

## IMPOSITION OF PENALTY.

| Sl.No | Date       | Type                | File No                 | Subject   |
|-------|------------|---------------------|-------------------------|---|
| 1.    | 2.7.1959   | Official Memorandum | GAD (S-1) 23 SSR 59     | "Warning" and "Censure" Distinction between.  |
| 2.    | 20.7.1959  | Official Memorandum | GAD (S-1) 44 SSR 59     | Imposition of penalty of reduction specifying the period.   |
| 3.    | 1.12.1960  | Official Memorandum | FD 92 SRS 60            | Clarification regarding Rule 59, Mysore Civil Services Rules.   |
| 4.    | 26.6.1968  | Official Memorandum | GAD 25 SSR 68           | Procedure in disciplinary cases-withholding of increments.  |
| 5.    | 25.3.1969  | Official Memorandum | GAD 7 SSR 69            | Penalty of reduction-specifying the period  |
| 6.    | 2.11.1973  | Official Memorandum | GAD 18 SSR 73           | Withholding of increment (s) with cumulative effect-procedure to be followed in imposing the penalty of.  |
| 7.    | 2.5.1974   | Official Memorandum | GAD 12 SSR 74           | Withholding of increment (s) with cumulative effect-procedure to be followed in imposing the penalty of -   |
| 8.    | 20.10.1975 | Official Memorandum | FD 213 SRS 71           | Rule 59 of the Karnataka Civil Services Rules - clarification regarding   |
| 9.    | 23.5.1977  | Official Memorandum | DPAR 18 SSR 77,         | Disciplinary proceedings against Government servants.   |
| 10.   | 14.7.1978  | Circular            | DPAR 24 SSR 78          | Imposition of penalty of withholding of increments and reduction to lower stages in time scale of pay or to a lower post etc.-instructions reg.                       |
| 11.   | 28.9.1978  | Official Memorandum | FD 17 SRS 78            | Instructions under Rule 59 of the Karnataka Civil Services Rules-Further clarification regarding.   |
| 12.   | 07.12.1994 | Circular            | ಸಿಆಸುಇ 12 ಸೇಇವಿ 94,     | ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ (ಪರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಾವಳಿಗಳು-1957 - ಆಪಾದಿತ ನೌಕರನಿಗೆ ಇಲಾಖಾ ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಯ ವರದಿಯನ್ನು ಕೊಟ್ಟು ತದನಂತರ ದಂಡನೆಯನ್ನು ವಿಧಿಸುವ ಬಗ್ಗೆ |
| 13.   | 07.11.1995 | Circular            | ಸಿಆಸುಇ 13 ಸೇಇವಿ 95      | ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ (ಪರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಗಳು, 1957ರಡಿಯಲ್ಲಿ ಇಲಾಖಾ ವಿಚಾರಣೆಗಳನ್ನು ನಡೆಸುವ ಬಗ್ಗೆ ಮಾರ್ಗಸೂಚಿಗಳು   |
| 14.   | 02.07.1997 | Circular            | ಸಿಆಸುಇ 06 ಸೇಇವಿ 97      | ಗ್ರೂಪ್-ಬಿ ವರ್ಗದ ಅಧಿಕಾರಿಗಳ ಮೇಲೆ ಶಿಸ್ತಿನ ಕ್ರಮ ಜರುಗಿಸಿ ದಂಡನೆ ವಿಧಿಸುವ ಬಗ್ಗೆ   |
| 15.   | 23.03.2002 | Circular            | ಡಿಪಿಎಆರ್ 47 ಸೇಇವಿ 2001, | ಸರ್ಕಾರಿ ನೌಕರರ ವಿರುದ್ಧ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಉದ್ದೇಶಿಸಿದ ಪ್ರಕರಣಗಳಲ್ಲಿ ಸರ್ಕಾರಿ ನೌಕರರ ಸೇವಾ ವಿವರಗಳನ್ನು ನಮೂದಿಸುವ ಬಗ್ಗೆ ಹಾಗೂ ದೋಷರಹಿತ ಆದೇಶಗಳನ್ನು ಹೊರಡಿಸುವ ಬಗ್ಗೆ                |

## GOVERNMENT OF MYSORE

No.GAD (S1) 23 SSR 59.

Mysore Government Secretariat,  
Vidhana Soudha,  
Bangalore, Dated: 2nd July, 1959.  
Ashada 11 S.E. 1881.

### OFFICIAL MEMORANDUM

**Sub:-** "Warning" and "Censure" - Distinction between.

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Enquiries are being received by Government as to the distinction between "Warning" and "Censure". The main distinction is that an order of "Censure" is a **formal and public** act intended to convey that the person concerned has been held guilty of some blame-worthy act or omission for which it has been found necessary to award him a formal punishment. And nothing can amount to a 'Censure' unless it is intended to be such a formal punishment and imposed for 'good and sufficient reasons' after following the procedure prescribed in the Mysore Civil Services (C.C.A) Rules 1957. A record of the punishment so imposed is kept on the Officer's confidential roll and the fact that he has been 'Censured' will have its bearing on the assessment of his merit or suitability for promotion to higher posts.

2. It is the duty of superior officer to see that he gives to his subordinates at all time advice, guidance and assistance to correct their faults and deficiencies. There may be occasions when a superior officer may find it necessary to criticise adversely the work of his subordinates (e.g. point out negligence, carelessness, lack of thoroughness, delays, etc) or he may call for an explanation for some act or omission and taking all circumstances into consideration, it may be felt that, while the matter is not serious enough to justify the imposition of the formal punishment of 'Censure', it calls for some informal action, such as the communication of written warning, admonition or reprimand.

3. It is a matter of simple nature justice that written warnings, reprimands etc., should not be administered or placed on a Government servant's confidential record unless the authority doing so is satisfied that there is good and sufficient reason to do so. Thus, if the circumstances, justify it, a mention may also be made of such a warning etc., in the officer's confidential roll; however, the mere fact that it is so mentioned in the character roll does not convert the warning etc., into a 'Censure', because it has not intended that a "Formal punishment" should be inflicted nor were any formal proceedings as required under the C.C.A. Rules held.

The Heads of Departments are required to bear in mind this distinction between 'Warning' and 'Censure'.

Sd/-  
Under Secretary to Government,  
G.A.D. (Services-I).

