

F.No.142/1/2019-AVD (IB)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi
Dated the 5th August, 2020

To

1. All Ministries/Departments of Government of India (As per standard list);
2. The Chief Secretaries of all the State Governments;
3. The Administrator of all Union Territories.

Sub: Circulation of Revised Check-List for forwarding the disciplinary proceedings proposals/cases to Department of Personnel & Training against IAS Officers under Single Window System prescribed vide OM No.142/16/2013-AVD – I dated 10th February 2014 — reg.

Sir/Madam,

The Department of Personnel & Training (DoPT) deals with the disciplinary matters of the officers of the Indian Administrative Services (IAS), being their cadre controlling department. It receives the proposals for disciplinary proceedings against the IAS officers working in connection with the affairs of the State, from the State Government; and against the IAS officers working under various Ministries/Departments in the Central Government, from the Central Ministries/Departments of the Government of India; under the All India Services (Discipline & Appeal) Rules, 1969 and All India Services (Death-cum-Retirement Benefits) Rules, 1958. Besides, it is also entrusted with dealing with the Appeals/Memorials and Revision/Review under the said Rules.

2. It is the responsibility of the Disciplinary Authorities concerned to lead the departmental proceedings to their logical conclusion. Inordinate and inexplicable delay in conclusion of the disciplinary proceedings vitiates the proceedings and sometimes leads to litigations. This delay is mainly attributed to the documentary and procedural deficiencies and a lot of time is consumed in avoidable protracted correspondence with the State Government or the Ministry/Department concerned, for furnishing requisite documents/case-records or fulfilling the procedural deficiencies.

3. Accordingly, a proforma check list was prescribed vide this Department's OM No.142/16/2013-AVD.I dated 10th February 2014 for referring disciplinary proceedings proposals/cases against IAS officers to Department of Personnel & Training under Single Window System. However, pursuant to OM No. 39011/08/2016 – Estt. (B) dated 28th December 2018 and to align with the requirements prescribed for submission of cases to UPSC for referring the disciplinary cases to UPSC, it has been felt necessary to revise the checklists for submission of disciplinary proceedings proposals/ cases to DoPT for onward reference to UPSC for its statutory advice.

4. Therefore, it has now been decided to prescribe new checklists as per enclosed Appendices I & II in supersession of the checklists prescribed vide the Appendices to this Department's OM No.142/16/2013-AVD.I dated 10th February 2014.

5. Submission of a disciplinary cases against an IAS officer and requisite case records will be checked against these new checklists through the single window system in DoPT. Appendix I to be followed hereafter; has 4 different checklists catering to 4 different situations (as described in the following table) in which a proposal of disciplinary proceeding against an IAS officer is to be submitted to DOPT by the concerned State Government/ Central Ministry/Department. Appendix II contains list of documents and folders which need to be submitted while submitting the disciplinary case through Single Window System. Another Appendix III has been enclosed which contains the Model letters for forwarding the proposals to Government of India, for each of the 4 situations of Appendix I.

6. Therefore, it is requested to submit the proposals of disciplinary cases against IAS officers to DoPT as per the appropriate Appendix that may be applicable in light of the situation for the case at hand with following details to ensure proper submission of proposals by various State Governments/ /Ministries/Departments as per the requirement of UPSC.

Appendix	Details	
I(A)	Proforma /Checklist for forwarding disciplinary cases for imposition of penalty of cut in pension of IAS officers after retirement from service or for imposition of major penalties of compulsory retirement, removal or dismissal from service.	State Government/UT
1(B)	Proforma /Checklist for initiation of disciplinary cases under Rules 6(1) (b) (1) of the AIS (DCRB)Rules, 1958 against retired IAS officers-who are to be charge-sheeted after retirement from service- for according sanction of the Central Government	State Government/UT
1(C)	Proforma/Checklist for disagreement cases under Rule 11 of the AIS(D&A) Rules,1969 - for submission of cases of difference of opinion between a State Government and the Union Public Service Commission.	State Government/UT
1(D)	Proforma/Checklist for submission of proposals by the Ministries/Departments of the Government of India for initiation of disciplinary proceedings against IAS Officers working on Central Deputation.	Ministry/Department

7. Further, it is also expected that the complete reference is received in this Department at least six months (180 days) prior to the retirement of the charged officer for complete examination of the proposal. Wherever the time of submission of case to this Department is less than six months (180 days) from the date of retirement of the officer, cogent reasons justifying late submission of case to this Department are also required to be submitted.

8. The operation of Single Window System requires the representatives of the State Government/Ministries/Departments of the Government of India seek prior appointment from concerned Under Secretary. During the appointed time, complete verification/ scrutiny of documents will be done and only such cases which are reckoned and found complete in all respects shall be accepted for processing. Cases found deficient vis-a-vis the mandated check-list will be returned therewith, and the case would not be deemed to have been received until it is received in complete form as per the check-list.

9. The State Governments/ Ministries/Departments of Government of India will be required to depute an officer not below the rank of the Under Secretary with his/her official seal and who is well conversant with the case to submit the records of the disciplinary case as per the check-list, in this Department. In the DoPT, Under Secretary (AVD-I.B), Room No.268B, North Block (through Gate No.4, Tele No. 011-2309-2298) will receive the Disciplinary cases referred to by the State Government and Under Secretary (AVD-I.C.I), Room No.270, North Block (through Gate No.4, Tele No.: 011-23092957) will receive the disciplinary cases referred to by the Ministries/Departments in Central Government from 11.00 a.m. to 1.00 p.m. and 2.30 to 4.00 p.m. on all working days.

10. Finally, Rule 6(1) (b)(ii) of AIS(DCRB) Rules,1958 stipulate time-limit for instituting disciplinary proceedings against a pensioner. Therefore, a proposal where time available for Disciplinary Authority for according sanction under said Rule is less than six months from the date of submission of the proposal to DoPT by Ministry/Department/State, the proposal will not be accepted on same day. In such case, DoPT would be afforded a time-limit of up to five working days to analyse the proposal before accepting or returning in case there is requirement of any information/clarification /document.

11. It is requested that the above instructions are strictly followed with immediate effect while submitting the proposals of disciplinary proceedings against IAS officers, with a view to streamline and expedite the processing.

Yours faithfully,

(Khushboo Goel Chowdhary)
Deputy Secretary(S&V)
Tel. No. 011-23092483

Enclosure:

- a) Appendix — I
- b) Appendix — II
- c) Appendix — III

Copy to Sr. Technical Director, NIC for uploading on the website.

