

No.39/32/72-Ests(A)
Government of India/Bharat Sarkar
Cabinet Secretariat/Mantrimandal Sachivalaya
Department of Personnel/Karmik Vibhag.

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New Delhi-110001 dated 13 Dec., 1972

OFFICE MEMORANDUM

Subject:- Disciplinary proceedings - appointment
of Inquiry Officers.

The undersigned is directed to state that the Administrative Reforms Commission in their Report on 'Personnel Administration' have made the following recommendation:-

"49. We recommend that where the volume of work in connection with the departmental enquiries justifies the appointment of a separate officer for a department, or a group of offices, or for a region, a separate, whole-time officer fully trained for conducting disciplinary proceedings may be appointed."

Recommendation No. 49/

2. The recommendation has been examined. In the Ministry of Home Affairs (now Department of Personnel) O.M. No. 39/40/52-Ests, dated the 4th October, 1952, the following measures had already been suggested to the various Ministries/Departments in regard to the appointment of Inquiry Officers in the context of avoiding delays in departmental proceedings caused by excessive preoccupation of the Inquiry Officer and his unfamiliarity with the prescribed procedures:-

(i) In each Ministry/Department, a specified officer(s) of appropriate rank shall be nominated and earmarked for the purpose of conducting all the departmental enquiries arising within that Ministry/Department.

(ii) As soon as an occasion arises for taking up such an enquiry, the nominated officer will be relieved of his normal duties to such an extent as may be necessary to enable him to devote full and careful attention to the completion of the enquiry and the submission of his report. During this time, the work of which the officer is to be relieved may be distributed amongst other officers.

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(iii) The nominated officers should familiarize themselves with the rules and essential procedural requirements and appreciate the difference between departmental enquiries and trials in the criminal courts. The maintenance of close personal contact with the Ministry of Home Affairs (now Deptt. of Personnel) will enable them quickly to resolve any doubts or difficulties which may arise.

3. *la* If these instructions for expediting departmental inquiries are strictly followed it may not be necessary to appoint whole-time officer for conducting departmental proceedings. Where, however, the volume of work in connection with the departmental inquiries is so large as to justify the appointment of a whole-time officer for the purpose of conducting departmental inquiries, the Ministry of Finance etc. may consider the question of appointing a whole-time officer, fully trained in conducting disciplinary proceedings for a department or a group of Offices or for a region.

AUTHORISED FOR ISSUE.

H.S. Dhillon
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