

POLICE CIRCULAR ORDER NO. 118

With a view to maintain a high standard of efficiency, the question of enforced retirement of inefficient non-gazetted officers and men of this Department has been examined in my office. A summary of the existing rules, etc., is given below :—

Compulsory retirement of inefficient non-gazetted officers and men.

(1) The State Government reserve the power to force an inefficient non-gazetted officer or man, appointed on or after 1-6-1929, to retire on completion of 25 years' qualifying service under Rule 71 (d) of the Orissa Service Code. This is not applicable to any one appointed prior to the above date.

(2) Under rule (2) of Sec. 1 of the Liberalised Pension Rules introduced with effect from 20-6-1950 in Government Resolution No. 13795-F., dated 19-9-1951, a Government servant who has either opted for clause (a) of Rule 8 of Sec. VI of these Rules to come under the new pension rules or automatically come under the said clause, may retire from service any time after completing 30 years' qualifying service provided that he shall give in this behalf a notice in writing to the appropriate authority (i.e., the authority who has power to make substantive appointment to the post or service from which the Government servant is proposed to be retired as per G. O. No. XXVII/55) at least 3 months before the date on which he wishes to retire. Similarly the appointing authority may also require an employee to retire any time after he has completed 30 years' qualifying service by giving 3 months' notice in writing to the Government servant before the date on which he is required to retire.

(3) The provision in Para. (2) above are not applicable to an employee who opted for (b) or (c) of clause 8 of Sec. VI of the L. P. Rules. Such an employee cannot be compelled to retire unless he attains the age of superannuation or applies for permission to retire on retaining pension under Act 465 of the C. S. Rs. However, in such cases the provisions or rule 71 (d) of the Orissa Service Code can be applied for if the appointment of the Government servant was later than 1-6-1929.

2. The Heads of the Police Establishments may examine the cases of inefficient officers and men falling under the above categories and take necessary action accordingly. Proper care should be taken to scrutinize each case strictly according to the provisions of rules and the Government Orders pointed out above. Reasons in support of the enforced retirement of any officer or man which is considered necessary in the interest of efficiency, should be recorded by the Competent Authority at the time of passing orders for such retirement as laid down in G. O. No. XXVII of 1955.

3. In respect of cases falling under Rule 71 (d) of the Orissa Service Code they should come up through their Range D. I.-Gs. to obtain the sanction of Government. Convincing ground should be furnished in support of such proposals along with the Service Books and C. C. Rolls of the incumbents concerned.

(Previous Police Circular Order No. 4 of 1957)