Proforma/Check List for forwarding disciplinary cases for imposition of penalty of cut in pension of IAS officers after retirement from service or for imposition of major penalties of compulsory retirement, removal or dismissal from service to DoP&T

PART I: SERVICE AND OTHER RELATED PARTICULARS:

S. No.	Contents		Particulars	Document name and page no.
(i)	(ii)		(iii)	(iv)
DETAILS OF CHARGED OFFICER				
1.	(i)	Name		N/A
	(ii)	Batch		N/A
	(iii)	Cadre:		N/A
TYPE OF EMPLOYMENT				
2.	(i)	Whether temporary/ permanent/ contract service/on probation:		N/A
	(ii)	If confirmed, date of confirmation:		N/A
DETAILS OF POST HELD				
3.	Post held at the time of alleged misdemeanor :-			
	Post held at the time of retirement (for retired officers) :- {please mention the name of Department/ Ministry also}			
	If serving, details of post held at present: -			
		Designation:		N/A
	(i)	Pay Level in the pay matrix (indicating pay index, etc.):		N/A
	(ii)	Pay drawn:		N/A
	(iii)	Date from which pay shown against 3(ii) drawn:		N/A
	(iv)	Date of next increment, if applicable:		N/A
4.	The next lower post (along with pay level in the pay matrix), the officer would have held but for his appointment to the present post he is holding, if CO is in service:			N/A
5.	Date of Birth:			N/A
6.	DATE OF JOINING SERVICE			
	(i)	As an IAS officer:		N/A
	(ii)	Other services (specify):		N/A
7.	DETAILS OF RETIREMENT			
	Due date of retirement:			N/A
	Actual date of retirement, if already retired:			N/A

DETAILS OF PENSION AND GRATUITY				
8.	(i)	Amount of monthly pension admissible/sanctioned (amount /copy of the order):		Sanction Order Page __ to _____
	(ii)	a) Amount of gratuity admissible (in respect of disciplinary proceedings initiated during service):		N/A
		b) Amount of gratuity withheld, if any (for disciplinary proceedings continued after retirement)		N/A
9.	(i)	Appointing authority in respect of the post held at present, or the authority which actually appointed the person:		N/A
	(ii)	Appointing authority in respect of the post held at the time of alleged misdemeanor :		N/A
	(iii)	Authority competent to impose the penalty in respect of the post held at present:		N/A
	(iv)	Appellate Authority in respect of the post held at present:		N/A
ORAL INQUIRY				
10.	(i)	Whether an oral inquiry, if required under the rules has been held:		N/A
		If yes, then copy of report of oral inquiry	N/A	Page __ to
	(ii)	If yes, then Rules invoked for conducting oral inquiry:		N/A
	(iii)	Whether the oral inquiry has also examined MoS:		N/A
	(iv)	If yes, name and designation (if serving) of Inquiry Officer (who submits the inquiry report), appointed, if any, along with contact details:		N/A

PART II: DETAILS OF CASE RECORDS:

(All the records are required to be **arranged, cross-referenced** and authenticated, in the order indexed below (**page numbers of the file/folders** to be indicated against each item.).

	Item	Reference/comments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(A)	<u>ORIGINAL CASES:</u> (Where the Central Government or the State Government is the Disciplinary Authority and an order of penalty is to be passed for the first time within the competence of Central Government u/r 7(2) of the AIS (D&A) Rules, 1969).		
	(i)	If any complaint has been received by the authorities, following details of complaint be provided:	
		a) Copy of complaint	N/ A
		b) Date of complaint	Page __ to__
		c) Name of the complainant	N/ A
		d) Gist of the complaint	N/ A
		e) Whether complainant has requested to not to disclose his identity	N/ A
		f) Specify no. of pages in the complaint	N/ A
		g) Authenticated translation of complaint if it is in regional language along with their authenticated/original version in regional language:	N/ A
			Page __ to__
	(ii)	Details of the preliminary enquiry, if any, held in the matter leading to the institution of formal disciplinary proceedings against the C.O. (together with Depositions recorded& approval of the Competent Authority):	
		(a) Name of the complainant	N/ A
		(b) Gist of the complaint	N/ A
		(c) Copy of complete report of the preliminary enquiry	N/ A
			Page __ to__
	(iii)	(a) Copy of order(s) of suspension, if any, with complete details of duration :	Page __ to__
		(b) Date of revocation of suspension, if any,	N/ A
		(c) Copy of order of revocation of suspension, if any:	Page __ to
	(iv)	Order, if any, of the Competent Authority for joint/common proceedings where two or more Govt. servants are involved:	Page __ to__
	(v)	(a) Charge sheet together with the statement of imputations along with all enclosures:-	Page __ to__

		(b) Number of charges		N/ A
		(c) Summary of each article of charge (not more than 100 words)		N/ A
		(d) Records of delivery of charge sheet to the charged officer:		Page __ to ____
		(e) Whether the charge sheet issued as per the Rules (description of Rule under which Charge sheet has been issued may be provided):		N/ A
	(vi)	(a) Copy of the reply of the Charged Officer to the charge sheet	N/ A	Page __ to ____
		(b) Summary of reply of the Charged Officer to the charge sheet:		N/ A
	(vii)	A note from the Disciplinary Authority explaining the factual or procedural points, if any, raised in the Charged Officer's reply in minor penalty cases where no enquiry has been held:		Page __ to ____
	(viii)	(a) Details of order of the Disciplinary Authority appointing the Inquiry Officer		N/ A
		(b) Copy of the order:	N/ A	Page __ to ____
	(ix)	(a) Details of order of the Disciplinary Authority appointing the Presenting Officer		N/ A
		(b) Copy of the order:	N/ A	Page __ to ____
	(x)	Daily Order sheet maintained by the Inquiry Officer, indicating the progress of oral inquiry (duly signed by the participants present i.e. I.O., C.O., & P.O.):	N/ A	Page __ to ____
	(xi)	Copy of correspondence of the Inquiry Officer, if any, with the disciplinary Authority or the Charged Officer	N/ A	Page __ to ____
	(xii)	(a) Copies of Depositions-oral statements, recorded:-	N/ A	Page __ to ____
		(b) Details of Prosecution witnesses:		N/ A
		(c) Details of Defense witnesses: (Name, Designation, Government / Private person)		N/ A
		(c) Copy of Statements of defence of the Charged Officer	N/ A	Page __ to ____
		(d) Summary of statement of defence of the Charged Officer :		N/ A
		(e) Whether General examination of the charged officer in accordance with Rule 8 (19) of the AIS (D&A)		Reference of the General Examination

		Rules, 1969 has been conducted? If yes, the details and its reference in the proposal of the State Government)		Page __ to____
		(f)Whether copies of relevant documents have been supplied to the Charged officer: (If yes, the number of documents and brief description of each document may be submitted)		N/ A
		(g)Exhibits:- (aa) Prosecution: (the number of documents and brief description of each document may be submitted)		N/ A
		(bb) Defence: (the number of documents and brief description of each document may be submitted)		N/ A
(xiii)	(a)Written brief, if any, submitted by the Presenting Officer	N/ A		Page __ to____
	(b) Summary of the brief submitted by the Presenting Officer:			N/ A
	(c)Whether a copy of brief of Presenting Officer supplied to the Charged Officer:			N/ A
(xiv)	(a) Written brief, if any, submitted by the Charged officer	N/ A		Page __ to____
	(b) Summary of the brief submitted by the Charged officer:			N/ A
(xv)	a) Inquiry Officer's report (along with enclosures/Relied Upon Documents):			Page __ to____
	b) Summary of the Inquiry Officer's report			N/ A
PROCESSING OF INQUIRY OFFICER'S REPORT BY STATE DISCIPLINARY AUTHORITY/ MINISTRY /DEPARTMENT:				
(xvi)	(a) Whether Inquiry Officer's report provided to the charged officer: (Details of communication in this regard vide which Inquiry Officer's report has been provided to the charged officer may be furnished along with its copy of the communication)			Page __ to____
	(b)Whether disagreement of the Disciplinary Authority, if any, on the report of the Inquiry Officer, communicated to the Charged			Page __ to____

		Officer. If yes, copy of the communication		
		(c) Representation of the Charged Officer, on the findings of the Inquiry Officer and on the disagreement note:		Page __ to__
		(d) Para-wise comments of the Disciplinary Authority on the representation of the Charged Officer (The comments should not be in brief or general in nature, it should be a point-to-point reply on each para of the representation of the CO):		Page __ to__
	(xvii)	Whether the disciplinary authority has considered the merits of the case and come to the conclusion that a formal penalty is called for (copy of the entire note sheet from initiation of the penalty proposal after representation of the CO to final approval of the SDA):		
	(xviii)	In cases of major penalty, following information may also be provided: (a) Whether the case is being submitted at least 180 days prior to the date of retirement: Note: No case before 60 days of retirement for serving employees will be accepted unless the disciplinary process initiated before 6 months from date of proposal of the State Government) (b) If not, the reasons for late submission of the case may be indicated:		
	(xix)	Penalty proposed by the SDA: Date on which proposal approved by the SDA		

*Indicate references in terms of page numbers, file numbers folders etc. Do not leave any column blank; if a document is not enclosed indicate reasons.

