section 20 of Cr. P. C., State Government have been pleased to authorize the A. D. Ms. posted in different districts of the State to exercise all the powers of the District Magistrate w.e.f. 18-12-1978 under the Criminal Procedure Code or any other law for the time being in force.

By order of the Governor
C. NARAYANASWAMY
Special Secretary to Government

Memo. No. 2976

GOVERNMENT OF ORISSA
GENERAL ADMINISTRATION DEPARTMENT

The 7th February 1985

To

All Departments of Government.

Subject – Recaning of furniture in Government offices by blind persons.

The under signed is directed to invite reference to this Department Memo No. 22073, dated the 19th September 1984 in which it was indicated that recaning of furniture in all Government offices should be entrusted to blind persons as a part of the schemes for rehabilitation of the handicapped. It may kindly be confirmed that these instructions are being followed. It may please be ensured that these instructions are reiterated for the guidance of all offices under your control and their implementation ensured.

C. NARAYANASWAMY
Special Secretary to Government

No. 6206-1M-15/89-Gen.

GOVERNMENT OF ORISSA
GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

The 22nd February 1989

In exercise of the powers conferred by Section 6 of the Delhi Special Police Establishment Act, 1946 (No. 25 of 1946), the State Government do hereby accord their consent to enable the members of the Delhi Police Establishment to exercise powers and jurisdiction in the State of Orissa for investigation of offences mentioned hereunder :-

- (a) offences under Prevention of Corruption Act, 1988 (No. 49 of 1988); and
(b) attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned above and any other offence or offences committed in the course of the same transaction arising out of the same facts.

By order of the Governor
N. K. PANDA
Chief Secretary-cum-Secretary to Government,
General Administration Department

No. 26422-SC/6-109/95-Gen.

GOVERNMENT OF ORISSA
GENERAL ADMINISTRATION DEPARTMENT

The 29th November 1995

From

Shri R. K. Bhujabal, I. A. S.,
Chief Secretary to Government of Orissa, Bhubaneswar.

To

The Principal Secretaries/Secretaries to Government of All Departments.

Subject – Reference to G. A. Department on matters relating to Service Conditions.

Sir

I am to say that a number of files are being referred to by the various Departments in which the clarification on very simple matters are being sought in respect of the application of different provisions of the rules, regulations and circulars which have been framed/issued by G. A. Department. On examination of all such references, it is noticed that in most of the cases the Administrative Department could have easily taken a decision without referring the matter to G. A. Department since the Rules/instructions are themselves very clear.

2. It is, therefore, advised that the Administrative Departments should not make such references and try to settle the issues at their level, unless there is a genuine doubt and a need for clarification.

In view of the above, it is requested that you should analyse each case carefully in your Department. Only such cases, where the reference is really necessary may be referred to G. A. Department for their views. All such references should clearly mention the history of the case, the issues involved and reasons for entertaining the doubts. The references should be sent to General Administration Department with the approval of the Secretary of the Department.

Yours faithfully,
R. K. BHUJABAL
Chief Secretary to Government

No. 19941-AIS/II-28/2000-Gen.

GOVERNMENT OF ORISSA
GENERAL ADMINISTRATION DEPARTMENT
OFFICE MEMORANDUM

The 5th June 2000

Subject – Conferring of Secretarial Status on the officers of I. P. S. / I. F. S. posted out side the Secretariat.

There is no fixed principle at present for conferring Secretarial status on the I. P. S. / I. F. S. officers who are working outside the Secretariat, but dealing with file/subjects of Departments of Secretariat. Very often I. P.S. and I. F. S., officers are to deal with files of different Departments although they hold some other post outside the Secretariat. This has caused dislocation of Government work at times.

