

APPENDIX No. 16
THE CENTRAL CIVIL SERVICES (CLASSIFICATION, CONTROL
& APEAL) RULES, 1957.

PART I—GENERAL

1. (a) These rules may be called the Central Civil Services (Classification, Control and Appeal) Rules, 1957.

Short title and
commencement

(b) They shall come into force at once.

2. In these rules, unless the contexts otherwise requires—

Interpretation.

(a) 'Appointing Authority' in relation to a Government servant means—

- (i) the authority empowered to make appointments to the Service of which the Government servant is for the time being a member or to the grade of the Service in which the Government servant is for the time being included, or
- (ii) the authority empowered to make appointments to the post which the Government servant for the time being holds, or
- (iii) the authority which appointed the Government servant to such Service, grade or post, as the case may be, or
- (iv) where the Government servant having been a permanent member of any other Service or having substantively held any other permanent post, has been in continuous employment of the Government, the authority which appointed him to that Service or to any grade in that Service or to that post, whichever authority is the highest authority.

(aa) 'Cadre authority' in relation to a Service, has the same meaning as in the Rules of that Service.

(b) 'Commission' means the Union Public Service Commission;

(c) 'Department of the Government of India' includes—

- (i) the Cabinet Secretariat;
- (ii) the Partition Secretariat;
- (iii) the President's Secretariat;
- (vi) the Prime Minister's Secretariat; and
- (v) the Planning Commission.

(d) 'Disciplinary Authority', in relation to the imposition of a penalty on a Government servant, means the authority competent under these rules to impose on him that penalty;

(e) 'Government servant' means a person who is member of a Service or who holds a civil post under the Union and includes any such person on foreign service or whose services are temporarily placed at the disposal of a State Government or a local or other authority and also any person in the service of a State Government or a local or other authority whose services are temporarily placed at the disposal of the Central Government

(ea) 'Head of the department', for the purposes of exercising the powers as appointing, disciplinary, appellate or reviewing authority, means the authority declared to be the head of the department under the Fundamental Rules and Supplementary Rules—

(eb) 'Head of the office', for the purposes of exercising the power as appointing; disciplinary appellate or reviewing authority, means the authority declared to be the head of the office under the General Financial Rules.

- (f) 'Schedule' means the Schedule to these rules;
- (g) 'Secretary' means a Secretary to the Government of India any Ministry or Department ;
 - (i) a Special Secretary ;
 - (ii) an additional Secretary or Joint Secretary placed in independent charge of a Ministry or Department ;
 - (iii) in relation to the Cabinet Secretariat, Secretary to Cabinet ;
 - (iv) in relation to the Partition Secretariat, Secretary, Partition Secretariat ;
 - (v) in relation to the President's Secretariat, Secretary to the President or, as the case may be, Military Secretary to the President ;
 - (vi) in relation to the Prime Minister's Secretariat, Principal Private Secretary to Prime Minister ; and
 - (vii) in relation to the Planning Commission, Secretary or Additional Secretary to the Planning Commission.
- (h) 'Service' means a civil service of the Union.

3. (1) These rules apply to all Government servants, except—
Application (a) railway servants as defined in rule 101A of Volume I of the Indian Railway Establishment Code;

- (b) person to whom the *Civilians in Defence Service (Classification, Control and Appeal) Rules, 1952 apply ;
- (c) persons in casual employment;
- (d) persons subject to discharge from service on less than one month's notice;
- (e) persons for whose appointment and other matters covered by these rules special provision is made by or under any law for the time being in force, in regard to the matters covered by such law; and
- (f) members of the All-India Services.

(2) Notwithstanding anything contained in sub-rule (1), the Indian Railway Establishment Code and the *Civilians in Defence Services (Classification, Control and Appeal) Rules, 1952, these rules shall apply to every Government servant temporarily transferred to a service or post coming within exception (a), (b) or (e) in sub-rule (1) to whom, but for such transfer, these rules would apply.

(3) Notwithstanding anything contained in sub-rule (1), the President may by order exclude from the operation of all or any of these rules any Government servant or class of Government servants.

(4) If any doubt arises—

- (a) whether these rules or any of them apply to any person, or
- (b) whether any person to whom these rules apply belongs to a particular Service,

the matter shall be referred to the President, whose decision thereon shall be final.

Government of India's Orders (1). In exercise of the powers conferred by sub-rule (3) of rule 3 of the Central Civil Services (Classifications, Control and Appeal) Rules, 1957, the President hereby directs that the following classes of Government servants shall be wholly excluded from the operation of the said rules, namely :—

MINISTRY OF EXTERNAL AFFAIRS

Locally recruited staff in Missions abroad.

MINISTRY OF COMMUNICATION

(Post & Telegraph Department)

- (i) Extra-departmental Agents.

- (ii) Monthly-rated staff paid from contingencies other than those brought on to regular establishment;
- (iii) Monthly-rated work-charged and other employees not on regular establishment;
- (iv) Daily-rated staff paid from Contingencies;
- (v) Daily-rated workmen paid by the day, week month etc.
- (vi) All hot weather and monsoon establishment;
- (vii) Non-departmental telegraphists and telephone operators,

[G.I.M.H. Affairs Notification No S.R.O. 609, dated the 28th February 1957.]

MINISTRY OF HOME AFFAIRS

Police officers upto the rank of Inspector of Police in Delhi Special Police Establishment.
[G.I.M.H. Affairs Notification No. F. 7/24/61 Ests (A), dated the 15th December,

(2) Under the Constitution the conditions of service of the Central Government servants are to be regulated by an Act of Parliament by rules made by the President or such person as he may direct. The corresponding rules which were in force at the commencement of the Constitution have also continued in force in so far as they are not inconsistent with the provisions of the Constitution. All the statutory rules have the force of law, and no amendment in any such rule acquires legal validity unless it is formally made and notified in the same manner as the original rules concerned.

During the past few years there have been several occasions for amending in different respects the conditions of service prescribed by the various statutory rules. It has been noticed that in some of these instances the changes were effected only by an executive order and not by a formal amendment of the relevant rules although the validity of any alterations in the conditions of service made by executive orders alone remains open to challenge in a court of law.

All concerned are, therefore, requested to note and observe the following instructions in this regard :—

- (i) In all cases in which conditions of service already embodied in rules are to be altered, such alteration should invariably be made by a formal amendment of the rules made and notified in the appropriate manner.
- (ii) Where the intention of the alteration is to *liberalise* the rules in favour of the Government servants, there may be no objection to giving effect to the intention by means of an executive order in advance of the formal amendment of rules. But the formal amendment should invariably be made as soon as possible.

The Ministry of Finance etc. are also requested to examine whether, in regard to the various statutory rules regulating the recruitment and conditions of service of Government servants issued by them, any alterations have been given effect to by executive order alone. If so, immediate action should be taken to make and promulgate formal amendments in the relevant statutory rules.

[G.I.M.H. Affairs Memo : No. F. 4/3/57-Ests. (A), dated the 13th September 1957.]

4. Where it is considered necessary to make special provisions in respect of a Government servant inconsistent with any of these rules, the authority making the appointment may, by agreement with such Government servant, make such special provisions and thereupon these rules shall not apply to such Government servant to the extent to which the special provisions so made are inconsistent therewith :

Provided that if the appointing authority is other than the President, the previous approval of the President shall be obtained by such authority.

5. Nothing in these rules shall operate to deprive any Government servant of any right or privilege to which he is entitled—

- (a) by or under any law for the time being in force, or
- (b) the terms of any agreement subsisting between the person and the President at the commence-

PART II—CLASSIFICATION

6. (1) The civil services of the Union shall be classified as follows :—

Classification of Services.

- (i) Central Civil Services, Class I ;
- (ii) Central Civil Services, Class II ;
- (iii) Central Civil Services, Class III ;
- (iv) Central Civil Services, Class IV.

(2) If a service consists of more than one grade, different grades may be included in different classes.

7. The Central Civil Services Classes, I, II, III and IV, shall consist of the Services and grades of Services specified in the Schedule.

Constitution of Central Civil Services

8. (1) Civil posts under the Union other than those ordinarily held by persons to whom these rules do not apply shall by a general or special order of the President be classified as follows :—

Classification of posts.

- (i) Central Civil Posts, Class I ;
- (ii) Central Civil Posts, Class II ;
- (iii) Central Civil Posts, Class III ;
- (iv) Central Civil Posts, Class IV.

(2) Any order made by the competent authority and in force immediately before the commencement of these rules relating to classification of civil posts under the Union shall continue in force until altered, rescinded or amended by an order of the President under sub-rule (1).

“Government of India’s Order. The President hereby directs that, with effect from the date of issue of this order, all civil posts under the Union, other than posts created as specific additions to existing cadres which have already been classified shall, in the absence of any general or special order to the contrary, be classified as follows :—

S. No.	Description of posts	Classification of posts
1.	A Central Civil post carrying a pay or a scale of pay with a maximum of not less than Rs. 950.	Class I
2.	A Central Civil post carrying a pay or a scale of pay with a maximum of not less than Rs. 575 but less than Rs. 950.	Class II
3.	A Central Civil post carrying a pay or a scale of pay with a maximum of not less than Rs. 110 but less than Rs. 575.	Class III
4.	A Central Civil post carrying a pay or a scale of pay the maximum of which is less than Rs. 110.	Class IV

Note 1. For the purposes of this order :—

- (i) ‘pay, has the meaning assigned to it in F. R. 9(21) (a) (i).
- (ii) the pay or scale of pay of a post means the pay or scale of pay prescribed under the Central Civil Services (Revision of Pay) Rules, 1960

Note 2. Any post created or deemed to have been created in the revised scale of pay on or after the 1st July, 1959, but before the date of issue of this order otherwise than as a specific addition to an existing cadre which has already been classified and having a classification higher than the one envisaged by this order, shall be reclassified under this order but without prejudice to the status of the existing incumbent of such post.