	Item	Reference/ comments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(B)	<u>CONVICTION CASES:</u> (Where any penalty is to be imposed on a Government servant on the ground of conduct which has led to his conviction on a criminal charge) (In these cases all the available documents listed in (A) should also be sent)		

	(i)	Complaint/F.I.R.: If any complaint has been received by the Authorities, following details of complaint be provided:-		
		(a) Copy of complaint		Page ____ to ____
		(b) Date of complaint		N/A
		(c) Name of the complainant		N/A
		(d) Gist of the complaint		N/A
		(e) Specify no. of pages in the complaint		N/A
		(f) Whether complainant has requested to not to disclose his identity		N/A
	(ii)	(a) Copy of Investigation Report	N/A	Page ____ to ____
		(b) Summary of the Investigation Report		N/A
	(iii)	(a) copy of Judgment of the Court	N/A	Page ____ to ____
		(b) Summary of the Judgment of the Court		N/A
	(iv)	(a) Show Cause notice issued to the Government servant (The Show Cause Notice should tentatively propose imposition of the penalty of highest grade i.e.; dismissal from service which shall ordinarily be a disqualification for future employment under the Government/withholding of hundred percent of pension and gratuity in full on permanent basis, as the case may be):		Page ____ to ____
		(b) Summary of the Show Cause Notice:		N/A
	(v)	Record of delivery of show-cause notice	N/A	Page ____ to ____
	(vi)	(a) Representation of the Government Servant on the Show Cause Notice	N/A	Page ____ to ____
		(b) Summary of the representation of the Government Servant on the Show Cause Notice		N/A
	(vii)	Comments of the DA on the representation of Government Servant (The comments should not be in brief or general in nature, it should be a point-to-point reply on each para of the representation of the CO):		Page ____ to ____
	(viii)	Whether the disciplinary authority has considered the merits of the case and come the conclusion that a formal penalty is called for on the ground of conduct which has led to the conviction of the Government servant on a criminal charge:		N/A

	Item	Reference/comments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(C)	<u>APPEAL CASES:</u> (Where the order of penalty has been passed by a subordinate authority and an appeal lies to the president) (In these cases all the documents listed in (A) should also be sent)		
	(i) Order passed by the Disciplinary Authority together with a note, if any, containing the conclusion arrived at by his in respect of each charge:		Page ____ to ____
	(ii) (a) Copy of the appeal of the officer concerned:	N/A	Page ____ to ____
	(b) Summary of the appeal of the officer concerned:		N/A
	(iii) Whether appeal has been addressed to the competent authority:		N/A
	(iv) Comments of the disciplinary authority on the appeal including clarification on procedural points, if any, raised by the appellant:		N/A

	Item	Reference/comments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(D)	<u>REVISION/REVIEW CASES:</u>		
	Item	Reference/comments	Document name and page no.
	(i) Whether appeal addressed to the President of India or to some subordinate authorities: (Where the Appellate Authority is subordinate to the President and modification of the appellate order is sought by way of revision/review or where the President has passed the original order) (In these cases, all the documents listed in (A) and (C) should also be sent)		
	(ii) Whether the approval of the Competent authority obtained before referring the Case for Commission's advice:		N/A
	(iii) Appellate Authority's order/President's order:		Page ____ to ____
	(iv) Petition/Memorial submitted by the officer, along with its summary:		Page ____ to ____
	(v) Note indicating the Reviewing Authority's findings on the charges, detailing the reasons warranting modification of the		N/A

	penalty already imposed and the extent of such modification:		
(vi)	Additional comments on the procedural or factual points, if any, raised in petition:		Page ____ to ____

	Item	Reference/com ments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(E)	<u>PENSION CASES:</u> (Where the President proposes to withhold or withdraw pension otherwise admissible to the officer as a result of disciplinary proceedings instituted during his service/ deemed to continue in respect of an officer who has retire from service) (In these cases, all the documents listed in (A) should also be sent)		
	(i)	Order of the president, if any, that the disciplinary proceedings should be instituted/continued under the relevant pension rules:	Page __ to ____
	(ii)	Show Cause Notice issued to the officer indicating precisely the quantum of cut proposed to be made in his pension and the period for which it shall be operative:	Page __ to ____
		Summary of the Show Cause Notice	N/ A
	(iii)	Reply of the officer to the aforesaid notice	Page __ to ____
		Summary of the reply of the officer to the aforesaid notice:	N/ A
	(iv)	Comments on factual or procedural points raised by the officer in his reply:	N/ A
	(v)	Approval of the President to the effect that the pensioner is found guilty of grave misconduct or negligence warranting withholding/withdrawing of pension and/or gratuity or recovery from a pension or gratuity:	Page __ to ____

PART-IV: GENERAL:

	Item	Reference/co mments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(F)	(i)	Miscellaneous documents regarding evidence such as the exhibits, statements, etc. referred to in (A) to (B) and extracts of relevant Rules, Codes, Manuals, Acts, Judgments etc.:	Page __ to ____

(ii)	Information/Position of disciplinary Proceedings Instituted against other co-accused officers:		N/A
(iii)	Information/Position of action instituted against persons/officials (other than government servants) involved in the case, if any;		N/A
(iv)	Whether complete and up-to-date confidential roll of the officer has been enclosed:		Page __ to____
(v)	Details of other disciplinary case (s) instituted against the government servant and the penalty imposed, if any;		N/A
(vi)	Present status of pending court cases, if any, along with the next date of hearing.		N/A
(vii)	Authenticated translation of documents which are in regional language along with their authenticated/original version in regional language:	N/A	Page __ to____
(viii)	Documents relating to the procedure of prescribed Complaints Committee on sexual harassment to be followed in relevant cases:	N/A	Page __ to____
(ix)	Priority indication, if the charged officer is due to retire in near future or any court case/directions are involved in the matter:		N/A
(x)	Document checklist as circulated by DOP&T is enclosed:	N/A	Page __ to____

* SDA = State Disciplinary Authority.

Date :-

Signature:_____

Name in Block letters of Officer signing this statement:

Designation:

(Not below the rank of Secretary in the State Government)

Telephone No.:

Appendix - I (B)

Proforma/Check List for initiation of disciplinary case under Rule 6(1) (b) (i) of the AIS (DCRB) Rules, 1958 against retired IAS officers-who are to be charge-sheeted after retirement from service to DOPT for according sanction of the Central Government

PART I: SERVICE AND RELATED PARTICULARS:

S. No.	Contents	Particulars	Document name and page no.
(i)	(ii)	(iii)	(iv)
1.	Name of charged officer, Batch, Cadre:		N/A
2.	Date of Birth:		N/A
3.	Date of superannuation:		N/A
4.	Post held at the time of retirement:		
	(a) Designation: {please mention the name of Department, Ministry also}		N/A
	(b) Amount of monthly pension admissible/sanctioned (amount/copy of the order):		Sanction Order Page __ to ____

PART II: DETAILS OF CASE RECORDS:

(All the records are required to be **arranged, cross-referenced** and authenticated, in the order indexed below (**page numbers of the file/folders** to be indicated against each item).

