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## GENERAL ADMINISTRATION & PUBLIC GRIEVANCE DEPARTMENT

### OFFICE MEMORANDUM

The 21st January 2021

No. 2309—GAD-SER2-ID-0025/2020-SCS.—The undersigned is directed to say that Government servants, who have retired in the rank of Additional Secretary or above, are being appointed as full-time Commissioner for Departmental Inquiries (CDI), under the GA & PG Department, on contractual basis. However, at present there are no uniform guidelines for regulation of the eligibility criteria and the terms and conditions for such contractual appointment to the post of Commissioner for Departmental Inquiries (CDI).

In view of this, there is a need to regulate the terms and conditions of such contractual appointment of retired State Government employees to the post of CDI on a uniform basis. The matter has, therefore, been considered and it has been decided that the eligibility criteria, tenure and other terms and conditions for contractual engagement of retired State Government employees as full-time Commissioner for Departmental Inquiries (CDI), under the GA & PG Department, shall be regulated as provided hereinafter.

#### 1. Applicability: -

These guidelines shall apply to the Officers re-engaged on contractual basis as full-time Commissioner for Departmental Inquiries under the GA & PG Department.

#### 2. Eligibility Conditions: -

The eligibility conditions for appointment of willing retired officers as the CDI to conduct Departmental Inquiries, will be as under :-

- (i) Officers who have retired from Government service on attaining the age of superannuation having good service records and are physically and mentally fit shall be eligible to be considered for re-engagement as CDI.
- (ii) He/She should have retired in the rank of Additional Secretary to the Government of Odisha or above rank.
- (iii) He/She should not be more than sixty-two years of age as on the date of the publication of Advertisement for re-engagement as CDI.
- (iv) The retired officer willing to serve as the full-time CDI should have impeccable integrity and clean service record.
- (v) Retired Government employees against whom departmental proceedings or vigilance/ criminal cases are contemplated /pending /or who have been convicted /penalized for

misconduct during the period of preceding five years or after their retirement or is a member of a political party, will not be eligible for consideration.

**3. Selection Process: -**

- (i) Selection of persons will be made through open advertisement. A format of the application calling for willingness from the retired officer to serve as the CDI under the GA & PG Department is available at Annexure-I.
- (ii) There shall be a Selection Committee consisting of the following members for selection of suitable Officers for their re-engagement as CDI under the GA & PG Department.
  - (a) A.C.S. / Principal Secretary / Special Secretary, GA & PG Department.
  - (b) A.C.S. / Principal Secretary / Commissioner-cum-Secretary to Government, Finance Department.
  - (c) A.C.S. / Principal Secretary / Commissioner-cum-Secretary to Government, R & DM Department.
  - (d) A.C.S. / Principal Secretary / Commissioner-cum-Secretary to Government, S.T. & S.C. Development, M & BCW Department.

The senior-most Officer among the members shall be the Chairman of the Selection Committee. The Additional/ Joint Secretary i/c of GA & PG (Services-II) Department shall act as the Member Convener of the said Committee.

- (iii) After receipt of applications along with willingness of the retired officers, the names of eligible Officers shall be scrutinized by the GA & PG Department and the list of Officers along with their service records shall be placed before the Screening Committee so constituted for selection of Officers for their re-engagement as CDI. Applications should be scrutinised carefully to ensure that the applicant meets the eligibility criteria strictly.
- (iv) The Committee shall consider the service particulars and furnish its recommendations to the Government for approval.

