

GOVERNMENT OF PUDUCHERRY

ABSTRACT

Public Services – Recording of instructions of Superiors / Political executives – Instructions – Issued.

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DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS  
(PERSONNEL WING)

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G.O.Ms.No.15

Puducherry, dated 20.02.2014

READ: Order dated 31.10.2013 of the Hon'ble Supreme Court of India in Writ Petition (Civil) No.82 of 2011 (under Article 32 of the Constitution of India) between T.S.R. Subramanian & others and Union of India & others.

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**ORDER:-**

The Hon'ble Supreme Court of India vide Order dated 31.10.2013 in Writ Petition (Civil) No.82 of 2011 (Under Article 32 of the Constitution of India) filed by Thiru T.S.R. Subramanian and others Vs. Union of India and others has directed, inter-alia the Centre / State / Union Territory Governments to issue appropriate directions similar to the provision available under Rule 3(3) of the All India Service (Conduct) Rules, 1968 regarding recording of instructions / directions by Superiors / Political executives, etc., in files for fixing responsibility and ensure accountability. The Government of India, Ministry of Home Affairs, New Delhi vide Office Memorandum No.F.No.14040/22/2013-UTS-I dated 31.12.2013 also directed to implement the judgement of the Apex Court in the above said case immediately.

2. In this context, attention is invited to the following extant provisions under sub-rule (2) of Rule 3 of CCS (Conduct) Rules, 1964 on recording of instructions of superiors:-

- (i) No Government servant of this Administration shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than in his own best judgement to be true and correct except when he is acting under the direction of his official superior.
- (ii) The direction of the official superior shall ordinarily be in writing. Where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter.
- (iii) A Government servant who has received oral direction from his official superior shall seek confirmation of the same in writing, as early as possible and in such case, it shall be the duty of the official superior to confirm the direction in writing.

Explanation-I : A Government servant who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devotion to duty within the meaning of clause (ii) of sub-rule (1).

Explanation-II: Nothing in the clause (ii) of sub-rule (2) shall be construed as empowering a Government servant to evade his responsibility by seeking instructions from or approval of, a superior Officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

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3. All the Secretaries to Government / Heads of Departments are therefore requested to ensure that the above provisions under CCS (Conduct) Rules, 1964 are to be scrupulously complied with by all concerned.

/ By order of the Lieutenant-Governor /


CHETAN B SANGHI  
CHIEF SECRETARY TO GOVERNMENT

To

The Director of Stationery & Printing,  
Puducherry – With a request to publish the Notification in an  
Extra-ordinary issue of Gazette dated  
20.02.2014 and to furnish 100 copies thereof to  
this Department immediately.

Copy to:

1. The Development Commissioner / all Secretaries / Special Secretary to Government, Puducherry.
2. The Secretary to Lieutenant-Governor, Puducherry.
3. The Private Secretary to Chief Minister / Speaker, Puducherry.
4. The Private Secretary to all Ministers / Sr. P.A. to Deputy Speaker, Puducherry.
5. All Secretariat Departments / Heads of Departments / Offices.
6. The Collector, Puducherry / Karaikal.
7. The Regional Administrator, Mahe / Yanam.
8. The Director of Information & Publicity, Puducherry.
9. The Principal Accountant General (Civil Audit), Tamil Nadu & Puducherry, Chennai.
10. The Deputy Accountant General (Civil Audit), Puducherry Branch, DAT Complex, Puducherry.
11. The Sr. Technical Officer & State Informatics Officer, NIC, Puducherry.
12. The Private Secretary to Chief Secretary, Puducherry.
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(Dr. S. SUNDARAVADIVELU)  
SPECIAL SECRETARY TO GOVERNMENT (PERSONNEL)

