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BIHUBANESWAR

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D.O. No. 11443 (60) / Gen.,
2R/1-8/66.

It has come to the notice of Government that the officers conducting departmental enquiries in disciplinary proceedings have not fully realised their responsibility in this regard. At various stages of enquiry considerable delay which could have been avoided by the Enquiry officer, is noticeable in disregard of Government's clear directive in Home Department letter No. 1150(G8)-A dated 23-1-54 to the effect that proceedings should be concluded as expeditiously as possible. There appears to be a growing tendency of light-heartedness among the Enquiry officers resulting in ineffective impact of disciplinary action on the delinquents.

Instances have also come to notice where orders of 'warning' have been passed against the delinquents found "guilty" in departmental proceedings. "Warning" is not a penalty as defined in rule 13 of the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962. Such an order can hardly produce any punitive or preventive effect on the conduct of Government Servants. While imposing punishment in proved cases of delinquencies, there should be no departure from the nature of penalties as defined in rule 13 of Part V of the Civil Services (Classification Control and Appeal) Rules 1962.

Further it is noticed that some departments are causing a preliminary enquiry in order to decide whether charges are to be framed or not. This procedure is irregular in view of the Government Instructions conveyed in Political and services (General) Department No. 6634-Gen., dated 27-5-1961 and reiterated in Political and Services Department order No. 2612-2R-1-8/63-Gen., dated 20-2-1963 which direct that the enquiry conducted by the Vigilance Department should be treated as adequate basis to proceed further, as that Department is a full-fledged department of Government and that further preliminary enquiry is not necessary.

I am therefore, desired to request you to issue necessary instructions to all concerned for their guidance.

Yours sincerely,

(A. K. BARREN)
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