

* AA - Appointing Authority CCS (CCA) Rules, 1965 → classifications, Control & Appeal.
DA - Disciplinary Authority
DP - Disciplinary Proceedings.
 → we7 - 1 Dec, 1965.

⇒ Definitions - : Defence Services - : → Services under Mo Defence paid out of Defence Estimates.
 ↳ Not subject to $\left\{ \begin{array}{l} \text{Army Act} \\ \text{Navy Act} \\ \text{Air Force Act.} \end{array} \right.$

- Govt. Servant - :

↳ Employee $\left\{ \begin{array}{l} \rightarrow \text{Semp in Min/Deptt} \\ \rightarrow \text{On Deputation/ Foreign Service} \\ \rightarrow \text{Central GS} \xrightarrow[\text{Temp}]{\text{Perf}} \text{State Govt/ Local Authority.} \end{array} \right.$

- Secretary - :

$\left\{ \begin{array}{l} \rightarrow \text{Secretary to GOI of Min/Deptt} \\ \rightarrow \text{Special Sec/ Additional Sec.} \\ \rightarrow \text{Joint Sec - in independent charge of Min/Deptt} \\ \rightarrow \text{Sec to Cabinet/ Sec to President/ Militry Sec to President} \\ \rightarrow \text{Sec to PM/ Sec or Additional Sec to NITI Aayog.} \end{array} \right.$

⇒ Origin of all Service Rules - :

→ Art 309 - Constitution empower President to make Rules to regulate Service Condⁿ of employee working under Union Govt.

→ Art 310 - Doctrine of Pleasure

$\left\{ \begin{array}{l} \rightarrow \text{Central GS hold post till pleasure of President} \\ \rightarrow \text{State GS} \xrightarrow{\hspace{10em}} \text{Governor} \end{array} \right.$

→ Art 311 - :

→ 311(1) - GS $\left\{ \begin{array}{l} \text{Dismiss (D)} \\ \text{Remove (R)} \\ \text{Reduce in Post/Service} \end{array} \right.$ } Only by AA.

[1st proviso of Art 311].

→ 311(2) - → GS - D/R/ Reduce in Post.

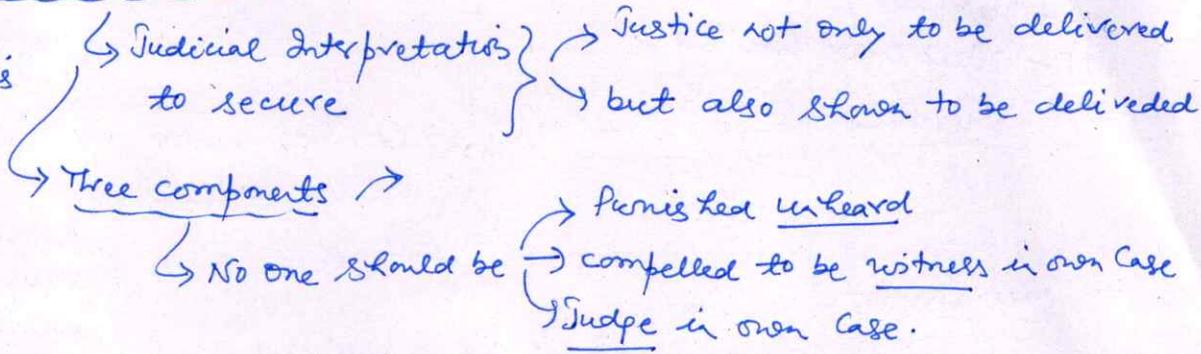
[2nd proviso of Art 311]. Inquiry - Mandatory

↳ Exception - → Means without Inquiry GS can be D/R/Reduce in Post.

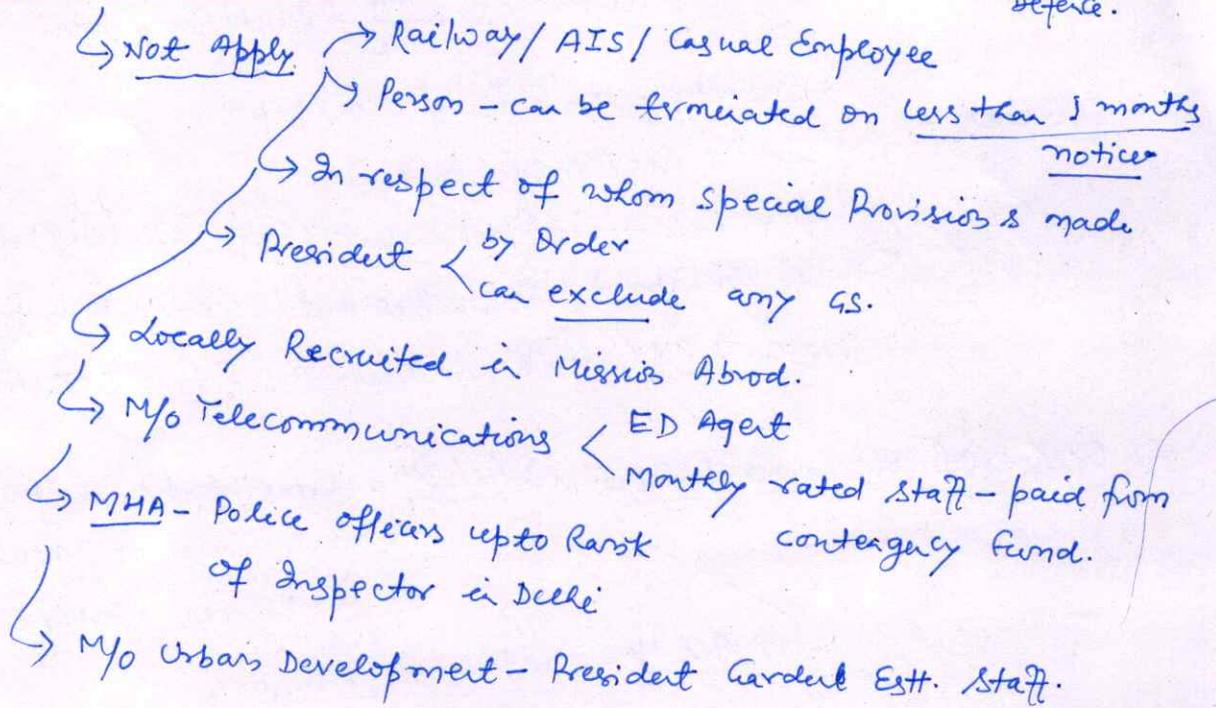
↳ of $\left\{ \begin{array}{l} \rightarrow \text{Convict in Criminal Case} \\ \rightarrow \text{DA - think Inquiry not possible} \\ \rightarrow \text{President satisfy that in the interest of Security of state penalty necessary.} \end{array} \right.$

⇒ Principle of Natural Justice - : → Not mentioned in Constitution

DP - follow this Principles.



⇒ Applications of CCS (CCA) Rules - : → Apply on Every GS including Civilian in Defence.



⇒ officers performing Current Duty of another officer can exercise → Admstr } Financial Powers

→ deputing officer.

→ Cannot exercise Statutory Powers

⇒ Classification of Services - : → Central Civil Service Gr. A }
→ _____ Gr. B }
→ _____ Gr. C }
→ _____ Gr. D }

⇒ Classification of Post - : → Central Civil Post - Gr. A _____ 10-18 }
→ _____ Gr. B _____ 6-9 }
→ _____ Gr. C - from pay level 2-5 }
→ _____ Gr. D - ~~Gr. D~~ }
→ Abolished w.e.f. 9th Aug, 2018

⇒ Appointing Authority (AA):- → AA is empowered to make appointment on any Service/Post { Regular
Term-Being } basis
 ↳ This is statutory power.

↳ All appointment on CCS Gr.A Service/Post shall be made by President
 ↳ President can delegate to any other Authority to make appointment.

↳ Appointment to CCS Gr.B/Gr.C/Gr.D - by Authority specified in Schedule-1 of CCS/CCA Rules.

↳ Appointment to Gr.B/Gr.C/Gr.D of General Central Service → by Authority specified by President by Order
 ↳ if no such Order - As per Schedule.

↳ President has delegated its power to appoint

Gr.A officers to { Administrator of UT.
Secretary to North-East Council } Cond - Appointment to chief sec, finance sec, IG Police, development Commissioner - with previous approval of Central Govt.

↳ Example for CSS Cadre

↓	AA	
Gr.A -	↓	
	President	} → This Power delegated for <u>UPSC</u>
Gr.B -	President	
Gr.C -	DS/ Director (Adm).	

→ Gr.A - chairman, UPSC
 ↳ Gr.B - Secretary, UPSC

⇒ list of Penalties → Rule-11 -
 ↳ Total Penalties - 9 { Minor - 4
Major - 5 }

↳ Minor Penalties -

- ↳ (i) Censure
- ↳ (ii) With holding of Promotions
- ↳ (iii) - Recovery from pay caused to Govt.
 ↳ (iii)(a) - Reductions to { lower stage in Time-Scale
of pay by one stage for
Period not exceeding 3 yrs.
 ↳ without cumulative effect
 ↳ Not adversely affecting Pension ✓
- ↳ (iv) - With holding of increment of pay.

- Major Penalties :-
- (v) - Reductions to lower stage in Time Scale of Pay for Specified Period with directions as to whether or not GS will earn increment during penalty period and whether on expiry of such period, reductions will or will not postpone future increments.
 - (vi) - Reductions to Lower Time Scale of Pay
Grade / Post / Service
 - (vii) - Compulsory Retirement
 - (viii) - Removal
 - (ix) - Dismissal

Note :- → In case of charge of Possession of Assets disproportionate to income
Accepting Gratifications.

In exceptional cases other Penalty may be imposed. ↓
Penalty of Removal / Dismissal } shall be imposed.

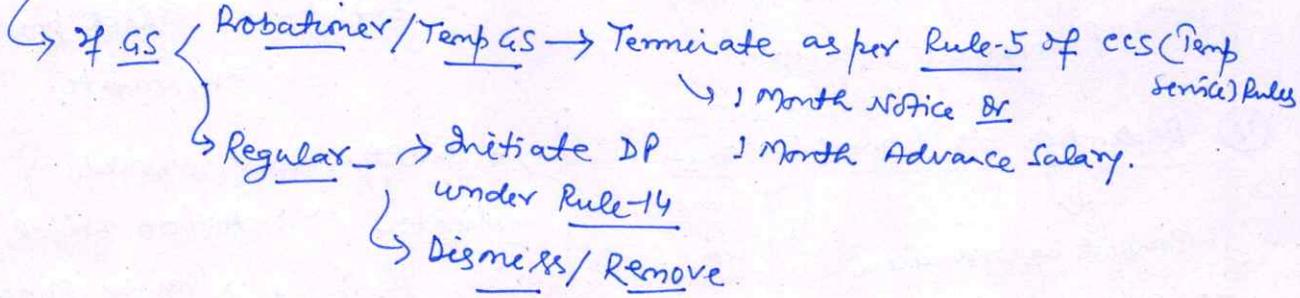
- ⇒ Followups are not Penalty as per CCS/CEA Rules
- Withholding of increments - for failure to pass Deptt. Exam.
 - Stoppage at Efficiency Bar - on Ground of Unfit
 - Non-Promotions - after Considering case.
 - Replacement of Services of GS whose Services was borrowed from State Govt.
 - Compulsory Retirement in accordance with Rules
 - Unsuitable - relative to Superannuation / Retirement. ✓
 - Administrative Reasons
 - Probationers =
 - Termination of Services of
 - Probationers
 - Temp. GS
 } In accordance with Rule-5 of CCS (Temp Service) Rules, 1965.
 → Employed under agreement.
 - Compensation awarded by Complain Committee in Sexual Harassment Cases.