**O.M.No.GAD (S-1) 44 SSR 59, Bangalore, dated 20th July 1959.**

**Imposition of Penalty of reduction-specifying the period**

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One of the penalties specified in Rule 8 of the Mysore Civil Services (Classification, Control & Appeal) Rules, 1957 is reduction to a lower service, grade or post. According to Rule 7 of Mysore Govt. Servants (Seniority) Rules, 1957 when a Government servant is reduced to lower service, class or grade without specifying the rank to which he should be reduced in the lower service, class or grade or the period for which he should be reduced, he is normally placed at the top of the lower service, class or grade. In such cases he will be eligible for promotion when the next vacancy in the higher grade occurs. In case such a vacancy arises immediately after a Government servant is reduced to a lower grade or class and the delinquent Government servant is promoted to the higher grade the intention underlying his reduction to a lower service or grade would be defeated. In order to avoid such contingencies, the disciplinary authorities are requested to see that while issuing orders imposing the penalty of reduction to a lower service, class or grade (a) the rank to which the Government Servants concerned should be reduced in the lower grade or service is expressly specified and (b) the period for which the reduction order should be in effect, i.e., during which he shall not be considered for promotion, is specifically mentioned. The result of such an order will be that the Government servant cannot be promoted (i.e., restored) to the higher grade until the period expires. After the period expires, he is not automatically restored to the higher grade but will be eligible to be considered for promotion when the next vacancy occurs.

**O.M.No.FD 92 SRS 60, dated: 1st December 1960.**

**Sub:-** Clarification regarding Rule 59, Mysore Civil Services Rules.

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Doubts have been expressed as to the exact interpretation of Rule 59 of the Mysore Civil Services Rules, and therefore the following clarifications are issued for the information and guidance of all concerned.

"Instruction" below Rule 59:-

"(a) Every order passed by a competent authority imposing on a Government servant the penalty of reduction to a lower stage in a time-scale should indicate.

- (i) the date from which it will take effect and the period (in terms of years and months) for which the penalty shall be operative;
- (ii) the stage in the time-scale (in terms of rupees to which the Government servant is reduced; and
- (iii) the extent (in term of years and months) if any, to which the period referred to at (i) above should operate to postpone future increments.

It should be noted that reduction to a lower stage in a time-scale is not permissible under the rules either for an unspecified period or as a permanent measure. \* Deleted by on No. FD 17 SRS 76 Dated 28th September 1978 [Also when a Government servant is reduced to a particular stage, his pay will remain constant at that stage for the entire period of reduction.] The period to be specified under (iii) should in no case exceed the period specified under the period specified under (i);

(b) The question as to what should be the pay of a Government servant on the expiry of the period of reduction should be decided as follows:-

- (i) If the order of reduction lays down that the period of reduction shall not operate to post-poner future increments, the Government servant should be allowed the pay which he would have drawn in the normal course but for the reduction. If however, the pay drawn by him immediately before reduction was below the efficiency bar he should not be allowed to cross the bar except in accordance with the he provision of rule 52;
- (ii) If the order specifies that the period of reduction was to operate to postpone future increments for any specified period the pay of the Government servant shall be fixed in accordance with (i) above but after treating the period for which the increment were to be postponed as not counting for increments.

**GOVERNMENT OF MYSORE**

No.GAD 25 SSR 68

Mysore Government Secretariat,  
Vidhana Soudha,  
Bangalore, dated the 26th June 1968.

**OFFICIAL MEMORANDUM**

**Sub:-** Procedure in Disciplinary cases - Withholding of increments.

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In Para 3 of Circular No.GAD (S-1) 35 SSR 58 dated 8th January 1959 the Government have pointed out that reduction in pay or postponement of the increment with retrospective effect, except where the pay is held up at an efficiency bar, is a major penalty which attracts the provisions of Article 311 (2) of the Constitution. It would follow that if the procedure prescribed under the Mysore Civil Services (Classification, Control & Appeal) Rules, 1957 for the imposition of a major penalty is not followed, the enquiry proceedings would become vitiated and the penalty would become illegal.

In spite of these clear instructions, it has come to the notice of the Government that increments, which had accrued due but were not actually granted and paid to the concerned Government servant, are being ordered to be withheld under Rule 12 of the C.C.A. Rules as a measure of penalty. On a Write Petition filed by the aggrieved Government servant against the said punishment, the High Court of Mysore has held that such a punishment is a major punishment as it would amount to reduction in pay and consequently, a reduction in rank, and that the procedure laid down in Rule 11 of the C.C.A. Rules Should have been followed.

The attention of all the Disciplinary and Appellate authorities under the C.C.A. Rules is once again invited to the legal position that an increment which had already accrued due, can be stopped/withheld only in case where an enquiry under Rule 11 of the C.C.A. Rules has been held.

sd/-

**W.A.Smith,**

Under Secretary to Government,  
General Administration Department,  
(Service Rules).

## GOVERNMENT OF MYSORE

No.GAD 7 SSR 69

Mysore Government Secretariat,  
Vidhana Soudha,  
Bangalore, Dated 25th March 1969.

### OFFICIAL MEMORANDUM

**Sub:-** Penalty of reduction - Specifying the period.

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In Official Memorandum No. GAD (S-1) 44 SSR 59 dated 20th July 1959, instructions were issued to the effect that whenever penalty of reduction in rank is imposed on Government Servants under the Classification, Control and Appeal Rules, the period of reduction to the lower service should be for a specific period to be mentioned in the order imposing the penalty and that delinquent Government servant should be considered for promotion when the next vacancy occurs after the expiry of period. It has also been laid down that restoration to the original grade is not automatic.

In view of the specific provision in the Mysore Civil Services Rules (Please vide note below Rules 59 (2) to the contrary, it is necessary to modify the instructions issued in the aforesaid Official Memorandum. It is accordingly directed that the last sentence occurring in the Official Memorandum viz. "After the period expires, he is not automatically restored to the higher grade but will be eligible to be considered for promotion when the next vacancy occurs" should be deleted.

**W.A.Smith,**  
Under Secretary to Government,  
General Administration Department,  
(Service Rules).

**GOVERNMENT OF KARNATAKA**

No.GAD 18 SSR 73

Karnataka Government Secretariat,  
Vidhana Soudha,  
Bangalore, Dated 2nd November 1973.

