

**GOVERNMENT OF ODISHA
GENERAL ADMINISTRATION & PUBLIC GRIEVANCE DEPARTMENT**

Bhubaneswar dated the

25th August, 2022

From

Surendra Kumar, IAS
Principal Secretary to Government

To


All Departments of Government,
All Heads of Department,
All Collectors.

Sub: Quoting provision of Rules/Notifications/Statutes/Circulars/Executive Instructions etc. while passing orders: quasi-judicial or other-wise by the Government functionaries - Instructions regarding.

It has recently been brought to the notice of the Government that government functionaries while passing orders in course of exercising the powers conferred on them by Statute/Rule/Circulars etc. are not quoting the relevant provisions/Rules by which the orders are so passed. Orders passed without authority is bad in law and not sustainable. Such orders suffer from legal backing and when challenged before the courts of Law it becomes difficult to defend the particular cases. Besides, absence of indication of the relevant provision of Statute, Section, Sub-section, Rule, Circular, Notification, Resolution etc. by the order passing authority has resulted in wastage of time of the Hon'ble Court's.

After careful consideration of these situations, the Government have been pleased to decide that every authority, while passing orders, Quasi-Judicial or otherwise, shall specifically quote the relevant Section/s, Sub-section/s, Rule/s, Circular/s, Notification/s, Resolution/s etc. in the order so passed. Such quotation must be made at relevant parts of the order as deemed necessary. Further, while furnishing the Para Wise Comments to the office of Advocate General, copies of such relevant provisions of Act, Rules etc. must be appended as Annexure/s to the PWC.

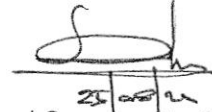
These instructions must be brought to the notice of all concerned functioning under your administrative control.


Principal Secretary to Government

Memo No. 24005/Gen., Bhubaneswar, Dated the 25th Aug, 2022

Copy forwarded to all Departments of Government/ all Heads of Departments/ all RDCs. / all Collectors/ The Registrar, Orissa High Court, Cuttack/The Registrar, O.A.T., Bhubaneswar / Odisha Public Service Commission, Cuttack/ Odisha Staff Selection Commission, Bhubaneswar/ Odisha Sub-Ordinate Staff Selection Commission, Bhubaneswar for information and necessary action.

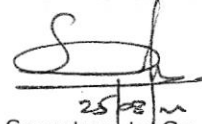
The Director, Odisha Bhasa Pratisthan, Sanskruti Bhawan, State Museum Campus, Bhubaneswar-14 is requested to take action w.r.t. this Department Memo No.30208/Gen., dated 24.10.2019.



Additional Secretary to Government

Memo No. 24006/Gen., Bhubaneswar, Dated the 25th Aug, 2022

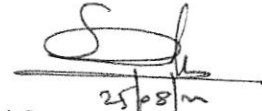
Copy forwarded to all sections of G.A. & P.G. Department/ G.A. & P.G. Department Library (20 copies)/ Guard file (S.C. Branch) (20 copies) for information and necessary action.



Additional Secretary to Government

Memo No. 24007/Gen., Bhubaneswar, Dated the 25th Aug, 2022

Copy forwarded to A.R. Cell, G.A. & P.G. Department with a request to hoist this Circular in the website of G.A. & P.G. Department.



Additional Secretary to Government