⇒ Important Decisions -:

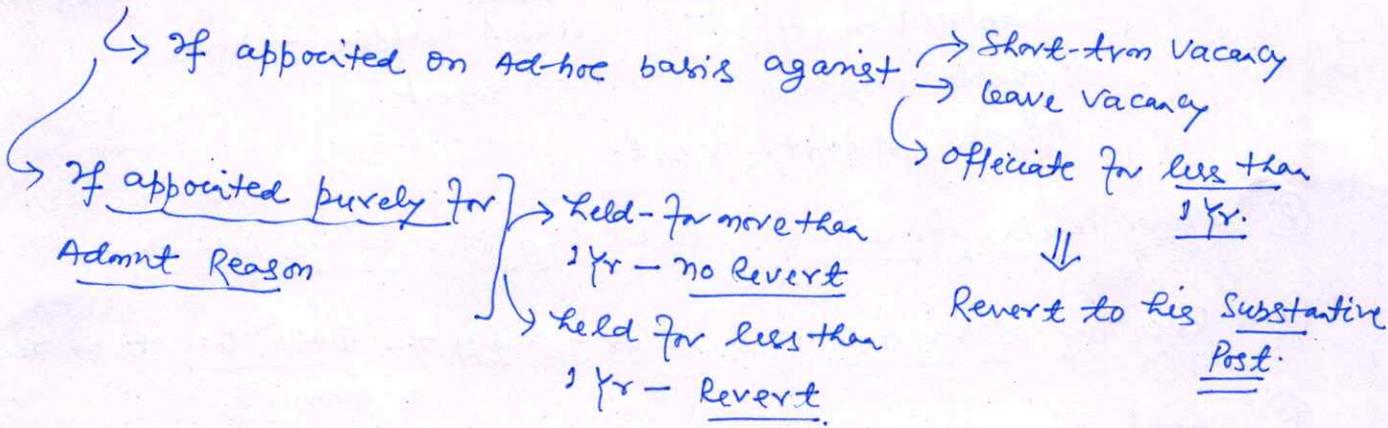
① -: Departmental Action in no misconduct committed in earlier

Employment -:

If Misconduct committed before his employment has rational connection with present employment and render him unfit for continuance of service.



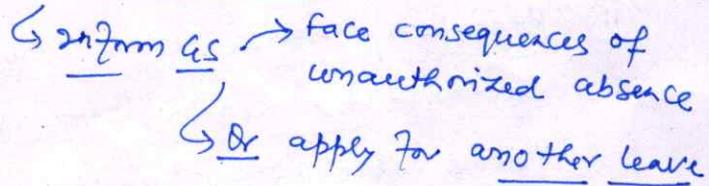
② -: Disc. Proceeding against GS officiating in higher post on ad-hoc basis -:



③ -: Action for late coming office -: → Deduct 1/2 day CL for every late coming.

⇒ Diss-non cannot be marked for late coming.

→ If no CL available.



④ Difference betⁿ Censure & Warning -:

Censure → by DA

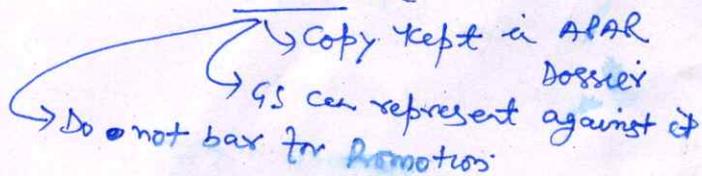
→ Warning / Reprimands etc. Superiors

- Formal Punishment / Penalty.
- After following Prescribed Procedure.
- Copy kept in APAR Dossier.
- Have bearing his assessment of his merit of suitability of promotion.

- Not a Penalty. Admtnive Device
- Issued to criticize work adversely.

- Two Types → Non-Recordable

→ Recordable



5) At least Censure to be awarded if GS to be penalized.

6) Reductions to a lower stage in Time-Scale. } → Penalty Order should include
↳ Not permissible for an unspecified period/Permanent Measure.
→ Date from which effective
→ Period upto which operative
→ Stages to which - reduced
→ Extent - to which postpone future increments.

7) Reductions to Lower } → Service Post Grade Time Scale } → Penalty Order should indicate -
↳ Cannot be reduced to a post which he never held before.
↳ On re-promotion whether regains original seniority or not.
→ Date from which effective
→ Period { May be specified if not specified } → Means for Indefinite Period
→ Extent - to which postpone future increments.

8) Major Penalty Proceedings to be finalized before Retirement;

9) Recovery of loss from GS :- → ~~entire loss~~ - Entire loss to be recovered from GS.

10) Action on Refusal of promotion:-

↳ GS → Promoted
↳ Refused on Certain Grounds } → If Ground - Accepted - Can deny promotion

11) Registering name with Employment Exchange for higher post not permissible when penalty is in force.

↳ If not accepted by Competent Authority (AA).
→ Enforce promotion

↳ If GS - Deny. → DP may be taken

12) When a day can be marked as Dies-Non:- } → Remain absent without prior information
→ Leave office without proper permission
→ Refused to perform duty assigned.

No dies-non for late coming.

↳ by Leave Sanctioning Authority

13) Imposition of Two Penalties for one lapse/offence:-

- Not Allowed :-
- Penalty of Recovery can be imposed along with another Penalty.

14) :- Withholding of increments :- → Effective on increment accruing after date of Penalty Order.

→ In Penalty Order → Specify the Period.

→ If 'Next Increment' - to be withheld.

→ 'Only One Increment' → All increments during that period would be withheld.

- to be withheld → Only one increment - withhold & Subsequent increments - drawn

15) :- Implementation of Series of Penalties of stoppage of increments.

→ If stoppage of increments imposed one after the other in separate case.

→ First Penalty will be implemented for specified period Then → Restore his pay.

→ Second Penalty will be implemented after restoring his pay.

16) Imposition of Second Penalty during currency of first Penalty

→ DA should indicate in Penalty Order whether both penalties should run concurrently or second penalty will be implemented after expiry of first.

→ If not indicated in Penalty Order → Higher Penalty should be implemented immediately.

→ After expiry of Higher Penalty, if currency period of earlier penalty still continue - 1st Penalty will be implemented for remaining period.

①7 - GS $\left\{ \begin{array}{l} \text{Under Suspension} \\ \text{Pending DP.} \end{array} \right\} \rightarrow$ Allowed to appear in Deptt Exam.
 Their Result - will be kept in Sealed Cover.

\Downarrow
 After conclusion of DP \rightarrow If exonerated \rightarrow Promoted from back date.
 \rightarrow Seniority - As per Rank

\rightarrow If Penalty Imposed (other than D/R/ER).

\rightarrow AA - Should consider his Promotion
 \rightarrow If Promoted - $\left\{ \begin{array}{l} \text{From - expiry of currency} \\ \text{Period of Penalty.} \end{array} \right.$
 \rightarrow Seniority - As per Rank

\rightarrow Authority who conducted Preliminary Investigation can act as DA.

\Rightarrow Rule 12 - Disciplinary Authority (DA) - Authority empowered to impose any of the Penalty of Rule 11.

\rightarrow Defined w.r.t. Post held by GS at the time of committing Misconduct.

Two Types -

- \rightarrow who can impose all Penalties $\left\{ \begin{array}{l} \rightarrow \text{President } \checkmark \\ \rightarrow \text{Appointing Authority (AA)} \checkmark \\ \rightarrow \text{Authority specified in Schedule.} \\ \rightarrow \text{Authority Empowered by President} \end{array} \right.$
- \rightarrow who can impose Only Minor Penalties \rightarrow Specified in Schedule.

\rightarrow Director, BSNAA - Has power to impose Penalty (i) to (iii) on Probationers

Exp for CSS Cadre - DA

- Gr. A - President - All
- Gr. B (Gazetted) - President - All
 - Secretary - Only Censure
- Gr. B (Non-Gazetted) - President - All
 - Secretary - Only Minor Penalty
- Gr. C - DS/Director - All =

When DA unable to function -

- \rightarrow If DA - is $\left\{ \begin{array}{l} \text{Complainant} \\ \text{witness} \end{array} \right\}$ in case
- \rightarrow If AA is higher in rank of DA.
 [App't - done by higher Authority].

\Downarrow
 Then - President by Order - appoint
 = Ad-hoc DA for the Case.

⇒ Rule-16 - Procedure for imposing minor Penalties -:

- ↳ when - of misconduct is not of grave nature
- ↳ who can initiate - Any DA having power to imposed any of the Penalty.

↳ Procedure - Charge Memo issued to charged officer [CO] with imputation of Misconduct
↳ Documentary Evidence

CO - to submit Reply in 10 Days

↳ Time May be Extended.

↳ For reply - if CO wants inspection of documents - May be Allowed

After examination of reply → Reasoned Order May be Passed by DA.
↳ Take UPSC Advice - if required

No Scope of Oral Hearing/ Inquiry.

↳ Exceptions - Inquiry can be ordered if

↳ DA is satisfied that Inquiry is necessary either Suo Motto or on request of CO. [Discretionary Power of DA].

↳ Mandatory - [if Penalty to be imposed]

- ↳ if ↳ Withholding of increments for a period exceeding 3 Yrs.
- ↳ Withholding of increments with Cumulative Effect.
- ↳ Withholding of increments - affect Pensions =

⇒ Rule-17 - Communications of Orders -:

↳ Orders made by DA shall be sent to CO by DA itself.

↳ In exceptional situations - Orders can be sent by Successor of DA → Cannot Vary Order ↳ Sent as it is.

Orders of DA

↳ Final ✓

↳ Cannot be varied by DA itself.

↳ Exception - Head of State

Authority to issue warning to

GS Transferred -

↳ Warning issued by old Deptt.

↳ Will be served by New Deptt.

⇒ Rule-18 - Common Proceedings - Conducted when Two or more GS are concerned in any case.

↳ If Misconduct are committed by Two or more GS in single Transactions.

↳ who will Order for Common Proceeding

→ President

→ Authority Competent to impose Dismissal on all.

→ If no Authority who can dismiss all } → Order by DA who is Highest Authority with consent of others DA.

↳ Order should Specify - Authority - who will act as DA
↳ which Penalties can be imposed by DA.
↳ whether DA follow Rule-14,15,16.

→ If Two GS accuses each-other - No Common Proceeding =

⇒ Rule-19 - Special Procedures in Certain Cases - [Penalty without Inquiry].

↳ Rule → 19(i) - If GS is convicted in a Criminal Case.