[G.I.M.H. Affairs Notification No. F. 20/16/60—Ests(A), dated the 13th March 1962].

9. Central Civil Posts of any class not included in any other General Central Service. Central Civil Service shall be deemed to be included in the General Central Service of the corresponding class and a Government servant appointed to any such post shall be deemed to be a member of that Service unless he is already a member of any other Central Civil Service of the same class.

General Central Service.

PART III—APPOINTING AUTHORITIES

10. All appointments to Central Civil Services, Class I, and Central Civil Posts, Class I, shall be made by the President :

Provided that the President may, by a general or a special order and subject to such conditions as he may specify, delegate to any other authority the power to make such appointments.

Government of India's Orders. In pursuance of the proviso to rule 10 of the Central Services (Classification, Control and Appeal) Rules, 1957, the President hereby orders that all appointments to Central Civil Services and posts, Class I, under the Himachal Pradesh Administration shall be made by the Lieutenant Governor of Himachal Pradesh and all appointments to Central Civil Services and posts, Class I, under the Delhi, Manipur and Tripura Administrations shall be made by the Chief Commissioner of Delhi, Manipur and Tripura respectively.

Provided that no appointment to the post of Chief Secretary or Finance Secretary or Inspector General of Police or Development Commissioners or any other post which carries an ultimate salary of rupees two thousand per mensem or more shall be made except with the previous approval of the Central Government.

[G. I. M. H. Affairs order No : 25/35/55—Ests (A), dated the 13th July 1959 as amended by No : F. 7/26/63-Ests (A) dated the 5th August 1963]

11. (1) All appointments to the Central Civil Services (other than the General Central Service), Classes II, III and IV, shall be made by the authorities specified in this behalf in the Schedule.

(2) All appointments to Central Civil Posts, Classes II, III and IV, included in the General Central Service shall be made by the authorities specified in that behalf by a general or special order of the President, or, where no such order has been made, by the authorities specified in the Schedule in this behalf.

PART IV—SUSPENSION

12. (1) The appointing Authority or any authority to which it is subordinate or any other authority empowered by the President in that behalf may place a Government servant under suspension.

(a) where a disciplinary proceeding against him is contemplated or is pending, or

(b) where a case against him in respect of any criminal offence is under investigation or trial.

Provided that, except in the case of an order of suspension made by the Comptroller and Auditor-General in regard to a member of the Indian Audit and Accounts Service, where the order of suspension is made by an authority lower than the Appointing Authority, such authority shall forthwith report to the Appointing Authority the circumstances in which the order was made.

Government of India's Orders (1) The power to place a Government servant under suspension may also be exercised by an authority competent to impose on that Government servant any of the penalties specified in rule 13 of these Rules.

[G. I. M. H. Affairs Notification No. S, R. O. 608, dated the 28th February 1957]

(2) The circumstances in which a Government servant may be placed under suspension or shall automatically remain under suspension have now been defined in rule 12 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957. It has also been decided that, irrespective of the circumstances which lead to or result in suspension, the subsistence allowance during, suspension and the pay and allowances, on re-instatement, in respect of

the period of suspension should be regulated under Fundamental Rules 53 and 54 respectively.

2. **The various cases shall be dealt with in the following manner hereafter :—

- (a) A Government servant who is detained in custody under any law providing for preventive detention or as a result of a proceeding either on a criminal charge or for his arrest for debt shall ; if the period of detention exceeds 48 hours and unless he is already under suspension, be deemed to be under suspension from the date of detention until further orders as contemplated in rule 12 (2) of the Central Civil Services (Classification, Control and Appeal) Rules, 1957. Government servant who is undergoing a sentence of imprisonment shall be also dealt with in the same manner pending decision on the disciplinary action to be taken against him.
- (b) A Government servant against whom a proceeding has been taken on a criminal charge but who is not actually detained in custody (e. g. a person released on bail) may be placed under suspension by an order of the competent authority under clause (b) of Rule 12 (1) of the Central Civil Services (Classification, Control and Appeal) Rules, 1957. If the charge is connected with the official position of the Government servant or involving any moral turpitude on his part, suspension shall be ordered under this rule unless there are exceptional reasons for not adopting this course ;
- (c) A Government servant against whom a proceeding has been taken for arrest for debt but who is not actually detained in custody may be placed under suspension by an order under clause (a) of Rule 12 (1) of the Central Civil Services (Classification, Control and Appeal) Rules, 1957 *i. e.* only if a disciplinary proceeding against him is contemplated ;
- (d) When a Government servant who is deemed to be under suspension in the circumstances mentioned in clause (a) or who is suspended in circumstances mentioned in clause (b) is re-instated without taking disciplinary proceedings against him, his pay and allowances for the period of suspension will be regulated under F. R. 54 *i. e.* in event of his being acquitted of blame or if the proceeding taken against him was for his arrest for debt) of its being proved that his liability arose from circumstances beyond his control or the detention being held by any competent authority to be wholly unjustified, the case may be dealt with under F.R. 54 (2) ; otherwise it may be dealt with under F. R. 54 (3).

3. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders are being issued in consultation with the Comptroller and Auditor General.

[G. I. M. F. Memo No. F. 15 (8) E IV/57, dated the 28th March 1959]

(2) A Government servant who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of detention, by an order of the Appointing Authority and shall remain under suspension until further orders.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Government servant under suspension is set aside in appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Government servant is set aside or declared or rendered void in consequence or by a decision of a court of law and the disciplinary authority, on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the Government servant shall be deemed to have been placed under suspension by the Appointing Authority from the date of the original order of dismissal removal or compulsory retirement and shall continue to remain under suspension until further orders.

(5) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority which made or is deemed to have made the order or by authority to which that authority is subordinate.

PART V--DISCIPLINE.

✓ 13. The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a Government servant, namely :—

Nature of penalties

- (i) censure ;
- (ii) withholding of increments or promotion ;
- (iii) recovery from pay of the whole or part of any pecuniary loss caused to the Government by negligence or breach of orders;
- (iv) reduction to a lower Service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale;
- (v) Compulsory retirement;
- (vi) removal from service which shall not be a disqualification for further employment;
- (vii) dismissal from service which shall ordinarily be a disqualification from future employment.

Explanation.—The following shall not amount to a penalty within the meaning of this rule;

- (i) withholding of increments of a Government servant for failure to pass a departmental examination in accordance with rules or orders governing the service or post or the terms of his appointment;
- (ii) stoppage of a Government servant at the efficiency bar in the time-scale on the ground of his unfitness to cross the bar;
- (iii) non-promotion whether in a substantive or officiating capacity of a Government servant, after consideration of his case to a Service, grade or post for promotion to which he is eligible;
- (iv) reversion to a lower Service, grade or post of a Government servant officiating in a higher Service, grade or post on the ground that he is considered, after trial, to be unsuitable for such higher Service, grade or post or on administrative grounds unconnected with his conduct;
- (v) reversion to his permanent Service, grade or post of a Government servant appointed on probation to another Service, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing probation ;
- (vi) replacement of the Services of a Government servant whose services have been borrowed for a State Government or an authority under the control of a State Government at the disposal of the authority which had lent his services;
- (vii) compulsory retirement of a Government servant in accordance

- with the provisions relating to his superannuation or retirement;
- (viii) termination of the services—
- (a) of a Government servant appointed on probation during or at the end of the period of probation, in accordance with the terms of his appointment or the rules and orders governing probation; or
 - (b) of a temporary Government servant in accordance with rule 5 of the Central Civil Services (Temporary Service) Rules; 1949, or
 - (c) of a Government servant employed under an agreement in accordance with the terms of such agreement.

Government of India's decisions (1) Instance of failure of Government servants to look after the proper maintenance of their families have come to Government's notice. It has been suggested that a provision may be made in the Central Civil Services (Conduct) Rules, 1955, to enable Government to take action against those Government servants who do not look after their families properly.

The question has been examined and it has been decided that it will not be possible to make such a provision in the Conduct Rules as it would entail administrative difficulties in implementing and enforcing it. However, a Government servant is expected to maintain a reasonable and decent standard of conduct in his private life and not bring discredit to his service by his misdemeanour. In cases where a Government servant is reported to have acted in a manner unbecoming of a Government servant as, for instance, by neglect of his wife and family, departmental action can be taken against him on that score without invoking any of the Conduct Rules. In this connection, a reference is invited to Rule 13 of the C. C. S. (C. C. A.) Rules, which specifies the nature of penalties that may for good and sufficient reason, be imposed on a Government servant. It has been held that neglect by a Government servant of his wife and family in a manner unbecoming of a Government servant may be regarded as a good and sufficient reason to justify action being taken against him under this rule.

It should, however, be noted that in such cases the party affected has a legal right to claim maintenance. If any legal proceeding in this behalf should be pending in a court of law, it would not be correct for Government to take action against the Government servant on this ground as such action may be construed by the court to amount to contempt.

[G. I. M. H. Affairs Memo : No. F 25/16/59-Est (A), dated the 1st September 1959]

(2) It has been decided that if as a result of disciplinary proceedings any of the prescribed punishments (e. g., censure, reduction to a lower post. etc.) is imposed on a Government servant, a record of the same should invariably be kept in his confidential roll. Further, if on the conclusion of the disciplinary proceedings it is decided not to impose any of the prescribed punishments but to administer only a warning or reprimand etc. (as explained in Home Ministry's Office Memorandum No. 39/21/56-Est (A), dated the 13th December 1956), a mention of such warning, etc. should also be made in the confidential roll.

[G. I. M. H. Affairs Memo : No. 38/12/59 Est- (A), dated the 23rd April 1956]

14. (1) The President may impose any of the penalties specified in rule 13 on any Government servant.

