

COPY OF:

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GOVERNMENT OF TAMIL NADU

Letter (MS) No. 93/N/2001,
Personnel and Administrative
Reforms (N) Department,
Secretariat, Chennai-9.
Dated: 31.5.2001.

From
Thiru K. Sampathkumar, I.A.S.,
Secretary to Government (Training)

To
All Head of Departments (we).

Sir,

Sub: Public Services – Disciplinary Action – Orders administering
"Warning" – Question of entry in Personal Files – Instructions-
Reiterated.

Ref: G.O.Ms.No.1267, Public (Per.A) Department, dated 23.5.1967.

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 generosity 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 "Sever 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 at least the penalty of "Censure" should be imposed as "Warning" or "Severe Warning" has not been classified as a recognized 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 case the disciplinary authority may take a decision "not to press charges" and drop further action.

2.I am therefore, directed to request you to keep the instructions in mind while disposing of the disciplinary case at your level as the disciplinary authority.

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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 (TRAINING)