

Government of Orissa
Political & Services Department

No. SC/6-63/79 14026 / Gen. Bhubaneswar, the 23rd May, 79

From

Shri S.M.H. Burney, I.A.S.,
Chief Secretary to Government.

To

All Secretaries to Departments of Government.
All Heads of Departments
All District Officers

Sub:-

Observance of statutory rules contained in Rule 14(4) (a) read with Schedule 'A' appended to the O.C.S. (G.C. & A.) Rules, 1962 and Rule 12 ibid.

Sir,

I am directed to say that Rule 12 of the Orissa Civil Services (Classification, Control & Appeal) Rules, 1962 stipulates the circumstances under which the appointing authority or any authority to which it is subordinate or any authority empowered by the Governor or the appointing authority in that behalf, may place a Government servant under suspension. Prior to promulgation of O.C.S. (G.C. & A) Rules, 1962 a set of instruction regarding suspension of Government servants were issued in P. & S. Department Memo No. 3559(76)Gen., dated 15.3.58 indicating the guide lines to be followed by the suspending authority for proper exercise of their powers in placing the employees under suspension.

2. In spite of the statutory provisions contained in O.C.S. (G.C. & A.) Rules, 1962 as well as instructions of the P. & S. Department referred to above, it has been observed that the Government servants are placed under suspension on flimsy grounds and at times are reinstated

service without imposition of any punishment on them, which causes unnecessary financial expenditure to the State Government by way of payment of subsistence allowance. This is to emphasize once again that prior to placing a Government servant under suspension, the authorities empowered to do so, should ensure that the suspension may only be resorted to when prima facie the charges are grave enough resulting in imposition of major punishment. Otherwise, for commitment of minor offences by the Government servants, proceedings should be drawn up against him and finalised accordingly without placing him under suspension.

3. Even though under Rule 14(2)(a) and (b) of the O.C.S. (C.C. & A.) Rules, 1962 read with the Schedule 'A' appended thereto, minor punishments are specified under item II to IV of Rule 13 of the said Rules can be imposed on officers belonging to Orissa Civil Services Class-II and Civil posts Class-II by the Secretary of the Government Departments and the Head of Departments, such cases are being referred to Government for finalisation, thus leading to an avoidable increase in the work-load at the Government level. As Secretaries to Government and Heads of Departments have been given statutory powers in O.C.S. (C.C. & A) Rules, 1962 for imposition of minor punishments, Government want to make it clear that hereafter all Secretaries to Departments of Government and Heads of Departments by virtue of the statutory powers delegated to them under Item II and IV of Rule 13, should impose such minor punishments on officers of Orissa Civil Services Class-II and Civil posts Class-II serving

under them in consultation with the Orissa Public Service Commission wherever necessary, under intimation to the concerned Department.

4. The above instructions should be scrupulously followed.

Yours faithfully,

[Handwritten signature]

Chief Secretary to Government.

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