

**No.11012/11/2002 -Estt. (A)**  
**Government of India**  
**Ministry of Personnel, P.G. & Pensions**  
**(Department of Personnel & Training)**

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New Delhi, dated the 5<sup>th</sup> February, 2003.

**OFFICE MEMORANDUM**

Sub : CCS (CCA) Rules, 1965 - retired Government servants  
appearing as Defence Assistants - conditions reg.

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The undersigned is directed for refer to this Department's O.M. No. 11012/5/92-Estt. (A) dated 22<sup>nd</sup> May, 1992 on the subject mentioned above and to say that the staff side in the National Council (JCM) had made a demand for enhancing the ceiling on the number of cases a retired Government servant can take up as Defence Assistant. In the light of the discussion in the meeting of the National Council in this regard, it has been decided to raise the limit of cases from five to seven. Hence in supersession of the earlier order on the subject it has been decided in terms of rule 14 (8) (b) of the CCS (CCA) Rules, 1965 that the Government servant concerned may take the assistance of a retired Government servant subject to the following conditions :-

- (i) The retired Government servant concerned should have, retired from service under the Central Government.
- (ii) If the retired Government servant is also a legal practitioner, the restrictions on engaging a legal practitioner by a delinquent Government servant to present the case on his behalf, contained in Rule 14 (8) of the CCS (CCA) Rules, 1965 would apply.
- (iii) The retired Government servant concerned should not have, in any manner, been associated with the case at investigation stage or otherwise in his official capacity.
- (iv) The retired Government servant concerned should not act as a defence assistant in more than seven cases at a time. The retired Government servant should satisfy the inquiring officer that he does not have more than seven cases at hand including the case in question.

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

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3. The Ministry of Finance etc. are requested to bring the aforesaid decision to the notice of all concerned.

*P. Mohan*  
(Smt. Pratibha Mohan)  
Director (E-II)

To .

All Ministries/Departments of the Government of India.

Copy to :

1. Comptroller and Auditor General of India, New Delhi.
2. Union Public Service Commission, New Delhi.
3. Central Vigilance Commission, New Delhi.
4. Central Bureau of Investigation, New Delhi.
5. All Union Territory Administrations.
6. Lok Sabha/Rajya Sabha Secretariat.
7. All attached and Subordinate Offices of the Ministry of Personnel, Public Grievances and Pensions and Ministry of Home Affairs.
8. All officers and sections in the Ministry of Personnel, Public Grievances and Pensions and Ministry of Home Affairs.

*P Mohan*  
(Smt. Pratibha Mohan)  
Director (E-II)