→ 19(ii) - If DA is satisfied that Inquiry not Practicable.

→ 19(iii) - If President is satisfied that in the interest of Security of State, Inquiry not possible.



DA - → Make make Orders as it deems fit.

↳ GS may be given an opportunity to represent } on Penalty Proposed.

↳ UPSC may be consulted where necessary.

↳ Copy of UPSC Advice to be provided to GS for representation on it.

↳ before Passing Order

→ Some important points Relativ to Rule-19:-

① W.r.t. Rule-19(i) - → This is duty of GS to inform his Superior officer about his convictions.

→ If fail to inform - liable to DP for this ground alone.

→ After come to the knowledge of convictions of GS - DA will decide

apart from Penalty for Convictions.

→ whether Penalty to be imposed

→ what Penalty to be imposed.

→ If Penalty Imposed → GS - Can

→ Appeal

→ Revisio

→ Review.

→ Judicial Review.

② W.r.t. Rule 19(ii) - → DA - may dispense with inquiry if satisfied that inquiry not practicable.

→ DA - should record Reason in writing.

→ CO - Threaten / Terrorise Witness or DA.

→ Atmosphere of Violence & Indiscipline Prevails. etc.

→ Situations may develop either before Commencing inquiry or during inquiry.

→ Order of DA to dispense with inquiry is final.

→ Cannot be challenged in Appeal / Revisio / Review.

→ Can be challenged in Court.

→ If GS → Removed
→ Dismissed
→ Reduce in Post } can claim inquiry in { Appeal
Revisio

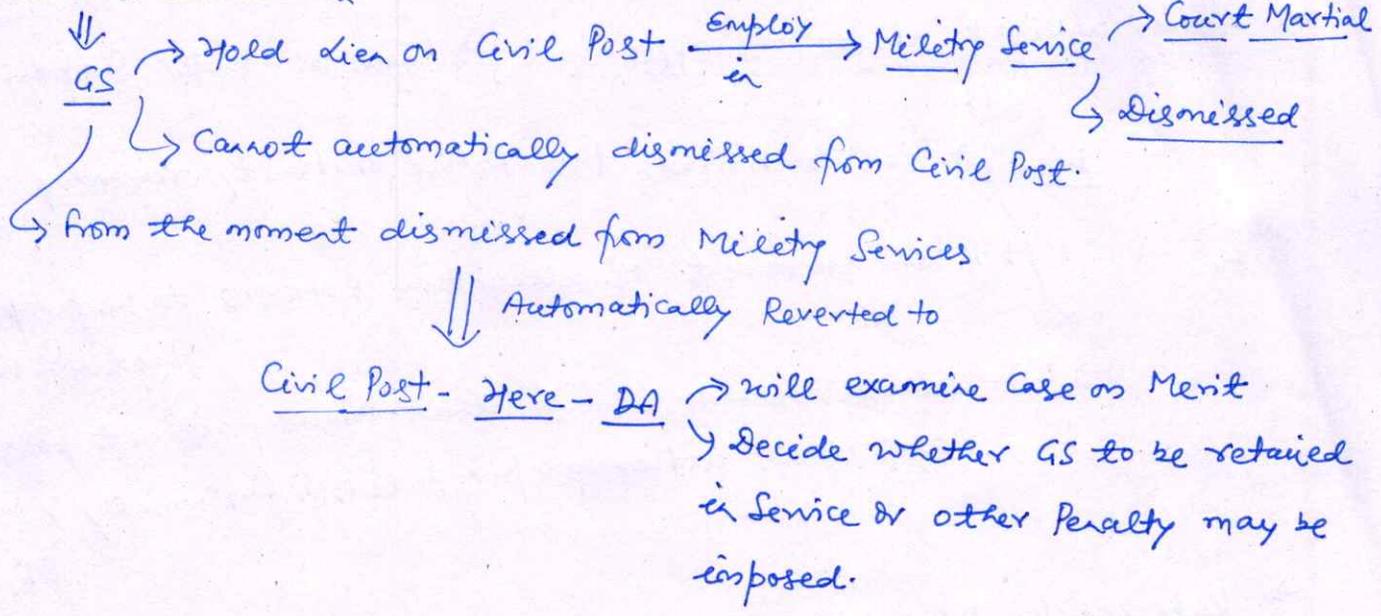
③ W.r.t. Rule-19(iii) - → Satisfactions of { President of India } on the advice of Council of Ministers.
Governor

→ Reason for Satisfaction - not to be recorded in Penalty Order.

→ Judicial Review - Allowed -

→ Court can direct to disclose materials related to case if these are not Privilege Documents.

⇒ Action on Dismissal from Military Service of GS Holding Lien on Permanent Civil Post:-



⇒ Effect of Acquittal in Criminal Case on Deptt. Proceedings:-

- ① If convicted - Action as per Rule 19(i).
- ② If Acquitted - not Honourable :-
 - If Penalty already imposed - Penalty remain Continue
 - ↳ If no Penalty was imposed - DP may be initiated/Continue
- ③ Acquittal on Technical Grounds / Lapse in Procedure
 - If Penalty already imposed - Penalty remain Continue
 - ↳ If no Penalty was imposed - DP may be initiated/Continue.
- ④ Acquittal on Merit / Honourable -
 - If Penalty already imposed - Penalty Quashed.
 - ↳ If appeal by Deptt in higher Court - Penalty will continue.
 - ↳ No DP can be initiated.
- ⑤ Appeal by GS against Convictions in Higher Court:-
 - If conviction - stayed.
 - ↓
 - Penalty imposed under Rule 19(i) - Stayed.
 - ↳ If Court stay Sentence but not conviction → Penalty will continue

⇒ Convictions Under Army Act → Treated as convictions in General Case
→ Action as per Rule 19(i).

⇒ Action against absconding officials: → Place GS - under Suspension

DA - → Seek Certificate from Police Authority regarding whereabouts of GS.

→ Brief statement of allegations & charges to be prepared and kept on file.

→ DA - should record on file that inquiry is not possible.

and take action as per Rule 19(ii) - Normally { Dismiss
Removal }

⇒ Rule 20(2) - Provisions regarding borrowed & lent officers to and from State Govt. etc.

→ Borrowing Authority → Enjoy power of AA to place under Suspension

→ Can suspend GS. } Inform lending Deptt.

→ Can initiate Df. }

→ Can impose ~~impose~~ Minor Penalty with

consent of Parent Deptt → If disagreement

→ Want to impose

Major Penalty → Repatriate GS to Parent Cadre.

↓
Repatriate GS to Parent Cadre

↓
Finding of Borrowing Deptt - not binding on lending Deptt.

↓
Parent Cadre can take action either on relying on findings of Borrowing Orgⁿ or may enquire afresh.

⇒ Rule 14 - Procedure for Imposing Major Penalties:-

For grave Misconduct

Stages of DP

Complaint Stage -

After receipt of Complaint, DA will check whether it is {
Anonymous
Pseudonymous
}

↓

If complain has some substance → DA will seek comments of GS on the complain:

↓

After Receipt of comments of GS, DA will decide whether to Proceed further or close the complain

↓

If decides to proceed further - DA will check whether sufficient facts/witness are available - if not DA will order for Preliminary Investigations.

↓

Preliminary Investigations Report Received.

Contemplation Stage:-

Vigilance clearance denied for many purposes except for Promotions.

On the basis of {
Complain
Comments of GS
Prel. Investigations Report.
}

↓

DA - decides whether DP should be initiated or not.

↓

If yes, DA - give approval to initiate DP.

Pending Stage -

Vigilance clearance denies for all Purposes.

After approval of DA to initiate DP, charge-sheet are framed.

↓

Copy of charge-sheet send to GS/CO for comments.

↓

If CO {
Accept all charges - No inquiry Required.
Deny any charges - Inquiry Ordered by DA.
}

↓

DA - appoints {
IO
PO
} for Conducting Inquiry.

↓

After conclusion of inquiry, PO submits PO brief to IO.

↓

IO sends a copy of PO brief to CO for Comments.

↓

After receipt of CO brief, IO make IO Report and send to DA.

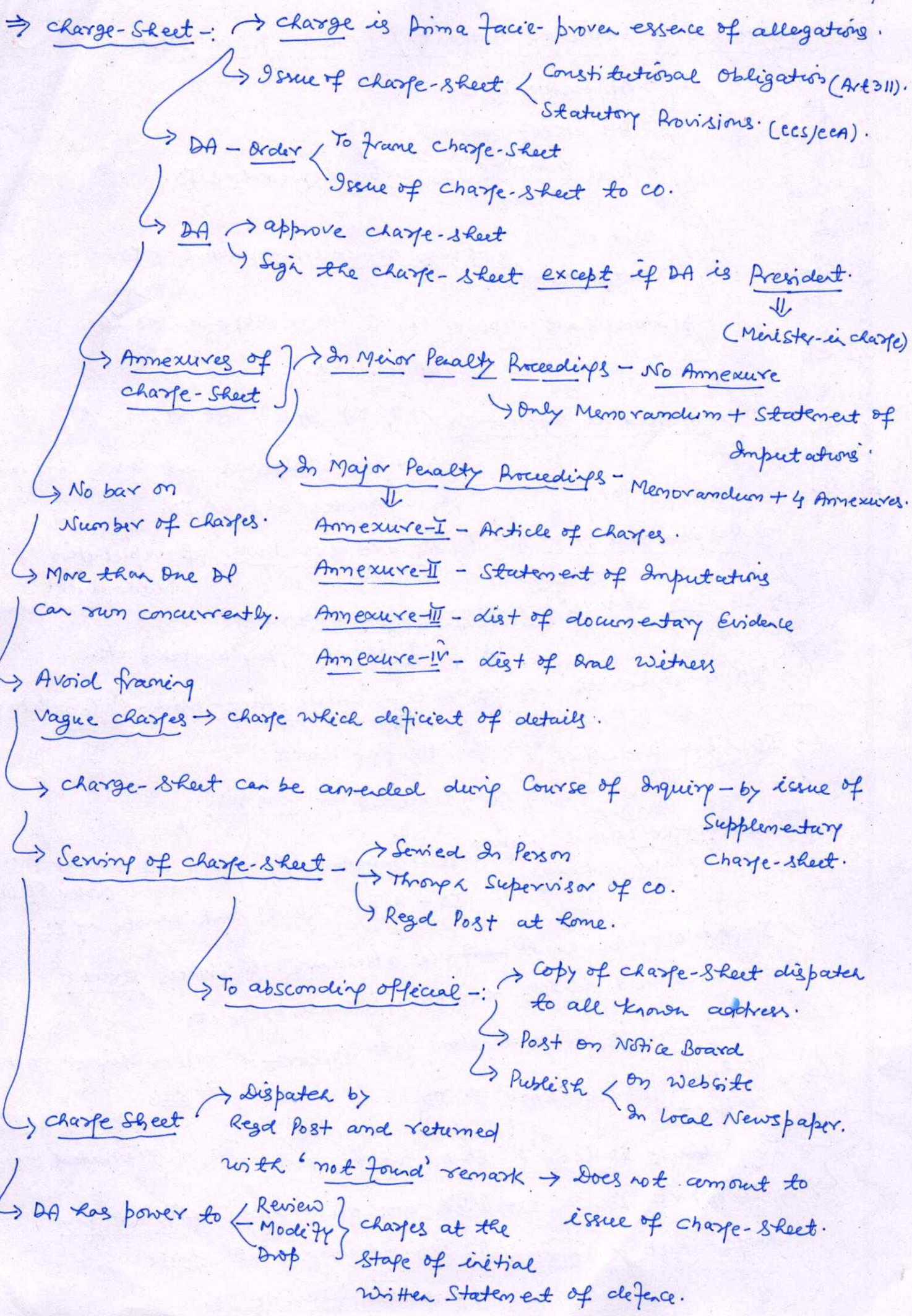
↓

DA sends a copy of IO Report to CO for Comments. to DA.