S. No.	Contents	Particulars	Document name and page no.
(i)	(ii)	(iii)	(iv)
(A)	(a) (i) Copy of Complaint or Vigilance Report or Departmental enquiry Report etc. Further, if any complaint has been received by the Authorities, following details of complaint be provided:		Page __ to ____
	i. Date of complaint		N/A
	ii. Name of the complainant		N/A
	iii. Gist of the complaint		N/A
	iv. Whether complainant has requested to not to disclose his identity		N/A

		v. Specify no. of pages in the complaint		N/A
		vi. Authenticated translation of complaint if it is in regional language along with its authenticated/original version in regional language:		Page __ to _____
		(ii) Cause of action along with category of complaints (Corruption, Embezzlement, Sexual Harassment, Lack of devotion to duty/integrity, Lack of supervision, any others) and under which rule (rules violated according to AIS (D&A) Rules, 1969) the proceedings to be initiated:		N/A
	(b)	Details of the preliminary enquiry, if any, held in the matter leading to the institution of formal disciplinary proceedings against the C.O. (together with Depositions recorded & approval of the Competent Authority):		N/A
		i. Date of order of preliminary enquiry		N/A
		ii. Date of report		N/A
		iii. Copy of complete report	N/A	Page __ to _____
	(c)	(i) Date/Dates/Period of misconduct :		N/A
		(ii) Whether the Date/Dates/Period of misconduct is within the time-limit as prescribed in Rule 6 (1) (b) (ii) of the AIS (DCRB) Rules, 1958:		N/A
	(d)	Ministry/Department/Organization where misconduct occurred:		N/A
(B)	(a)	Show Cause notice issued to the Government servant (The Show Cause Notice should tentatively propose imposition of the penalty of highest grade i.e.; withholding of hundred percent of pension and gratuity in full on permanent basis, as the case may be):	N/A	Page __ to _____
	(b)	Record of delivery of show-cause notice:	N/A	Page __ to _____
	(c)	Representation of the Government Servant on the Show Cause Notice	N/A	Page __ to _____

		Summary of representation of the Government Servant on the Show Cause Notice:		N/A
	(d)	Comments of the DA on the representation of Government Servant (The comments should not be in brief or general in nature, it should be a point-to-point reply on each para of the representation of the CO):		N/A
	(e)	Whether the disciplinary authority has considered the merits of the case and come to the conclusion that a formal penalty is called for:		N/A

PART II: DETAILS OF DRAFT CHARGE SHEET & APPROVAL OF SDA:

(C)	(a)	(i) Draft Charge Sheet containing Articles of Charges in clear and definite terms together with the statement of imputations		Page ____ to ____
		(ii) Number of charges		N/A
		(iii) Summary of each article of charge (not more than 100 words)		N/A
	(b)	List of relied upon documents - original/certified copies each document with pages duly numbered:		Page ____ to ____
	(c)	List of Witnesses, if any:		N/A
	(d)	Copy of note conveying approval of the Minister-in-Charge (copy of the entire note sheet from the initiation of the disciplinary proceedings proposal after representation of the CO to final approval of the SDA):		N/A

PART III: GENERAL

(D)	(a)	Information/Position of disciplinary Proceedings Instituted against other co-accused officers:		N/A
	(b)	Information/Position of action instituted against persons/officials (other than government servants) involved in the case, if any;		N/A

	(c)	Whether complete and up-to-date confidential roll of the officer has been enclosed:		Page __ to _____
(E)	(a)	Details of other disciplinary case (s) instituted against the government servant and the penalty imposed, if any;		N/A
	(b)	Present status of pending court cases, if any, along with the next date of hearing.		N/A
	(c)	Authenticated translation of documents which are in regional language along with their authenticated/original version in regional language:	N/A	Page __ to _____
	(d)	Priority indication, if the matter involves any court case/directions:		N/A
	(e)	Document checklist as circulated by DOP&T is enclosed:		N/A

* SDA = State Disciplinary Authority.

Dated:

Signature:_____

Name in Block letters of Officer signing this statement:

Designation:

(Not below the rank of Secretary in the State Government)

Telephone No.:

**Proforma/Check List for disagreement cases under Rule 11 of the AIS (D&A)
Rules, 1969 against retired IAS officers serving in the State Government to DOPT
for according sanction of the Central Government**

PART I: SERVICE AND OTHER RELATED PARTICULARS:

S. No.	Contents		Particulars	Document name and page no.
(i)	(ii)		(iii)	(iv)
1.	Name of Charged Officer, Batch, Cadre:			N/A
2.	(i)	Whether temporary/permanent/contract service/on probation:		N/A
	(ii)	If confirmed, date of confirmation:		N/A
3.	Post held at the time of alleged misdemeanor :- Post held at present:- Post held at the time of retirement(for retired officers) :- {please mention the name of Department, Ministry also}			
		Designation:		N/A
	(i)	Pay Level in the pay matrix (indicating pay index, etc.):		N/A
	(ii)	Pay drawn:		N/A
	(iii)	Date from which pay shown against 3(ii) drawn:		N/A
	(iv)	Date of next increment, if applicable:		N/A
4.	The next lower post (along with pay level in the pay matrix), the officer would have held but for his appointment to the present post he is holding, if CO is in service:			N/A
5.	Date of Birth:			N/A
6.	Date of joining Govt. Service: (i) As an IAS officer: (ii) Other services (specify):		(i) (ii)	N/A
7.	(i) Due date of retirement: (ii) Actual date of retirement, if already retired:		(i) (ii)	N/A
8.	(i)	Amount of monthly pension admissible/sanctioned (amount /copy of the order):		Sanction Order Page __ to ____
	(ii)	a) Amount of gratuity admissible (in respect of disciplinary proceedings initiated during service):		N/A
		b) Amount of gratuity withheld, if any (for disciplinary proceedings continued after retirement)		N/A

9.	(i)	Appointing authority in respect of the post held at present, or the authority which actually appointed the person:		N/A
	(ii)	Appointing authority in respect of the post held at the time of alleged misdemeanor :		N/A
	(iii)	Authority competent to impose the penalty in respect of the post held at present:		N/A
	(iv)	Appellate authority in respect of the post held at present:		N/A
ORAL INQUIRY				
10.	(i)	Whether an oral inquiry, if required under the rules has been held:		N/A
		If yes, then copy of report of oral inquiry	N/A	Page __ to
	(ii)	If yes, then Rules invoked for conducting oral inquiry:		N/A
	(iii)	Whether the oral inquiry has also examined MoS:		N/A
	(iv)	If yes, name and designation (if serving) of Inquiry Officer (who submits the inquiry report), appointed, if any, along with contact details:		N/A

PART II: DETAILS OF CASE RECORDS:

(All the records are required to be **arranged, cross-referenced** and authenticated, in the order indexed below (**page numbers of the file/folders** to be indicated against each item).

