

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

UNSTARRED QUESTION NO:2883  
ANSWERED ON:10.12.2014  
DISCIPLINARY PROCEEDINGS AGAINST EMPLOYEES  
Singh Shri Rama Kishore

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

- (a) whether the Government has asked all the Departments for timely review of all the cases of the Government servants accused in cases of alleged corruption or showing dereliction in their duty and speedy finalisation of the disciplinary proceedings against them;
- (b) if so, the details thereof; and
- (c) the effective steps taken by the Government for timely action during the last three years and the current year as on date?

**Answer**

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.  
(DR. JITENDRA SINGH)

(a) : Government has issued a number of instructions/guidelines in order to ensure speedy finalization of disciplinary proceedings against delinquent government servants.

(b) & (c): In order to ensure speedy finalization of disciplinary proceedings, Government decided to dispense with the second stage consultation with the Central Vigilance Commission(CVC). However, in those cases where consultation with UPSC is not required as per extant rules/instructions, second stage consultation with CVC should continue. Instructions to this effect were issued on 26th September, 2011.

Detailed guidelines for monitoring and expeditious disposal of disciplinary proceedings were issued by the Department of Personnel & Training on 29th November, 2012 which, inter alia, contained specific timelines for different stages of disciplinary proceedings, such as –

- (i) submission of case to the disciplinary authority within one month from the date of receipt of first stage advice of CVC;
- (ii) issuance of chargesheet within a week of receipt of decision of the Disciplinary Authority;
- (iii) submission of the report by Inquiry Officer within six months;
- (iv) supply of a copy of the Inquiry Report to the Charged Officer within 15 days of its receipt;
- (v) sending cases for CVC's second stage advice or to UPSC for advice, as the case may be, with in one month of receipt of representation of Charged Officer;
- (vi) passing of final orders within one month from date of advice of UPSC, etc.

Government has also issued orders for enhancement of honorarium and other allowances payable to Inquiry Officers and Presenting Officers in departmental proceedings by an O.M. dated 31st July, 2012. In this O.M., it was, inter alia, provided that if there is delay in completion of the enquiry which is not due to non-cooperation of the Charged Officer or due to stay orders, etc, the honorarium should be reduced by 50%. With a view to ensuring that Inquiry Officers/Presenting Officers are not overloaded with disciplinary cases, thus leading to delays, appropriate ceiling limits on the number of cases which can be assigned to a serving government servant and a retired government servant acting as Inquiry Officer/Presenting Officer, as the case may be, were also prescribed in the said O.M. It was also provided in the said O.M. that in cases where serving officers are appointed as Inquiry Officer/Presenting Officer, the department concerned should make all efforts to relieve such officer of his normal duties to enable him to complete the proceedings expeditiously.

On the basis of analysis of statistics regarding workload related to vigilance matters, Government again issued detailed instructions on 30th November, 2012 wherein it was, inter alia, laid down that the Secretary of the Ministry/Department should review the pending disciplinary proceeding cases and Sanction of Prosecution cases each month and that, the Ministries may consider, where appropriate, setting up of a monitoring cell to review and monitor the progress of pending disciplinary enquiries on a day-to-day basis, with a view to ensuring their timely conclusion.

In a subsequent O.M. dated 14th October, 2013, Ministries/Departments were directed to ensure that all major penalty proceedings

against government servants under their control are completed and final orders are passed by the concerned disciplinary authority within 18 months from the date of delivery of chargesheet on the delinquent government servant. In another O.M. dated 14th October, 2013, Ministries/Departments were apprised of the government's decision that once a regular hearing in a departmental proceeding is started, such hearing should, as far as practicable, be continued on a day-to-day basis, unless in the opinion of the Inquiry Officer, for reasons to be recorded in writing, an adjournment is unavoidable in the interest of justice.