In order to avoid the above difficulties, it has now been decided that whenever I. P. S. officers of different rank are posted to Vigilance organization, they are to be conferred with Secretarial status as indicated against each category of officers by the Home Department as mentioned below :-

Category of Officers	Secretarial Status
(1)	(2)
1. D. G., Vigilance/Additional D. G. Vigilance/I. G. of Police, Vigilance	... Special Secretary
2. D. I. G. of Police, Vigilance	... Additional Secretary
3. S. P. (Vigilance), Selection Grade	... Joint Secretary
4. S. P. Additional S. P.	... Deputy Secretary
5. D. S. P.	... Under-Secretary

Similarly, whenever there is necessity for posting of I. F. S. officers of different ranks in Departments of Secretariat, they are to be conferred with Secretarial status by the Forest & Environment Department as mentioned below :-

1. P. C. C.F. / Additional P. C. C. F. / C. C. F.	... Special Secretary
2. Conservator of Forests	... Additional Secretary
3. D. F. O. (Selection Grade)	... Joint Secretary
4. D. F. O.	... Deputy Secretary

Further it has been decided that while conferring *ex officio* Secretarial status on the officers of other services including central services by the concerned Administrative Departments, General Administration Department should invariably be consulted before such *ex officio* status is conferred on them.

R. C. MISHRA
Special Secretary to Government

Government of Orissa
General Administration Department

RESOLUTION

Bhubaneswar, the 29.10.2003

Sub: Applicability of the Orissa Conduct of Examination Act, 1988 (Orissa Act-2 of 1988) to the Examination conducted by the Orissa Public Service Commission/Staff Selection Commission.

No. 29832/Gen., It has been defined in Section 2(a) of the Orissa Conduct of Examinations Act, 1988 (Orissa Act 2 of 1988) that "recognised examination" means an examination specified in the schedule and includes evaluation, tabulation, publication of results and all other matters connected therewith. In the schedule appended to the said Act in item No. 5, it has been provided that such other examination as may be specified by the State Government by notification in the official gazette can be considered as recognised examination.

The Orissa Public Service Commission/Orissa Staff Selection Commission are entrusted to conduct examinations for appointment of candidates to Civil Services/Posts. It is necessary to ensure smooth conduct of the recruitment examinations conducted by the OPSC and OSSC which includes evaluation, tabulation, publication of results and all other matters connected therewith.

After careful consideration, Govt. have decided that notwithstanding anything contained in the recruitment Rules, the provisions of the Orissa Conduct of Examination Act, 1988 (Orissa Act-2 of 1988) shall be made applicable to the examinations conducted by the Orissa Public Service Commission and Orissa Staff Selection Commission.

Order:- Ordered that the resolution be published in the next issue of the gazette Publication and copies thereof be sent to all concerned.

By order of the Governor

(T.K.Pandey)
Special Secretary to Government

Government of Orissa
General Administration Department

No. 2R/1-42/03/ 32399 / Gen., Dtd.29.11.2003

To

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

Sub: Procedure to be followed in Recording the date of birth in the Service Book / Service Roll.

The undersigned is directed to say that the procedure to be followed in the matter of recording the date of birth in the Service Books / Service Rolls of the employees and in case of manipulation of date of birth, the action to be taken against the erring officials with whose complicity the employee concerned gained the unfair advantage of overstayal in service beyond the normal date of superannuation have been outlined in G.A.Department circular letter No. 2102/Gen., dt. 30.01.1995. Despite issue of such instructions several cases are being referred to by different

Departments to G.A.Department for regularisation of overstayal period in service caused mainly due to manipulation of the date of birth.

Instances have come to the notice of this Department that in the cases where the date of birth of the employee is written only in figures in the Service Books / Service Rolls, it becomes easy to manipulate the same, which provides ample opportunity to the employees to overstay in service beyond the due date of retirement. In order to avoid such type of manipulations and to prevent continuance in service of the employees beyond the normal date of suppersnnuation caused by manipulation of the date of birth, the following instructions should be meticulously followed by the appointing authorities while recording the date of birth of the employees, in their Service Books / Service Rolls.

1. The date of birth of the employees should be legibly written both in figures and words in the respective Service Books / Service Rolls of the employees. This should be done not only in the Service Books / Service Rolls to be opened afresh but also in all existing cases after making due verification.
2. All existing Service Books / Service Rolls of the employees should be verified and in case of any doubt in the date of birth recorded in the Service Books / Service Rolls, it should be cross-checked with reference to the High School Certificate issued by the Board of Secondary Education, Orissa or with any documentary evidence in support of the correct date of birth of the employee concerned.

A compliance report on the above may be sent to the G.A. Department within a period of three months.

Special Secretary to Government