**OFFICIAL MEMORANDUM**

**Sub:-** Withholding of increment(s) with cumulative effect - procedure to be followed in imposing the penalty of –

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The penalty of withholding increment(s) mentioned in clause (iv) of rule 8 of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957, is required to be imposed after following the procedure laid down under rule 12. The Mysore (now Karnataka) High Court in Writ Petition No. 241 of 1969 (C.Veerachowdaiah Vs. State of Mysore and No. 1966 of 1968 (G.A.Appaiah Vs. State of Mysore) has held that the penalty of with-holding increments with cumulative effect or affect in the future increments amounts to reduction to a lower stage and is, therefore a major penalty. Inview of this decision of the High Court and pending decision on the appeal to the Supreme Court, all the Appointing Authorities and other Disciplinary Authorities competent to impose the above penalty under the Karnataka Civil Services (Classification, Control and Appeal) Rules, should follow the procedure prescribed under rule 11 while imposing this penalty.

2. The Secretaries to Government and Heads of Departments are requested to bring these instructions to the notice of all the appointing authorities/disciplinary authorities working under their control.

**N.P.Joshi,**  
Deputy Secretary to Government,  
General Administration Department  
(Service Rules).

## GOVERNMENT OF KARNATAKA

No.GAD 12 SSR 74

Karnataka Government,  
Vidhana Soudha,  
Bangalore, Dated 2nd May 1974.

### OFFICIAL MEMORANDUM

**Sub:-** Withholding of increment(s) with cumulative effect - procedure to be followed in imposing the penalty of -

**Ref:-** i) Official Memorandum No. GAD 18 SSR 73, dated 2.11.1973

ii) Government Notification No. GAD 28 SSR 69 dated 12.12.1973.

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Instructions were issued in Official Memorandum No. GAD 18 SSR 73, dated 2.11.1973 read at (i) above to all the Appointing Authorities and other Disciplinary Authorities to follow the procedure under rule 11 of the Classification Control and Appeal Rules while imposing the penalty of with holding increment(s) with cumulative effect on Government servants as in certain Writ Petitions it was held by the High Court that withholding of increment(s) had the effect of reducing a Government servant to a lower stage in a time scale of pay and it was then a major penalty.

Rule 8 of the Karnataka Civil Services (Classification, Control and Appeal) Rules has now been amended in Government Notification No. GAD 28 SSR 69, dated 12.12.1973 and the penalty of reduction to a lower stage in the time scale constitutes a minor penalty. Therefore, while imposing the above penalty or the penalty of withholding of increments with cumulative effect, the procedure under rule 12 only has to be followed and it is not necessary to follow the procedure under rule 11 of the C.C.A. Rules. The Official Memorandum No. GAD 18 SSR 73, dated 2.11.1973 may therefore be treated as with drawn with effect from 24.1.1974 on which date the amendments were published in the Gazette.

sd/-

**Syed Karimullah Khadri,**  
Under Secretary to Government, General  
Administration Department  
(Service Rules).



## GOVERNMENT OF KARNATAKA

No.FD 213 SRS 71

Karnataka Government Secretariat,  
Vidhana Soudha,  
Bangalore, Dated 20th October 1975.

### OFFICIAL MEMORANDUM

**Sub:-** Rule 59 of the Karnataka Civil Services Rules - Clarification regarding.

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In Government Order No. FD 92 SRS 60, dated 1.12.1960 orders have been issued directing the competent authority imposing on a Government servant the penalty of reduction to a lower stage in a time-scale, to indicate in every order imposing such a penalty.

- i) the date from which the order should take effect and the period (in terms of years and months), for which the penalty shall be operative;
- ii) the stage in the time-scale (in terms of rupees) to which the Government servant is reduced; and
- iii) the extent (in terms of years and months), if any to which the period referred to at (i) above should operate to postpone future increments. It is also clarified therein that reduction to a lower stage in a time-scale is not permissible under the rules for an unspecified period or on permanent basis and when a Government servant is reduced to a particular stage his pay will remain constant at that stage for the entire period of reduction.

In many cases it is seen that the orders passed by the competent authorities reducing the Government servant to a lower stage in a time-scale do not actually specify the exact stage in terms of rupees on account of which doubts have been expressed as to whether increments that fall due during the period of reduction to the lower stage in a time-scale are to be sanctioned as and when they fall due during that period. It is also argued that in the absence of specific mention in the order of penalty, of with-holding increments during the period of penalty the increments that fall due during that period cannot be with-held as the penalties of reduction to a lower stage in a time-scale and withholding of increment are two different punishments.

On consultation, the Government of India, Ministry of Finance, intimated that during the entire period of penalty the Government servant has to draw the pay at the stage to which he has been reduced without earning any increments. In view of this and of the clarification issued in second para of clause (a) in O.M. No. FD 92 SRS 60, dated 1.12.1960 cited above, that when a Government servant is reduced to a particular stage his pay will remain constant at that stage for the entire period of reduction, it is further clarified that no increments should be granted during the entire period of penalty of reduction to a lower stage in a time-scale and he should draw pay at the stage of which he has so been reduced during that entire period of penalty.

With a view to achieve this object it is further directed that the competent authority should ensure that every order imposing on a Government servant the penalty of reduction to a lower stage in a time-scale invariably specifies that stage in terms of rupees to which the Government servant is reduced, as in the following form.

"The ..... has decided that Shri ..... should be reduced to the pay of Rs ..... for a period of ..... with effect from ....."

sd/-

**M.A.Srinivasan,**  
Under Secretary to Government,  
Finance Department (Services-I).

**No. DPAR 18 SSR 77, dated 23rd May 1977**

**Sub:- Disciplinary proceedings against Government servants.**

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According to the Rules of Business, certain cases concerned disciplinary proceedings against Government servants are required to be submitted to the Cabinet. In order to enable the Cabinet to take an appropriate decision in such cases, the following service particulars of the Government servants involved should be furnished in the Cabinet note or in a statement appended to it.

1. Name of the Government servant.
2. Date of birth
3. Date of superannuation
4. Date of entry into service
5. Length of service
6. The post held at present or at the time of his suspension, pay scale and pay
7. If he is a promotee to the present post, the date of his promotion, its pay scale and his pay on the date of promotion
8. If he is/was under suspension, the date of suspension and reinstatement if any.

The Secretaries to Government are requested to ensure that these instructions are followed in all such cases.

**Circular No. DPAR 24 SSR 78, dated 14th July 1978**

**Sub:-** Imposition of penalty of withholding of increments and reduction to lower stages in time scale of pay or to a lower post etc.- Instructions reg.

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Withholding of increments is one of the penalties specified under clause (iii) of Rule 8 of the Karnataka Civil Services (Classification, Control and Appeal) Rules 1957. While imposing this penalty on a Government servant the competent Disciplinary Authority has to specify in its order the period for which the increment is withheld or postponed and whether such postponement would have the effect of postponing further increments as indicated in Rule 51 of Karnataka Civil Services Rules.