- After receipt of comments of CO on IO Report, DA seeks advice of UPSC/ CVC if required.
- After receipt of Advice of UPSC/ CVC, DA sends a copy of Advice to CO for comments.
- After receipt of Comments of CO on advice, DA takes final decision in the case.
- With the final decision of DA - DL closed.

- ⇒ Preliminary Investigations -> A fact finding Investigation → Order by DA
- Officer who conducted Prel. Investigations can act as DA.
 - Conducted through { Deptt Police CBI } depending on the nature of case.
 - Avoid Parallel Investigations by { Deptt CBI }.
 - This is not statutory Provision.
 - Principle of Natural Justice not apply in this investigation.
 - Can be ex parte - Means - no need to contact Suspected AS.
 - Penalty cannot be imposed on the basis of this Report.
 - This Report only helps to DA to decide to initiate DL.
 - Report is to be submitted { to DA within 3M.
 - DA - will not mention about Prel. inv. in charge - sheet.

- ⇒ Advice of CVC -> CVC Advice is sought in three types of Cases -
- If complain is received from CVC.
 - If complain against Gr.A.
 - If Complain involve Vigilance angle.
 - Demanding Gratifications etc.
 - Assets disproportionate to Income.
 - Forgery, cheating etc.
- Two Stage Advice -
- 1st stage - Just before DA decides to initiate DP or close the case.
 - 2nd stage - Just before DA has to take final decision in the case.
 - No 2nd stage Advice, if UPSC advice sought.
- CVC Report is not confidential.
- Copy given to CO for comments.



⇒ Appointment of Inquiring Authority / Inquiry officer (IO):-

IO can be spared from duty for 20 days in Two Spells for conducting inquiry.

- Appointed by DA.
- DA itself can act as IO.
- Both $\left[\begin{matrix} \text{Serving} \\ \text{Retd} \end{matrix} \right]$ GS can be appointed as IO.
- $\left\{ \begin{matrix} \text{Witness} \\ \text{Complainant} \end{matrix} \right\}$ of case cannot be appointed as IO.
- Immediate Superior of CO can be appointed as IO.
- IO should be senior than CO.
- No need to appoint IO → If DA itself act as IO.
- In Sexual Harassment cases, Complain Committee act as IO.

→ Responsibility of IO - To inquire into truth of imputations of Misconduct.

- IO can remove ^{only} patent errors of charge-sheet.
 - clerical / Typing Mistakes etc.

→ IO analyse the charge with - 'charge-fact-evidence' Co-relations

→ IO stay Proceedings → If stay from Court

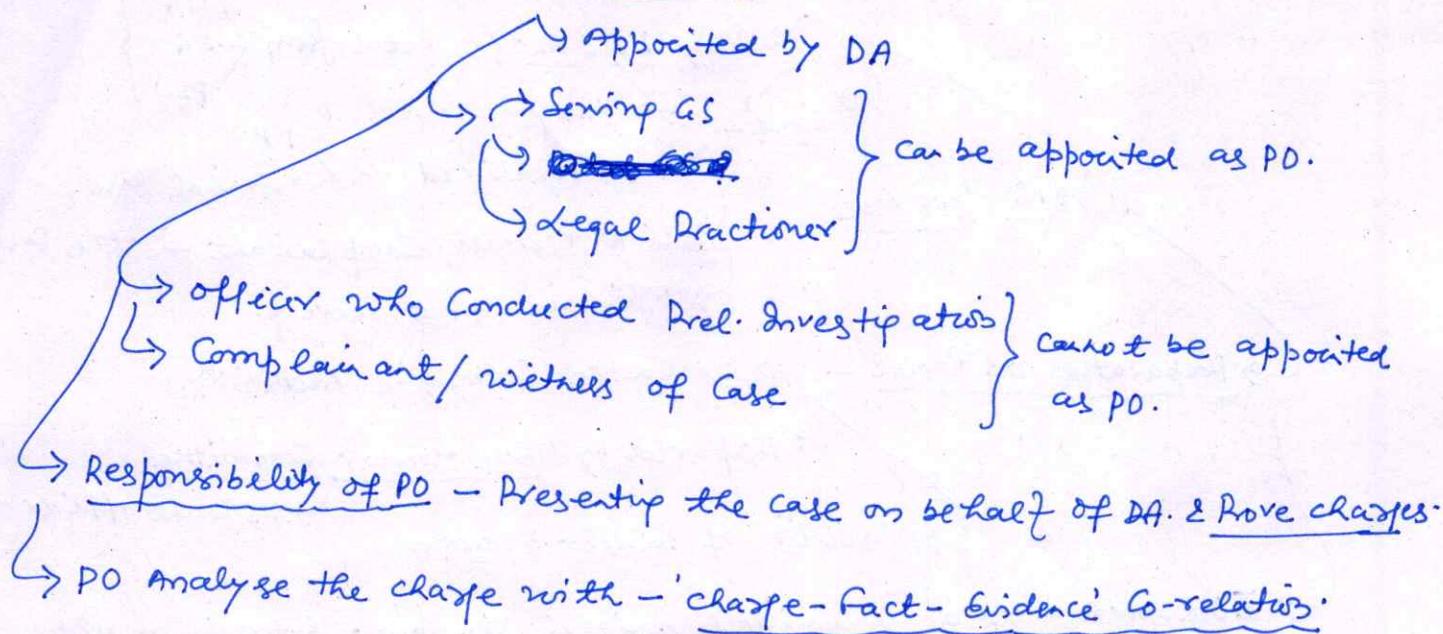
- IO can $\left\{ \begin{matrix} \text{Examine} \\ \text{Re-examine} \\ \text{? Cross-examine} \end{matrix} \right\}$ witnesses
 - CO accuse IO for biasness.
 - ⇓
 - IO - Immediately inform DA & wait for Order of DA.
 - IO - Inform CO to seek change of IO.

→ IO have no power to enforce attendance of witness except when a notification has been issued by Govt.

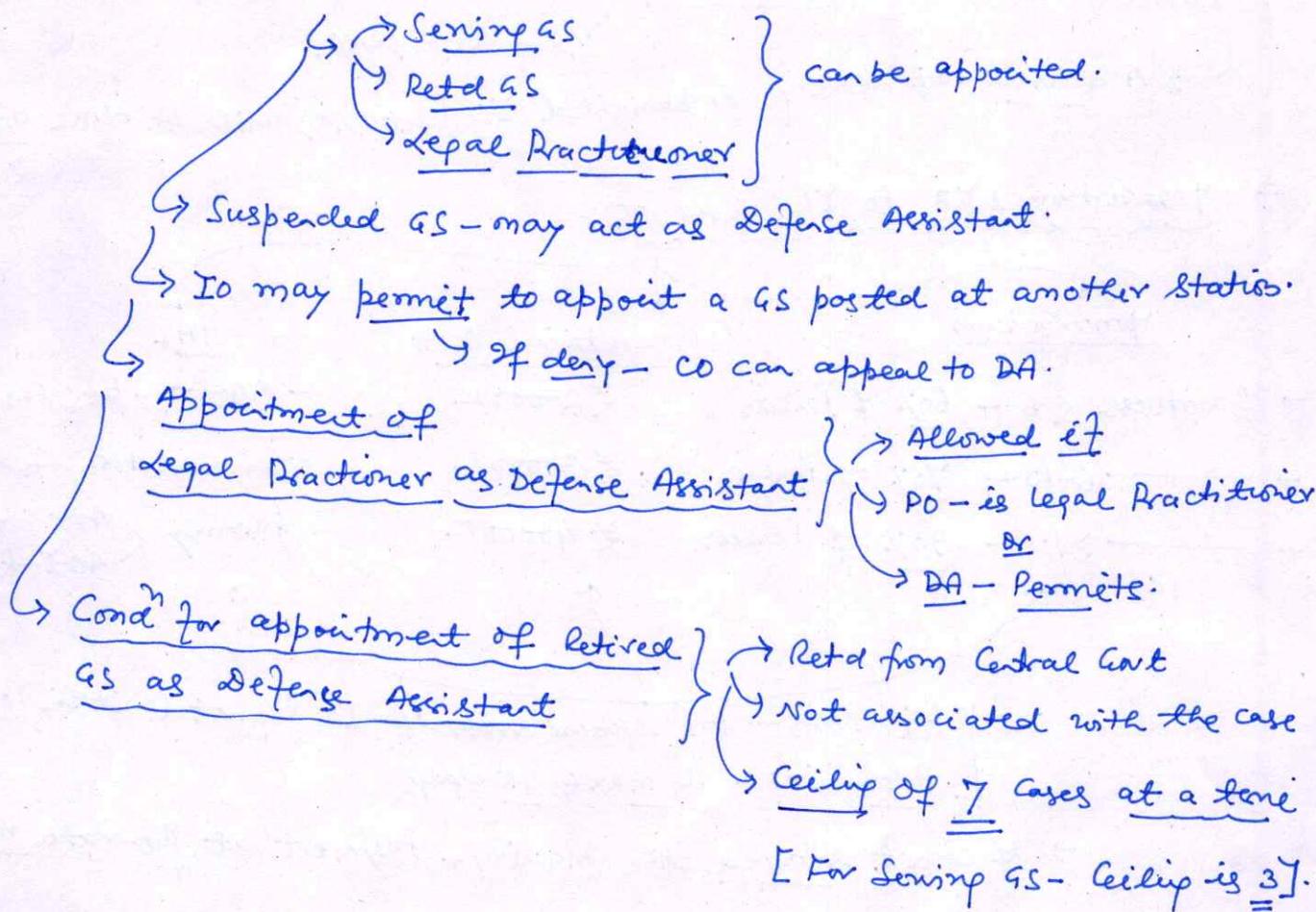
- If witness is GS and does not appear - → Inform Higher Authority of GS.
 - DA may be initiated =
- $\left\{ \begin{matrix} \text{PO Brief} \\ \text{CO Brief} \end{matrix} \right\}$ → Submitted to IO.
- IO Submits IO Report to DA within 6M.