Disciplinary Authorities.

(2) **Without prejudice to the provisions of sub-rule (1), but subject to the provisions of sub-rule (4). any of the penalties specified in rule 13 may be imposed on—**

- (a) a member of a Central Civil Service other than the General Central Service, by the Appointing Authority or the authority

specified in the Schedule in this behalf or by any other authority empowered in this behalf by a general or special order of the President;

- (b) a person appointed to a Central Civil Post, included in the General Central Service, by the authority specified in this behalf by a general or special order of the President or, where no such order has been made, by the Appointing Authority or the authority specified in the Schedule in this behalf.
- (3) Subject to the provisions of sub-rule (4), the power to impose any of the penalties specified in rule 13 may also be exercised, in the case of a member of a Central Civil Service, Class III (other than the Central Civil Secretariat Clerical Service), or a Central Civil Service, Class IV, —

- (a) if he is serving in a Ministry or Department of the Government of India by the Secretary to the Government of India in that Ministry or Department ;
- (b) if he is serving in any other office, by the head of that office except where the head of that office is lower in rank than the authority competent to impose the penalty under sub-rule (2).
- (4) Notwithstanding anything contained in this rule, —
- (a) except where the penalty specified in clause (iv) of rule 13 is imposed by the Comptroller and Auditor-General on a member of the Indian Audit and Accounts Service, no penalty specified in clauses (iv) to (vii) of that rule shall be imposed by any authority lower than the Appointing Authority ;
- (b) where a Government servant who is a member of a service other than the General Central Service or is substantively appointed to any civil post in the General Central Service, is temporarily appointed to any other Service or post, and the authority which would have been competent under sub-rule (2) to impose upon him any of the penalties specified in clauses (iv) to (vii) of rule 13, had he not been so appointed to such other Service or post, is not subordinate to the authority competent to impose any of the said penalties after such appointment, the latter authority shall not impose any such penalty except after consultation with the former authority.

15. (1) Without prejudice to the provisions of the Public Servants (Inquiry) Act, 1850, no order imposing on a Government servant any of the penalties specified in clauses (iv) to (vii) of rule 13 shall be passed except after an inquiry, held as may be, in the manner hereinafter provided.

Procedure for imposing major Penalties.

(2) The Disciplinary Authority shall frame definite charges on the basis of the allegations on which the enquiry is proposed to be held. Such charges, together with a statement of the allegations on which they are based, shall be communicated in writing to the Government servants and he shall be required to submit, within such time as may be specified by the Disciplinary Authority a written statement of his defence and also to state whether he desires to be heard in person.

Explanation.—In this sub-rule, and in sub-rule (3), the expression “the Disciplinary Authority” shall include the authority competent under these rules to impose upon the Government servant any of the penalties specified in clauses (i) to (iii) of rule 13.

(3) The Government servant shall, for the purpose of preparing his defence, be permitted to inspect and take extracts from such official records as he may specify, provided that such permission may be refused if, for reasons to be recorded in writing, in the opinion of the disciplinary Authority such records are not relevant for the purpose or

public interest to allow him access thereto.

(4) On receipt of the written statement of defence, or if no such statement is received within the time specified, the Disciplinary Authority may itself inquire into such of the charges as are not admitted or, if it considers it necessary so to do, appoint a Board of Inquiry or an inquiring Officer for the purpose —

(5) *The Disciplinary Authority may nominate any person to present the case in support of the charges before the authority inquiring into the charges (hereinafter referred to as the Inquiring Authority). The Government servant may present his case with the assistance of other Government servant, but may not engage a legal practitioner for the purpose unless the person nominated by the Disciplinary Authority as aforesaid is a legal practitioner or unless the Disciplinary Authority having regard to the circumstances of the case, so permits.

(6) The Inquiring Authority shall, in the course of the inquiry, consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The Government servant shall, be entitled to cross-examine witnesses examined in support of the charges and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross-examine the Government servant and the witnesses examined in his defence. If the Inquiring Authority declines to examine any witness on the ground that his evidence is not relevant or material, it shall record its reasons in writing.

(7) At the conclusion of the inquiry, the Inquiring Authority shall prepare a report of the inquiry, recording its findings on each of the charges together with reasons therefor. If in the opinion of such authority the proceedings of the inquiry establish charges different from those originally framed it may record findings on such charges provided that findings on such charges shall not be recorded unless the Government servant has admitted the facts constituting them or has had an opportunity of defending himself against them.

(8) The record of the inquiry shall include :—

- (i) the charges framed against the Government servant and the statement of allegations furnished to him under sub-rule (2) ;
- (ii) his written statement of defence, if any ;
- (iii) the oral evidence taken in the course of the inquiry ;
- (iv) the documentary evidence considered in the course of the inquiry ;
- (v) the orders, if any, made by the Disciplinary Authority and the Inquiring Authority in regard to the inquiry ; and
- (vi) a report setting out the findings on each charge and the reasons therefor.

(9) The Disciplinary Authority shall, if it is not the Inquiring Authority, consider the record of the inquiry and record its findings on each charge.

(10) (i) If the Disciplinary Authority, having regard to its findings on the charges, is of the opinion that any of the penalties specified in clause (iv) to (vii) of rule 13 should be imposed, it shall—

- (a) furnish to the Government servant a copy of the report of the Inquiring Authority and, where the Disciplinary Authority is not the Inquiring Authority, a statement of its findings together with brief reasons for disagreement if any, with the findings of the Inquiring Authority ; and

- (b) give him a notice stating the penalty proposed to be imposed on him and calling upon him to submit within a specified time such representation as he may wish to make on the proposed penalty, provided that such representation shall be based only on the evidence adduced during the inquiry.

(ii) (a) In every case in which it is necessary to consult the Commission, the record of the inquiry, together with a copy of the notice given under clause (i) and the representation made in response to such notice, if any, shall be forwarded by the Disciplinary Authority to the Commission for its advice.

(b) On receipt of the advice of the Commission, the Disciplinary Authority shall consider the representation, if any, made by the Government servant as aforesaid, and the advice given by the Commission and determine what penalty, if any, should be imposed on the Government servant and pass appropriate orders on the case.

(iii) In any case in which it is not necessary to consult the Commission, the Disciplinary Authority shall consider the representation, if any, made by the Government servant in response to the notice under clause (i) and determine what penalty, if any should be imposed on the Government servant and pass appropriate orders on the case.

(11) If the Disciplinary Authority having regard to its findings is of the opinion that any of the penalties specified in clauses (i) to (iii) of the rule 13 should be imposed, it shall pass appropriate orders in the case.

Provided that in every case in which it is necessary to consult the Commission, the record of the inquiry shall be forwarded by the Disciplinary Authority to the Commission for its advice and such advice taken into consideration before passing the orders.

(12) Orders passed by the Disciplinary Authority shall be communicated to the Government servant who shall also be supplied with a copy of the report of the Inquiring Authority and, where the Disciplinary Authority is not the Inquiring Authority, a statement of its findings together with brief reason for disagreement, if any, with the findings of the Inquiring Authority, unless they have already been supplied to him, and also a copy of the advice, if any, given by the Commission and, where the Disciplinary Authority has not accepted the advice of the Commission, a brief statement of the reasons for such non acceptance.

Government of India's decisions. (1) The following questions in connection with the reinstatement of dismissed/removed/discharged Government servants or the Government servants whose services had been terminated, came up for consideration : -

- (1) Whether before the Government of India decide to reinstate an individual on grounds of equity, concurrence of the Ministry of Finance should be obtained for payment of pay and allowances for the intervening period ; or whether the administrative authorities could themselves, after following the prescribed procedure (e. g. consultation with the U. P. S. C. etc.), reinstate the person and sanction payment of pay and allowances under F. R. 54.
 - (2) Whether in cases of reinstatement on the ground of dismissal/removal/discharge from or termination of service being held by a court of law or by an appellate/reviewing authority to have been made without following the procedure required under article 311 of the Constitution payment of full pay and allowances for the intervening period is automatic and compulsory.
2. As regards question (1) above, it has been decided that the concurrence of the Ministry of Finance will not be necessary for reinstating a Government servant, if the authority which reinstates the Government servant is competent to appoint him. The question as to what pay and allowances

should be allowed for the intervening period and whether or not the period should be treated as duty, will be dealt with under F. R. 54.

3. Regarding question (2) stated in para 1 above, it has been decided that F. R. 54 is inapplicable in cases where dismissal/removal/discharge from or termination of service is held by a court of law or by an appellate/reviewing authority to have been made without following the procedure required under article 311 of the Constitution. In such cases :—

- (i) if it is decided to hold a further inquiry and thus deem the Government servant to have been placed under suspension from the date of dismissal/removal/discharge/termination under rule 12 (3) or 12 (4) of the C. C. S. (C. C. & A.) Rules 1957 or a corresponding rule, the Government servant will be paid the subsistence allowance from the date he is deemed to have been placed under suspension ;
- (ii) if the Government servant is not 'deemed' to have been under suspension as envisaged under (i) above, the payment of full pay and allowances for the intervening period and treatment of that period as duty for all purposes will be automatic and compulsory, provided that :—
 - (a) the arrears should be paid subject to the law of limitation ;
 - (b) where the reinstated Government servant has secured employment during any period between the dismissal/removal/discharge/termination and reinstatement, the pay and allowances admissible to him after reinstatement for the intervening period shall be reduced by the emoluments earned by him during such employment if such pay and allowances exceed such emoluments. If the pay and allowances admissible to him are equal to or less than the emoluments earned by him, nothing shall be paid to him.

Provided that the amount to be paid under (i) and (ii) above will be determined subject to the directions, if any, in the decree of the court regarding arrears of salary.

