

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 31st October, 2014

G.S.R. 769(E).— In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965 namely:—

1. (1) These rules may be called the Central Civil Services (Classification, Control and Appeal) (Second Amendment) Rules, 2014.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
 2. In the Central Civil Services (Classification, Control and Appeal) Rules, 1965 (hereinafter referred to as the said rules), —
 - (a) in rule 15, for sub-rules 2A, 3 and 4, the following sub-rules shall be substituted, namely: —
 - “(3) (a) In every case where it is necessary to consult the Commission, the Disciplinary Authority shall forward or cause to be forwarded to the Commission for its advice:
 - (i) a copy of the report of the Inquiring Authority together with its own tentative reasons for disagreement, if any, with the findings of Inquiring Authority on any article of charge; and
 - (ii) comments of Disciplinary Authority on the representation of the Government servant on the Inquiry report and disagreement note, if any and all the case records of the inquiry proceedings.
 - (b) The Disciplinary Authority shall forward or cause to be forwarded a copy of the advice of the Commission received under clause (a) to the Government servant, who shall be required to submit, if he so desires, his written representation or submission to the Disciplinary Authority within fifteen days, on the advice of the Commission.
 - (4) The Disciplinary Authority shall consider the representation under sub-rule (2) and/ or clause (b) of sub-rule (3), if any, submitted by the Government servant and record its findings before proceeding further in the matter as specified in sub-rules (5) and (6).
 - (5) If the Disciplinary Authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in clauses (i) to (iv) of rule 11 should be imposed on the Government servant, it shall, notwithstanding anything contained in rule 16, make an order imposing such penalty.
 - (6) If the Disciplinary Authority having regard to its findings on all or any of the articles of charge and on the basis of the evidence adduced during the inquiry is of the opinion that any of the penalties specified in clauses (v) to (ix) of rule 11 should be imposed on the Government servant, it shall make an order imposing such penalty and it shall not be necessary to give the Government servant any opportunity of making representation on the penalty proposed to be imposed.”;
 - (b) in rule 16, —
 - (i) in sub-rule (1),-
 - (A) for the words, brackets and figure “sub-rule (3)”, the words, brackets and figure “sub-rule (5)” shall be substituted ;
 - (B) for clauses (d) and (e), the following clauses shall be substituted; namely: —
 - “(d) consulting the Commission where such consultation is necessary. The Disciplinary Authority shall forward or cause to be forwarded a copy of the advice of the Commission to the Government servant, who shall be required to submit, if he so desires, his written representation or submission on the advice of the Commission, to the Disciplinary Authority within fifteen days; and
 - (e) recording a finding on each imputation or misconduct or misbehavior.”
 - (ii) in sub-rule (2) for clauses (vi) and (vii), the following clauses shall be substituted;
 - “(vi) representation, if any, of the Government servant on the advice of the Commission;
 - (vii) the findings on each imputation of misconduct or misbehaviour; and
 - (viii) the orders on the case together with the reasons therefor.”;
- (c) In rule 17, the words “and also a copy of the advice, if any, given by the Commission.” shall be deleted;
- (d) In rule 19, in the second proviso, after the words “where such consultation is necessary”, the words “and the Government servant has been given an opportunity of representing against the advice of the Commission,” shall be added;

- (c) In rule 27, in sub-rule (2), in the proviso, in clause (i) after the words "where such consultation is necessary", the words "and the government servant has been given an opportunity of representing against the advice of the Commission." shall be added;
- (f) In rule 29, in sub-rule (1) in the first proviso, after the words "where such consultation is necessary", the words "and the Government servant has been given an opportunity of representing against the advice of the Commission," shall be added;
- (g) In rule 29-A, in the proviso, after the words "where such consultation is necessary", the words "and the Government servant has been given an opportunity of representing against the advice of the Commission." shall be added;
- (h) rule 32 shall be omitted.

[F. No. 11012/8/2011-Estt.(A)]

MAMTA KUNDRA, Jt. Secy.