1. It is noticed that in some cases the disciplinary authorities have imposed this penalty without any such directions as referred to above and without even verifying what their pay and pay scales were at the time of imposing the penalty and whether any increments were due to accrue to them after the date of the order imposing the penalty. Other factors such as whether the Government servants were in the run for promotion before the next increments became due or whether they were due to retire shortly were also not verified before passing the orders.

2. Omission to verify these relevant factors has led to passing of instructions orders in some cases. Orders of the competent Disciplinary Authorities in such cases had to be reviewed in appeal or review.

3. All this could have been avoided if the concerned authorities had taken into consideration various factors referred to above before issuing orders imposing penalties. It is therefore hereby impressed on all the Appointing Authorities / Disciplinary Authorities that before passing orders imposing the penalty of withholding increments or the penalty of reduction to a lower stage in the pay scale or the lower post / service, they should invariably verify:-

- (a) the pay of the delinquent Government servant,
- (b) the pay scale of the post held by him
- (c) whether the Government servant would earn any increments after imposition of the penalty
- (d) whether he is in the run for promotion, before any increment accrues to him in existing scale after imposing of the said penalty, and
- (e) whether he is due to retire before the proposed penalty is fully implemented.

and then pass appropriate orders having due regard to the provisions of clauses (iii), (iva) and (v) of rule 8 of Classification, Control and Appeal Rules as the case may be, rule 59 of Karnataka Civil services Rules and instructions issued by Finance Department in its O.M. No. FD 92 SRS 60, dated 1st December 1960 and O.M. No. FD 213 SRS 71, dated 20th October 1975 so that the order can be implemented fully and effectively.

4. Secretaries to Government and Heads of Departments are requested to bring these instructions to the notice of all the Appointing Authorities and other Disciplinary Authorities under their control for guidance.

## GOVERNMENT OF KARNATAKA

No.FD 17 SRS 78.

Karnataka Government Secretariat,  
Vidhana Soudha,  
Bangalore, Dated 28th Sept. 1978.

### OFFICIAL MEMORANDUM

**Sub:-** Instruction under rule 59 of the Karnataka Civil Services Rules -  
Further clarifications regarding.

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In O.M. No. FD 92 SRS 60 dated 1.12.1960, instructions were issued directing interlia that in cases where a Government servant is reduced to a particular stage, his pay will remain constant at that stage for the entire period of reduction. The tenability of these directions in the context of the powers conferred on the competent authorities under the Karnataka Civil Services (C.C.A) Rules has been examined by Government. Under the provisions of the Karnataka Civil Services (C.C.A) Rules, a competent authority can impose on a Government servant the penalty of reduction of pay to lower stage or that of withholding increments in the time scale or both. It follows that such punishments have to be imposed only as a result of a departmental enquiry held against a Government Servant. The directions contained in the Official Memorandum dated 1.12.1960 referred to above would mean that although the competent authority had imposed a penalty of only reduction of pay to a lower stage in a time-scale, the Government servant concerned will not draw annual increments during the period of reduction. Since this constitutes a penalty, it has to be ordered only by the competent authority on the conclusion of a departmental enquiry. It is, therefore, hereby directed that the following sentence in clause (a) of the above mentioned instructions shall be deemed to have been withdrawn:-

"Also when a Government servant is reduced to a particular stage, his pay will remain constant at that stage for the entire period of reduction".

It is also directed that the pay and allowances of a Government servant on whom the above penalty has been imposed should be regulated having regard to the directions issued by the competent authority under Rule 8 (iv-a) of the Karnataka Civil Services (C.C.A) Rules, 1957.

sd/-

**G.N.Honavar,**  
Under Secretary to Government,  
Finance Department (Expenditure-IV)

## ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ:ಸಿಆಸುಇ 12 ಸೇಇವಿ 94

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಚಿವಾಲಯ  
ವಿಧಾನಸೌಧ  
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 7.12.1994

### ಸುತ್ತೋಲೆ

**ವಿಷಯ:** ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಾವಳಿಗಳು, 1957ರ ಆಪಾದಿತ ನೌಕರರಿಗೆ ಇಲಾಖಾ ವಿಚಾರಣಾ ನಂತರ ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಯ ವರದಿಯನ್ನು ಕೊಟ್ಟು ತದನಂತರ ದಂಡನೆಯನ್ನು ವಿಧಿಸುವ ಬಗ್ಗೆ.

**ಉಲ್ಲೇಖ:** ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ: ಡಿಪಿಎಆರ್ 6 ಎಸ್‌ಡಿಇ 91 ದಿನಾಂಕ: 21.03.1992

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ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಾವಳಿಗಳು 1957ರ 8ನೇ ನಿಯಮದಲ್ಲಿ ನಮೂದಿಸಿರುವ v ರಿಂದ viii ರವರೆಗಿನ ಕಠಿಣ ದಂಡನೆಗಳನ್ನು ಆಪಾದಿತ ನೌಕರನಿಗೆ ವಿಧಿಸುವ ಮೊದಲು ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು ಅನುಸರಿಸಬೇಕಾದ ಕ್ರಮವನ್ನು ಉಲ್ಲೇಖಿತ ಸುತ್ತೋಲೆಯಲ್ಲಿ ನೀಡಲಾಗಿದೆ.

ಈ ಸೂಚನೆಗಳು ಇದ್ದಾಗ್ಯೂ ಕೂಡ ಸಚಿವಾಲಯದ ಇಲಾಖೆಗಳು ಹಾಗೂ ಇಲಾಖಾ ಮುಖ್ಯಸ್ಥರು ಕಟ್ಟುನಿಟ್ಟಾಗಿ ಪಾಲಿಸುತ್ತಿಲ್ಲವೆಂದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿರುತ್ತದೆ. ಕರ್ನಾಟಕ ಆಡಳಿತ ನ್ಯಾಯ ಮಂಡಳಿಯು ಅರ್ಜಿ ಸಂಖ್ಯೆ: 540:94ರಲ್ಲಿ ದಿನಾಂಕ: 06.07.1994ರಂದು ಈ ಕೆಳಕಂಡಂತೆ ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿದೆ.

