

No. PSC-2/94. 15540 / Gen., Dt. 20.7.94 48

To

All Departments of Government.

Sub:- Implementation of the suggestion and observation of O.P.S.C.

The undersigned is directed to say that the Chairman, Orissa Public Service Commission, presented the Annual Report of the Commission for the year 1991-92 to the Governor and Chief Minister during the 2nd fortnight of March, 1994. While examining the report in this Department, it is noticed that the Commission have drawn the attention of Government regarding delayed offers of appointment, delayed acceptance of Commission's advice relating to promotion, delayed notification of recruitment rules and delayed acceptance of Commission's advice in disciplinary cases by different Departments of Government. Further, the Commission have also drawn the attention of Government on the following issues.

- i) Non-acceptance of Commission's advice
- ii) Adhoc appointment
- iii) Incomplete references
- iv) Return of cases due to non-receipt of information/documents.

The Commission have expressed their deep concern in the matter of non-acceptance of their advice on certain cases and there is a rising tendency in the rate of non-acceptance of their advice. Therefore, due care and caution may be taken while obtaining Government orders in those cases when recommendation of the Commission is proposed to be over-ruled.

In the matter of adhoc appointment and incomplete references instructions have already been issued in D.O. letter No. 1617 dated 0.1.92 of the Chief Secretary, Orissa in which

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it has been impressed upon all concerned to discontinue the practice of adhoc appointments and to ensure that references to the Commission when furnished should be completed in all respects in absence of which the Commission would not be able to make a recommendation. These instructions may be followed scrupulously.

4. As regards submission of complete documents to the Commission a clarification has already been issued to all Departments in this Department Memo No. 4229/Gen. Dt. 21.2.94. Therefore, while making a reference to the Commission complete documents as required in Rule 3(c) of the O.C.S. (Criteria for promotion) Rules, 1992 may be furnished for a quick action at their level.

5. The Commission have further observed that despite repeated observations made by them, proper assessment of vacancies is not being made by the Departments. The concerned Departments do not also intimate the tentative number of vacancies for being included in the Commission's advertisement for the information of the prospective candidates. Apart from failure to furnish forecast of vacancies in time, the Departments who have to report the vacancies are unable to assess the requirement with exactitude. As a result, in respect of some of these recruitments, the number of vacancies notified initially in the advertisement by the Commission did not bear relation to the number of vacancies finally reported for being filled on the results of those recruitments. These figures are so much at variance with each other that it is difficult for the Commission to accept that there has been any systematic man power planning. The Commission have therefore urged that the recruiting departments should identify the cases of disparities in their initial and final demands and ensure that correct requirements are projected well in advance as far as possible.

6. The Commission have also observed that despite their repeated advice some Departments have not yet framed Rules regulating recruitment by promotion under Article 309 of the Constitution.

It is also observed by the Commission that the procedure laid down for imposition of major and minor penalties as provided under Rule 15 and 16 of the O.C.S. (CCA) Rules, 1962 are not followed properly in many cases. Besides, a large number of cases referred to them for advice are found to be incomplete.

It is, therefore, requested that the above observations of the Commission may be borne in mind for necessary guidance.

P. G. Rao
18/7/94

Special Secretary to Government.

Memo No. 15541 /Gen.,Dt. 20.7.94

Copy to the Special Secretary, Orissa Public Service Commission, Orissa, Cuttack for information.

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18/7/94

O.S.D. to Chief Secretary and
Ex-officio Joint Secretary to
Government.

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