

No. 7/11/70-Est (A)
Government of India,
Cabinet Secretariat,
(DEPARTMENT OF PERSONNEL)

New Delhi-1 dated the 24th September, 1970
Sd/- Swarna 1892

OFFICE MEMORANDUM

Subject:- Central Civil Services (Classification, control and Appeal) Rules, 1965, - Provision for re-cross-examination in the disciplinary proceedings.

Attention of the Ministry of Finance etc, is invited to sub-rule (14) of Rule 14 of the C.E.S. (C.C.A.) Rules, 1965, under which the witnesses produced by or on behalf of the disciplinary authority in a disciplinary proceeding shall be examined by or on behalf of the presenting officer and may be cross-examined by or on behalf of the Government servants, and the presenting officer would also be entitled to re-examine the witnesses on any points on which they have been leave of the inquiring authority. Doubts have been expressed in some quarters if cross-examination by or on behalf of the Government servant could be allowed after the presenting officer has re-examined the witnesses. It is hereby clarified that if re-examination by the presenting officer is allowed on any new matter not already covered by the earlier examination/ cross-examination, a cross-examination on such new matters covered by the re-examination may also be allowed to meet the ends of natural justice.

2. In so far as the persons serving in the Audit & Accounts Department are concerned, these orders issue in consultation with the Comptroller & Auditor General of India.

Sd/-
(P.S.Venkateswaran)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA.

All Ministries/Departments etc, etc.

No. 7/11/70-Ests (A) New Delhi, the 24th Sep. 1970
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Copy forwarded for information to:-

1. Comptroller & Auditor General of India, New Delhi,
with 200 spare copies, with reference to his
U.O. No. 1044/A/43-89, dated 2nd September, 1970.
2. Union Public Service Commission, New Delhi
with 40 spare copies.
3. Central Vigilance Commission, New Delhi,
with 25 spare copies.
4. All Vigilance Officers.

Sd/- P.S. Venkateswaran
UNDER SECRETARY TO THE GOVERNMENT OF INDIA,

Copy to:-

@ with 20 spare copies@

AVD/AIS(II)/Ests (D)/Ests (E)/CS I/CS II.