“ Even though, the decision of the Supreme Court in Ramzan Kahn’s case was rendered about three years ago (1990) in some of the departments, including some of the Secretariat Departments the disciplinary Authorities are passing final orders imposing penalties without furnishing copies of the Inquiry Report to the delinquent Officer as contemplated by the said decision of the Supreme Court. The Appellate Authorities also do not consider this aspect while passing orders on appeals. If those delinquent Officers approach the Tribunal there is no other go except to quash the orders of the disciplinary and appellate authority to pass fresh orders. We have passed such orders in hundred of cases. In some of those cases, the Government was either the Disciplinary Authority or the Appellate Authority. It is really unfortunate that the Government Officers are not aware of this legal position even after three years, which gives rise to avoidable litigation”.

ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಾವಳಿಗಳು 1957ರ ಪ್ರಕಾರ ನೇಮಕಾತಿ ಪ್ರಾಧಿಕಾರ ಮತ್ತು ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು, ತಾನೇ ಸ್ವತಃ ನಡೆಸಬಹುದಾಗಿದೆ ಅಥವಾ ಆ ಪ್ರಾಧಿಕಾರವು ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರವನ್ನು ನೇಮಿಸಿ ನಡೆಸಬಹುದಾಗಿದೆ.

ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರವು ನಿಯಮಾನುಸಾರ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಿ ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ವಿಚಾರಣಾ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಿದ ನಂತರ ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಯ ವರದಿಯನ್ನು ಒಪ್ಪಿಕೊಂಡ ಪಕ್ಷದಲ್ಲಿ ಅದನ್ನು ಆರೋಪಿತ ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಕಳುಹಿಸಿ, ಅವರಿಗೆ ಸೂಕ್ತ ಕಾಲಾವಕಾಶವನ್ನು ಕೊಟ್ಟು ಅವರ ಹೇಳಿಕೆಯನ್ನು ಪಡೆದು, ತದನಂತರ ಸೂಕ್ತ ದಂಡನೆಯನ್ನು ವಿಧಿಸಬಹುದು.

ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಯ ವರದಿಯನ್ನು ಒಪ್ಪದೇ ಇದ್ದ ಪಕ್ಷದಲ್ಲಿ ತಾನು ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಯ ವರದಿಯನ್ನು ಏಕೆ ಒಪ್ಪಲಿಲ್ಲ ಎಂಬ ಬಗ್ಗೆ ಸ್ಪಷ್ಟವಾಗಿ ನಮೂದಿಸಿ ಆರೋಪಿತ ಅಧಿಕಾರಿ:ನೌಕರರ ಹೇಳಿಕೆಯನ್ನು ಪಡೆದು ಪರಿಗಣಿಸಿ ತದನಂತರ ಸೂಕ್ತ ದಂಡನೆಯನ್ನು ವಿಧಿಸಬಹುದಾಗಿದೆ.

ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಾವಳಿಗಳು 1957ರ ನಿಯಮ 14(ಎ) ಪ್ರಕಾರ, ಸರ್ಕಾರಿ ನೌಕರರ ದುರ್ನಡತೆ ವಿರುದ್ಧ ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತ ಅಥವಾ ಉಪಲೋಕಾಯುಕ್ತರಿಗೆ ಸರ್ಕಾರ ಮಾತ್ರವೆ ತನಿಖೆಗಾಗಿ ವಹಿಸಿದ ಸಂದರ್ಭದಲ್ಲಿ ಮಾನ್ಯ ಲೋಕಾಯುಕ್ತ: ಉಪಲೋಕಾಯುಕ್ತರು ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಯನ್ನು ನೇಮಿಸಿದ್ದು ಆರೋಪಿತ ಸರ್ಕಾರಿ ನೌಕರನಿಗೆ ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರದ ವರದಿ ಹಾಗೂ ಲೋಕಾಯುಕ್ತ ಅಥವಾ ಉಪಲೋಕಾಯುಕ್ತರು ನೀಡಿದ ಶಿಫಾರಸ್ಸುಗಳೇನಾದರೂ ಇದ್ದಲ್ಲಿ ಆ ಶಿಫಾರಸ್ಸನ್ನು ಸಹ ಕೊಟ್ಟು ಹೇಳಿಕೆಯನ್ನು ಪಡೆಯಬೇಕಾಗಿರುತ್ತದೆ.

ಇಲಾಖಾ ವಿಚಾರಣೆಯಲ್ಲಿ ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಯು ಸರ್ಕಾರಿ ನೌಕರರನ್ನು ಆರೋಪಗಳಿಂದ ಮುಕ್ತ ಮಾಡಿದ್ದರೆ ಮತ್ತು ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರವು ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಯ ವರದಿಯನ್ನು ಒಪ್ಪಿ ಇಲಾಖಾ ವಿಚಾರಣೆಯಲ್ಲಿ ಆರೋಪಿತ ನೌಕರರನ್ನು ಆರೋಪದಿಂದ ಮುಕ್ತಗೊಳಿಸಿ ಆದೇಶ ಹೊರಡಿಸುವಾಗ ಅಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಆರೋಪಿತ ಅಧಿಕಾರಿ:ನೌಕರರಿಗೆ ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಯ ವರದಿಯನ್ನು ಕಳುಹಿಸುವ ಅವಶ್ಯಕತೆ ಇಲ್ಲ.

ಯಾವುದೇ ಸಂದರ್ಭದಲ್ಲಿ ಲಘು ದಂಡನೆಯಾಗಲಿ, ಕಠಿಣ ದಂಡನೆಯನ್ನಾಗಲಿ ವಿಧಿಸಬೇಕಾದಲ್ಲಿ ವಿಚಾರಣಾ ಧಿಕಾರಿಯ ವರದಿಯನ್ನು ಆರೋಪಿತ ಅಧಿಕಾರಿ:ನೌಕರರಿಗೆ ಕಳುಹಿಸುವುದು ಕಡ್ಡಾಯವಾಗಿದೆ.

ಆದ್ದರಿಂದ ಎಲ್ಲಾ ನೇಮಕಾತಿ ಹಾಗೂ ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಿಗಳು ಮೇಲ್ಮನವಿ ಪ್ರಾಧಿಕಾರಿಗಳು ಈ ಅಂಶಗಳನ್ನು ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಸಂದರ್ಭಾನುಸಾರ ಪಾಲಿಸಬೇಕೆಂದು ಈ ಮೂಲಕ ಸೂಚಿಸಲಾಗಿದೆ.