4. As the termination of service of a Government servant without following the procedure laid down in the C. C. S. (C. C. & A.) Rules 1957, the C. S. S. (T. S.) Rules 1949, the C. S. R., or the terms of his appointment, etc., results in the payment of arrears by way of pay and allowances, the need for meticulously observing the 'proper procedure' in such cases is once again impressed on all concerned.

* * * * *

Since the provisions of article 311 (2) of the Constitution are materially the same as those contained in section 240(3) of the Government of India Act 1935, observance of the following procedure laid down in rule 15 of the C. C. S. (C. C. & A.) Rules 1957/Article 311 (2) of the Constitution is essential in all cases of termination of service except where such termination is in accordance with the terms of appointment or relevant rules :—

- (a) An opportunity to deny his guilt and establish his innocence, which he can only do if he is told what the charges levelled against him are and the allegations on which such charges are based.
- (b) An opportunity to defend himself by cross-examining the witnesses produced against him and by examining himself or any other witnesses in support of his defence.
- (c) An opportunity to make his representation as to why the proposed punishment should not be inflicted on him, which he can only do if the competent authority, after the inquiry is over and after applying his mind to the gravity or otherwise of the charges proved against the Government servant tentatively proposes to inflict the penalty of reduction in rank, compulsory retirement, removal or dismissal and communicates the same to the Government servant.

5. In all cases where the circumstances leading to a Government servants reinstatement reveal that the authority which terminated his services, either willfully did not observe, or through gross negligence failed to observe the 'proper procedure', as explained above, before terminating his service, proceedings should be instituted against such authority under rule 16 of the C. C. S. (C. C. & A.) Rules 1957 and the question of recovering from such authority the whole or part of the pecuniary loss arising from the reinstatement of the Government servant should be considered.

[G.I.M.H. Affairs Memo : No. F. 2/9/59-Ests. (A), dated the 27th May, 1961, as amended by Memo ; of even number dated the 30th May 1962.]

(2) Government have reached the following decisions :—

Recommendations of the Pay Commission.

1. While a federal employee in the United States is required to submit a written reply in his defence normally within five working days, an employee in Australia within seven days, and one in New Zealand within three to five days, the time allowed to a Central Govt. employee for submitting his reply to a charge, or even his explanation in minor cases is far longer. It is worth serious consideration whether, if disciplinary proceedings are not to drag on for months as they usually do at present often to the detriment both of the employee and the public service—similar time-limits should not be fixed here also.

Decisions

1. The authority framing the charges for imposing major penalties should take steps to collect all records relevant for the purposes of inquiry even at the time of framing the charges and keep them in its custody so that access there to may be given readily if such a request is made by the defendant official.
- (i) The charge-sheet should be accompanied by a memorandum in the prescribed form. The dates by which the defendant official should, if he so desires, complete the inspection of documents, ask for additional documents if any, and submit his written statement should be specified in the memorandum. The time to be allowed for each of these may be as follows :—
 - (a) Completing the inspection of the documents mentioned in the list supplied to the defendant official as per para 4 of M. H. A's O, M No. 30/5/61-AVD, dated the 25th August, 1961 :—Seven working days from the date on which the aforesaid list is supplied,
 - (b) Making a request for access to additional records :—Five days from the date of Completion of inspection ;
 - (c) Time by which additional records asked for should be made available :—Five days from the date of receipt of the request for additional records ;
 - (d) Time by which additional records made available should be inspected :—Five working days from the date on which such additional records are made available ;
 - (e) Submission of written statement :—Ten days from the date of completion of inspection referred to at items (a) or (d) above, whichever is later, or where the accused Government servant does not intend to inspect the documents, 10 days from the date of receipt of the charge-sheet.
- (ii) Where the disciplinary proceedings are initiated under rule 16 of the CCS (CC & A) Rules 1957 or a corresponding rule for imposing a minor penalty, the accused Government servant may be allowed time for submission of his explanation etc. as follows :
 - (a) Request for permission to inspect document must be made within 5 days of the date on which the accused Govt. servant is informed of the allegations

2. A Central Government employee can engage a legal practitioner as a matter of right only if a legal practitioner is engaged to support the charge against him.

He is, however, free to present his case with the assistance of any other Government servant, provided the particular Govt. servant is approved by the disciplinary authority. While it is desirable that disciplinary enquiries should not assume the character of full-fledged judicial trials and the present restrictions on engaging legal practitioners may, therefore, continue, there is no good reason why an employee's choice of a colleague to assist him should require the approval of the disciplinary authorities. It is therefore, recommended that this condition may be withdrawn.

Suggestion from other sources

3. Where the disciplinary authority competent to impose all (i. e. major as well as minor) penalties (hereinafter referred to as 'higher disciplinary authority') initiates disciplinary proceedings but after recording its findings or after considering the representation made in response to the notice to show cause why a major penalty should not be imposed is of the opinion that only a minor penalty should be imposed and therefore remits the case to a subordinate disciplinary authority competent to impose minor penalties only (hereinafter referred to as 'lower disciplinary authority') then if the order is passed by the lower disciplinary authority, the appeal against such order should lie to the authority superior to the higher authority.
4. Provision exists for allowing the accused Govt. servant to present his case with the assistance of another Govt. servant. A doubt has been raised whether assisting Govt. servant could

against him ; and if the request is acceded to the inspection should be completed within 7 working days of the date on which permission to inspect is communicated to him.

- (b) As for item (b) in (i) above.
- (c) As for item (c) in (i) above.
- (d) As for item (d) in (i) above.
- (e) Submission of representation/explanation:—Ten days from the completion of inspection referred to at items (a) (d) above, whichever is later; or, where the accused Government servant does not request for inspection of documents, 10 days from the date of receipt of the intimation of the proposal to take action against him and of the allegations on which it is proposed to take action.

The time given under (i) or (ii) above should not be extended except for sufficient reason which should be recorded in writing.

2. The recommendation has been accepted and necessary amendment in Rule 15 of the Central Civil Services (Classification Control and Appeal) Rules, 1957 has been issued vide the Ministry of Home Affairs notification No. F. 7/3/62-Ests (A) dated the 28th April, 1962.

3. When proceedings are instituted by a "higher disciplinary authority" final orders should also be passed by such "higher disciplinary authority" and the case should not be remitted to a lower disciplinary authority, on the ground that on merits of the case it is sufficient to impose a minor penalty and such minor penalty could be imposed by a lower disciplinary authority. In such cases the appeal against the punishment order of the "higher disciplinary authority" shall lie to the authority prescribed under the CCS (CCA) Rules as the appellate authority in respect of such order.

4. The Govt. servant who has been permitted to assist the accused official should be permitted to examine, cross-examine and re-examine witnesses and make submission before the Inquiry

directly cross-examine and re-examine witnesses and make submissions before the Inquiry Officer and it has been suggested that the position might be clarified.

Officer on behalf of the accused official, if the accused official makes a request in writing in this behalf.

2. This issues in continuation of decision No : (2) below rule 16 in this appendix

[G I.M.H. Affairs Memo :No. 6/26/50-Ests (A) dated the 8th June 1962]

✓ 16. (1) **No order imposing any of the penalties specified in clause (i) to (iii) of rule 13 shall be passed except after—**

Procedure for imposing minor penalties,

- (a) **the Government servant is informed in writing of the proposal to take action against him and of the allegations on which it is proposed to be taken and given an opportunity to make any representation he may wish to make;**
- (b) **such representation, if any is taken into consideration by the Disciplinary Authority ; and**
- (c) **the Commission is consulted in cases where such consultation is necessary.**
- (2) **The record of proceedings in such cases shall include—**
 - (i) **a copy of the intimation to the Government servant of the proposal to take action against him;**
 - (ii) **a copy of the statement of allegations communicated to him;**
 - (iii) **his representation, if any ;**
 - (iv) **the advice of the Commission, if any ; and**
 - (v) **the orders on the case together with reasons therefor.**

Government of India's decisions. (1) An order of 'Censure' is a formal and public act intended to convey that the person concerned has been held guilty of some blame-worthy act or omission for which it has been found necessary to award him a formal punishment. And nothing can amount to a "censure" unless it is intended to be such a formal punishment and imposed for "good and sufficient reason" after following the prescribed procedure. A record of the punishment so imposed is kept on the officer's confidential roll and the fact that he has been 'censured' will have its bearing on the assessment of his merit or suitability for promotion to higher posts.

There may be occasions, on the other hand, when a superior officer may find it necessary to criticise adversely the work of an officer working under him (e. g. point out negligence, carelessness, lack of thoroughness, delays, etc.) or he may call for an explanation for some act or omission and taking all circumstances into consideration, it may be felt that, while the matter is not serious enough to justify the imposition of the formal punishment of 'censure' it calls for some informal action, such as the communication of a written warning, admonition or reprimand. If the circumstances justify it, a mention may also be made of such a warning etc. in the officer's confidential roll ; however, the mere fact that it is so mentioned in the character roll does not convert the warning etc. into a "censure". Although such comments, remarks warning etc., also would have the effect of making it apparent or know to the person concerned that he has done some thing blame-worthy and, to some extent, may also affect the assessment of his merit and suitability for promotion, they do not amount to the imposition of the penalty of 'censure' because it was not intended that any formal punishment should be inflicted.

