

GOVERNMENT OF MADHYA PRADESH
GENERAL ADMINISTRATION DEPARTMENT

Memorandum

No. 632 /609/I(iii)/65 Dated, Bhopal the 3 Ctr. 1887.
24 March, 1965.

To

All Departments of Government.

Subject:- Consultation with the Commission at the time of confirmation of persons selected by the Commission and appointed on probation.

The question whether the Madhya Pradesh Public Service Commission should be consulted by the appointing authority before the services of an officer appointed on probation on the recommendation of the Commission, are terminated, was examined. The following instructions are issued.

2/ The service of a Government servant appointed on probation may be terminated during or at the end of the period of probation for one of the following reasons -

- (i) in accordance with the terms of his appointment or the rules and orders governing probation; or
- (ii) due to some specific fault on the part of the probationer.

In the former case the termination will not amount to penalty but in the latter case the termination would attract Art. 311(2) of the Constitution and a regular departmental enquiry will be necessary as also consultation with the Madhya Pradesh Public Service Commission, if the case does not fall under Regulation 6(i) of the Madhya Pradesh Public Service Commission (Limitations of Functions) Regulations.

3/ As soon as a proposal for holding a departmental enquiry against a Government servant appointed on probation on account of some specific fault is received, it should be examined whether consultation with the Commission will be necessary or not, and such consultation, if necessary, should be made before imposing the penalty of termination of service or dismissal or removal from service, as the case may be.

4/ In cases where the termination of service of person appointed on probation does not amount to penalty, the Commission need not be consulted.

A. S. Siddiqui
(A. S. Siddiqui)
Deputy Secretary to Government,
Madhya Pradesh,
General Administration Department.

No. 633 /609/1(iii)/65 Dated, Bhopal the 24 March, 1965.

Copy forwarded to:-

- (i) the President, Board of Revenue,
all Commissioners of Divisions,
all Heads of Departments, and
all Collectors.

- (ii) the Registrar, High Court of Madhya Pradesh,
the Secretary, Public Service Commission,
the Vigilance Commissioner.

- (iii) the Secretary/Military Secretary to Governor,
the Secretary, M.P. Vidhan Sabha Sachivalaya.

- (iv) the Establishment Officer/Registrar/Accounts
Officer, M.P. Secretariat.

A. S. Siddiqui
(A. S. Siddiqui)
DEPUTY SECRETARY TO GOVERNMENT

ASm
24/3
H. D. Raikwar
23.3.1965