→ In IO Report, IO can establish any other charge different from charge-sheet - Condⁿ - $\left\{ \begin{matrix} \text{CO has admitted that charge} \\ \text{or} \\ \text{opportunity given to CO.} \end{matrix} \right.$

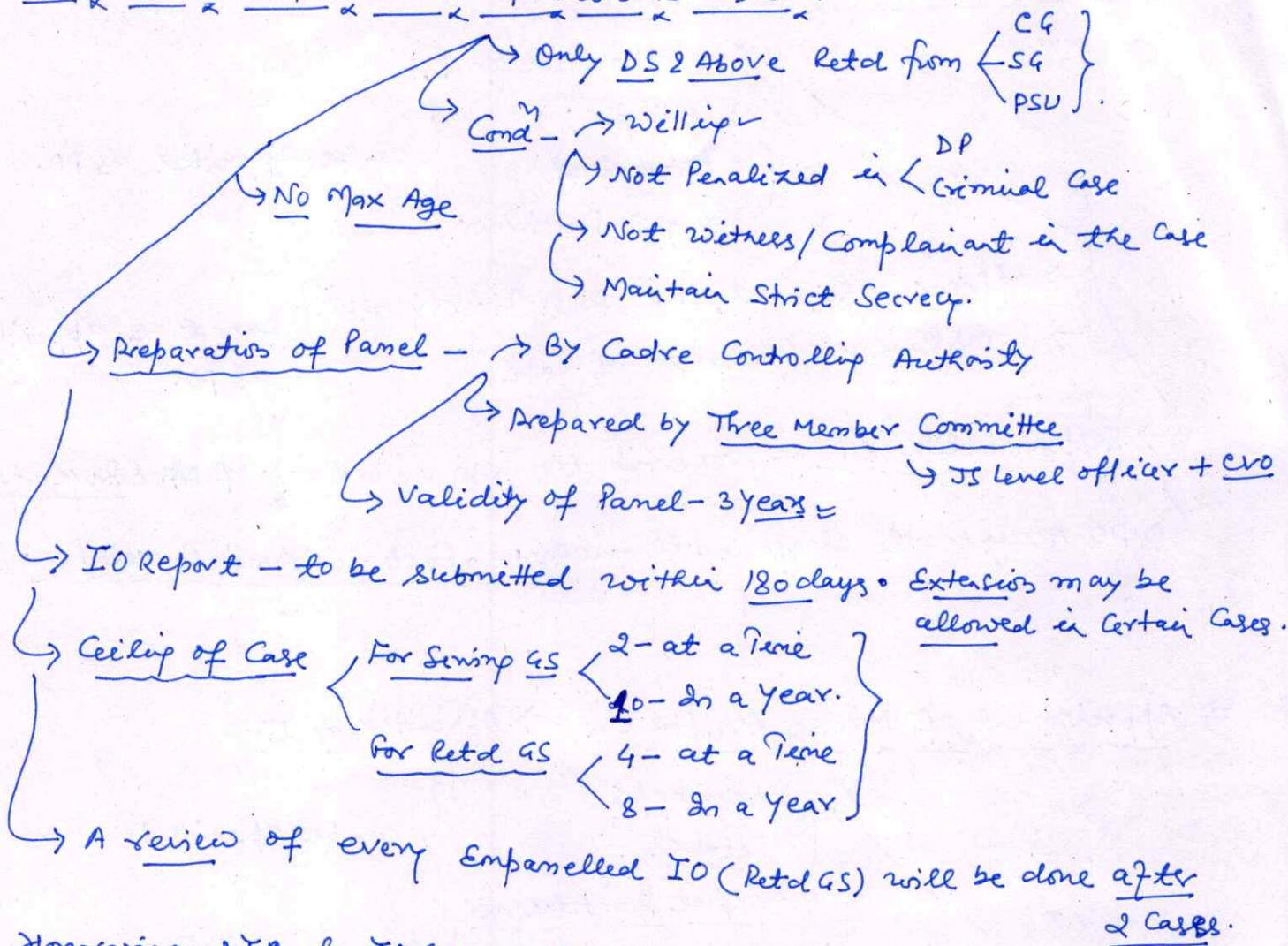
⇒ Appointment of Presenting officer (PO):-



⇒ Appointment of Defense Assistant:- → Appointed by IO.



⇒ Procedure for empanelment of Retd GS as IO:-



⇒ Honorarium & TA to IO (Retd GS):-

Honorarium

Secretarial Assst

TA

- If witness < 6	- 60% of Pension	₹ 20000/-	- ₹ 40000/- per case
- ——— 6-10	- 70% of Pension	₹ 30000/-	- In addition, for outstation journey $\left\{ \begin{matrix} Air \\ Ae-I-Rail \end{matrix} \right\}$
- ——— >10	- 90% of Pension	₹ 40000/-	

50% Paid - on submission of IO Report (within 180 days)
 Remaining - in next 45 days

→ If court stayed the inquiry - Payment at Ro-rata basis

⇒ Honorarium to Senior GS as

PO - 10% of Basic Pay.

IO - 15% of Basic Pay

↳ In case of Common DP - Additional 5000/- per CO -

⇒ Stages of Inquiry -:

- ① Pre-Hearing Stage -
 - From - appointment of IO/PO
 - To - Commencement of hearing.

↳ Dump this stage - IO/PO/CO - Examine documents.

② Preliminary Hearing Stage

- From - 1st hearing [1st hearing to be held = within 10 days of receiving charge sheet]
- To - Commencement of presentation of evidence.

↳ In this stage IO ask CO whether he admits the charge or want to defend.

↓
App't of Defence Assistant

- ↳ fix date for inspection of documents. [5 days + 5 days].
- ↳ CO submits list of his witness.
- ↳ list of additional documents required by CO [10 days + 10 days].
- ↳ Additional documents can be denied to CO if -
 - Not relevant to case
 - Not in Public Interest
- ↳ Documents cannot be provided to CO
 - ↳ Prel. Investigation Report
 - ↳ DP related file
- ↳ Inspection of documents held in Court -
 - ↳ Request Court to provide documents
 - ↳ If Court not allow - inspection may be arranged in Court.

③ Regular Hearing Stage -: Evidence is Produced.

- ↳ Order → First - PO Produce
 - Documentary Evidence
 - Oral Evidence.
- ↳ Then CO Produce
 - Documentary Evidence
 - Oral Evidence
- ↳ Then - General Examination
- ↳ Last - fixing time for submission of
 - PO Brief
 - CO Brief

④ Post-Hearing Stage -:

- ↳ PO & CO submits PO Brief & CO Brief
- ↳ IO submits IO Report to DA.

⇒ Examination of Witness :- → Examination in chief - by Own Party

↓

- PO can question
CO only when CO is
witness in case.

↳ Cross-Examination - by opposite Party

↳ Leading Questions allowed.

↳ Re-Examination - by own party

↳ Second-Cross Examination - by opposite Party

- witness can be
called for Second Times by IO.

↳ with Permission of IO.

- IO can ask questions to witness.

↳ if new issues were raised
during re-exam.

- IO can ask questions to witness
CO about
circumstances.

⇒ General Examination/Mandatory Questions :- → By IO

↳ After examination of all witness -
↳ Only when CO is not witness.
↳ PO has no right to question CO.

⇒ Evaluation of Evidences :- → Types of Evidence in DL { Documentary
Oral

↳ Standard of Proof - Means quality of evidence produced.

↳ Preponderance of Probability - More likely to have
happen than otherwise

↳ Clear & Convincing Evidence

↳ Proof beyond Reasonable doubt.

↳ Hearsay Evidence - when a witness state a fact based on what
he had heard from some others.

↳ Allowed in DL.

↳ Circumstantial Evidence → Allowed in DL.

↳ Demeanour - Posture & behaviour of witness while deposing.

↳ To determine credibility of witness.

↳ IO must take note of it.

- ⇒ Ex-parte Inquiry -: → Inquiry in which CO is not represented.
 - ↳ Ordered by IO. No reason required to be recorded.
 - ↳ When ordered - → If CO does not submit statement of defense.
 - ↳ Condⁿ - charge-sheet should have been delivered to CO.
 - ↳ Does not appear before IO.
 - ↳ Fails/ Refuse to comply with Provisions of CCS/CCA Rules.
 - ↳ Procedure -
 - ↳ PO will lead evidence & establish charges.
 - ↳ Cross-examination of PO's witness may not take place.
 - ↳ IO can ask questions to PO's witness.
 - ↳ IO should send copies of all documents related to inquiry to CO.
 - ↳ CO can join the inquiry at any stage. But allowing inquiry afresh from initial stage is the discretion of IO.

- ⇒ De-Novo Inquiry -: → When Appellate Authority set aside the Punishment order of DA and re-mit the case for inquiry either afresh or from a stage.
 - ↳ Then, De-Novo Inquiry is ordered.
 - ↳ Original charge-sheet - Quashed.
 - ↳ New charge-sheet are framed.

⇒ Consultation with UPSC -:

↳ When Consultation Required

Apply only on Civilian GS.
When Competent Authority to Order in DP is President. Either as DA/ Appellate Authority/ Reviewing Authority/ Review Authority.

↳ When Consultation not required -:

→ For non-Civilian GS.
↳ In respect of Defence Civilian paid from Defence Service Estimates

↳ If competent auth is not President.

Proposals are required to be sent by Min/Deptt to Disciplinary & Appeal Cases Branch of UPSC, through 'Single window System'

Proposals are required to be sent to UPSC

↳ At least 6M before retirement in Major Penalty Cases.
↳ At least 3M before retirement in Minor Penalty Cases.

While sending Proposal to UPSC - A Certificate by JS that Proposal is duly completed.

↳ If Incomplete - Written warning to

JS Director	}	by Secretary of Min/Deptt.

↳ Second Time - Minor Penalty Proceedings may be initiated.

Disagreement with UPSC Advice

DOPT VS UPSC

- If Secretary (DOPT) is disagree
↓
A Proposal will be placed before Core Group of Secretaries for Examinations
↓ Then
Case will be submitted to Minister/ PM for decision. The decision of Minister/ PM will be implemented and UPSC will be conveyed.

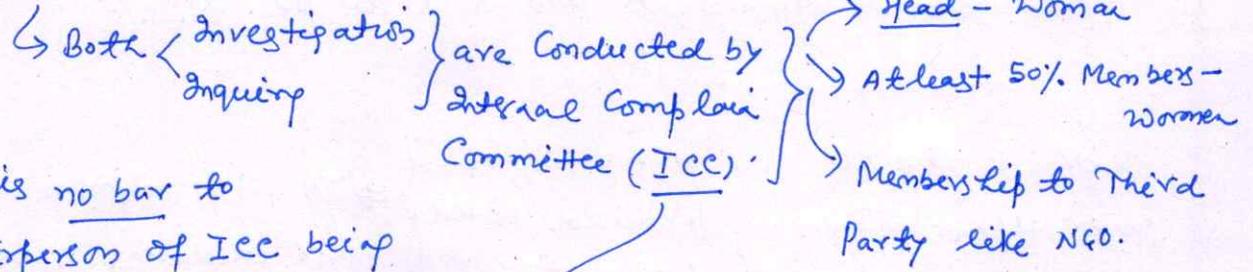
Other Ministry VS UPSC

- If DA is disagree
↓
A reference will be made to DOPT
↓
Decision of DOPT will be implemented.

* The disagreement cases are reflected in UPSC Annual Report

↓
Submit to Parliament
* An explanatory Memo is submitted by UPSC to PMO - yearly.

