

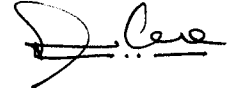
F. No. 11012/9/2016-Estt.A-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment Division

North Block, New Delhi – 110001
Dated: 7 March, 2017

OFFICE MEMORANDUM

Subject: Amendment in Central Civil Services (Classification, Control & Appeal) Rules, 1965 regarding fixing of timelines for finalizing disciplinary proceedings – regarding.

The undersigned is directed to say that it has been proposed to amend the CCS(CC&A) Rules 1965 by introducing stringent timelines for completing Disciplinary proceedings in a time bound manner. The proposed draft Notification for amending CCS (CCA) Rules, 1965 is enclosed herewith. Before framing the Rules, all stakeholders, Ministries / Departments are requested to offer their comments/views, if any, in this regard at the e-mail address poulose.ev13@nic.in latest by **21st March, 2017**.



(Poulouse E.V.)

Under Secretary to the Govt. of India
Tel: 23040264

To

All Ministries/ Departments of the Government of India

Copy to:

NIC, DoP&T with the request to place the above said O.M. alongwith its enclosures on the website of this Department on the homepage **for 15 days** (what's New).

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION-(I)]

Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

Notification

New Delhi, dated the March, 2017

G.S.R..... (E). – In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965, namely:-

1. (1) These rules may be called the Central Civil Services (Classification, Control and Appeal) Amendment Rules, 2017.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Civil Services (Classification, Control and Appeal) Rules, 1965,-

I. in rule 14,-

(i) for sub-rule (4), the following sub-rule shall be substituted, namely :-

“(4) (a) The Disciplinary Authority shall deliver or cause to be delivered to the Government servant a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article or charges is proposed to be sustained.

- (b) On receipt of the articles of charge, the Government servant shall be required to submit his written statement of defence, if he so desires, and also state whether he desires to be heard in person, within a period of fifteen days, which may be further extended for a period not exceeding fifteen days at a time for reasons to be recorded in writing by the Disciplinary Authority or any other Authority authorised by the Disciplinary Authority on his behalf:

Provided that under no circumstances, the extension of time for filing written statement of defence shall exceed forty-five days from the date of receipt of articles of charge.”;

- (ii) for sub-rule (13), the following sub-rule shall be substituted, namely:-

- “(13) On receipt of the requisition referred to in sub-rule (12), every authority having the custody or possession of the requisitioned documents shall produce the same or issue a non-availability certificate before the Inquiring Authority within one month of the receipt of such requisition:

Provided that if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the public interest or security of the State, it shall inform the Inquiring Authority accordingly and the Inquiring Authority shall, on being so informed, communicate the information to the Government servant and withdraw the requisition made by it for the production or discovery of such documents.”;

- (iii) after sub-rule (23), the following sub-rule shall be inserted, namely:-

"(24) (a) The Inquiring Authority should conclude the inquiry and submit his report within a period of six months from the date of receipt of order of his appointment as Inquiring Authority.

(b) Where it is not possible to adhere to the time limit specified in clause (a), the Inquiring Authority may record the reasons and seek extension of time from the disciplinary authority in writing, who may allow an additional time not exceeding six months for completion of the Inquiry.

(c) The extension for a period not exceeding six months at a time may be allowed for any good and sufficient reasons to be recorded in writing by the Disciplinary Authority or any other Authority authorised by the Disciplinary Authority on his behalf.";

II. in rule 15, in sub-rule (3), for clause (b), the following clause shall be substituted, namely: –

"(b) The Disciplinary Authority shall forward or cause to be forwarded a copy of the advice of the Commission received under clause (a) to the Government servant, who shall be required to submit, if he so desires, his written representation or submission to the Disciplinary Authority within a period of fifteen days from the date of receipt of the advice of the Commission, which may be extended for a further period not exceeding fifteen days by recording the reasons in writing by the Disciplinary Authority or any other Authority authorised by the Disciplinary Authority on his behalf:

Provided that under no circumstances, the extension of time shall exceed forty-five days from the date of receipt of advice of the Commission by the Government servant.";

III. in rule 16,-

(i) in sub-rule (1),-

(A) in clause (b), for the words, brackets and figure "sub-rules (3) to (23) of rule 14", the words, brackets and figure "sub-rules (3) to (24) of rule 14" shall be substituted;

(B) for clause (d), the following clause shall be substituted, namely:-

"(d) consulting the Commission where such consultation is necessary. The Disciplinary Authority shall forward or cause to be forwarded a copy of the advice of the Commission to the Government servant, who shall be required to submit, if he so desires, his written representation or submission to the Disciplinary Authority within fifteen days from the date of receipt of the advice of the Commission, which may be extended for a further period not exceeding fifteen days by recording the reasons in writing by the Disciplinary Authority or any other Authority authorised by the Disciplinary Authority:

Provided that under no circumstances, the extension of time shall exceed forty-five days from the date of receipt of advice of the Commission by the Government servant.";

(ii) in sub-rule (1-A), for the words, brackets and figure "sub-rules (3) to (23) of rule 14", the words, brackets and figure "sub-rules (3) to (24) of rule 14" shall be substituted.

F. No.

(.....)
Joint Secretary to Government of India