Note: The principal rules were published in the Gazette of India *vide* notification number 7/2/63. Estt.(A), dated the 20th November, 1965 and subsequently amended *vide* notification numbers :-

1. S.O. 1149, dated the 13th April, 1966;
2. S.O. 1596, dated the 4th June, 1966;
3. S.O. 2007, dated the 9th July, 1966;
4. S.O. 2648, dated the 2nd September, 1966;
5. S.O. 2854, dated the 1st October, 1966;
6. S.O. 1282, dated the 15th April, 1967;
7. S.O. 1457, dated the 29th April, 1967;
8. S.O. 3253, dated the 16th September, 1967;
9. S.O. 3530, dated the 7th October, 1967;
10. S.O. 4151, dated the 25th November, 1967;
11. S.O. 321, dated the 9th March, 1968;
12. S.O. 1441, dated the 27th April, 1968;
13. S.O. 1870, dated the 1st June, 1968;
14. S.O. 3423, dated the 28th September, 1968;
15. S.O. 5008, dated the 27th December, 1969;
16. S.O. 397, dated the 7th February, 1970;
17. S.O. 35217, dated the 25th September, 1971;
18. S.O. 249, dated the 1st January, 1972;
19. S.O. 990, dated the 22nd April, 1972;
20. S.O. 1600, dated the 1st July, 1972;
21. S.O. 2789, dated the 14th October, 1972;
22. S.O. 929, dated the 31st March, 1973;
23. S.O. 1648, dated the 6th July, 1974;
24. S.O. 2742, dated the 31st July, 1976;
25. S.O. 4664, dated the 11th December, 1976;
26. S.O. 3062, dated the 8th October, 1977;
27. S.O. 3573, dated the 26th November, 1977;
28. S.O. 3574, dated the 26th November, 1977;
29. S.O. 3671, dated the 3rd December, 1977;
30. S.O. 2464, dated the 2nd September, 1978;
31. S.O. 2465, dated the 2nd September, 1978;
32. S.O. 920, dated the 17th February, 1979;
33. S.O. 1769, dated the 5th July, 1980;
34. S.O. 264, dated the 24th January, 1981;
35. S.O. 2126, dated the 8th August, 1981;
36. S.O. 2203, dated the 22nd August, 1981;
37. S.O. 2512, dated the 3rd October, 1981;
38. S.O. 168, dated the 23rd January, 1982;
39. S.O. 1535, dated the 12th May, 1984;
40. Notification No.11012/15/84-Estt(A), dated the 5th July, 1985;
41. Notification No.11012/05/85-Estt.(A), dated the 29th July, 1985;
42. Notification No.11012/06/85-Estt.(A), dated the 6th August, 1985;
43. S.O. 5637, dated the 21st December, 1985;
44. S.O. 5743, dated the 28th December, 1985;
45. S.O. 4089, dated the 13th December, 1986;
46. Notification No.11012/24/85-Estt.(A), dated the 26th November, 1986;
47. S.O. 830, dated the 28th March, 1987;
48. S.O. 831, dated the 28th March, 1987;
49. S.O. 1591, dated the 27th June, 1987;
50. S.O. 1825, dated the 18th July, 1987;
51. S.O. 3060, dated the 15th October, 1988;
52. S.O. 3061, dated the 16th October, 1988;
53. S.O. 2207, dated the 16th September, 1989;
54. S.O. 1084, dated the 28th April, 1990;
55. S.O. 2208, dated the 25th August, 1990;
56. S.O. 1481, dated the 13th June, 1992;
57. G.S.R. 289, dated the 20th June, 1992;
58. G.S.R. 589, dated the 26th December, 1992;
59. G.S.R. 499, dated the 8th October, 1994;
60. G.S.R. 276, dated the 10th June, 1995;
61. G.S.R. 17, dated the 20th February, 1996;
62. G.S.R. 125, dated the 16th March, 1996;
63. G.S.R. 417, dated the 5th October, 1996;
64. G.S.R. 337, dated the 2nd September, 2000;
65. G.S.R. 420, dated the 28th October, 2000;
66. G.S.R. 211, dated the 14th April, 2001;
67. G.S.R. 60, dated the 13th February, 2002;
68. G.S.R. 2, dated the 3rd January, 2004;
69. G.S.R. 113, dated the 10th April, 2004;
70. G.S.R. 225, dated the 10th July, 2004;
71. G.S.R. 287, dated the 28th August, 2004;
72. G.S.R. 1, dated the 20th December, 2004;
73. G.S.R. 49, dated the 29th March, 2008;
74. G.S.R. 12, dated the 7th February, 2009;
75. S.O. 946, dated the 9th April, 2009;
76. S.O. 1762(E), dated the 16th July, 2009;
77. G.S.R. 55(E), dated the 2nd February, 2010 and
78. S.O. 2079 (E), dated the 1st January, 2014.