⇒ Inquiry in Sexual Harassment Cases:-

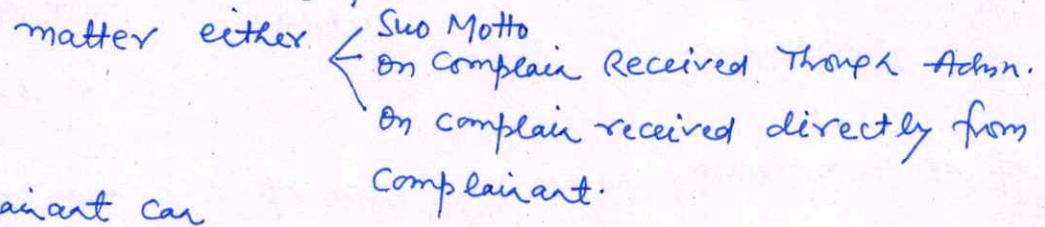


* There is no bar to the chairpersons of ICC being Junior to CO.

→ If biasness is proved against any member of ICC - then ICC will be dissolved and new ICC will be established by Deptt.

* SHE Box - Sexual Harassment e-box.

→ Investigations:- ICC can investigate



→ Complainant can Complain within 3M of the incidents.

→ Time may be extended by ICC in spl. cases.

→ Investigation Report of ICC is binding on DA to initiate Dt.

→ Inquiry:- → ICC will follow same procedure of Rule-14.

→ ICC will submit its Report in 90 days.

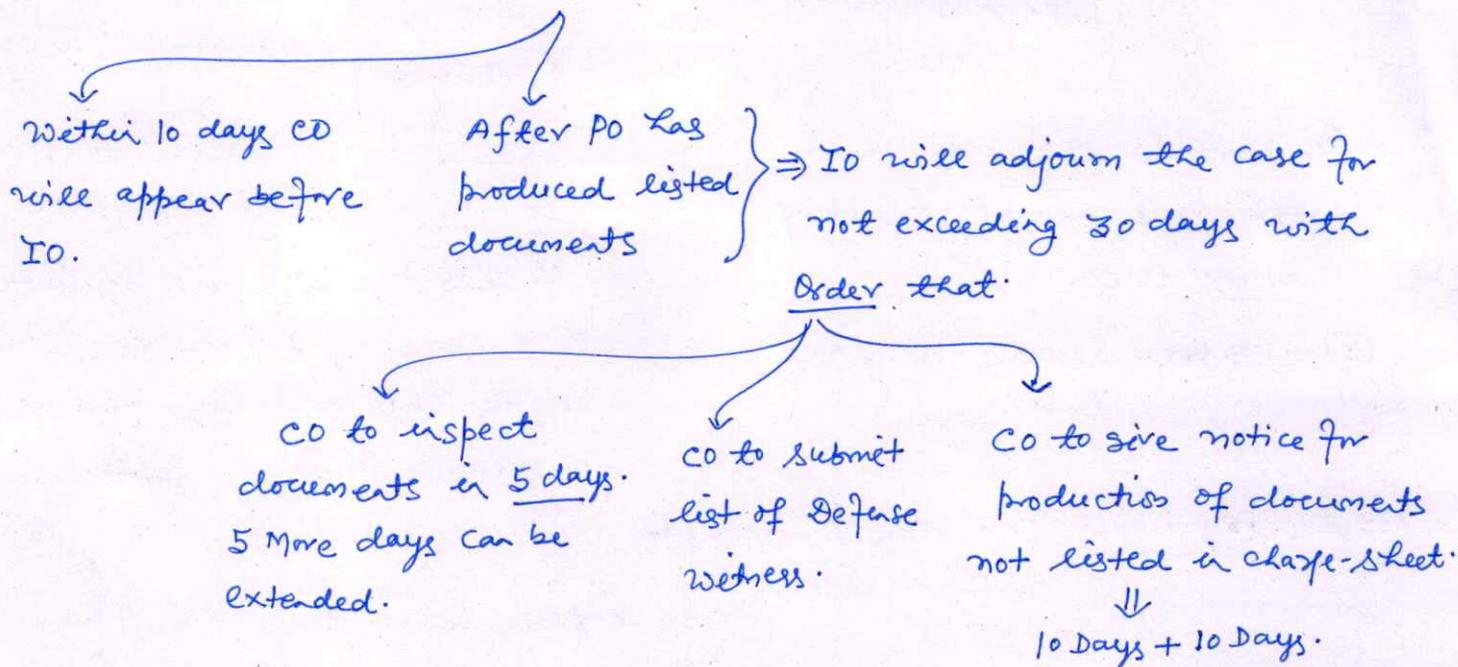
→ If ICC has not recommended any action against CO → Then → DA will send Report to Complainant for Representation of Complainant will be treated as 'Appeal'.

→ Power of ICC to make recommendations:-

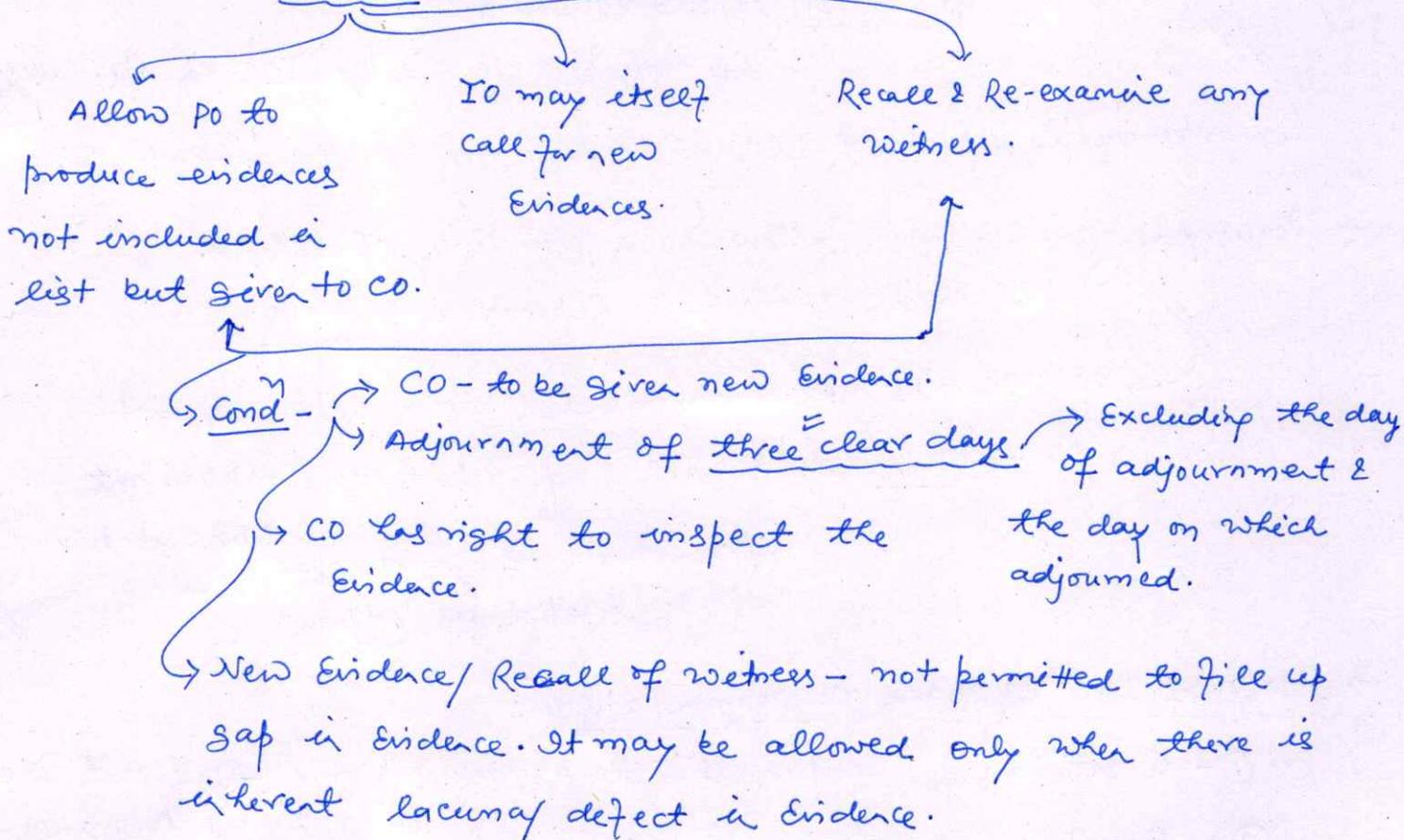
- ① - Grant Relief & Compensation to aggrieved Women - This Amt will be recovered from Salary of CO.
- ② - Transfer/ suspension of CO.
- ③ - Grant of leave upto 90 days to Women. → Non-debitable.
- ④ - To take action against Women/ witness - If Complain is fake.

⇒ Some Important Points -

① - When listed documents are sent to IO, then -



② - If it is necessary before the close of the case on behalf of DA (PO), IO may



③ - When IO Report Submitted to DA & DA if feels necessary,

can

- Recall witness
- Examine/ Cross-Examine/ Re-examine.

⇒ Certain Time-limit in No Disciplinary Proceedings :-

- ① - for CO to submit his written statement of defense on charge-sheet
 - Minor Penalty DL - 10 days.
 - Major Penalty DL - 15 days → Extensible upto 45 days.
- ② for producing requisite documents to CO during inquiry - 1 Month of the receipt of request.
- ③ - For Submission of
 - PO Brief - 15 days
 - CO Brief - 15 days.
 - Comments of CO
 - on UPSC/CVC Advice - 15 days
 - On IO Report - 15 days.
- ④ For CVC Advice
 - 1st stage - within 1 month of investigation Report
 - 2nd stage - within 1 month of receipt of Comments of CO on IO Report.
- ⑤ For put up the case to DA after receipt of CVC 1st stage Advice - 1 month.
- ⑥ - for issue of charge-sheet - within 1 week of decision of DA.
- ⑦ for concluding Major Penalty Proceedings - 18 Months.
- ⑧ for IO to complete inquiry - 6 Months.
- ⑨ for final decision of DA - 1 month =

⇒ Rule-15 - Action on IO Report -:

- ↳ When IO submits IO Report to DA → DA may
 - Remit IO Report to IO for reasons.
 - Accept IO Report
 - ↳ Agree
 - ↳ Disagree
- ↳ Copy of IO Report alongwith Disagreement note of DA if any - will be sent to CO for Comments.
- ↳ After receipt of comments of CO - UPSC Advice sought if required.
- ↳ After
 - ↳ Receipt of UPSC Advice
 - ↳ & Comments of CO on UPSC Advice

⇓

DA - will Pass final Order
 - ↳ Speaking
 - ↳ Self-contained.
 - ↳ Reasoned.
- ↳ It is not appropriate to bring past bad records of GS unless specified in charge-Memo.
- ↳ On death of GS - DL should be closed.
- ↳ Dismissal cannot be done retrospectively.
- ↳ Once
 - ↳ DL - Initiated
 - ↳ and DA want to close the case → can do with intimations to CO.

