

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

UNSTARRED QUESTION NO:3241
ANSWERED ON:25.04.2012
AUTHORITY FOR DISCIPLINARY ENQUIRY
Bais Shri Ramesh

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

- (a) the details of competent authority to conduct disciplinary enquiry against officers from the rank of Joint Secretary upto the Secretary of Government of India;
- (b) the relevant acts or provisions authorising the same;
- (c) the time limit for issuing the chargesheet to the offending officer and the time limit for concluding the enquiry, including proclamation of punitive action; and
- (d) the procedure to conclude the enquiry if such enquiry has started but the offending officer has superannuated without any chargesheet given to him/her?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(SHRI V. NARAYANASAMY)

- (a)&(b): Prescribed Disciplinary Authority may himself enquire into or appoint an Enquiry Authority under the applicable Disciplinary Rules such as Rule 14 of CCS (CCA) Rules, 1965 and Rule 8 of AIS (Discipline & Appeal) Rules, 1969 or the Public Servants (Inquiries) Act, 1850 as the case may be.
- (c): Although, time limits are prescribed for completing certain stages of enquiry, no time limits are specified in the Discipline and Appeal Rules at present for issuing charge sheet and concluding the enquiry. Instructions exist for passing final order on the enquiry report ordinarily within 3 months of receipt of enquiry report or UPSC's advice wherever required.
- (d): Enquiry will be concluded as per prescribed procedure in terms of the applicable Disciplinary Rules. Charge sheet can be issued to a superannuated officer only in terms of the applicable Pension Rules such as Rule 9 of CCS (Pension) Rules, 1972 or Rule 6 of AIS (Death-cum-Retirement Benefits) Rules, 1958 etc. as the case may be.