The fact that a mere informal 'warning' cannot be equated to a formal 'censure', should not, however, be taken as tantamount to suggesting that a written warning may be freely given without caring whether or not it is really justified. It is a matter of simple natural justice that written warnings, reprimands; etc. should not be administered or placed on an officer's confidential record unless the authority doing so is satisfied that there is good and sufficient reason to do so. Paragraph 6 of the Home Ministry's Office

Memorandum No. 51/5/54-Ests (A), dated the 27th January 1955 provides detailed guidance in the matter of recording adverse remarks in confidential reports. It may be reiterated here that in the discharge of the responsible task of recording the confidential reports, every reporting officer should be conscious of the fact that it is his duty not only to make an objective assessment of his subordinate's work and qualities, but also to see that he gives to his subordinates at all times the advice, guidance and assistance to correct their faults and deficiencies. If this part of the reporting officer's duty has been properly performed, there should be no difficulty about recording adverse entries because they would only refer to the defects which have persisted in spite of reporting officer's efforts to have them corrected. If after having taken such care the reporting officer finds that for the purpose of truly objective assessment mention should be made of any warning admonition, etc. issued, especially those which have not produced the desired improvement, it is his right and duty to so mention them. In process of bringing the defects to the notice of person concerned, where an explanation is possible an opportunity to do so should be given. This cannot, however, be equated to the formal proceeding required to be taken under Rule 55-A (now rule 16) of Central Civil Services (Classification, Control and Appeal) Rule, nor the warning given to the imposition of a formal penalty.

[G. I. M. H. Affairs Memo No. 39/21/56-Ests (A), dated the 13th December 1956]

(2) In Chapter LI of their report, the Pay Commission have made the following recommendations regarding disciplinary proceedings : -

- (i) All memorials etc. as well as appeals which come to the Central Government against imposition of major penalties, should be disposed of only in consultation with the Public Service Commission.
- (ii) The power to withhold appeals, memorials or petitions under prescribed circumstances should be exercised by an authority higher than the one which had passed the orders against which the appeal etc. is made.
- (iii) A disciplinary enquiry should not be conducted by the immediate superior of the Government servant being proceeded against or by an officer at whose instance the enquiry was initiated.

These recommendations have been carefully examined by Government and the conclusions reached are contained in the following paragraphs.

2. The Government of India note that the Pay Commission have observed that the information available with them does not at all suggest that disciplinary actions is taken in far too many cases or that major penalties are imposed too freely or that appeals and memorials are dealt with perfunctorily. It is considered that the acceptance of recommendation at (i) above would considerably increase the work of the Union Public Service Commission. It may also lead to delays in completing disciplinary cases, which would neither be in the interest of public service nor in that of the individual Government servant. It has, therefore, been decided not to make any change in the existing procedure

3. As regards recommendation under (ii), the instruction contained in appendix 3, lay down the procedure for submission of petitions, memorials etc. to the President. In these instructions the power to withhold petitions, etc. has been granted only to high authorities like the Secretaries to the Government and the Heads of Departments. An appeal can be withheld only under prescribed circumstances; the appellant is required to be informed of the fact; and, the reasons for withholding the appeal are required to be communicated to the appellate authority and a quarterly return giving the list of withheld appeals has to be submitted to the appellate authority. These are sufficient safeguards against unjustified with-holding of appeals.

It is considered that these instructions and rules do not require any modification. The authorities dealing with petitions, memorials and appeals are,

however, expected to apply the instructions and rules in a liberal spirit and they should ordinarily refrain from withholding any appeal, representation, petition or memorial except in rare cases where the justification for contrary action may be obvious.

4 As regards recommendation (iii), it is obviously desirable that only disinterested officers should be appointed as Enquiry. Officers in departmental proceedings. There is no bar to the immediate superior officer holding an inquiry but, as a rule, the person who undertakes this task should not be suspected of any bias in such cases. The authorities concerned should bear this in mind before an Enquiry officer is appointed in a disciplinary case.

[G. I. M. H. Affairs Memo : No : F-6 (26)/60-Ests (A), dated the 16th February, 1961.]

17. (1) Where two or more Government servant are concerned in any case, the President or any other authority competent to impose the penalty of dismissal from service on all such Government servants may make an order directing that disciplinary action against all of them may be taken in a common proceeding.

(2) Subject to the provisions of sub-rule (4) of rule 14, any such order shall specify –

- (i) the authority which may function as the Disciplinary Authority for the purpose of such common proceeding ;
- (ii) the penalties specified in rule 13 which such Disciplinary Authority shall be competent to impose ; and
- (iii) whether the procedure prescribed in rule 15 or rule 16 may be followed in the proceeding.

18. Notwithstanding anything contained in rules 15, 16 and 17 –
Special procedure
in certain cases.

- (i) where a penalty is imposed on a Government servant on the ground of conduct which has led to his conviction on a criminal charge ; or
- (ii) where the Disciplinary Authority is satisfied for reasons to be recorded in writing that it is not reasonably practicable to follow the procedure prescribed in the said rules ; or
- (iii) where the President is satisfied that in the interest of the security of the State, it is not expedient to follow such procedure, the Disciplinary Authority may consider the circumstances of the case and pass such orders thereon as it deems fit ;

Provided that the Commission shall be consulted before passing such orders in any case in which such consultation is necessary.

19. (1) Where the services of a Government servant are lent to a State Government or an authority subordinate thereto or to a local or other authority (hereinafter in this rule referred to as “the borrowing authority”), the borrowing authority shall have the powers of the Appointing Authority for the purpose of placing him under suspension and of the Disciplinary Authority for the purpose of taking a disciplinary proceeding against him :

Provided that the borrowing authority shall forthwith inform the authority which lent his services (hereinafter in this rule referred to as “the lending authority”) of the circumstances leading to the order of his suspension or the commencement of the disciplinary proceeding, as the case may be.

(2) In the light of the findings in the disciplinary proceeding taken against the Government servant –

- (i) if the borrowing authority is of the opinion that any of the penalties specified in clauses (i) to (iii) of rule 13 should be

imposed on him, it may, in consultation with the lending authority pass such orders on the case as it deems necessary ;
Provided that in the event of a difference of opinion between the borrowing authority and the lending authority, the services of the Government servant shall be replaced at the disposal of the lending authority.

- (ii) if the borrowing authority is of the opinion that any of the penalties specified in clause (iv) to (vii) of rule 13 should be imposed on him, it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry and thereupon the lending authority may, if it is the Disciplinary Authority, pass such orders thereon as it deems necessary, or, if it is not the Disciplinary Authority, submit the case to the Disciplinary Authority which shall pass such orders on the case as it deems necessary.

Provided that in passing any such order the Disciplinary Authority shall comply with the provisions of sub-rules (10) and (11) of rule 15.

Explanation—The Disciplinary Authority may make an order under this clause on the record of the inquiry transmitted by the borrowing authority, or after holding such further inquiry as it may deem necessary.

20. (1) Where an order of suspension is made or a disciplinary proceeding is taken against a Government servant whose services have been borrowed from a State Government or an authority subordinate thereto or a local or other authority, the authority lending his services (hereinafter in this rule referred to as "the lending authority") shall forthwith be informed of the circumstances leading to the order of his suspension or the commencement of the disciplinary proceeding, as the case may be.

(2) In the light of the findings in the disciplinary proceeding taken against the Government servant—

- (i) *if the Disciplinary Authority is of the opinion that any of the penalties specified in clauses (i) to (iii) of rule 13 should be imposed on him it may, subject to the provisions of sub-rule (11) of rule 15 and except in regard to a Government servant serving in the Intelligence Bureau of or below the rank of Assistant Central Intelligence Officer after consultation with the lending authority, pass such orders on the case as it deems necessary ;

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority the services of the Government servant shall be replaced at the disposal of the lending authority ;

- (ii) if the Disciplinary Authority is of the opinion that any of the penalties specified in clause (iv) to (vii) of rule 13 should be imposed on him it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry for such action as it deems necessary.

PART—VI APPEALS

21. Notwithstanding anything contained in this Part, no appeal shall lie against any order made by the President.
Orders made by President not appealable

22. A Government servant may appeal against an order of suspen-

Appeals against orders imposing suspension **sion to the authority to which the authority which made or is deemed to have made the order is immediately subordinate.**

23. (1) **A member of a Central Civil Service, Class III, or a Central Civil Service, Class IV, may appeal against an order imposing upon him any of the penalties specified in rule 13 to the authority specified in this behalf either in the schedule or by a general or special order of the President where no such authority is specified, to the authority to which the authority imposing the penalty is immediately subordinate.**

(2)† **A member of a Central Civil Service, class II, may appeal against an order imposing upon him any of the penalties specified in rule 13 to the authority specified in this behalf either in the Schedule or by a General or special order of the President or, where no such authority is specified—**

- (i) **to the appointing authority, where such order is made by an authority subordinate To it : or**
- (ii) **to the President, where such order is made by any other authority.**

(3) **A member of a Central Civil Service, Class I, against whom an order imposing any of the penalties specified in rule 13 is made by an authority other than the President, may appeal against such order to the President.**

(4) **Notwithstanding contained in sub-rule (1) to (3), an appeal against an order in a common proceeding held under 17 shall lie to the authority to which the authority functioning as the Disciplinary Authority for the purpose of that proceeding is immediately subordinate.**

*Explanation—*In this rule the expression “member of a Central Civil Service” includes a person who has ceased to be a member of that Service.

24. (1) **A Government servant may appeal against an order which—**

- (a) **denies or varies to his disadvantage, his pay, allowanees, pension or other conditions of service as regulated by any rules or by agreement ; or**
- (b) **interprets to his disadvantage the provisions of any such rules or agreement**

to the President if the order is passed by the authority which made the rules or agreement as the case may be, or by any authority to which such authority is subordinate, and to the authority which made such rules or agreement, if the order is passed by any other authority.

