

MOST IMMEDIATE

**No. 11018/02/2008-AIS-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training**

New Delhi, 24th June, 2008

To

Chief Secretaries of all States Governments /UTs.

Subject: AIS (Discipline & Appeal) Rules, 1969 – Procedure regarding imposition of penalty in the event of a death of the accused member of Service-clarification regarding.

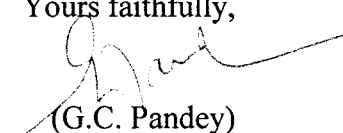
Sir,

I am directed to invite attention to this Department's letter No. 11018/1/1999-AIS-III, dated the 14th May, 1999, which provides that where a member of an all India Service dies during the pendency of inquiry, i.e. without charges being proved against him, imposition of any of the penalties prescribed under the All India Service, (Discipline & Appeal) Rules, 1969, would not be justifiable. Therefore, disciplinary proceedings should be closed immediately on the death of the alleged member of the Service.

2. A clarification has been sought about the action to be taken in cases where the member of the Service died after the charges were proved against him and the penalty to be imposed was also decided, but no final order was passed for imposition of the penalty by the disciplinary authority.

3. The Disciplinary proceedings come to an end only after passing of the final orders by the Disciplinary Authority. Therefore, if a member of a Service dies before the passing of the final order by the Disciplinary Authority the disciplinary proceedings should be closed without imposing any penalty on him.

Yours faithfully,


(G.C. Pandey)

Under Secretary to the Govt. of India
Tel: 23092285

Copy to:-

1. All Ministries /Departments of the Government of India.
2. The Government of Uttar Pradesh {Shri Mohan Singh Chauhan, O.S.D.} w.r.t their letter No. G.I 406/two-5 2007-22(55)/74, dated the 26th December 2007.
3. Vigilance Division
4. NIC for putting on the website.