	Item	Reference/comments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(A)	ORIGINAL CASES: (Where the Central Government or the State Government is the Disciplinary Authority and an order of penalty is to be passed for the first time within the competence of Central Government u/r 7(2) of the AIS (D&A) Rules, 1969).		
	(i)	If any complaint has been received by the authorities, following details of complaint be provided:	
		a) Copy of complaint	N/A
		b) Date of complaint	Page __ to __
		c) Name of the complainant	N/A
		d) Gist of the complaint	N/A
		e) Whether complainant has requested to not to disclose his identity	N/A

	f) Specify no. of pages in the complaint		N/A
	g) Authenticated translation of complaint if it is in regional language along with their authenticated/original version in regional language:		Page __ to__
(ii)	Details of the preliminary enquiry, if any, held in the matter leading to the institution of formal disciplinary proceedings against the C.O. (together with Depositions recorded& approval of the Competent Authority):		
	(a) Name of the complainant		N/A
	(b) Gist of the complaint		N/A
	(c) Copy of complete report of the preliminary enquiry	N/A	Page __ to__
(iii)	(a) Copy of order(s) of suspension, if any, with complete details of duration :		Page __ to__
	(b) Date of revocation of suspension, if any,		N/A
	(c) Copy of order of revocation of suspension, if any:		Page __ to
(iv)	Order, if any, of the Competent Authority for joint/common proceedings where two or more Govt. servants are involved:		Page __ to__
(v)	(a) Charge sheet together with the statement of imputations along with all enclosures:-		Page __ to__
	(b) Number of charges		N/A
	(c) Summary of each article of charge (not more than 100 words)		N/A
	(d) Records of delivery of charge sheet to the charged officer:		Page __ to__
	(e) Whether the charge sheet issued as per the Rules (description of Rule under which Charge sheet has been issued may be provided):		N/A
(vi)	(a) Copy of the reply of the Charged Officer to the charge sheet	N/A	Page __ to__
	(b) Summary of reply of the Charged Officer to the charge sheet:		N/A
(vii)	A note from the Disciplinary Authority explaining the factual or procedural points, if any, raised in the Charged Officer's reply in minor penalty cases where no enquiry has been held:		Page __ to__
(viii)	(a) Details of order of the Disciplinary Authority appointing		N/A

		the Inquiry Officer		
		(b) Copy of the order:	N/A	Page __ to ____
	(ix)	(a) Details of order of the Disciplinary Authority appointing the Presenting Officer		N/A
		(b) Copy of the order:	N/A	Page __ to ____
	(x)	Daily Order sheet maintained by the Inquiry Officer, indicating the progress of oral inquiry (duly signed by the participants present i.e. I.O., C.O., & P.O.):	N/A	Page __ to ____
	(xi)	Copy of Correspondence of the Inquiry officer, if any, with the disciplinary Authority or the Charged Officer	N/A	Page __ to ____
	(xii)	(a) Copies of Depositions-oral statements, recorded :-	N/A	Page __ to ____
		(b) Details of Prosecution witnesses:		N/A
		(c) Details of Defense witnesses: (Name, Designation, Government /Private person)		N/A
		(c) Copy of Statements of defence of the Charged Officer	N/A	Page __ to ____
		(d) Summary of statement of defence of the Charged Officer :		N/A
		(e) Whether General examination of the charged officer in accordance with Rule 8 (19) of the AIS (D&A) Rules, 1969 ha been conducted? If yes, the details and its reference in the proposal of the State Government)		Reference of the General Examination Page __ to ____
		(f) Whether copies of relevant documents have been supplied to the Charged officer: (If yes, the number of documents and brief description of each document may be submitted)		N/A
		(g) Exhibits:- (aa) Prosecution: (the number of documents and brief description of each document may be submitted)		N/A
		(bb) Defence: (the number of documents and brief description of each document may be submitted)		N/A
	(xiii)	(a) Written brief, if any, submitted by the Presenting Officer	N/A	Page __ to ____

	(b) Summary of the brief submitted by the Presenting Officer:		N/A
	(c) Whether a copy of brief of Presenting Officer supplied to the Charged Officer:		N/A
(xiv)	(a) Written brief, if any, submitted by the Charged officer	N/A	Page __ to____
	(b) Summary of the brief submitted by the Charged officer:		N/A
(xv)	a) Inquiry Officer's report (along with enclosures/Relied Upon Documents):		Page __ to____
	b) Summary of the Inquiry Officer's report		N/A
PROCESSING OF INQUIRY OFFICER'S REPORT BY STATE DISCIPLINARY AUTHORITY/MINISTRY/DEPARTMENT			
(xvi)	(a) Whether Inquiry Officer's report provided to the charged officer: (Details of communication in this regard vide which Inquiry Officer's report has been provided to the charged officer may be furnished along with its copy of the communication)		Page __ to____
	(b) Whether disagreement of the Disciplinary Authority, if any, on the report of the Inquiry Officer, communicated to the Charged Officer. If yes, copy of the communication		Page __ to____
	(c) Representation of the Charged Officer, on the findings of the Inquiry Officer and on the disagreement note:		Page __ to____
	(d) Para-wise comments of the Disciplinary Authority on the representation of the Charged Officer (The comments should not be in brief or general in nature, it should be a point-to-point reply on each para of the representation of the CO):		Page __ to____
(xvii)	Whether the disciplinary authority has considered the merits of the case and come to the conclusion that a formal penalty is called for (copy of the entire note sheet from initiation of the penalty proposal after representation of the CO to final approval of the SDA):		
(xviii)	In cases of major penalty, following		

		information may also be provided: (a) Whether the case is being submitted at least 180 days prior to the date of retirement: Note: No case before 60 days of retirement for serving employees will be accepted unless the disciplinary process initiated before 6 months from date of proposal of the State Government) (b) If not, the reasons for late submission of the case may be indicated:		
	(xix)	Penalty proposed by the SDA: Date on which proposal approved by the SDA		

*Indicate references in terms of page numbers, file numbers folders etc. Do not leave any column blank; if a document is not enclosed indicate reasons.

PART-III: UPSC'S advice and reasons for disagreement with UPSC's advice:

S. No.	Contents		Details	Document name and page no.
(i)	(ii)		(iii)	(iv)
(B)	(a)	Advice of UPSC:		Page __ to__
		Summary of advice of UPSC		
	(b)	Disagreement note of the SDA:		N/A
		Summary of disagreement note of the SDA:		N/A
	(c)	Forwarding of the UPSC advice along with the disagreement note of the SDA to CO:		N/A
	(d)	Representation of CO:		Page __ to__
		Summary of representation of CO:		
	(e)	Para-wise comments of the Disciplinary Authority on the representation of the Charged Officer (The comments should not be in brief or general in nature, it should be a point-to-point reply on each para of the representation of the CO):		N/A
	(f)	Final proposal of SDA:		N/A

PART-IV: GENERAL:

(F)	(a)	Miscellaneous documents regarding evidence such as the exhibits, statements, etc. referred to in (A) to (B) and extracts of relevant Rules, Codes, Manuals, Acts, Judgments etc.:		Page __ to__
	(b)	Information/Position of disciplinary Proceedings Instituted against other co-accused officers:		N/A

(c)	Information/Position of action instituted against persons/officials (other than government servants) involved in the case, if any;		N/A
(d)	Whether complete and up-to-date confidential roll of the officer has been enclosed:		Page __ to____
(e)	Details of other disciplinary case (s) instituted against the government servant and the penalty imposed, if any;		N/A
(f)	Present status of pending court cases, if any, along with the next date of hearing.		N/A
(g)	Authenticated translation of documents which are in regional language along with their authenticated/original version in regional language:		Page __ to____
(h)	Documents relating to the procedure of prescribed Complaints Committee on sexual harassment to be followed in relevant cases:		Page __ to____
(i)	Priority indication, if the charged officer is due to retire in near future or any court case/directions are involved in the matter:		N/A
(j)	Document checklist as circulated by DOP&T is enclosed:		N/A

* SDA = State Disciplinary Authority.