(2) **An appeal against an order—**

- (a) **stopping a Government servant at the efficiency bar in the time-scale on the ground of his unfitness to cross the bar ;**
- (b) **reverting to a lower Service, grade or post, a Government servant officiating in a higher Service, grade or post otherwise than as a penalty ;**
- (c) **reducing or withholding the pension or denying the maximum pension admissible under the rules; and**
- (d) **determining the pay and allowances for the period of suspension to be paid to a Government servant on his reinstatement or determining whether or not such period shall be treated as**

†As substituted by G.I M.H. Affairs Notification No. F. 7/11/62-Ests (A), dated 29th August 1962.

a period spent on duty for any purpose,
shall lie—

- (i) in the case of an order made in respect of a Government servant on whom the penalty of dismissal from service can be imposed only by the President, to the President; and
- (ii) in the case of order made in respect of any other Government servant, to the authority to whom an appeal against an order imposing upon him the penalty of dismissal from service would lie.

Explanation.—In this rule :—

- (i) the expression 'Government servant' includes a person who has ceased to be in Government service;
- (ii) the expression 'pension' includes additional pension, gratuity and any other retirement benefit.

25. No appeal under this Part shall be entertained unless it is submitted within a period of three months from the date on which the appellant receives a copy of the order appealed against:

Period of limitation for appeals, against: Provided that the appellate authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

26. (1) Every person submitting an appeal shall do so separately and in his own name.

Form and contents of appeal. (2) The appeal shall be addressed to the authority to whom the appeal lies shall contain all material statements and arguments on which the appellant relies; shall not contain any disrespectful or improper language, and shall be complete in itself.

27. Every appeal shall be submitted to the authority which made the order appealed against:

Submission of appeals. Provided that if such authority is not the head of the office in which the appellant may be serving or, if he is not in service, the head of the office in which he was last serving, or is not sub-ordinate to the head of such office, the appeal shall be submitted to the head of such office who shall forward it forthwith to the said authority:

Provided further that a copy of the appeal may be submitted direct to the appellate authority.

28. (1) The authority which made the order appealed against may withhold the appeal if—

Withholding of appeals. (i) it is an appeal against an order from which no appeal lies; or

(ii) it does not comply with any of the provisions of rule 26; or

(iii) it is not submitted within the period specified in rule 25 and no cause is shown for the delay; or

(iv) it is a repetition of an appeal already decided and no new facts or circumstances are adduced:

Provided that an appeal withheld on the ground only that it does not comply with the provisions of rule 26 shall be returned to the appellant and, if re-submitted within one month thereof after compliance with the said provisions, shall not be withheld.

(2) Where an appeal is withheld, the appellant shall be informed of the fact and the reasons therefor.

(3) At the commencement of each quarter, a list of the appeals withheld by any authority during the previous quarter, together with the reasons for withholding them, shall be furnished by that authority to the appellate authority.

29. (1) The authority which made the order appealed against shall,

without any avoidable delay, transmit to the appellate authority every appeal which is not withheld under rule 28, together with its comments thereon and the relevant records.

(2) The authority to which the appeal lies may direct transmission to it of any appeal withheld under rule 28 and thereupon such appeal shall be transmitted to that authority together with the comments of the authority withholding the appeal and the relevant records.

30. (1) In the case of an appeal against an order of suspension, appellate authority shall consider whether in the light of the provisions of rule 12 and having regard to the circumstances of the case the order of suspension is justified or not and confirm or revoke the order accordingly.

(2) In the case of an appeal against an order imposing any of the penalties specified in rule 13, the appellate authority shall consider—

- (a) whether the procedure prescribed in these rules has been complied with, and, if not whether such non-compliance has resulted in violation of any provisions of the Constitution or in failure of justice;
- (b) whether the findings are justified; and
- (c) whether the penalty imposed is excessive, adequate or inadequate;

and, after consultation with the Commission if such consultation is necessary in the case, pass orders

- (i) setting aside, reducing, confirming or enhancing the penalty or
- (ii) remitting the case to the authority which imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case:

Provided that—

- (i) the appellate authority shall not impose any enhanced penalty which neither such authority nor the authority which made the order appealed against is competent in the case to impose;
- (ii) no order imposing an enhanced penalty shall be passed unless the appellant is given an opportunity of making any representation which he may wish to make against such enhanced penalty; and
- (iii) if the enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clauses (iv) to (vii) of rule 13 and an inquiry under rule 15 has not already been held in the case, the appellate authority shall, subject to the provisions of rule 18, itself hold such inquiry or direct that such inquiry be held and thereafter on consideration of the proceedings of such inquiry and after giving the appellant an opportunity of making any representation which he may wish to make against such penalty, pass such orders as it may deem fit.

(3) In the case of an appeal against any order specified in rule 24, the appellate authority shall consider all the circumstances of the case and pass such orders it deems just and equitable.

31. The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

31A. Notwithstanding anything contained in this Part, Where the

Provisions when Disciplinary Authority etc subsequently becomes Appellate Authority

person who made the order appealed against becomes, by virtue of his subsequent appointment or otherwise, the appellate authority under rules 22 to 24 in respect of the appeal against such order, such person shall forward the appeal to the authority to which he is immediately subordinate and such authority shall, in relation to that appeal, be deemed to be the appellate authority for the purposes of rules 30 and 31.

PART VII—REVIEW

32. (1) Notwithstanding anything contained in these rules, the President, may on his own motion or otherwise, after calling for the records of the case, review any order which is made or is appealable under these rules or the rules repealed by rule 34 and, after consultation with the Commission where such consultation is necessary,—

- (a) confirm, modify or set aside, the order;
- (b) impose any penalty or set aside, reduce confirm or enhance the penalty imposed by the order;
- (c) remit the case to the authority which made the order or to any other authority directing such further action on inquiry as he considers proper in the circumstances of the case; or
- (d) pass such other orders as he deems fit;

Provided that—

- (i) †an order imposing or enhancing a penalty shall not be passed unless the person concerned has been given an opportunity of making any representation which he may wish to make against such order;
- (ii) if the President proposes to impose any of the penalties specified in clauses (iv) to (vii) of rule 13 in a case where an inquiry under rule 15 has not been held, he shall, subject to the provisions of rule 18, direct that such inquiry be held and thereafter on consideration of the proceedings of such inquiry and after giving the person concerned an opportunity of making any representation which he may wish to make against such penalty, pass such orders as he may deem fit.

*(2) The powers vested in the President under sub-rule (1) may also be exercised in like manner :—

- (i) in the case of a Government servant in the Indian Audit and Accounts Department by the Comptroller and Auditor-General ; and
- (ii) in the case of a Government servant in the Department or Office, not being the Secretariat or the Indian Audit and Accounts Department, which is under the control of a 'Head of a Department' directly under the Government, by such Head of Department :

Provided that no such power shall be exercisable unless :—

- (i) The authority which made the order in appeal or in review, or
- (ii) where no appeal has been preferred or no review has been made, the authority to which an appeal would lie or which is competent to review the order, is subordinate to the Comptroller and Auditor-General or such Head of Department, as the case may be.

*Inserted vide G. I. M. H. Affairs Notification No. F. 7/25/61-Ests (A) dated the 28th April 1962.

†Amended vide G. I. M. H. Affairs Notification No. F. 7/6/60-Ests. (A), dated 17th May 1961.

33. The authority to which an appeal against an order imposing any of the penalties specified in rule 13 lies may, of its own motion or otherwise, call for the records of the case in a disciplinary proceeding, review any order passed in such a case and, after consultation with the Commission where such consultation is necessary, pass such orders as it deems fit, as if the Government servant had preferred an appeal against such order.

Review of order in disciplinary cases

Provided that no action under this rule shall be initiated more than six months after the date of the order to be reviewed.

33A. *Whenever the Commission is consulted as provided in these rules, a copy of the advice given by the Commission and, where such advice has not been accepted, also a brief statement of the reasons for such non-acceptance, shall be furnished to the Government servant concerned along with a copy of the order passed in the case, by the authority making the order.

Supply of copy of Commission's advice.

PART VIII—MISCELLANEOUS

34. (1) The Civil Services (Classification Control and Appeal) Rules and the rules contained in the notification of the Government of India in the Home Department No. F.9-19/30-Ests., dated 27th February 1932, and any notifications issued and orders made under any such rules to the extent to which they apply to persons to whom these Rules apply and in so far as they relate to classification of Central Services specified in the Schedules except the General Central Services or confer powers to make appointments, impose penalties or entertain appeals are hereby repealed.

Repeal and Savings

Provided that —

- (a) such repeal shall not affect the previous operation of the said rules, notifications and orders or anything done or any action taken thereunder ;
- (b) any proceeding under the said rules, notifications or orders pending at the commencement of these rules shall be continued and disposed of as far as may be, in accordance with the provisions of these rules.

(2) Nothing in these rules shall operate to deprive any person to whom these rules apply of any right of appeal which had accrued to him under the rules, notifications or orders repealed by sub-rule (1) in respect of any order passed before the commencement of these rules.

(3) An appeal pending at or preferred after the commencement of these rules against an order made before such commencement shall be considered and orders thereon shall be passed, in accordance with these rules.

35. Where a doubt arises as to who is the head of any office or as to whether any authority is subordinate to or higher than any other authority or as to the interpretation of any of the provisions of these rules, the matter shall be referred to the President whose decision thereon shall be final

Removal of doubts.

SCHEDULE

[See Rules 7, 11, 14 (2) and 23.]

Part I—Central Civil Services, Class I

1. Archaeological Service (Class I).
2. Botanical Survey of India (Class I).
3. Central Engineering Service (Class I).
4. Central Electrical Engineering Service (Class I)
5. Central Health Service (Class I).

*Inserted vide G. I. M. H. Affairs Notification No. F. 7/6/60-Ests. (A), dated the 17th May 1961.

