GOVERNMENT OF PUDUCHERRY
DIRECTORATE OF SCHOOL EDUCATION

No.6494/DSE/ESTT.IV/C/2014
Puducherry,
28.04.2014.

OFFICE MEMORANDUM

Sub: DSE—Estt.IV—Submission of files relating to transactions in immovable/movable property and study permission for approval of Director—Instructions—Issued.

As per Central Civil Services (Conduct) Rules, 1964, government servants have to obtain permission of the competent authorities on various occasions, especially while entering into transactions in immovable/movable properties and pursuing higher studies through correspondence courses of various universities. While the Heads of Office concerned issue sanction/approval for transactions in immovable/movable properties in respect of Group C employees, approval of the Head of the Department is required to be obtained in respect of Group B employees. However, study permission is accorded by the Director of School Education for all categories of staff irrespective of the Group to which they belong.

2. With the implementation of the recommendations of the VI CPC, most of the posts in the Department of School Education, with the exception of a few, have become Group B posts as they carry the Grade Pay of Rs.4200 or above as a result of which approval of the Director of School Education is required to be obtained by the holders of such posts whenever they enter into transactions in immovable/movable properties. This has resulted in increase in workload in the Establishment Sections concerned in the Directorate which are primarily dealing with recruitment, promotion, transfer, regularisation, confirmation, seniority and other important policy issues having a bearing on the service matters of the teaching and non-teaching cadres besides causing delay in disposal of such requests from the staff members which have been hitherto dealt with by the concerned Heads of Office.

3. Delay in according approval for transactions in immovable/movable property will not only lead to the presumption of deemed approval, but also make it difficult for the employees concerned to furnish the details regarding approval/permission at the time of submission of their annual property return. This has been examined in the context of the recent instructions issued by the Chief Vigilance Office that whenever Heads of Office/Department seek vigilance clearance in respect of Group A and Group B officials, they should invariably furnish the particulars regarding submission of annual property return by the officials concerned in the prescribed proforma.

4. In order to avoid any likely hardship to the individuals and to facilitate timely disposal of their requests for approval for transactions in immovable/movable property, it has been decided to adopt the following procedure with immediate effect.

i. The applications received from Group B employees from Puducherry region shall not be forwarded to the Deputy Director (Admn)/Director of School Education. Instead, they shall be processed by the Heads of Office concerned and submitted directly to the Director of School Education for approval and issue. The Heads of Office shall ensure that the proposal is in complete shape and in order before submitting it to the Director.
ii. Similar procedure shall be adopted in the case of study permission also in respect of all the officials in Puducherry region and hereafter applications for study permission shall not be forwarded to the Directorate of School Education as has been done hitherto.

iii. The Chief Educational Officer, Karaikal / Mahe and the Delegate to Director, Yanam may however continue to forward the applications for approval/sanction for transactions in immovable/movable property in respect of Group A and Group B officials and the applications for study permission from all officials to the Directorate of School Education as is being done now after satisfying themselves that the applications are complete in all respects and in order so as to avoid return of them by the Directorate for want of additional particulars/clarification.

5. The above instructions should be scrupulously followed without any deviation.

(E. VALLAVAN)
DIRECTOR OF SCHOOL EDUCATION

To

All the Heads of Office/Inspecting Officers of this Department
Puducherry/Karaikal/Mahe/Yanam

Copy to:

All the Section Superintendents of this Directorate.
GOVERNMENT OF PUDUCHERRY
DIRECTORATE OF SCHOOL EDUCATION

No 8494/DSE/Estt. IV/C/2014

OFFICE MEMORANDUM


As per Rule 18(2) of the CCS (Conduct) Rules, 1964, no government servant shall, except with the previous knowledge of the prescribed authority, acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family. The proviso to the said rule further stipulates that previous sanction of the prescribed authority shall be obtained by the government servant if any such transaction is with a person having official dealings with him.

2. Despite this specific rule, instances have come to the notice of the undersigned wherein certain government servants have entered into transactions in immovable property without the previous sanction of the prescribed authority and they have afterwards sought ex-post facto sanction. Such a procedure renders the provisions of the rules completely ineffective and defeats the very purpose for which the rules have been framed.

3. All the Heads Office/Inspecting Officers are therefore requested to impress upon the Government servants the need to adhere to the provisions of the rules strictly and to obtain the sanction of the prescribed authority wherever necessary, before entering into such transactions.

4. They are further instructed to ensure that the immovable property/properties found place in the property returns submitted by the government servants concerned was/were acquired by them with the sanction/knowledge of the prescribed authorities.

5. In case, the government servant concerned failed to give prior intimation to or to obtain sanction from the prescribed authorities at the time of acquisition of the said property, explanation may be called for from such government servants. Similarly, explanation may also be called for from those who have sought for ex-post-facto sanction for transactions in immovable property.

6. A consolidated list of defaulters together with their applications/ explanation may be submitted to the undersigned for orders on further course of action in such cases. While submitting the list it should be ensured that no case is left out. This exercise should be taken up on priority basis and a consolidated report should reach the undersigned on or before 30.06.2014 without fail. Until such time applications seeking ex-post-facto approval may not be submitted to the undersigned.

7. The contents of this O.M may also be brought to the notice of all government servants so that they might have a chance to regularise the transactions, if any, they have entered into without the sanction of the prescribed authorities.

(E. VALUVAN)
DIRECTOR OF SCHOOL EDUCATION

To

All Heads of Offices/Inspecting Officers of this Department
Puducherry/Karaikal/Maher/Yanam.

Copy to: The Superintendent, Dte. Estt/Estt. II/III/IV of this Directorate.