

No. 39/1/67-Ests(A)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

NEW DELHI-11, the 21 February, 1967.

2 Magas 1888.
2 Phalyina,

OFFICE MEMORANDUM

Sub:- Recommendation of the Joint Conference of Central Bureau of Investigation and State Anti-Corruption Officers for making a provision in the rules of public sector undertakings to take disciplinary action for acts done by their employees in their previous or earlier employment.

The undersigned is directed to say that it has been recommended by the Joint Conference of the Central Bureau of Investigation and State Anti-Corruption Officers held in November, 1965, that a provision should be made in the rules of public sector undertakings which would enable them to take disciplinary action against their employees appointed through direct recruitment, for acts done by them in their previous or earlier employment. After a careful consideration of this recommendation, Government have come to the conclusion that an employer is not precluded from taking action against an employee in respect of misconduct committed before his employment if the misconduct was of such a nature as has rational connection with his present employment and renders him unfit and unsuitable for continuing in service. A provision in the Discipline Rules that penalties can be imposed for 'good and sufficient reasons', as in rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, would be adequate authority for taking action in respect of misconduct of the nature referred to above. When such action is taken, the charge should specifically state that the misconduct alleged is such that it renders him unfit and unsuitable for continuance in service.

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2. Ministry of Industry etc. are requested to bring the above position to the notice of all public sector undertakings under their control and request them to make a provision in their Discipline Rules so as to enable them to impose penalties on their employees for 'good and sufficient reasons', as in rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, if such a provision does not already exist.

P.S. Venkateswaran
(P.S. VENKATESWARAN)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA.

To

All Ministries/Departments of the Government of India only.

No.39/1/67-Ests(A), Dated, the 21 February, 1967.
2 Macha, 1888.
2 Phalguni

Copy forwarded for information to:-

1. The Director, Central Bureau of Investigation, New Delhi, with reference to his U.O. No.21/18/58-PD, dated 19.11.1966.
2. The Central Vigilance Commission, New Delhi.
3. AVD.III, Ministry of Home Affairs.

P.S. Venkateswaran
(P.S. VENKATESWARAN)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA.

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15/2/67.