

137-6/4A
27/3/14

24-3-14
No.4/6/2013-2PP2/176354/1
Government of Punjab
Department of Personnel
(Personnel Policies-II Branch)

B.C.115
26/3/14

Dated, Chandigarh, the 6/3/2014

To

All Heads of Departments,
Registrar, Punjab & Haryana High Court,
All Commissioners of Divisions,
All Deputy Commissioners and
All Sub-Divisional Officers (Civil),
in the State of Punjab.

O/o Deputy Commissioner Jalandhar		
D.C.		26/3/14
A.D.C.		
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E.M.	DRO	G-A

Sub: - Role of oral instructions in the transaction of Government business-Policy regarding.

Sir/Madam,

I am directed to refer to the subject noted above and to say that Hon'ble Supreme Court of India while disposing off the Writ Petition (Civil) No. 82 of 2011-T.S.R.Subramanian & Ors. Versus Union of India & Ors. with Writ Petition (Civil) No. 234 of 2011 on 31.10.2013 has issued the following directions:-

35. 'We, therefore, direct all the State Government and Union Territories to issue directions like Rule 3(3) of the All India Services (Conduct) Rules, 1968 in their respective States and Union Territories which will be carried out within three months from today.'

2. 'The role of oral instructions in the transaction of business of Government has been specified in sub-rule-2(ii) of Rule-3 of the Punjab Government Employee (Conduct) Rules, 1966 which stands amended vide notification dated 10th February, 1982,' inter alia, provides as under:-

- "(ii) No Government employee shall, in the performance of his official duties or in the exercise of power conferred on him, act otherwise than in his best judgment except when he is acting under the direction of his official superior.
- (iii) The direction of the official superior shall ordinarily be in writing. Oral direction to subordinates shall be avoided, as far as possible. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter.
- (iv) A Government employee who has received oral direction from his official superior shall seek confirmation of the same in writing as early as possible, whereupon it shall be the duty of the official superior to confirm the direction in writing."

3. It has been again brought to the notice of this Department that the final decisions are taken on the representations of the employees concerning their service matters on the basis of the observations recorded by the Chief Minister/Minister, their political Secretaries or their personal Staff without getting these confirmed from the concerned quarters. It has, therefore, been decided that in future, before taking any final action/decision on such observations, these may please be got confirmed from the concerned quarters by bringing out the details of the case. Detailed guidelines in this behalf already stand issued vide circular letter No. 13/1/79-2PP/7347, dated the 6th August, 1979 and had been reiterated vide circular letter No. 12/37/1999-1PPII/1919, dated the 2nd August, 1999 by this Department (copy enclosed for ready reference). 'In compliance of the directions of Hon'ble Apex Court, these instructions are hereby again reiterated.' These may please be brought to the notice of all concerned for strict compliance.

The receipt of the communication may please be acknowledged.

Yours faithfully,



(S.P. Gupta)

Under Secretary Personnel

A copy is forwarded to all the Financial Commissioner, Principal Secretaries and Administrative Secretaries to the Government of Punjab for information and necessary action.



Under Secretary Personnel

To

All the Financial Commissioner,

Principal Secretaries, and

Administrative Secretaries to the Government of Punjab.

I.D.No.4/6/2013-2PP2/176354/2 Dated, Chandigarh, the 6/3/2014

रजिस्ट्रार ऑफ़ द गवर्नमेंट, पंजाब।

क्र. 1162-85 'मामा मारदा' दि. 25.3.14

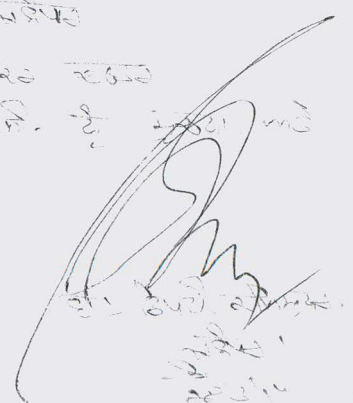
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