Signature: _____

Name in Block letters of Officer signing
this statement:

Designation: **Not below the rank of
Secretary in the State
Government**

Telephone No.:

Dated:

Revised Check-List for submission of proposals to Department of Personnel & Training for initiation of Disciplinary Proceedings against IAS Officers working on Central Deputation

PART-I: SERVICE AND OTHER RELATED PARTICULARS:

Sl. No	Contents	Particulars	Document name and page no.
(i)	(ii)	(iii)	(iv)
DETAILS OF CHARGED OFFICER			
1.	(i)	Name:	N/A
	(ii)	Batch:	N/A
	(iii)	Cadre:	N/A
TYPES OF EMPLOYMENT			
2.	(i)	Whether temporary/permanent/contract service/on probation:	N/A
	(ii)	If confirmed, date of confirmation:	N/A
DETAILS OF POST HELD			
3.	Post held at the time of alleged misdemeanour:-		
	Post held at the time of retirement (for retired officers):- {please mention the name of Department, Ministry also}		
	If serving, details of post held at present:		
	(i)	Designation:	N/A
	(ii)	Pay Level in the pay matrix (indicating pay index, etc.):	N/A
	(iii)	Pay drawn:	N/A
	(iv)	Date from which pay shown against 3(ii) drawn:	N/A
	(v)	Date of next increment, if applicable:	N/A
4.	The next lower post (along with pay level in the pay matrix), the officer would have held but for his appointment to the present post he is holding, if CO is in service:		N/A
5.	Date of Birth:		N/A

	DATE OF JOINING SERVICE			
6.	(i)	As an IAS officer:		N/A
	(ii)	Other services (specify):		N/A
7.	DETAILS OF RETIREMENT			
	(i)	Due date of retirement:		N/A
	(ii)	Actual date of retirement, if already retired:		N/A
DETAILS OF PENSION AND GRATUITY				
8.	(i)	Amount of monthly pension admissible/sanctioned (amount /copy of the order):		Sanction Order Page - to --
	(ii)	a) Amount of gratuity admissible (in respect of disciplinary proceedings initiated during service):		N/A
		b) Amount of gratuity withheld, if any (for disciplinary proceedings continued after retirement)		N/A
9.	(i)	Appointing authority in respect of the post held at present, or the authority which actually appointed the person:		N/A
	(ii)	Appointing authority in respect of the post held at the time of alleged misdemeanor :		N/A
	(iii)	Authority competent to impose the penalty in respect of the post held at present:		N/A
	(iv)	Appellate authority in respect of the post held at present:		N/A
ORAL INQUIRY				
10.	(i)	Whether an oral inquiry, if required under the rules has been held:		N/A
		If yes, then copy of report of oral inquiry	N/A	Page __ to
	(ii)	If yes, then Rules invoked for conducting oral inquiry:		N/A
	(iii)	Whether the oral inquiry has also examined MoS:		N/A
	(iv)	If yes, name and designation (if serving) of Inquiry Officer (who submits the inquiry report),		N/A

		appointed, if any, along with contact details:		
--	--	--	--	--

PART II: DETAILS OF CASE RECORDS:

All the records are required to be **arranged, cross-referenced and authenticated**, in the order indexed below. **Page numbers of the file/folders** are to be indicated against each item.

	Item	Reference/comments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(A)	ORIGINAL CASES:		
	(i)	If any complaint has been received by the authorities, following details of complaint be provided:	
		Particulars	
	a) Copy of complaint	N/A	Page __ to__
	b) Date of complaint		N/A
	c) Name of the complainant		N/A
	d) Gist of the complaint		N/A
	e) Whether complainant has requested not to disclose his identity		N/A
	f) Specify no. of pages in the complaint		N/A
	g) Authenticated translation of complaint if it is in regional language along with their authenticated/original version in regional language:	N/A	Page __ to__
	(ii)	Details of the preliminary enquiry, if any, held in the matter leading to the institution of formal disciplinary proceedings against the C.O. (together with Depositions recorded & approval of the Competent Authority):	
	(a) Name of the complainant		N/A
	(b) Copy of Complaint	N/A	Page ----- to -----
	(c) Gist of the complaint		N/A
	(d) Copy of Reply of the Officer thereon	N/A	Page ----- to -----
	(e) Copy of complete report of the preliminary enquiry, if any, held in the matter leading to the institution of formal disciplinary proceedings against the Officer (together with Depositions recorded)	N/A	Page ____ to____
	(f) Views/Comments of the Administrative Ministry on the reply of the officer		N/A
	(g) Self Contained Note along with views of the Administrative Ministry on the proposal		N/A

	(iii)	(a) Copy of order(s) of suspension, if any, with complete details of duration :	N/A	Page __ to__
		(b) Date of revocation of suspension, if any,		N/A
		(c) Copy of order of revocation of suspension, if any:	N/A	Page __ to __
	(iv)	(a) Draft charge sheet containing Articles of Charges and statement of imputations along with all enclosures	N/A	Page __ to__
		(b) List of relied upon documents - original/certified copies (three sets): Name of the documents: (i) (ii) (iii)	N/A	Page __ to__
		(c) List of Witnesses, if any	List of witnesses: (i) (ii) (iii).....	N/A
		(d) Number of charges		N/A
		(e) Summary of each article of charge (not more than 100 words)		N/A
		(f) Copy of approval of the Minister-in-Charge in terms of DOPT's OM No.11016/3/94-AIS dated 09.06.1995	N/A	Page __ to__
	(v)	(a) Whether the case involves vigilance angle/corruption?	Yes/No	N/A
		(i) If yes, attached copy of First Stage Advice of the CVC	N/A	Page __ to__
		(ii) If yes, whether the Administrative Ministry/Department agrees with the advice of CVC		N/A
		(iii) If No, the reasons for disagreement with CVC and the decision of Disciplinary Authority after following the procedures as prescribed by OM No.118/2/78-AVD.I dated 28.9.78.		N/A
	(vi)	In cases of major penalty, following information may also be provided: (a) Whether the case is being submitted at least 180 days prior to the date of retirement: (b) If not, the reasons for late submission of the case may be indicated:		N/A

*Indicate references in terms of page numbers, file numbers folders etc. Do not leave any column blank; if a document is not enclosed indicate reasons.