- ⇒ Rule 10 :- Suspension :-
- Suspension is an executive act.
 - Suspension is temporary termination of duties of GS.
 - Suspension is a safeguard against GS interfering with material evidence.
 - Suspension provides GS enough time to prepare himself to defend his case.
 - Suspension is not a punishment/penalty.
 - Suspension does not put an end to the service of GS.
 - Suspension constitutes great hardship on GS on Reputation
Mental Stigma.
 - During Suspension, Relations of Master
Servant } does not cease.
 - GS - continued to be governed by other Service Rules during Suspension.
 - Suspension does not affect lien of GS.
 - Art, 311, does not apply on Suspension - No need to give GS an opportunity before Suspension.

→ When Suspension Resorted to :-

- Rule 10(1) :-
- when DL is contemplated or pending against GS.
 - when a criminal case is under investigation, inquiry or trial.
 - GS engaged himself in activities prejudicial to the interest of security of State.

- Some Important Points :-
- Framing of charge-sheet and communication thereof to GS is not a pre-condition of suspension.
 - GS who is not actually detained in custody, may also be placed under suspension.

- Suspension should not be resorted to :-
- If GS continue to remain absent from duty/overstay leave without permission/ or his movement not known.
 - GS → under suspension - disappear
 - suspension should be lifted and DL be initiated for Removal.

→ Guiding Principle for Suspensions :-

↓
GS may be placed under Suspensions in following Circumstances

his continuance in office will affect Investigations/Trial/Inquiry.

Continuance in office - subvert discipline in office.

Continuance in office - against wider Public Interest.

→ when Prol. Investigation revealed a case justifying Criminal or DP which are likely to lead to his conviction or Dismissal/Removal/Compulsory Retirement from Service.

→ If GS

- Conduct offence - which involve Moral Turpitude.
- Corruption, Misappropriation of Govt. Money, Possession of disproportionate asset, Misuse of official power for Personal gain.

→ Serious negligence and dereliction of duty.

→ Desertion of Duty

↳ जानबूझकर काम में लापरवाही

→ Refusal or deliberate failure to carry out written order of Superior officers.

→ ~~Deemed~~ Deemed Suspensions :-

(while in Service)

→ Rule 10(2) - GS - detain in custody for more than 48 hours either on Criminal charge or conviction.

→ By Appointing Authority.

→ date release on bail does not effect deemed suspension until Revoked by Competent Authority.

→ GS - should inform promptly about detentions. If failed - It may be initiated.

- while not in Service -> Rule 10(3) - GS

- > Dismiss (D)
- > Remove (R)
- > Compulsory Ret (CR)

} as penalty.

Condⁿ - GS was under Suspensions at the time of $\left[\begin{matrix} D \\ R \\ CR \end{matrix} \right] =$

- > went in $\left[\begin{matrix} Appeal \\ Revision \end{matrix} \right]$
- > Appellate Authority
- > Revision Authority

} -> Set aside Penalty
-> Case remitted back for further inquiry.

-> Then - GS will be placed under Deemed Suspensions w/ the original Order of $\left[\begin{matrix} D \\ R \\ CR \end{matrix} \right] =$

-> Rule 10(4) - GS

- > Dismiss
- > Remove
- > Compulsory Retd.

} -> went to Court -> Set aside the Penalty Order on Tech. grounds.

↓

Then GS -> will be placed under Deemed Suspensions for further inquiry.

* Suspensions of GS at the time of D/R/CR is not mandatory.

-> Rule 10(5) - Continued Suspensions - GS

- > under Suspensions/ Deemed Suspensions
- > and any other DP started against him.

↓

Competent Authority may direct that GS will continue to be under suspensions untill the termination of $\left[\begin{matrix} all \\ any \end{matrix} \right]$ DP.

⇒ Competent Authority to place a GS under Suspensions -

↓

- Appointing Authority (AA)
- Any authority to which AA is subordinate.
- D.A.
- Any other Authority empowered by President.

* Deemed Suspensions
↓
Only by AA.

Imp Points -> If suspension is made by Authority lower than AA, such Authority shall inform AA the circumstances.

-> Supervisory officers in field offices by issue of order in the name President may place their sub-ordinates under Suspensions.

→ Headquarter during Suspension :- → The status of posting before Suspension = HQ
 → GS - cannot leave HQ without prior permission
 → Competent Authority can change HQ in public interest.

→ Fixup of HQ during Suspension on bail will be subject to any restriction of Court.

Condⁿ - → GS - Request
 → will not put Govt. to any extra expenditure like TA etc.
 → will not create difficulty in investigation or DP.

→ Order of Suspension :- → GS - be placed under Suspension by Specific Order not by Oral Order.
 → In case of deemed Suspension - Suspension takes effect automatically even without a formal order. However, for Admt convenience, formal order should be issued.

→ Date of effect of Suspension :- → In Suspension -
 → with Immediate effect
 → with Subsequent date
 → Not retrospectively.
 → If GS has performed his Prescribed hours of duty - Suspension will be effective from next day.
 → If GS is on { leave / tour / Posted at other station } → Suspension be effected from a suitable date.
 → In Deemed Suspension - → Retrospectively.
 → w.r.t { Detention / Conviction }.

→ Appeal against Suspension → Appeal - Allowed
 → When GS is placed under Suspension, reasons of Suspension to be communicated to GS - within 3M =
 → Thereafter - GS can make appeal - within 45 days.
 ⊛ In Order of Suspension, reasons of suspension not mentioned.

⇒ Review of Suspensions :- → Order of suspensions remain valid upto 90 days.

↓
Suspensions can be extended beyond 90 days for a period upto 180 days at a time.

↳ If suspension is to be extended beyond 90 days, it should be reviewed by Review Committee and extended within 90 days.

↳ If extension order not issued within 90 days, GS will be deemed revoked.

↳ Calculations of 90 days in case of deemed suspensions

} 90 days will be counted from the date of Release on bail or Intimate the office about his release. which is later.

→ Review Committee :-

Three Membered

When President is DA in the case

- Secretary/ AS/ JS.

When President

- DA + Two (Sec/AS/JS level)

Appellate Authority (AA) not DA.

When President Appellate Auth X DA X

- DA + Appellate Auth + one officer of the rank of either DA or AA.

→ In case no charge-sheet has been issued to GS, total period of Suspensions/ Deemed

Suspensions shall not exceed :-

↳ 270 days - If GS was placed under Suspensions due to DP Pending or Contemplated.

↳ 2 years - If under Suspensions on the ground that GS engaged in activities prejudicial to the interest of Security of State or Criminal Case is - Pending against him.

↳ 2 years - from the date of Release from detentions or Intimations of Release given to office } which is later.
(In case of deemed suspensions).

⇒ Subsistence Allowance - : → An allowance Paid to GS during Suspension/ Deemed Suspension Period.
(SA)
→ As per FR-53 -

→ Initial Grant - → An amount equal to leave salary which he would have drawn if he had been HPL.
→ upto first 3 months.

→ This is automatic and no specific order required.
However, for Admmt convenience, order may be issued.

→ First Review - : → After 3 Months.

↓
Mandatory =
before expiry of 3M,
Competent Authority { Suo Motto or on request of GS. } May Review SA.

→ After Review
→ Revision of rate of SA may be retrospectively.
→ May Increase SA by 50% - if suspension is prolonged but not due to GS.
→ No change =
→ May decrease SA by 50% if suspension is prolonged due to GS.

→ Further Review of SA is discretion of Competent Authority.

→ Appeal can be made against the decision of Competent Authority after review.

→ Payment of SA ~~can~~ can be denied only ~~on~~ on ground that non-production of Non-Employment Certificate.

⇒ Termination of service of Temporary GS while Under suspension (18)
pending disc. procedin.

↳ discretion of Competent Authority

↳ Procedure - First - revoke suspension
Then - pay - one month advance salary & terminate.

⇒ During Suspension

- | | |
|---|---|
| <p><u>Allowed</u> → VRS/Resign - of Public interest servie</p> <ul style="list-style-type: none"> - Deptt. Exam. - DA - on subsistence Allowance (SA) - HRA - on full pay.
↳ Rtd of certificate after $\left\{ \begin{array}{l} 6 \text{ Months} \\ 180 \text{ days} \end{array} \right.$ - Interim Relief on the basis of SA. - Travelling Allowance - HBA - collateral security of two permanent GS. - Function as DA Defense Asstt. - Children Education Allowance | <p><u>Not Allowed</u></p> <ul style="list-style-type: none"> - Forwarding of applications Direct Deputations - Conveyance Advance - Transport Allowances - Leave - LTC (Allowed only for family) - Write/Review APAR - if dupli major part was under suspension. |
|---|---|

⇒ Suspensions in doory death Cases -

↳ Immediately after arrest.

↳ If not arrested, but, police report submitted to Magistrate, - indicate his involvement.

Under Rule - 10(1) DA
AA
CA.

⇒ Effect of Recoveries:-

- | | | |
|--|--|--|
| <p><u>Mandatory</u></p> <ul style="list-style-type: none"> - Income Tax/HRA & allied charges/CGHS/CGEGIS/CAF/Payment of loan & advances <u>take</u> from <u>Gvt.</u> | <p><u>Optional</u></p> <ul style="list-style-type: none"> - LIE/PLI/dues of Co-operatives/Refund of GPF Advances/ CPF = | <p><u>Not allowed</u></p> <ul style="list-style-type: none"> - Subscriptions to GPF - Court attachment - Recovery of loss to Gvt. |
|--|--|--|
- * Max Recovery of overpayments from subsistence Allow - $\frac{1}{3}$ rd of SA excluding DA & HRA

⇒ licence fee-free Concessions:-

- Not required to vacate Govt. accommodations
- But - during suspension - licence-fee-concession x
- Rent - recovered.

↓

If suspension wholly unjustified ⇒ refund of rent recovered.

→ If suspension period → converted into leave - refund for 1st month only.

② ⇒ Existence of temporary post:-

- when a GS holding a temp. post - suspended and sanction of temp post expires.
- Two options -
 - To discharge him from service (Revoke → 1m pay → discharge).
 - If want to continue disc proceed - Post-be extended

③ ⇒ Revision of scale of pay:-

GS is under suspension

- ↓
- If revision is ref the date prior to suspension
 - ↓
 - option under FR-23 - allowed.
 - Entitled to benefit of pay before suspension & subsistence Allowance thereafter.
- ↓
- If revision takes effect during suspension
 - ↓
 - Permanent GS -
 - option - allowed
 - benefit - after reinstment depend upon duty or not.
 - Temp/Rotationer - option - Not allowed
 - If re-investment as duty - can give option.

④ ⇒ Cases to whom Sealed cover procedure apply:-

- Ad-hoc promotion
 - Under suspension
 - Disc proceed pending
 - Criminal prosecution pending.
- If after 2 Yrs of the meeting of first DPC -
 - Appointing Auth may place the case of GS (not under suspension) (less serious charge) before next DPC for consideration.
 - DPC will assess the case - as normal case without considering pending disc. proceed.
 - After declared fit → 'Ad-hoc promotion'

} Appointing Authority will review the sealed cover cases - Six monthly

} Disc proceed } not concluded } Criminal prosec }

⇒ Travelling Allowance (TA) entitlement of GS under Suspension:-

①: For appearing before Police/Court :-

GS, (suspended or not) perform journey to attend police enquiry of the case in which he is a suspect.