ಸಹಿ/-

**ಕಣ್ಣನ್ ಕುಟ್ಟಿ ಕುಳುವಿಲ್,**  
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ-2,  
ಸಿಬ್ಬಂದಿ ಮತ್ತು ಆಡಳಿತ ಸುಧಾರಣಾ ಇಲಾಖೆ,  
(ಸೇವಾ ನಿಯಮಗಳು)



## ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 13 ಸೇಇವಿ 95

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ  
ವಿಧಾನಸೌಧ  
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 7.11.1995

### ಸುತ್ತೋಲೆ

**ವಿಷಯ:** ಕರ್ನಾಟಕ ನಾಗರಿಕ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಗಳು, 1957ರಡಿಯಲ್ಲಿ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸುವ ಬಗ್ಗೆ ಮಾರ್ಗಸೂಚಿಗಳು.

- ಉಲ್ಲೇಖ:**
1. ಅಧಿಕೃತ ಜ್ಞಾಪನ ಸಂಖ್ಯೆ: ಜಿಎಡಿ(ಒಆರ್) 3 ಸಿಎಆರ್ 57  
ದಿನಾಂಕ: 14.12.1957
  2. ಅಧಿಕೃತ ಜ್ಞಾಪನ ಸಂಖ್ಯೆ: ಜಿಎಡಿ 171 ಎಸ್‌ಎನ್‌ಆರ್ 65,  
ದಿನಾಂಕ: 02.02.1966
  3. ಅಧಿಕೃತ ಜ್ಞಾಪನ ಸಂಖ್ಯೆ: ಜಿಎಡಿ 26 ಎಸ್‌ಎಸ್‌ಆರ್ 72,  
ದಿನಾಂಕ: 23.06.1972
  4. ಅಧಿಕೃತ ಜ್ಞಾಪನ ಸಂಖ್ಯೆ: ಡಿಪಿಎಆರ್ 24 ಎಸ್‌ಎಸ್‌ಆರ್ 78,  
ದಿನಾಂಕ: 14.07.1978
  5. ಅಧಿಕೃತ ಜ್ಞಾಪನ ಸಂಖ್ಯೆ: ಡಿಪಿಎಆರ್ 10 ಎಸ್‌ಡಿಇ 82,  
ದಿನಾಂಕ: 19.04.1982
  6. ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ: ಡಿಪಿಎಆರ್ 14 ಎಸ್‌ಡಿಇ 85, ದಿನಾಂಕ:  
05.07.1985
  7. ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ: ಡಿಪಿಎಆರ್ 6 ಎಸ್‌ಡಿಇ 91, ದಿನಾಂಕ:  
21.3.1992
  8. ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ: ಡಿಪಿಎಆರ್ 12 ಸೇಇವಿ 94, ದಿನಾಂಕ:  
7.12.1994

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ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರದ: ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರದ ನಿರ್ಲಕ್ಷ್ಯದಿಂದಾಗಿ ಅನೇಕ ಇಲಾಖಾ ವಿಚಾರಣಾ ಪ್ರಕರಣಗಳಲ್ಲಿ ದಂಡನೆ ವಿಧಿಸುವ ಮೊದಲು ವಿಚಾರಣಾ ವರದಿಯ ಪ್ರತಿಯನ್ನು ಆಪಾದಿತ ನೌಕರ: ಅಧಿಕಾರಿಗೆ ಕಳುಹಿಸದೇ ಇರುವುದರಿಂದ, ಪರಿಣಾಮಕಾರಿಯಾಗಿ ದಂಡನೆಯು ಜಾರಿಯಾಗುತ್ತಿಲ್ಲವೆಂದೂ, ಇಂತಹ ಕೆಲವೊಂದು ಪ್ರಕರಣಗಳು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿರುತ್ತದೆ.

2. ಈ ರೀತಿ ಇಲಾಖಾ ವಿಚಾರಣೆಯ ವಿಫಲತೆಗೆ ಕಾರಣರಾಗುವ ಸಂಬಂಧಪಟ್ಟ ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿ:ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಿಗಳನ್ನು ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಒಳಪಡಿಸುವ ಮತ್ತು ಈ ಸಂಬಂಧದಲ್ಲಿ ಸೂಕ್ತ ಸೂಚನೆಯನ್ನು ನೀಡುವ ವಿಷಯವನ್ನು ಸರ್ಕಾರ ಪರಿಶೀಲಿಸಿದೆ.

3. ಉಲ್ಲೇಖ(1) ರಿಂದ (8)ರವರೆಗೆ ಉಲ್ಲೇಖಿಸಿರುವ ಅಧಿಕೃತ ಜ್ಞಾಪನ:ಸುತ್ತೋಲೆಗಳಲ್ಲಿ ಇಲಾಖಾ ವಿಚಾರಣೆಯಲ್ಲಿ ಅನುಸರಿಸಬೇಕಾದ ಮಾರ್ಗಸೂಚಿಯನ್ನು ನೀಡಲಾಗಿದೆ.

4. ಅನೇಕ ಸೂಚನೆ: ಮಾರ್ಗಸೂಚಿಗಳನ್ನು ಹೊರಡಿಸಿದ್ದಾಗ್ಯೂ ಕೂಡ ಇಲಾಖಾ ವಿಚಾರಣೆಯಲ್ಲಿ ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಿಗಳು ದಂಡನೆ ವಿಧಿಸುವ ಮೊದಲು ಸದರಿ ಸೂಚನೆಗಳನ್ನು ಗಣನೆಗೆ ತೆಗೆದುಕೊಳ್ಳದೇ ಇರುವ ಹಲವಾರು ಪ್ರಕರಣಗಳು ಗಮನಕ್ಕೆ ಬಂದಿದ್ದು, ಸರ್ಕಾರವು ಇದನ್ನು ಗಂಭೀರವಾಗಿ ಪರಿಗಣಿಸಿದೆ. ಆದ್ದರಿಂದ, ಇನ್ನು ಮುಂದೆ ಈ ಸೂಚನೆಗಳನ್ನು ಕಟ್ಟುನಿಟ್ಟಾಗಿ ಪಾಲಿಸುವಂತೆ ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಿಗಳಿಗೆ ಮತ್ತೊಮ್ಮೆ ಸೂಚಿಸಲಾಗಿದೆ. ಸದರಿ ಸೂಚನೆಗಳನ್ನು ಪಾಲಿಸದೇ ಇರುವ ವಿಚಾರಣಾ ಪ್ರಾಧಿಕಾರಿಗಳನ್ನು ಹಾಗೂ ಇಲಾಖಾ ವಿಚಾರಣೆಯಲ್ಲಿನ ಫಲಿತಾಂಶವನ್ನು ಪರಿಣಾಮಕಾರಿಯಾಗಿ ಜಾರಿಗೊಳಿಸುವಲ್ಲಿ ವಿಫಲರಾಗುವ ಸಂಬಂಧಪಟ್ಟ ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಿಗಳನ್ನು ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಒಳಪಡಿಸಬೇಕಾಗುತ್ತದೆಂದು ಈ ಮೂಲಕ ಎಚ್ಚರಿಸಿದೆ.