**4. Tenure, Terms and Conditions: -**

- (i) The term of appointment shall ordinarily be for a period not exceeding two years. Subject to satisfactory performance in the first year, it can be extended for the subsequent year and may further extend, if considered by the Government, subject to satisfactory performance, up to a total period of three years but not beyond sixty-five years of age.
- (ii) The re-engaged officers shall be governed by the provisions of Odisha Government Servants' Conduct Rules, 1959 and shall be liable to be proceeded against for their misconduct, omissions and commissions as per the provisions under the Odisha Pension Rules, 1992.
- (iii) The appointee shall not engage himself/herself in any other professional work or service, which is likely to interfere with the performance of his/her duties as Inquiry Officer.
- (iv) The appointee shall maintain strict secrecy in relation to the documents he/she receives or information/data collected by him/her in connection with the Inquiry and utilise the same only for the purpose of Inquiry in the case entrusted to him/her. No such documents/ information or data are to be divulged to anyone during the Inquiry or after presentation of the Inquiry Report. The I.O. entrusted with the Inquiry will be required to submit an undertaking to maintain strict secrecy and confidentiality of all records/documents/ proceedings etc. All the records, reports, etc. available with the I.O. shall be duly returned to the authority which appointed him/her as such, at the time of presentation of the Inquiry Report.

- (v) The appointee shall conduct the inquiry proceedings only in the office premises of the CDI under the GA & PG Department, Government of Odisha.
- (vi) The period of contractual engagement shall not be counted as Government service for the purpose of pension or any other retirement benefit.
- (vii) There should not be any ambiguity in the inquiry report and therefore every care should be taken to ensure that all procedures for conducting departmental inquiries have been followed in accordance with the relevant rules/instructions of disciplinary and appeal Rules by which the delinquent Government officials are governed.
- (viii) The Performance of the appointee shall be monitored rigorously by the GA & PG Department against the target assigned to him/her. The appointee shall submit the inquiry report after completing the inquiry in each case within six months from the date of his / her appointment as Inquiry Officer. Extension of time for further continuance of the trial of the case shall only be granted by the Disciplinary Authority on the request of the CDI.
- (ix) A review of the Officers re-engaged as full-time CDI will be done after a period of six months where adherence to timelines and procedure and quality of work will be assessed by the GA & PG Department.
- (x) The engagement may be terminated by the GA & PG Department for dis-satisfactory performance on one month notice, and in cases of any misconduct including, but not limited to, misappropriation, negligence or causing loss to Government, without any prior notice.
- (xi) The re-engaged officer, if desires to resign, may do so by giving one month's written notice to the Principal Secretary / Special Secretary to Government, GA& PG Department. After expiry of the notice period, the officer may be relieved after handing over all the charges of records to the relieving officer as decided by GA & PG. Department.

#### **5. Retention of Government Quarters: -**

As provided in the GA & PG Department Resolution No 27350/ Gen., dated the 27th August, 2014, during the period of the contractual re-engagement as full-time CDI under the GA & PG Department. The appointee may be accommodated in Government Quarters, subject to the availability, provided he pays rent as applicable to a Government servant occupying Government accommodation, after retirement.

#### **6. Pay and Allowances: -**

On re-engagement of a retired Officer as CDI under the GA & PG Department, he / she shall be eligible to avail a fixed consolidated remuneration as prescribed in the Finance Department O.M. NO.7022/F, dated 17.03.2018.

#### **7. Interpretation: -**

If any question arises relating to interpretation of these provisions, the same shall be referred to the GA & PG Department whose decision thereon shall be final.

By order of the Governor

SANJEEV CHOPRA

Additional Chief Secretary to Government

**APPLICATION FOR CONTRACTUAL APPOINTMENT AS FULL-TIME CDI UNDER  
THE GENERAL ADMINISTRATION & PUBLIC GRIEVANCE DEPARTMENT**

- (1) Name of the Officer (in capital letter) :
- (2) Date of Birth of the Officer :
- (3) Date of Superannuation :
- (4) Last post held at the time of retirement :
- (5) Pay Scale of the post last held :  
(Please attach a copy of your PPO).
- (6) Details of posting during the period :  
of live service.
- (7) Have you ever discharged the responsibility :  
of an Inquiry Officer during your service?  
if yes, the number of cases handled by you.
- (8) Whether retired on attaining the age of :  
Superannuation or voluntary retirement.
- (9) Whether any DP / Vigilance / Criminal :  
proceeding was initiated against you during  
your live service. If yes, details thereof.
- (10) Whether any penalty was imposed on you :  
during your live service. If yes details thereof.
- (11) Your present residential address with phone :  
number.
- (12) Any other information you want to mention :

Place:

Date:

(Name and signature)