

**GOVERNMENT OF INDIA  
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS  
LOK SABHA**

UNSTARRED QUESTION NO:3053  
ANSWERED ON:23.12.2003  
ENQUIRY AGAINST OFFICIALS  
VIRENDRA KUMAR

**Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:**

- (a) Whether the Government is aware of the fact that disciplinary enquiries conducted against the officers, particularly belonging to SC/ST communities, involved in various cases are harassed by the concerned administration of various Ministries/Deptts./autonomous bodies by way of delay in framing charges, conducting preliminary enquiry, issue of charge sheet, delay in taking evidence and delay in conducting and finalizing the case;
- (b) If so, whether any time limit has been fixed by the government for various stages i.e. conducting preliminary enquiry framing charges, issue of charge sheet, taking evidence, findings by the Enquiry Officer and finalizing the case;
- (c) if so, the details of time framed fixed for various stages; and
- (d) the instruction issued by the Government to various Ministries/Deptts./autonomous bodies to dispose of the cases urgently to avoid any harassment to SC/ST?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS. (SHRI HARIN PATHAK)

(a): The Disciplinary authorities of the various Ministries and Departments are competent to initiate disciplinary proceedings against erring officials. The data relating to disciplinary proceedings pending with various disciplinary authorities is not centrally maintained. No instance of any discrimination against an official belonging to SC/ST community in the conduct of disciplinary enquiry has come to the notice of this Department.

(b),(c) & (d): The Government has fixed the time limit for completion of various stages of the disciplinary enquiry. The disciplinary authorities are required to adhere to the time-limit prescribed, as delineated below:

i) Whenever the allegations are required to be investigated by the CBI and the CVC is required to be consulted on the action to be taken on the investigation report, the Departments are required to furnish their comments to the CVC within one month of the receipt of the investigation report.

ii) In cases investigated by the CBI the Department is required to issue the charge sheet within 3 months of the investigation report including the time taken in consulting the CVC.

iii) If CVC is not required to be consulted then charge sheet is issued within 2 months.

iv) The disciplinary authorities are required to appoint Inquiry Officer and a Presenting Officer immediately on receipt of the Government servant's written statement of defence denying the charges.

v) The oral enquiry, including the submission of the Inquiry Officer's report, should normally be completed within a period of 6 months from date of appointment of Inquiry Officer.

vi) After the receipt of the report of the Inquiry Officer along with the advice of the CVC wherever required, the final decision in the matter is required to be taken by the Departments within a period of 2 months except in cases where UPSC is required to be consulted.

vii) In cases where UPSC is consulted, the final decision is required to be taken within one month of the receipt of the advice.

The abovementioned instructions are required to be followed by all Disciplinary authorities/Departments irrespective of the caste and community of the charged official.