⇓
TA on tour allowed.

GS (Under Suspension) → appear in the Court → later acquitted by the Court & reinstated

⇓
TA on tour allowed.

② For journey for perusal of documents:- (Journey to the stations where official records are available).

→ TA - On tour - from HQ ↔ station where records made available
→ DA - Daily Allow - For Max-3 days

③ For attending disc proceedings :-

From HQ \xleftrightarrow{TA} Place of enquiry
→ No TA if $\left\{ \begin{array}{l} \text{HQ has been changed at his request} \\ \text{Enquiry is held at a station at his own request.} \end{array} \right.$
→ If HQ changed in interest of public service - TA allowed

④ Advance of TA :-

TA - advance of actual fare
DA - Advance for journey period + DA for one day at station of enquiry.

⑤ Children Edu Allowances :-

→ Allowed - when $\left\{ \begin{array}{l} \text{duty} \\ \text{leave including EOL} \\ \text{Suspension.} \end{array} \right.$
→ Not allowed - $\left\{ \begin{array}{l} \text{dies non} \\ \text{unauthorise absence} \end{array} \right.$ } for the period.

⑥ Transport Allow :-

→ Not allowed.
→ In the month of suspension - be reduced proportionately

Reinstatement:

⇒ Reinstatement as a result of deptt appeal / revision / review :-

Fully exonerated / wholly unjustified

- Pay - Full
- Period - Spent on duty.

* However - if DA thinks that disc. proceeding was delayed by the CO - then he may Order -

- Pay - Proportionate { Not equal to whole
Not less than Subsistence Allow.
- Period - Spent on duty

Other Cases

If set aside on tech grounds and no further enquiry propose

- Pay - Proportionate { Not equal to whole
Not less than Subs Allow
- Period - Not treated as duty unless

DA direct.

↳ but - if GS request - period of suspension convert → leave due & admissible

⇒ Reinstatement as a result of Court Order :-

Settup aside on merit

- Pay - Full
- Period - Treated as duty { Full pay spent on duty

Preventive detentions { Unjustified
Justified

{ Proportionate pay
Not duty.

Settup aside on tech grounds and no further enquiry proposes

- Pay - Proportionate pay (Not being the whole & less than S.A)
- Period - Not spent on duty.

↳ may be converted into leave admissible.

⇒ Treatment of suspension period :-

Death / minor penalty imposed

- Pay - Full
- Period - duty

exonerations / wholly unjustified

- Pay - Full
 - Period - duty
- However - if enquiry was delayed due to CO, then
- Pay - proportionate
 - Period - duty

Other Cases { Major penalty ✓
exonerations not on merit.

Pay - Proportionate
Period - Not duty.

↳ but may be converted into leave.

* Suspension treated as dies non - not to be reckoned as service.

⇒ Regularization as Leave :- when :- Exonerations not on merit i.e on tech grounds. (by Court AA).
Suspensions not wholly unjustified.

→ Suspensions period $\xrightarrow[\text{Convert}]{\text{May}}$ Leave due & admissible.

→ Sanctions of higher authority not required for regularization of absence if
→ Grant of EOL for more than three months - Temp GS
→ Grant of leave for more than 5 Yrs.

↓
i.e Order of DA is absolute.

→ Effect of conversion - Vacate the order of suspension and it will be deemed not to have been passed at all.

→ Refund of excess payment - If payment of Subsistence Allow > Leave Salary.

⇒ Unauthorized absence under FR-17A :-

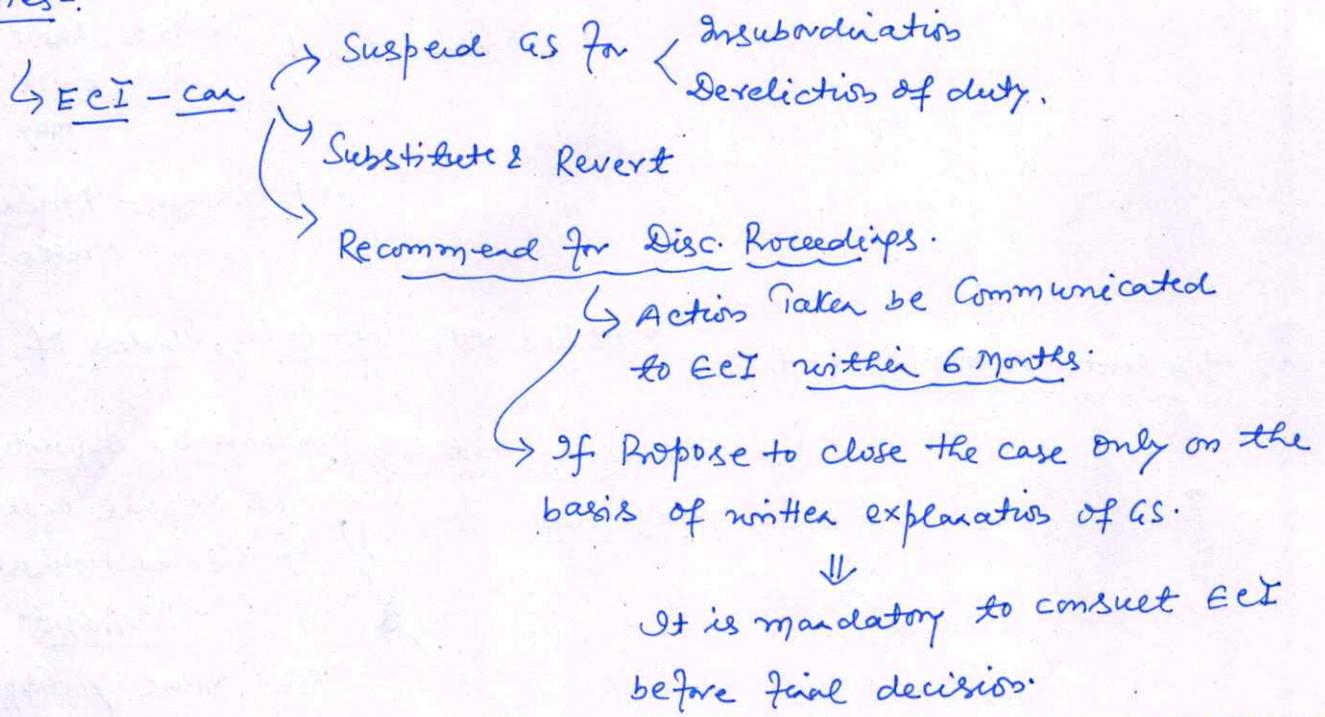
↓
with break in service } will have followup effect/disability }
→ LTC
→ Quasi-Permanency Status
→ Appearing in dept. exams.
→ Pensions.

→ Have no effect on -
→ Crossing Efficiency Bar
→ Promotions through DPC.
→ Spl Pay/ Allowances - not to be withdrawn.

→ Deptt Exam :-
→ Before appearing in deptt exam - break in service - have effect
→ After " " - " " - No effect.

→ If FR-17A invoked and appeal is pending - No permission to appear in deptt exam can be given unless the effects are removed by order on appeal.

⇒ Disciplinary Jurisdiction of ECI over GS deputed for Election Duties:-



⇒ Appeal: → Not Suo Motto. * Appeals cannot be withheld in any case. =
 → Only on Request of GS

→ Orders against which no Appeal lies

- Orders made by President
- Orders of Inter-locutory Nature
- Orders of IO during Inquiry.

(Except appointment of Defence Assistant).

→ Orders against which Appeal lies

- Suspensions / Deemed Suspensions
- Penalty Under Rule-11 by DA, Appellate Authority, Revision Authority.
- Enhancing Penalty during - Appeal / Revision
- Orders affecting → Pay & Allowances, Pension, Service Condⁿ.
- Orders
 - Stopping at Efficiency Bar.
 - Reverting other than Penalty
 - Determining Subsistence Allowance
 - Treatment of Suspension Period Pay & Allow Period - be treated as duty or otherwise

↳ Reducing or Withholding of Pension

→ Retirement as per FR-56(J)/ Rule-42 of CCS (Pensions) Rules, 2021.

→ Request for withdrawal of Appeal :- → At the discretion of Appellate Authority.

→ If Original Penalty → To be same or Reduce - withdrawal may be allowed.

→ To enhance - May not be allowed.

→ Appellate Authority (AA) :- → As per the Schedule / Orders of President.

→ Where no Authority Specified } → Gr. A & B - Appointing Authority if Original order made by his sub-ordinates.

- President if Original Order made by Appointing Auth.

→ Gr. C & D - Immediate Higher Auth.

→ In Common Proceedings - Immediate Higher Authority.

→ Office Bearer of Service Associations - can directly appeal to President (Minister).

→ Higher Authority who directed Suspension of GS, can act as his Appellate Authority.

→ Additional Appellate Authority may be appointed by President in case of pendency of large cases of Appeals.

→ If DA promoted to the Post of Appellate Authority after imposition of penalty → Appeal can be dealt by Immediate Higher Authority of Appellate Authority.

→ Limitation Period :- → Appeal can be made within 45 days of the Order.

↳ Time Period may be relaxed by Appellate Auth.

↳ To Appellate Auth. in own name by GS.

↳ If appeal sent to DA, then DA will send it to Appellate Auth. within 45 days of the receipt of Appeal -

Revisio $\left\{ \begin{array}{l} \text{Suo Motto} \\ \text{On Request of GS.} \end{array} \right.$

\Rightarrow Revisio Authority - \rightarrow President
(RA)
 \rightarrow CAG - for Audit Deptt.
 \rightarrow Member (Personnel), Postal Service Board - for GS serving under Postal Service Board.
 \rightarrow Advisor (HRD) } \rightarrow For GS serving in
D/o Telecommunications } Telecom Board.
 \rightarrow HOD - of GS serving in a Deptt/ office directly under control of HOD.
 \rightarrow Appellate Authority - $\left\{ \begin{array}{l} \text{If no appeal was made} \\ \text{and within 6M - Revisio can be made.} \end{array} \right.$
 \rightarrow Any other Auth \rightarrow by Order of President.

\Rightarrow When to prefer Revisio - \rightarrow when Appeal allowed but no appeal has been preferred
 \rightarrow or - when no appeal allowed in the case.

\Rightarrow Power of Revisio Authority - Same as Appellate Authority.
Except - RA can impose any penalty where no penalty was imposed earlier.

\Rightarrow No Proceedings of Revisio shall commence
untill - \rightarrow The Expiry of limitation period of Appeal (45 days)
 \rightarrow or - disposal of appeal, if appeal is pending.

\Rightarrow Scrutiny of Punishments by chief Vigilance officer (CVO) -

\hookrightarrow CVO - has power to Scrutinize \rightarrow Correctness of findings
 \rightarrow Conclusions arrived
 \Downarrow
After Scrutiny \rightarrow Adequacy of Punishment/ Penalty.
 \hookrightarrow CVO - can initiate action for Revisio of Penalty.

