

Copy of Government Letter (Ms) No. 93/N/2001, Personnel and Administrative Reforms (N) Department, Secretariat, Chennai-9 dated 05.05.2001 addressed to All Heads of Departments.

Sir,

Sub: Public Services – Disciplinary Action – Orders administrative
“Warning” – Question of entry in Personal Files – Instructions –
Reiterated.

Ref: G.O. Ms. No. 1267, Public (Per-A) Dept. dt. 23.05.1967.

I am directed to state that in the Government Order cited, Government have issued instructions to the effect that where obviously an irregularity committed is considered serious, the correct position to take up is that at least a ‘Censure’ should be awarded notwithstanding the regret expressed by the Public Servant, and there should be no question of being carried away by any compassion or generacity in thinking that not even a censure should be awarded”. However, it is noticed that certain disciplinary authorities have not followed the above instructions issued to the Government Order cited. It is therefore clarified that in a case where disciplinary proceedings have been held under the relevant disciplinary rules and the charges have been proved, “Warning” or “Severe Warning” should not be issued as a result of such proceedings as warning is not penalty classified under rule 8 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. If it is found, as a result of the proceedings that some blame is attached to the Government Servant and there is a need to

discipline him, then atleast the penalty of "Censure" should be imposed. "Warning" or "Severe Warning" has not been classified as a recognised punishment and warning is "not an appointment of blame for the past and is only "an exhortation for the future". If, for any reason the disciplinary authority feels that the individual need not be punished in such cases, the disciplinary authority may take a decision "not to press the charges" and drop further action.

2. I am therefore, directed to request you to keep the above instructions in mind while disposing of the disciplinary cases at your level as the disciplinary authority. A copy of the Government Order cited is also enclosed for ready reference and for being scrupulously followed.

Yours faithfully,

Sd/-

for Secretary to Government.