

GOVERNMENT OF TAMIL NADU

Letter No. 30880/S/2000-1
Personnel and Administrative
Reforms (S) Department,
Secretariat, Chennai-9

Dated 21.7.2000

From
Thiru K. Krishnakumar, M.A., B.L.,
Deputy Secretary to Government

To
The Secretary, Tamil Nadu Public Service Commission, Chennai-2.

All Secretaries to Government, Department of Secretariat, Chennai
All Departments of Secretariat, Chennai-9.
All Head of Departments.
The Senior Standing Counsel, Tamil Nadu Administrative Tribunal,
Chennai-9.

Sir

Sub: Public Services - Recruitment - Preparation of Panel - Deferred cases - Disciplinary action ended in Warning/Severe Warning Inclusion in the Panel Instructions - Issued.

Ref: (1) G.O. Ms. No. 368, Personnel and Administrative Reforms (Per.S) Department, dated 18.10.93.

(2) Govt. Lr. No. 248 P&A.R. (S) Department, dt. 20.10.97.

(2) From Tamil Nadu Public Service Commission, Letter No. 5961/DPD-A5/97, dated 24.4.99.

In the reference second cited orders were issued to the effect that as warning or severe warning is not a statutory punishment and since there is no provision for appeal, it need not be held against the Officer, whether it was awarded after framing of charges under Rule 17(a) or 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules.

2. In the letter third cited, the Tamil Nadu Public Service Commission has sought for clarification from the Government on the issue of giving retrospective promotion to Officers whose cases are deferred due to 17(b) charges but who have been subsequently awarded severe warning or warning in the disciplinary cases.

3. The Government have examined the issue in detail and direct that the name of the Officer whose case was deferred due to pending charges under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules but who has been subsequently awarded severe warning or warning be included in the panel in which the name of his junior was included, if he is otherwise found suitable with reference to all relevant criteria for promotion.

Yours faithfully,

Sd/-

for Deputy Secretary to Government