ಸಹಿ/-  
**ಎಸ್.ಬಿ.ಮುದ್ದಪ್ಪ,**  
ಸರ್ಕಾರದ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ

## ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ:ಸಿಆಸುಇ 06 ಸೇಇವಿ 97

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ  
ವಿಧಾನಸೌಧ  
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 02.07.97

### ಸುತ್ತೋಲೆ

ವಿಷಯ: ಗ್ರೂಪ್ 'ಬಿ' ವರ್ಗದ ಅಧಿಕಾರಿಗಳ ಮೇಲೆ ಶಿಸ್ತಿನ ಕ್ರಮ ಜರುಗಿಸಿ  
ದಂಡನೆ ವಿಧಿಸುವ ಬಗ್ಗೆ.

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ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಾವಳಿಗಳು 1957ರ ನಿಯಮ 9 (2) (ಎಎ) (ಬಿ), (ಬಿಬಿ) ಹಾಗೂ 15 (2ಎ)ರ ಪ್ರಕಾರ, ಅದರಲ್ಲಿ ನಮೂದಿಸಿದ ಎಲ್ಲಾ ಇಲಾಖಾ ಮುಖ್ಯಸ್ಥರು, ಗ್ರೂಪ್ 'ಬಿ'ಗೆ ಸೇರಿದ ಅಧಿಕಾರಿಗಳ ಮೇಲೆ ಶಿಸ್ತಿನ ಕ್ರಮ ಜರುಗಿಸಿ, ಅದರಲ್ಲಿ ನಮೂದಿಸಿದ ಅಲ್ಪದಂಡನೆಗಳನ್ನು ( Minor Penalties) ವಿಧಿಸಬಹುದು.

2. ಈ ರೀತಿ ಇಲಾಖಾ ಮುಖ್ಯಸ್ಥರಿಗೆ, ಗ್ರೂಪ್ 'ಬಿ' ಅಧಿಕಾರಿಗಳ ಮೇಲೆ, ಶಿಸ್ತಿನ ಕ್ರಮ ಜರುಗಿಸಿ, ದಂಡನೆ ವಿಧಿಸಲು ಅಧಿಕಾರ ನೀಡಿದ್ದರೂ ಸಹ, ಅನೇಕ ಇಲಾಖಾ ಮುಖ್ಯಸ್ಥರು, ಈ ಅಧಿಕಾರವನ್ನು ಬಳಸದೇ, ಪ್ರಸ್ತಾವನೆಗಳನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಕಳುಹಿಸಿರುತ್ತಾರೆ. ಇಲಾಖಾ ಮುಖ್ಯಸ್ಥರು, ತಮಗೆ ನೀಡಿದ ಸದರಿ ಅಧಿಕಾರವನ್ನು ಬಳಸದೇ ಸರ್ಕಾರಕ್ಕೆ ಪ್ರಸ್ತಾವನೆಗಳನ್ನು ಕಳುಹಿಸುವುದನ್ನು ಸರ್ಕಾರವು ಗಂಭೀರವಾಗಿ ಪರಿಗಣಿಸಿದೆ.

3. ದಿನಾಂಕ: 28.04.1980ರ ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ: ಡಿಪಿಎಆರ್ 17 ಎಸ್‌ಎಸ್‌ಆರ್ 80 ರಲ್ಲಿ ಈ ಬಗ್ಗೆ ವಿವರವಾದ ಸೂಚನೆಗಳನ್ನು ನೀಡಲಾಗಿದೆ. (ಪ್ರತಿ ಲಗತ್ತಿಸಿದೆ). ಅದರಲ್ಲಿನ ಸೂಚನೆಗಳನ್ನು ಕಟ್ಟುನಿಟ್ಟಾಗಿ ಪಾಲಿಸಬೇಕೆಂದು ಹಾಗೂ ಗ್ರೂಪ್ 'ಬಿ' ಅಧಿಕಾರಿಗಳ ಮೇಲೆ ಶಿಸ್ತಿನ ಕ್ರಮ ಜರುಗಿಸಿ, ವಿಚಾರಣೆ ಮುಗಿದ ನಂತರ ಗುರುತರ ದಂಡನೆ ವಿಧಿಸಬೇಕಾದ ಸಂದರ್ಭಗಳಲ್ಲಿ ಮಾತ್ರ ಪ್ರಕರಣವನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಕಳುಹಿಸಬೇಕೆಂದು ಸೂಚಿಸಲಾಗಿದೆ.

4. ಸದರಿ ಸೂಚನೆಗಳ ಉಲ್ಲಂಘನೆಯನ್ನು ಸರ್ಕಾರವು ಗಂಭೀರವಾಗಿ ಪರಿಗಣಿಸಲಾಗುವುದೆಂದು ಸಹ ಸೂಚಿಸಿದೆ.

ಸಹಿ/-

**ಕೆ.ಎಲ್.ಜಯರಾಮ್,**

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ-2,  
ಸಿಬ್ಬಂದಿ ಮತ್ತು ಆಡಳಿತ ಸುಧಾರಣೆ ಇಲಾಖೆ,  
(ಸೇವಾ ನಿಯಮಗಳು)

## ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 47 ಸೇಇವಿ 2001

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ  
ವಿಧಾನಸೌಧ,  
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 23.3.2002

### ಸುತ್ತೋಲೆ

ವಿಷಯ: ಸರ್ಕಾರಿ ನೌಕರನ ವಿರುದ್ಧ ಇಲಾಖಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಉದ್ದೇಶಿಸಿದ ಪ್ರಕರಣಗಳಲ್ಲಿ ಸರ್ಕಾರಿ ನೌಕರರ ಸೇವಾ ವಿವರಗಳನ್ನು ನಮೂದಿಸುವ ಬಗ್ಗೆ ಹಾಗೂ ದೋಷರಹಿತ ಆದೇಶಗಳನ್ನು ಹೊರಡಿಸುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: ದಿನಾಂಕ: 4.7.96ರ ಸುತ್ತೋಲೆ ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 7 ಸೇಇವಿ 96.

