

No.39/43/70-Ests(A)  
CABINET SECRETARIAT  
DEPARTMENT OF PERSONNEL

...  
New Delhi, the 8th January, 1971

OFFICE MEMORANDUM

Subject:- Elimination of delays in the disposal of disciplinary cases - time-limit for passing final orders on the inquiry report.

...  
The undersigned is directed to say that the following item sponsored by the Staff Side of the National Council of the Joint Consultative Machinery was discussed in the 9th ordinary meeting of the National Council held on the 25th and 26th September, 1970 :-

"Suitable provisions should be made in Rule 15 of the C.C.S.(C.C.A.) Rules, 1965, to make it obligatory on the part of the Disciplinary Authority to pass orders on the enquiry report within a period of 15 days, to avoid delay."

After some discussion, it was decided that the Official Side might examine the feasibility of prescribing a time-limit of two months within which the disciplinary authority should pass the orders on the report of the inquiry officer, and requiring that authority to submit a report to the next higher authority in cases where the time-limit cannot be adhered to, explaining the reasons therefor.

2. The suggestion of the Staff Side has accordingly been examined further. It is felt that, while both in the public interest\* as well as in the interest of employees no avoidable delay should occur in the disposal of disciplinary cases, it is necessary that sufficient time is available to the disciplinary authority to apply its mind to all relevant facts which are brought out in the inquiry before forming an opinion about the imposition of a penalty, if any, on the Government servant. While therefore it has to be ensured that fixing of any time-limit on the disposal of the inquiry report by the disciplinary authority by making a provision in this regard in the C.C.S.(C.C.A.) Rules should not lead to any perfunctory disposal of such cases, taking all relevant factors into consideration it is felt that in cases which do not require consultation with the C.V.C. or the U.P.S.C., it should normally be possible for the disciplinary authority

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to take a final decision on the inquiry report within a period of three months at the most. In cases where the disciplinary authority feels that it is not possible to adhere to this time-limit, a report may be submitted by him to the next higher authority indicating the additional period within which the case is likely to be disposed of and the reasons for the same. In cases requiring consultation with the C.V.C. and the U.P.S.C. also, every effort should be made to ensure that such cases are disposed of as quickly as possible.

3. The Ministry of Finance etc. are requested to bring the contents of this Office Memorandum to the notice of all disciplinary authorities and also take suitable steps to ensure that avoidable delays in such cases do not occur.

  
(P. S. VENKATESWARAN)

Under Secretary to the Government of India

To

All Ministries/Departments, etc. etc.

No.39/43/70-Ests(A) New Delhi, dated 8th January, 1971

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(P. S. VENKATESWARAN)

Under Secretary to the Government of India

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