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Government of Orissa,
General Administration Department.

No. SC/3-6/96. 28813 /Gen., Dt. 7.11.1996

To

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

Sub:- Delay in disposal of Departmental Proceedings due to non-production of relevant records before the Disciplinary Authority/Inquiring Officer.

Of late, it has come to the notice of the Government that finalisation of a large number of Departmental Proceedings instituted against Government Servants are delayed for a long period of time due to non-production of the relevant records before the Disciplinary Authority/Inquiring Officer. Further, departmental proceedings drawn up against officials responsible for misappropriation/defalcation of Government money are inordinately delayed because the records on which the charges are framed are often seized by the Vigilance Authorities for investigation into the criminal cases and, therefore, not made available readily to the Inquiring Officer/Disciplinary Authority. The Public Accounts Committee in their 11th Report on the Appropriation Accounts and the report of the Comptroller and Auditor General of India for the year 1988-89 relating to the Health and Family Welfare Department have expressed their grave concern in the matter of delay in disposal of disciplinary proceedings for a long period of time due to non-availability of records.

2. In order to over-come such difficulties, it has been decided to proceed in the matter as given below:

- (1) The Vigilance Organisation, who have seized the relevant records, may supply as far as possible a xerox copy of the relevant records in their custody to the concerned disciplinary authority and the Inquiring Officer on receipt of their request in respect of cases where criminal and departmental action are simultaneously started for the same set of charges.

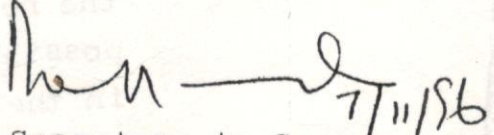
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(ii) The Vigilance Organisation and other concerned authorities may on request hand over all the relevant original records in their custody to the Disciplinary Authority/Inquiring Officer in respect of cases, where departmental action has been initiated under the provisions of the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962.

(iii) The Vigilance Organisation and other concerned authorities may also permit the delinquent officers to peruse the seized records and take notes there from in order to enable them to prepare their defence properly. This may, however, be done only on the request of the disciplinary authority/Inquiring Officer, who shall submit the list of the relevant documents to the Vigilance Organisation and other concerned authorities for the purpose, so that only relevant records are allowed to be perused by the delinquent officer.

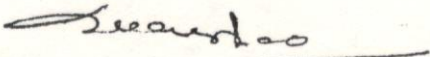
(iv) While sending their requests for supply of xerox copies or for handing over the original records, the disciplinary authority and Inquiring Officer may scrutinise carefully their requirement and send a list of those records only, which are really considered relevant for the purpose.

3. The disciplinary proceedings pending due to non-availability of seized records may now be disposed of accordingly.


Chief Secretary to Government.

Memo No. 28814 /Gen.,Dt. 7.11.96

Copy forwarded to the Inspector General of Vigilance and Ex-officio Special Secretary to Government, G.A (Vigilance) Department, Cuttack for information and necessary action.


Addl. Secretary to Government.