6. Central Revenues Chemical Service (Class I).
7. Central Secretariat Service :—
 - (a) Selection Grade :
 - (b) Grade I ;
 - (c) Grade II ;
8. General Central Service (Class I).
9. Geological Survey of India (Class I).
10. Indian Audit and Accounts Service.
11. Indian Defence Accounts Service.
12. Indian Foreign Service (Class I).
13. Indian Meteorological Service (Class I).
14. Indian Postal Service (Class I).
15. Indian Posts and Telegraphs Traffic Services (Class I).
16. Indian Revenue Service :—
 - (a) Customs Branch (Indian Customs Service, (Class I).
 - (b) Central Excise Branch (Income Tax Service, Class I).
 - (c) Income Tax Branch (Income Tax Service, Class I).
17. Indian Salt Service (Class I).
18. Mercantile Marine Training Ship Service (Class I).
19. Mines Department (Class I).
20. Overseas Communications Service (Class I)
21. Survey of India (Class I).
22. Telegraph Engineeridg Service (Class I).
23. Zoological Survey of India (Class I).
24. Indian Frontier Administrative Service :—
 - (a) Grade I.
 - (b) Grade II.
25. Central Legal Service (Grades I, II, III and IV).
26. Railway Inspectorate Service (Class I).
27. Indian Foreign Service Branch (E).
 - (a) General Cadre, Grade I ;
 - (b) General Cadre, Grade II.
28. Delhi and Himachal Pradesh Civil Services, Grade I.
29. Delhi and Himachal Pradesh Police Service, Grade I.
30. Indian Inspection Service (Class I).
31. Indian Supply Service (Class I).
32. Central Information Service :—
 - (a) Senior Administrative Grade.
 - (b) Junior Administrative Grade.
 - (c) Grade I,
 - (d) Grade II.

Part II—Central Civil Service, Class II.

Description of Service	Appointing Authority.	Authority competent to impose penaltiss and penalties which it may impose (with reference to item numbers in rule 13).	
		Authority.	Penalties
Central Secre- tariat Service, Grade III.	President.	President.	all
		In respect of a member of the Service serving in :—	
		(a) a Ministry or Departmen of Government other than a Ministry or Department herein- after specified :—	Secretary in the Ministry or Department. (i)
		(b) a non-Secreta- riat office other than an office herein after specified :—	
		(i) if such office is under the control of a "Head of a Depart- ment" directly under Government—	Head of the Department (i)
		(ii) in other cases—	Secretary in the Ministry or Department concerned. (i)

Continued on page 144

Description of Service.	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with Penalties)
[Continued from Page 143.]		
Central Secretariat President, Service, Grade IV.	(c) Ministry of Finance (Defence Division)—	Financial Adviser, Defence Division (i)
	(d) Office of the Union Public Service Commission—	Secretary, Union Public Service Commission. (i)
	President	All
	In respect of member of the Service serving in— (a) a Ministry or Department of Government other than a Ministry or Department herein after specified— (b) a non-Secretariat office other than an office hereinafter specified— (i) if such office is under the control of a "Head of a Department" directly under Government— (ii) in other case—	Secretary in the Ministry (i) to (iii) or Department.
Central Secretariat President, Stenographers Service, Grade I	(c) Ministry of Finance, (Defence Division)—	Head of the Department (i) to (iii) Secretary in the Ministry or (i) to (iii) Department concerned. Financial Adviser, Defence Division. (i) to (iii).
	(d) office of the Union Public Service Commission—	Secretary, Union Public Service Commission. (i) to (iii)
	President.	All
	In respect of a member of the Service serving in ;— (a) a Ministry or Department of or Government other than a Ministry or Department herein after specified— (b) a non-Secretariat office other than an office hereinafter specified— (i) if such office is under the control of a "Head of a Department" directly under Government— (ii) in other cases	Secretary in the Ministry or Department. (i)
(c) Ministry of Finance (Defence Division)—	(d) Officer of the Union Public Service Commission.	Head of the Department (i)
(c) Ministry of Finance (Defence Division)—	(d) Officer of the Union Public Service Commission.	Secretary in the Ministry or Department concerned. (i)
(c) Ministry of Finance (Defence Division)—	(d) Officer of the Union Public Service Commission.	Financial Adviser, Defence Division. (i)
(c) Ministry of Finance (Defence Division)—	(d) Officer of the Union Public Service Commission.	Secretary, Union Public Service Commission. (i)

Description of Service.	Appointing Authority.	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13.	
		Authority	Penalties
[Continued from page 144.			
Central Secretariat Stenographers Service, Grades II and III	President	President. In respect of a member of the Service serving in ; (a) a Ministry or Department of Government other than a Ministry or Department herein after specified— (b) a non-Secretariat office other than an office hereinafter specified— (i) if such office is under the control of a 'Head of a Department' directly under Government— (ii) in other cases— (c) Ministry of Finance, (Defence Division)— (d) Office of the Union Public Service Commission— (e) Election Commission	All

Description of Service.	Appointing Authority.	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13.	
		Authority	Penalties
	(j) Ministry of Defence lower formations.	Chief of the General Staff Adjutant General; Quarter Master General; Master General of the Ordinance; Engineer in-Chief; Director General of Ordinance Factories; Director General Armed Forces Medical Services; Naval Secretary; Air Officer-in-charge, Personnel and Organisation	(i) to (iii)
	(k) National Instruments Factory—Calcutta—	Secretary, Ministry of Production.	(i) to (iii)
	(l) Posts and Telegraphs Department—	Head of the Circle; General Manager, Posts and Telegraphs Workshops.	(i) to (iii)
	(m) Stationery and Printing Department—	Secretary, Ministry of Works, Housing and Supply.	(i) to (iii)
	(n) Mines Deptt Post of Inspector of Mines (Welfare)	Chief Inspector of Mines	(i) to (iii)
	(o) Administration of Andaman and Nicobar Islands :—		
	(i) Anaman Labour Force	} Chief Commissioner, Andaman and Nicobar Islands	(i) to (iii)
	(ii) Chatham Saw Mills;		
	(iii) Marine Dockyard and Powor House.		
	(p) Salt Organisation Secretary Ministry of Health.	Salt Commissioner.	(i) to (iii) All
	(q) Oil and Natural Gas Commission	Member, Oil and Natural Gas Commission.	(i) to (iii)
	(r) Hindustan Housing Factory (Private) Limited	General Manager Hindustan Housing Faetory (Private) Limited,	(i) to (iii)
	(s) Bhilai Steel Project—	General Manager, Bhilai Steel Project	(i) to (iii)
	(t) Department of Atomic Energy	Director, Atomic Minerals Division.	(i) to (iii)
	(u) Office of the Surveyor General of India.	Surveyor General of India.	(i) to (iii)
	(v) National Dairy Research Institute, Karnal.	Director National Dairy Research Institute, Karnal.	(i) to (iii)
	(w) office of the Chief Labour Commissioner (Central) New Delhi.	Chief Labour Commissioner (Central)	(i) to (iii)
Central Health Service, Class II,	Secretary, Ministry, of Health	Secretary Ministry of Health	All
India Meteorological Service' Class II.	Director General of Observatories.	Director General of Observatories.	All
Postal Suprintendents' Service, Class II.	Director General, Posts and Telegraphs.	Posts and Telegraphs Board Head of Circle.	All (i) to (iii)

Description of service.	Appointing Authority	Authority competent to impose penalties and penalties which it may impose with reference to item numbers in rule 13)	
		Authority	Penalties
Postmasters' Service, Class II.	Director General, Posts and Telegraphs.	Posts and Telegraphs Board Head of Circle	All (i) to (iii)
Telegraph Engineering and Wireless Service, Class II.	Director General, Posts and Telegraphs.	Posts and Telegraphs Board Member Posts and Telegraphs Board, Head of Circle; General Manager, Posts and Telegraphs Workshops; Head of Telephone District; Chief Controller, Telegraph Stores.	All (i) to (iii)
Telegraph Traffic Service, Class II.	Director General, Posts and Telegraphs.	Posts and Telegraphs Board Head of Circle	All (i) to (iii)
Central Excise Service, Class II— Superintendents, Class II (including Deputy Head- quarters Assistant to the Collector) and District Opium Officers. Class II.	Collector of Central Excise/Land Customs; Narcotics Commissioner.	Collector of Central Excise/Land Customs; Director of Inspection: Narcotics Commissioner, Director of Revenue Intelligence	All
In respect of—			
(i) a member of the service serving in the Statistics and Intelligence Branch (Central Excise).		Deputy Collector (Statistics and Intelligence Branch). to (i) to (iii)	
(ii) any other member of the Service.		Assistant Collector of Central Excise Class I; Assistant Narcotics Commissioner. Deputy Collector of Central Excise ; Deputy Narcotics Commissioner Deputy Director Revenue Intelligence (i) to (iii)	(i) to (iii)
Customs Appraisers Service, Class II— Principal Appraisers and head Appraisers.	Collector of Customs	Collector of Customs. Director of Inspection. Director of Revenue Intelligence, Assistant Collector, Assistant Director, Inspection. Assistant Collector of Central Excise, Delhi Collector of Central Excise, Dehli	All (i) to (iii)
Customs Appraisers Service, Class II Appraisers.	Collector of Customs	Collector of Customs; Director of Inspection. Director of Revenue Intelligence Assistant Collector, Assistant Director, (Inspection)	All (i) to (iii)

Description of Service.	Appointing Authority.	Authority Competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13).	
		Authority	Penalties
Customs Preventive Service, Class II Chief Inspectors. Customs Preventive Service class II Inspectors.	Collector of Customs.—	Collector of Customs. Director of Inspection Director of Revenue Intelligence Collector of Customs; Director of Inspection. Director of Revenue Intelligence Assistant Collector (Preventive)s Assistant Director of Inspection.	All (i) to (iii) (i) to (iii)
Income Tax Service, Class II.	Commissioner of Income Tax	Commissioner of Income Tax Director of Inspection. Assistant Commissioner.	All
Botanical Survey of India Class II,	Chief Botanist, Botanical Survey of India	Chief Botanist, Botanical Survey of India.	(i) All
Geological Survey of India, Class II,	Director, Geological Survey of India	Director, Geological Survey of India.	All
Survey of India Class II.	Surveyor General of India	Surveyor General of India.	All
Zoological Survey of India Class II	Director, Zoological Survey of India.	Director Zoological Survey of India	All
Central Electrical Engineering Service, Class II.	Chief Engineer, Central Public Works Department	Chief Engineer, Central Public Works Department.	All All
Central Engineering Service, Class II	Chief Engineer, Central Public Works Department.	Chief Engineer, Central Public Works Department.	
Indian Salt Service, Class II	Joint Secretary, Ministry of Production Administrator	Joint Secretary of Ministry of Production. Salt Commissioner. Administrator	All (i) to (iii) All
Posts in Union Territories other than Delhi Administration the Andaman and Nicobar Islands and the Laccadive,			
Indian Foreign Service B :— (a) General Cadre, Grade III; (b) Cypher Sub cadre. Grade I.	President	President In respect of a member of service serving in : (i) a Ministry or Department of Government (ii) an Indian Mission/Post abroad —	All (i) (ii) All
		Secretary in the Ministry or Department Head of Mission/Post, if he is also "Head of Department"; otherwise Secretary Ministry of External Affairs.	