	Item	Reference/comments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(B)	<u>CONVICTION CASES:</u> (Where any penalty is to be imposed on a Government servant on the ground of conduct which has led to his conviction on a criminal charge) (In these cases all the available documents listed in (A) should also be sent)		
	(i)	Complaint/F.I.R.:	
		If any complaint has been received by the Authorities, following details of complaint be provided:-	
		(a) Copy of complaint	N/A
		(b) Date of complaint	Page__ to__
		(c) Name of the complainant	N/A
		(d) Gist of the complaint	N/A
		(e) Specify no. of pages in the complaint	N/A
		(f) Whether complainant has requested to not to disclose his identity	N/A
	(ii)	(a) Copy of Investigation Report	N/A
		(b) Summary of the Investigation Report	Page - to --
	(iii)	(a) Copy of Judgment of the Court	N/A
		(b) Summary of the Judgment of the Court	Page - to --
			N/A

PART-III: GENERAL INFORMATION

	Item	Reference/ Comments	Document name and page no.
(i)	(ii)	(iii)	(iv)
(i)	Miscellaneous documents regarding evidence such as the exhibits, statements, etc. referred to in (A) to (B) and extracts of relevant Rules, Codes, Manuals, Acts, Judgments etc.:	N/A	Page __ to ____
(ii)	Information/Position of disciplinary Proceedings Instituted against other co-accused officers:		N/A
(iii)	Information/Position of action instituted against persons/officials (other than government servants) involved in the case, if any;		N/A
(iv)	Whether complete and up-to-date confidential roll of the officer has been enclosed. If yes	Yes/No N/A	N/A Page __ to ____
(v)	Details of other disciplinary case (s) instituted against the government servant and the penalty imposed, if any;		N/A
(vi)	Present status of pending court cases, if any, along with the next date of hearing.		N/A
(vii)	Authenticated translation of documents which are in regional language along with their authenticated/original version in regional language:	N/A	Page __ to ____
(viii)	Documents relating to the procedure of prescribed Complaints Committee on sexual harassment to be followed in relevant cases:	N/A	Page __ to ____
(ix)	Priority indication, if the charged officer is due to retire in near future or any court case/directions are involved in the matter:		N/A

**** Signature:** _____

Name of Officer (in Block letters):

Designation:

Telephone No.:

Date:

**** To be signed by an officer not below the rank of CVO/Joint Secretary to the Government of India.**

APPENDIX-II**LIST OF DOCUMENTS AND FOLDERS FOR SUBMITTING THE DISCIPLINARY CASE IN SINGLE WINDOW SYSTEM TO DOP&T**

Sl. No.	Folder No.	List of documents	Page No.	
			From	To
1	Folder-I	(i) Written complaint, if any		
		(ii) Preliminary Investigation Report/Vigilance Report, if any		
		(iii) CBI Report/CVC Advice, if any.		
		(iv) FIR/SP's Report/Sanction for prosecution, if any		
		(v) Order of suspension, if any		
		(vi) Order of Revocation, if any		
		(vii) Any other Report, if any		
		(viii) Judgement of Court/conviction		
2	Folder-II	(i) Memorandum of Charge/complete charge sheet (along with enclosures)		
		(ii) Corrigendum to the chargesheet, if any		
		(iii) Records/Proof of delivery of Charge Memo to the CO		
		(iv) Reply of the CO to the Charge Memo		
		(v) Orders of appointment of IO/PO and order for Joint/Common proceedings, if any		
3	Folder-III	(i) Prosecution and Defence Exhibits as taken on record by the IO during inquiry in original or duly authenticated (Legible Copy) arranged in chronological order		
4	Folder-IV	(i) Deposition of Prosecution and Defence witnesses recorded during inquiry arranged in chronological order		
		(ii) Statement of Defence submitted by the CO, if any		
		(iii) Deposition of the CO		
5	Folder-V	(i) Brief of the PO		
		(ii) Record/proof of delivery of PO's brief to the CO		
		(iii) Brief of defence/CO		
		(iv) General Examination of the CO as per Rule 8 (19) of AIS (D&A) Rules, 1969		
6	Folder-VI	(i) Daily Order Sheets maintained by the IO arranged in chronological order for all dates of hearing		
7	Folder-VII	(i) Correspondence file of the Inquiry Officer, if any with the DA or the CO		
8	Folder-VIII	(i) IO's Report		
		(ii) Disagreement note of the State Disciplinary Authority (SDA) on IO's Report, if any		
		(iii) Memo's forwarding IO's report along with Disagreement Note of the DA, if any, to the CO		
		(iv) Proof of delivery of IO's report/Disagreement note of the SDA to the CO		
		(v) Representation of the CO on the IO's Report/Disagreement note of the SDA.		
		(vi) Para wise comments of the SDA on the representation of the CO (specific comments on each para on the representation of the CO)		
		(vii) Note/records considering representation of the CO by the SDA and the Hon'ble Chief Minister concluding that a formal penalty is called for under the relevant rules.		
		(viii) In pension cut cases, the note having approval of the Hon'ble Chief Minister to the effect that the pensioner is found guilty of grave misconduct or negligence warranting withholding/withdrawing of pension and/or gratuity or recovery from a pension or gratuity.		

Sl. No.	Folder No.	List of documents	Page No.
9	Folder-IX	(i) CAT/Court's order, if any	
10	Folder-X	(i) Attested copies of the extracts of the Rules allegedly violated by the CO (if other than AIS (Conduct Rules))	
11	Folder-XI	(i) CR Dossiers of the CO	
		(ii) Details/information of other Disciplinary case(s) against the CO and the penalty imposed, if any	
		(iii) Details/information/position of disciplinary proceedings/action against other co-accused/other persons (non-government)	
12	Folder-XII	Miscellaneous documents/information, if any.	
For Disagreement cases:			
13	Folder - A	Advice of UPSC	
14	Folder - B	Disagreement Note of the SDA	
15	Folder - C	(i) Forwarding of the UPSC advice along with the disagreement note of the SDA to CO:	
		(ii) Representation of CO:	
16	Folder - D	(i) Para-wise comments of the Disciplinary Authority on the representation of the Charged Officer (The comments should not be in brief or general in nature, it should be a point-to-point reply on each para of the representation of the CO):	
		(ii) Final proposal of SDA (complete note sheet after receiving the representation of CO to final decision of SDA)	

Note:

- Only legible photocopies duly attested by the competent authority will be accepted.
- If legible copy is not available, a typed version, duly authenticated will be accepted along with the original non-legible copy of the document.
- If the document is in any other language than English or Hindi, translated version of the same, preferably in English, duly authenticated may be provided.
- All the pages of the documents must be duly numbered.

File No.....
(Government of_____)

Confidential

To,

The Joint Secretary (S&V),
Government of India,
Department of Personnel and Training,
Ministry of Personnel, Public Grievances and Pensions,
North Block, New Delhi - 110 001.

Subject:- **Disciplinary Proceedings against_____ - Case of
Disagreement between State Government and UPSC - Reg.**

Sir,

I am directed to state that the Government of _____on the basis
of _____ decided to hold Departmental Enquiry (D.E.)
against_____the then _____ under
Rule 8 of the All India Services (Discipline and Appeal) Rules, 1969.

2. Departmental enquiry was initiated against_____
by issuing charge sheet to MoS vide Memorandum dated_____on the
charges of_____, under
Rule_____

3. Article of charges against MoS is as under:-

(1) Article of Charge 1:-

(2)Article of Charge 2:-

(3) Article of Charge 3:-

O
O
O

4. (a) He/ She submitted his/her Reply against the chargesheet letter No.
_____ dated_____. He denied all articles of
charge/accepted all article of charge/he denied Article of
Charge_____and accepted _____article of charge.

(b) SDA (State Disciplinary Authority) after considering the reply of the charged officer decided to hold an enquiry in the matter, accordingly appointed _____ as the Inquiring Authority to inquire the matter by an order dated _____ and appointed Shri/Smt. _____ as the Presenting Officer by an order dated _____

(c) The Inquiring Authority submitted her/his report on _____ and found that out of _____ charges against the MoS, Article of Charge _____ as proved / Article of Charge _____ partially proved / Article of Charge _____ as not proved.

(d) The SDA (State Disciplinary Authority) considered the matter and agreed/disagreed with the Inquiring Authority's report and I.A.'s report and/or disagreement note was sent to MoS vide letter dated _____ for submitting his/her representation, if any.

