

No.106/8/2013-AVD.I (B)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi.
Dated the 2nd March, 2015

To
The Chief Secretaries of
All the State Government/
Union Territory Administrations
(As per standard List)

Subject: Submission of proposals under Rule 8 of AIS (D&A) Rules, 1969 -regarding

Sir,

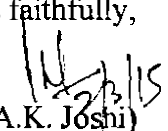
1 am directed to invite your kind attention to Rule 8 of All India Services (Discipline & Appeal) Rules, 1969 where the competent authority for imposing the three extreme major penalties i.e. Compulsory Retirement, Removal and Dismissal from service in respect of IAS officers is the Central Government (Department of Personnel and Training). After receiving the complete proposal from concerned State Governments, the same requires tentative approval of the Competent Authority in this Department, consulting UPSC for their advice, serving UPSC's advice to the Member of Service (MoS) for their representations if any, and the approval of the Competent Authority in DoPT for passing the final order. The whole process involves at least 9-10 month's time.

2. The State Government must be aware of the fact that the decision on such proposal requires considerable time as mentioned in the above para. However, it has been observed that at times the State Governments are sending the proposal for imposing the penalties to the Charged Officers in the last one or two months before retirement. This has been viewed seriously by the competent authority in the Department. Even if the situation warrants that the proposal should be entertained in a lesser time as mentioned above, a responsible officer of the State Government should submit the proposal to this Department in person, stating the urgency of the matter, as well as explaining the delay caused in sending the proposal within the stipulated time frame. If the reason stated by the state government seems genuine, the same shall be accepted as a special case.

3. To avoid such problems, this Department has already introduced a 'Single Window System' which is effective from 01.03.2014. It has been further observed that sometimes proposals are being received directly by post, which leading to wastage of time, and are therefore being returned to the State Government for submitting the same in the 'Single Window System'.

3. Accordingly, the State Government is advised to follow the procedures of this Department mentioned in the foregoing paras. Also the proposals for imposing the three major penalties i.e. Compulsory Retirement, Removal and Dismissal from service are to be sent to this Department at least 9 months before the retirement of the officer and in exceptional cases not less than 6 months before the date of retirement

Yours faithfully,


(A.K. Joshi)

Director (V-I)

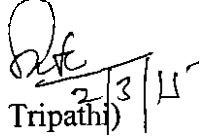
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Copy to;

(1) All Ministries/Departments of Government of India (as per standard mailing list)

✓ (2) NIC, DoPT with the request that the above circular may be placed on the DoP&Ts websit under heading 'Vigilance' of OMs & Orders.



(S.P.R. Tripathi)

Under Secretary to the Government of India

Tel.No.23092298