Description of Service	Appointing Authority.	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13).		Penalties
		Authority		
Indian Foreign Service President		President		
(B) :—				
(a) General Cadre Grade IV		In respect of a member of the Service serving in :—		
(b) Stenographers Sub-cadre, Grade I & II		(i) a Ministry or Department of Government (ii) An Indian Mission/Post abroad --	Secretary in the Ministry or Department Head of Mission/Post, if the is also "Head of Department" otherwise, Secretary Ministry of External Affairs.	(i) to (iii) (i) to (iii)
Delhi and Himachal Pradesh Civil Service, Grade II.	Joint Secretary Ministry of Home Affairs.	Joint Secretary Ministry of Home Affairs In respect of a member of the Service serving under Delhi Administration. In respect of a member of the Service serving under Himachal Pradesh Administration.	Chief Secretary, Delhi Administration. Chief Secretary, Himachal Pradesh Administration.	All (i) to (iii) (i) to (iii)
Delhi and Himachal Pradesh Police Service, Grade II.	Joint Secretary Ministry of Home Affairs.	Joint Secretary Ministry of Home Affairs In respect of a member of the Service serving under Delhi Administration. In respect of a member of the Service serving under Himachal Pradesh Administration.	Chief Secretary, Delhi Administration. Chief Secretary, Himachal Pradesh Administration.	All. (i) to (iii)" (i) to (iii)
Central Information Service, Grade III and IV,	Secretary, Ministry of Information and Broadcasting.	Secretary, Ministry of Information and Broadcasting. In respect of a member of the Service in :— (a) an office under the control of Head of Department— (b) Directorate of Field Publicity (c) Office of the Registrar of Newspapers for India. (d) Research and Reference Division—	Head of Department Director of Field Publicity. Registrar of Newspapers for India. Deputy Director, Research and Reference Div.	(i) to (iii) (i) to (iii) (i) to (iii) (i) to (iii)
General Central Service, Class II.				

Description of Service.	Appointing Authority.	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13)	
		Authority	Penalties
Posts in any Ministry or Department of Government of India, other than the post in respect of which specific provision has been made by a general or special order of the President.	Secretary in the Ministry or Department.	Secretary in the Ministry or Department	All
Posts outside a Ministry or Department of Government of India, other than the posts in respect of which specific provision has been made by a general or special order of the President.	In respect of posts in an Office under the control of a 'Head of a Department' directly under the Government—	Head of the Department.	Head of the Department
	In respect of other posts	Secretary in the Ministry or Department.	Secretary in the Ministry or Department.
Posts in Union Territories other than Delhi Administration/the Andaman and Nicobar Islands and Laccadive, Minicoy and Amindivi Islands.	Administrator "Officiating appointment not exceeding six months.	Administrator	All All
Delhi Administration.	"All posts. "in respect of posts in the Forest Department.	Chief Commissioner.	Chief Commissioner. Chief Conservator of Forests.
All Posts The Laccadive, Minicoy and Amindivi Islands.	Chief Secretary	Chief Secretary	(i) to (iii) All
All posts	President	President Administrator	All (i) to (iii)

Part III—Central Civil Services, Class III

Description of Service.	Appointing Authority.	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13).		Appellate authority
		Authority	Penalties	
Central Secretariat Clerical Service, Upper Division and Lower Division Grades.	Deputy Secretary, Cadre Authority.	Deputy Secretary, Cadre Authority.	All	Secretary, Cadre Authority.
		In respect of a member of the Service serving in :— (a) a Department Office, other than those specified below and other than the Cadre Authority, where the head of the office is of a rank not below that of Deputy Secretary or Director	Head of the office (i) to (iii)	Secretary, Cadre Authority.

Description of Service	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13).		Appellate authority
		Authority	Penalties	
		(Junior Administrative Grade).		
		(b) Ministry of Finance (Defence)	Deputy Financial Adviser	(i) to Financial Adviser, Defence
		(c) Prime Minister's Sectt.	Private Secy. (Administration)	(i) to Principal Private Secretary to Prime Minister.
		(d) Directorate General of Posts & Telegraphs.	Director (Staff).	(i) to Member Posts and Telegraphs Board
		(e) Office of the Inspector General, Delhi Special Police Establishment.	Deputy Inspector General,	(i) to Inspector General
		(f) Office of the Chief Engineer, Central Public Works Department.	Director of Administration.	(i) to Chief Engineer.
		(g) Directorate General of Supplies and Disposals.	Director of Administration.	(i) to Director General, Supplies & Disposals
		(h) Central Water & Power Commission	Secretary, Central Water & Power Commission.	(i) to Chairman, Central Water and Power Commission
Posts and Telegraphs Accountants Service—Senior Accountant; Junior Accountant.	Member, Posts and Telegraphs Board	Member Posts and Telegraphs Board General (Staff).	All	Director General, Posts and Telegraphs.
		Manager, Workshops; Deputy General Manager, Posts and Telegraphs Workshops.	(i) to (iii)	General Manager, Posts and Telegraphs.
		Chief Accounts Officer, Telegraph Stores and Workshops.	(i) to (iii)	Member, Posts and Telegraphs Board
		District Manager, Telephones; Deputy General Manager, Telephones.	(i) to (iii)	Member, Posts and Telegraphs Board
		Controller of Telegraph Stores.	(i) to (iii)	General Manager, Telephones
		Senior Electrical Engineer; Divisional Engineer; Telegraphs, Posts and Telegraphs Training Centre, Jabalpur.	(i) to (iii)	Chief Controller of Telegraph Stores.
			(i) to (iii)	Additional Chief Engineer, Technical and Development Circle.

Description of Service.	Appointing Authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13).		Appellate Authority.
		Authority	Penalties	
Indian Foreign Service (B) :— (a) General Cadre, Grades V and VI. (b) Cypher sub-cadre, Grade III	Deputy Secretary, Ministry of External Affairs.	Deputy Director, Postal Life Insurance.	(i) to (iii)	Directors (Staff Posts & Telegraphs Directorate.
		Director (Staff) Posts and Telegraphs Directorate; Principal, Training Centre, Saharanpur.	(i) to (iii)	Member Posts and Telegraphs Board.
		Deputy Secretary Ministry of External Affairs	All	Secretary Ministry of External Affairs.
		In respect of a member of the Service serving in :— (i) a Ministry or Department of Government— (ii) an Indian Mission/Post abroad—	(i) to (iii)	Secretary in the Ministry or Department.
General Central Service Class III. Posts in Ministries/Departments of Government other than the posts in respect of which specific provision has been made by a general or special order.	Deputy Secretary in the Ministry/Department of Government.	Deputy Secretary in the Ministry/Department of Government.	All	Secretary in the Ministry/Department of Government.
		Head of office	All	If such head of office is subordinate to a 'Head of Department' under the Ministry of Government, such Head of Department.
Posts in non-Secretariat Offices other than posts in respect of which specific provision has been made by a general or special order of the President.	Head of office	Head of office.	All	If the head of the office is himself the Head of Department or is not subordinate to any Head of Department, the Secretary in the Ministry or Department of Government.
		Head of Office or such other	All	Administrator or such other authority as may be
Posts in Union Territories.	Head of Office or such other	Head of Office or such other		

Description of Service.	Appointing Authority.	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 18).		Appellate Authority.
		Authority	Penalties	
	authority as may be specified by the Administrator	authority as may be specified by the Administrator		specified by the Administrator; where the order is that of the administrator, the President.
Central Emergency Relief Training Institute, Nagpur. All Posts.	Commandant.	Commandant.	All	Deputy Secretary, Ministry of Home Affairs.

Part IV—Central Civil Service, Class IV

Description of Service :	Appointing Authority.	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 13).		Appellate Authority.
		Authority	Penalties	
General Central Service. Class IV.				
Posts in Ministries or Departments of Government other than posts in respect of which specific provision has been made by a general or special order of the President.	Under Secretary.	Under Secretary.	All	Deputy Secretary
Posts in non-Secretariat. Offices other than posts in respect of which specific provision has been made by a general or special order of the President	Head of office.	Head of office.	All	If such head of office is subordinate to a Head of Department under the Ministry or Department of Government, such Head of Department, if the Head of the office is himself the Head of Department or is not subordinate to a Head of Department, the Secretary in the Ministry or Department of Government.
Posts in Union Territories.	Head of office or such other authority as may be specified by the Administrator.	Head of office or such other authority as may be specified by the Administrator.	All	Administrator or such authority as may be specified by the Administrator where the order is that of the Administrator, the President.