

The State (Civil) Services (Safeguarding of National Security) Rules, 1954

ODISHA

India

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Rule

THE-STATE-CIVIL-SERVICES-SAFEGUARDING-OF-NATIONAL-SECURITY-RULES-1954

- Published on 10 June 1954
- Commenced on 10 June 1954
- [This is the version of this document from 10 June 1954.]
- [Note: The original publication document is not available and this content could not be verified.]

The State (Civil) Services (Safeguarding of National Security) Rules, 1954Published vide Notification No. 568-Reforms/10.6.1954Notification No. 568-Reforms, dated 10th June, 1954. - In pursuance of the proviso to Article 309 of the Constitution, the Governor of Orissa is pleased to make the following rules for regulating the conditions of service of the State Civil Services personnel, namely :

1.

(1)These rules may be called the State Civil Services (Safeguarding of National Security) Rules, 1954.(2)These rules shall apply to all persons serving in connection with the affairs of the State.(3)They shall come into force at once.

2.

In these rules -(a)"Government servant" means any person to whom these rules apply;(b)"Head of a department" means any authority who is the head of a department for the purposes of the Orissa Service Code; and(c)"The competent authority" means-(i)in relation to a Government servant appointed by the head of a department or by an authority subordinate to the head of a department, the head of the department; and(ii)in relation to any other Government servant, the Governor.

3.

Where the Governor is of opinion that a Government servant is engaged in or is reasonably suspected to be engaged in subversive activities or is associated with others in subversive activities and that his retention in the public service is on that account prejudicial to national security, the Governor may make an order compulsorily retiring such Government servant from service.

4.

Before an order under Rule 3 is made -(a)the competent authority shall by notice in writing inform the Government servant of the action proposed to be taken in regard to him and give him an opportunity to make to the Governor, within such period as may be specified in the notice, representation the writing against the sold action; and(b)the Governor shall take into consideration the representation, if any, so made by him.

5.

Where action under these rules is proposed to be taken in regard to a Government servant, the competent authority shall place the Government servant under suspension:Provided that if the Government servant so wishes the competent authority shall, before placing him under suspension, permit him to proceed on such leave as may than be admissible to him.

6. [[Substituted vide O.G.E. Part III No. 10 dated 10.3.1989.]

Nothing contained in Parts V, VI and VII of the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962 shall apply to or in respect of any action, taken or proposed to be taken under these rules.]

7.

It shall not be necessary for the Governor to consult the Orissa Public Service Commission in respect of any order passed under these rules.

8.

Any person compulsorily retired from service under Rule 3 shall be entitled to such compensation, pension, gratuity or Provident Fund benefits as would have been admissible to him under the rules applicable to his service or post on the date of such retirement if he had been discharged from service due to the abolition of his post without any alternative suitable employment being provided.