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ಕರ್ನಾಟಕ ಸಿವಿಲ್ ಸೇವಾ (ವರ್ಗೀಕರಣ, ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ) ನಿಯಮಗಳು, 1957ರ ಆರೋಪಿತ ಸರ್ಕಾರಿ ನೌಕರರು ಎಸಗುವ ಆರೋಪಗಳ ಬಗ್ಗೆ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಲು ಹಾಗೂ ದಂಡನೆ ವಿಧಿಸಲು ಅನುಸರಿಸಬೇಕಾದ ವಿಧಿವಿಧಾನಗಳನ್ನು ಹೇಳಿದೆ. ಅದರ ಪ್ರಕಾರ, ವಿಚಾರಣೆಗಳನ್ನು ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಗಳು ಸ್ವತಃ ತಾವೇ ನಡೆಸಬಹುದು ಅಥವಾ ವಿಚಾರಣೆ ನಡೆಸಲು ಒಬ್ಬ ವಿಚಾರಣಾಧಿಕಾರಿಯನ್ನು ನೇಮಿಸಬಹುದಾಗಿದೆ.

2. ಮೇಲೆ ಉಲ್ಲೇಖಿಸಿದ ದಿನಾಂಕ: 4.7.1996ರ ಸುತ್ತೋಲೆಯಲ್ಲಿ, ಸರ್ಕಾರಿ ನೌಕರರ ಮೇಲೆ ಇಲಾಖಾ ವಿಚಾರಣೆಯನ್ನು ನಡೆಸಲು ಕರ್ನಾಟಕ ಲೋಕಾಯುಕ್ತ ಸಂಸ್ಥೆಗೆ ವಹಿಸುವ ಇಲಾಖಾ ವಿಚಾರಣೆ ಪ್ರಕರಣಗಳಲ್ಲಿ ಸರ್ಕಾರಿ ನೌಕರರ ನಿವೃತ್ತಿ ವಯಸ್ಸನ್ನು ನಮೂದಿಸುವ ಬಗ್ಗೆ ಸೂಚನೆಗಳನ್ನು ನೀಡಲಾಗಿದೆ.

3. 1957ರ ಸದರಿ ನಿಯಮಗಳ ಅಡಿಯಲ್ಲಿ ಆರಂಭಿಸುವ ಪ್ರತಿಯೊಂದು ಪ್ರಕರಣದಲ್ಲಿ ಈ ಕೆಳಕಂಡ ವಿವರಗಳನ್ನು ಸಂಬಂಧಿಸಿದ ದಾಖಲೆಗಳೊಂದಿಗೆ ಯಾವಾಗಲೂ ಇಡತಕ್ಕದ್ದು ಹಾಗೂ ಅದನ್ನು ಸಂಬಂಧಿಸಿದ ಪ್ರಾಧಿಕಾರಿಗಳಿಗೆ ಲಭ್ಯ ಮಾಡತಕ್ಕದ್ದು:-

- (1) ಸರ್ಕಾರಿ ನೌಕರನ ಹೆಸರು
- (2) ಹುಟ್ಟಿದ ದಿನಾಂಕ
- (3) ವಯೋನಿವೃತ್ತಿಯನ್ನು ಹೊಂದುವ ದಿನಾಂಕ
- (4) ಸರ್ಕಾರಿ ಸೇವೆಗೆ ಸೇರಿದ ದಿನಾಂಕ
- (5) ಸೇವಾ ಅವಧಿ
- (6) ನೌಕರನು ಹೊಂದಿರುವ ಹುದ್ದೆ
- (7) ವೇತನ ಶ್ರೇಣಿ ಹಾಗೂ ಪಡೆಯುತ್ತಿರುವ ವೇತನದ ಹಂತ

1. ಆರೋಪಿತ ಸರ್ಕಾರಿ ನೌಕರನಿಗೆ ಸಂಬಂಧಿಸಿದ, ಕಂಡಿಕೆ 3ರಲ್ಲಿ ಉಲ್ಲೇಖಿಸಲಾದ ವಿವರಗಳನ್ನು ತಪ್ಪದೆ ಕಡತದ ಕವಚದ ಮೇಲೆ ದಪ್ಪ ಅಕ್ಷರದಲ್ಲಿ ಕೆಂಪು ಶಾಯಿಯಲ್ಲಿ ನಮೂದಿಸಬೇಕು.

2. ಇದಲ್ಲದೇ, ದಂಡನೆಯನ್ನು ವಿಧಿಸಿ ಆದೇಶಗಳನ್ನು ಹೊರಡಿಸುವಾಗ ಸಕ್ಷಮ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಗಳು ದೋಷಪೂರಿತವಾದ ಮತ್ತು ಸಂದಿಗ್ಧ ಆದೇಶಗಳನ್ನು ಹೊರಡಿಸುವುದನ್ನು ತಪ್ಪಿಸತಕ್ಕದ್ದು. ಜಾರಿಗೊಳಿಸಲು ಸಾಧ್ಯವಿಲ್ಲದ ದಂಡನೆಗಳನ್ನು ವಿಧಿಸುವುದನ್ನು ತಪ್ಪಿತಕ್ಕದ್ದು.

ಆರೋಪಗಳು ರುಜುವಾತಾಗಿವೆ: ರುಜುವಾತಾಗಿಲ್ಲ, ಮುಂತಾದ ಬಗ್ಗೆ ಸ್ಪಷ್ಟವಾದ ತೀರ್ಮಾನವನ್ನು ದಂಡನೆಯನ್ನು ವಿಧಿಸುವ ಆದೇಶದಲ್ಲಿ ಶಿಸ್ತಿನ ಪ್ರಾಧಿಕಾರಗಳು ನಮೂದಿಸಬೇಕು.

3. ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳು, ಕಾರ್ಯದರ್ಶಿ ಹಾಗೂ ಇಲಾಖಾ ಮುಖ್ಯಸ್ಥರು ಈ ಸೂಚನೆಗಳನ್ನು ಪಾಲಿಸಲು ಹಾಗೂ ಅವರವರ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ಎಲ್ಲಾ ನೇಮಕಾತಿ ಹಾಗೂ ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಗಳ ಗಮನಕ್ಕೆ ಪಾಲನೆಗಾಗಿ ತರಲು ಸೂಚಿಸಿದೆ.

**ಕೆ.ಎಲ್, ಜಯರಾಮ್**

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ-2,  
ಸಿಬ್ಬಂದಿ ಮತ್ತು ಆಡಳಿತ ಸುಧಾರಣೆ ಇಲಾಖೆ,  
(ಸೇವಾ ನಿಯಮಗಳು),