(e) MoS submitted his/her representation vide his/her letter dated _____ in which he/she agreed/disagreed with the findings of Inquiry Report. SDA considered the representation of CO and found it satisfactory/not satisfactory.

(f) A tabular statement in the following format is enclosed as Annexure.

	Article of charge	Findings of Inquiring Authority	Representation of MoS on finding of IO	Para-wise response of State Govt. on representation of MoS on findings of IO	Comments, if any.
I					
II					
III...					

5. The State Government after taking into consideration the representation of Charged Officer and all other relevant facts of the case has decided to impose of a penalty of _____ on MoS.

6. The matter was referred to UPSC for their statutory advice on the matter vide letter no. _____ dated _____ under Single Window System.

7. UPSC vide their letter no. _____ dated _____ has advised _____.

8. The advice of the UPSC has been considered and State Government has decided to disagree with the advice of the UPSC and proposed to impose a penalty of _____ on MoS. A para-wise disagreement note, is enclosed at Annexure-_____.

9. A copy of the disagreement note along with advice of the UPSC has been forwarded to CO for his/her representation on same. CO vide his letter no. _____ dated _____ had provided his/her representation.

10. SDA has considered the representation and all relevant facts of the case and found _____ and of co-decided to impose the penalty of _____ on MoS.

11. The present matter is forwarded to the Central Government in accordance with Rule 11 of the AIS (D&A) Rules, 1969 as a '**Case of difference of Opinion**' for final decision of the matter.

12. Information in the prescribed proforma/checklist in Part - I and original/authenticated documents listed in Part II are being forwarded herewith which may be returned to this Government along with decision of the Government of India.

Receipt of the documents may please be acknowledged.

Yours faithfully,

(Not below the rank of Secretary)

Encl:-

- (i)
- (ii)
- (iii)

File No.....
(Government of _____)

Confidential

To,

The Joint Secretary (S&V),
Government of India,
Department of Personnel and Training,
Ministry of Personnel, Public Grievances and Pensions,
North Block, New Delhi - 110 001.

Subject: - Disciplinary Proceedings against _____ - Reg.

Sir,

I am directed to state that the Government of _____ on the basis of _____ has decided to hold Departmental Enquiry (D.E.) against _____ the then _____ under Rule 8 of the All India Services (Discipline and Appeal) Rules, 1969.

2. Departmental enquiry was initiated against _____ by issuing charge sheet to MoS vide Memorandum dated _____ on the charges of _____, under Rule _____

3. Article of charges against MoS is as under:-

(1) Article of Charge 1:-

(2) Article of Charge 2:-

(3) Article of Charge 3:-

O
O
O

4. (a) He/She submitted his/her Reply against the charge sheet letter No. _____ dated _____. He denied all articles of charge/accepted all article of charge/he denied Article of Charge _____ and accepted _____ article of charge.

(b) SDA after considering the reply of the charged officer decided to hold an enquiry in the matter, accordingly appointed _____ as

the Inquiring Authority to inquire the matter by an order dated_____and appointed Shri/Smt. _____ as the Presenting Officer by an order dated_____

(c) The Inquiring Authority submitted her/his report on _____and found that out of _____charges against the MoS, Article of Charge_____as proved/Article of Charge_____ partially proved /Article of Charge_____as not proved.

(d) The SDA considered the matter and agreed/disagreed with the Inquiring Authority's report and I.A.'s report and/or disagreement note was sent to MoS vide letter dated_____for submitting his/her representation, if any.

(e) MoS submitted his/her representation vide his/her letter dated_____in which he/she agreed/disagreed with the findings of Inquiry Report. SDA considered the representation of CO and found it satisfactory/not satisfactory.

(f) A tabular statement in the following format is enclosed as Annexure.

	Article of charge	Findings of Inquiring Authority	Representation of MoS on finding of IO	Para-wise response of State Govt. on representation of MoS on findings of IO	Comments, if any.
I					
II					
III...					

5. The State Government after taking into consideration the representation of Charged Officer and all other relevant facts of the case has decided to propose to the Government of India for imposition of a penalty of_____ on MoS.

6. According to the Rule 6(1) of AIS (DCRB) Rules, 1958, the Central Government reserves itself the right to withdraw or withhold a pension and gratuity or any part of it whether permanently or for specific period and the right of ordering the recovery from pension of the whole or the part of any pecuniary loss caused to the State Government. Therefore a proposal is being forwarded to the Government of India for final decision.

7. Information in the prescribed proforma/checklist in Part - I and original/authenticated documents listed in Part II are being forwarded herewith which may be returned to this Government along with decision of the Government of India and the copy of advice of the U.P.S.C.

Receipt of the documents may please be acknowledged.

Yours faithfully,

(Not below the rank of Secretary)

Encl:-

- (i)
- (ii)
- (iii)

File No.....
(Government of _____)

Confidential

To,

The Joint Secretary (S&V),
Government of India,
Department of Personnel and Training,
Ministry of Personnel, Public Grievances and Pensions,
North Block, New Delhi - 110 001

Subject: - Initiation of Disciplinary Proceedings against _____ under
Rule 6(1) of AIS (DCRB) Rules, 1958 - regarding.

Sir,

I am directed to state that the Government of _____ on the basis of
_____ has decided to initiate Departmental Proceedings against under Rule 6
of the All India Services Rules, 1958 for the alleged misconducts of MoS while
holding the post ofduring.....

2. A preliminary/departmental/State Vigilance etc. enquiry in the matter
has been held in the matter and in the enquiry Shri _____ was found guilty of

3. A show cause notice dated had been issued to MoS on.....
MoS vide his reply dated.....denied all the allegations/charges against him.

4. State DA after considering the reply and facts of the case has decided to
initiate DP against MoS vide approval dated.....

5. The draft Article of charges against MoS is as under:-

(1) Article of Charge 1:-

(2) Article of Charge 2:-

(3) Article of Charge 3:-

O
O
O

6. A tabular statement in the following format is enclosed as Annexure.

	Content of show cause notice	Para-wise response of State Govt. on reply of MoS	Comments, if any.
I			
II			
III...			

7. Pursuant to the State Govt.s' decision in Para 4 above I am directed to forward herewith a draft charge sheet containing statement of imputation and list of the documents/witnesses seeking the sanction of the Central Govt. under Rule 6(1)(b) (i) of the AIS (DCRB) Rules, 1958 for serving the same upon MoS on the charges of irregularities as mentioned in para 5 above.

8. I am further directed to state that MoS has retired from service due to superannuation/ VRS on _____. In the present matter that date of the incident/period of incident _____. Therefore, with a view to observing the time limit of "four years" stipulated in rule 6 of the AIS (DCRB) 1958; the matter will be time barred on_____.

9. Hence the charge sheet pertaining to the present matter is required to be served upon MoS latest by _____

10. With a view to observing the time limit of "four years" stipulated in Rule 6 of the AIS (DCRB) 1958, it is requested to take immediate action for obtaining the Govt. of India's/competent authority's period approval so as to enable the State Govt. to serve the charge sheet to MoS latest by_____.

11. Information in the prescribed proforma/checklist in Part - I and original/authenticated documents listed in Part II are being forwarded herewith which may be returned to this Government along with decision of the Government of India.

Receipt of the documents may please be acknowledged.

Yours faithfully,

Not below the rank of Secretary

Encl:-

- (i)
- (ii)
- (iii)