

The Orissa



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PART III-A

Regulations, Orders, Notifications, Rules, etc., issued by the Governor, Heads of Departments and High Court

GENERAL ADMINISTRATION DEPARTMENT
 NOTIFICATION

The 16th June 1982

No. 13644-Gen.—In exercise of powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Orissa, hereby makes the following rules to further amend the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962, namely:—

1. (1) These rules may be called the Orissa Civil Service (Classification, Control and Appeal (Amendment) Rules, 1982.
2. (2) They shall come into force on the date of their publication in the *Orissa Gazette*.
2. In the Orissa Civil Service (Classification, Control and Appeal) Rules, 1962 (hereinafter referred to as the said rules) in rule 15—

(i) Sub-rule 10 shall be substituted as follows, namely:—

“10 (i) If the disciplinary authority having regard to its findings on the charges, is of the opinion that any of the penalties specified in clauses (i) to (ix) of rule 13 should be imposed, it shall pass appropriate orders in the case:

Provided that in every case where it is necessary to consult the Commission under the provisions of the Constitution of India, read with the Orissa

Public Service Commission (Limitation of Functions) Regulations the record of enquiry shall be forwarded by the disciplinary authority to the Commission for its advice and such advice shall be taken into consideration before making an order imposing any such penalty on Government Servant.

(ii) The orders passed by the disciplinary authority shall be communicated to the Government Servant who shall also be supplied with a copy of the report of the inquiring authority and where the disciplinary authority is not the inquiring authority, a statement of its findings together with brief reasons for disagreement, if any, with the findings of the inquiring authority, as well as a copy of the advice of the Commission, where the Commission had been consulted, and brief statement of reasons for non-acceptance of the advice of the Commission, if the disciplinary authority has not accepted such advice”.

3. In the said rules, sub-rules (11) and (12) shall be deleted.

4. In the said rules the figure and bracket “(11)” appearing in clause (i) of sub-rule (2) of rule 20 shall be substituted by the bracket and figure “(10)”.

By order of the Governor

C. NARAYANASWAMY

Special Secretary to Government