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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 7th October 1994

No. 22354—S C/3-3/94-Gen.—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Orissa hereby makes the following rules further to amend the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962, namely:—

1. (1) These rules may be called the Orissa Civil Services (Classification, Control and Appeal) Amendment Rules, 1994.
- (2) They shall come into force on the date of their publication in the *Orissa Gazette*.

2. In the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962 (hereinafter referred to as the said rules), for clause (i) of sub-rule (10) of rule 15, the following clause shall be substituted, namely:—

✓“(i) If the disciplinary authority having regard to the findings on the charges, is of the opinion that any of the penalties specified in clause (vi) to (ix) of rule 13 should be imposed, he shall—

- (a) furnish to the Government Servant 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 and give him a notice stating the penalty proposed to be imposed on him and calling upon him to submit within a specified time such representation as he may wish to make against the proposed penalty:

Provided that in every case in which it is necessary to consult the Commission under the provision of the Constitution of India and the Orissa Public Service Commissions (Limitation of Functions) Regulations, the record of inquiry together with a copy of the notice given under sub-clause (a) and the representation if any, received within the specified time in response to such notice shall be forwarded by the disciplinary authority to the Commission for its advice.

- (b) On receipt of the advice from the Commission the disciplinary authority shall consider the representation, if any, made by the Government servant and the advice given by the Commission and shall pass appropriate orders in the case.

- (c) In any case in which it is not necessary to consult the Commission the disciplinary authority shall consider the representation, if any, made by the Government servant in response to the notice under sub-clause (a) and pass appropriate orders in the case”.

By order of the Governor

PRITIMAN SARKAR

Special Secretary to Government