

CCS (Classification, Control & Appeal) Rules, 1965

Part-I-General

Rule- 1. Short title and commencement

- (1) These rules may be called the CCS (CCA) Rules, 1965.
- (2) They shall come into force from the **01 December 1965**.

Rule- 2. Interpretation

- (a) **Appointing authority**, in relation to a government servant, means-
 - (i) the authority empowered to make appointments to the Service of which the Government servant is for the time being a member.
 - (ii) the authority empowered to make appointments to the post which the Government servant for the time being holds.
 - (iii) the authority which appointed the Government servant to such Service, grade or post. whichever authority is the highest authority.
- (b) **"Cadre Authority"**- in relation to a Service, has the same meaning as in the rules regulating that Service.
- (c) **"Central Civil Service and Central Civil post"** includes a civilian Service or civilian post, as the case may be, of the corresponding Group in the Defence Services.
- (d) **"Commission"** means the Union Public Service Commission.
- (e) **"Defence Services"** means services under the Government of India in the Ministry of Defence, paid out of the Defence Services Estimates.
- (f) **"Department of the Government of India"** means any establishment or organization declared by the President by a notification in the Official Gazette to be a department of the Government of India.
- (g) **"Disciplinary authority"** means the authority competent under these rules to impose on a government servant any of the penalties specified in Rule 11.
- (h) **"Government servant"-** Hold a civil post under union, include foreign service, a service under state Govt. disposal of central Govt. and on a temporary post.
- (i) **"Head of Department"-** for the purpose of exercising the powers as appointing, disciplinary, appellate or reviewing authority, means the authority declared to be the head of the department under the FRSR Rules.
- (j) **"Head of the office"** for the purpose of exercising the powers as appointing, disciplinary, appellate or reviewing authority, means the authority declared to be the head of the office under the General Financial Rules.
- (k) **"Schedule"** means the Schedule to these rules.
- (l) **"Secretary"** means the Secretary to the Government of India in any Ministry or Department, and includes- Additional secretary, Joint secretary, Secretary to Prime



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minister, Secretary to President and secretary to cabinet, secretary to planning commission, etc.

(m) "Service" means a civil service of the Union.

Rule- 3. Application

- (1) These rules shall apply to every Government servant including every civilian Government servant in the Defence Services, but **shall not apply to-**
- a) Railway Govt. Servant.
 - b) A member of all India Service.
 - c) any person in casual employment
 - d) any person for whom special provision is made.
 - e) Extra-Departmental Agents
 - f) Monthly-rated staff paid from contingencies other than those brought on to regular establishment.
 - g) Monthly-rated work-charged and other employees not on regular establishment.
 - h) Daily-rated staff paid from contingencies.
 - i) All hot weather and monsoon establishment.
- (2) Notwithstanding anything contained in sub-rule (1), **the President may by order exclude any Group of Government servants** from the operation of all or any of these rules.

Part-II-Classification

Rule- 4. Classification of Services

- (1) the Civil Services of the Union shall be Classified as follows: -
- (i) Central Civil Services, **Group 'A'**.
 - (ii) Central Civil Services, **Group 'B'**.
 - (iii) Central Civil Services, **Group 'C'**.
 - (iv) Central Civil Services, **Group 'D'**
- (2) If a Service consists of more than one grade, different grades of such Service may be included in different groups.

Rule- 5. Constitution of Central Civil Services

- The Central Civil Services, **Group 'A'**, **Group 'B'**, **Group 'C'** and **Group 'D'**, shall consist of the Services and grades of Services specified in the Schedule.

Rule- 6. Classification of Posts

- Civil Posts under the Union are Classified as follows: -
- (i) Central Civil Posts, **Group 'A'**
 - (ii) Central Civil Posts, **Group 'B'**
 - (iii) Central Civil Posts, **Group 'C'**
 - (iv) Central Civil Posts, **Group 'D'**

S.L. No.	Descriptions	Classifications of Posts
1	Level from 10 to 18	Group 'A'
2	Level from 6 to 9	Group 'B'
3	Level from 1 to 5	Group 'C'

Rule- 6-A. Classification of services

(Class-I =Group A, Class-II= Group B, Class-III= Group C and Class-IV= Group D).

Rule- 7. General Central Service

- Central Civil posts of any Group not included in any other Central Civil Service shall be deemed to be included in **the General Central Service of the corresponding Group** and a Government servant appointed to any such post shall be deemed to be a member of that Service unless he is already a member of any other Central Civil Service of the same Group. **(Scientists, NDRF, Non-Political executive)**

Part-III- Appointing Authority

Rule- 8. Appointments to Group 'A' Services and Posts

- All appointments to Central Civil Services, Group 'A' and Central Civil Posts, Group 'A', shall be made by the President.
- Provided that the President may, by a general or a special order and subject to such conditions as he may specify in such order, **delegate to any other authority the power to make such appointments.**
- Note:** - Goa, Daman and Diu, Dadra and Nagar Haveli, Arunachal Pradesh and Mizoram- **The Administrators** of respectively.

Rule- 9. Appointments to other Services and Posts

- All appointments to Central Civil Posts, Group 'B', Group 'C' and Group 'D', included in the General Central Service shall be made by the authorities specified in that behalf by a general or special order of the President, or where no such order has been made, by the authorities - specified in this behalf in the Schedule.

Part-IV-Suspension

Rule- 10. Suspension

- The appointing authority or any authority to **which it is subordinate** or the disciplinary authority or any other authority empowered in that behalf by the President, by general or special order, may place a government servant under suspension-
 - where **a disciplinary proceeding against him is contemplated** or **is pending**.
 - where, in the opinion of the authority aforesaid, he has **engaged himself in activities prejudicial to the interest of the security of the State.**
 - where a case against him in respect of **any criminal offence is under investigation, inquiry or trial.**



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- (2) A Government servant shall be deemed to have been placed under suspension by an order of appointing authority –
- (a) with effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours.
 - (b) with effect from the date of his conviction, if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding 48 hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.
- EXPLANATION -** The period of 48 hours referred to in clause (b) of this sub-rule shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.
- (3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Government servant under suspension is set aside in appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.
- (4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Government servant is set aside or declared or rendered void in consequence of or by a decision of a Court of Law and the disciplinary authority, on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the Government servant shall be deemed to have been placed under suspension by the Appointing Authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.
- (5) an order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.
- (6) An order of suspension made or deemed to have been made under this rule shall be reviewed by the authority competent to modify or revoke the suspension, before expiry of 90 days from the effective date of suspension, on the recommendation of the Review Committee constituted for the purpose and pass orders either extending or revoking the suspension. Extension of suspension shall not be for a period exceeding 180 days at a time.
- (7) An order of suspension made or deemed to have been made under sub-rules (1) or (2) of this rule shall not be valid after a period of 90 days unless it is extended after review, for a further period before the expiry of 90 days.
- **Provided that** no such review of suspension shall be necessary in the case of deemed suspension under sub-rule (2), if the Government servant continues to be under suspension at the time of completion of 90 days of suspension and the 90 days period in such case



will count from the date the Government servant detained in custody is released from detention or the date on which the fact of his release from detention is intimated to his appointing authority, whichever is later.

- **Provided further** that in a case where no charge sheet is issued under these rules, the total period under suspension or deemed suspension, as the case may be, including any extended period in terms of sub-rule (6) shall not exceed, —
 - (a) 270 days from the date of order of suspension, if the Government servant is placed under suspension in terms of clause (a) of sub-rule (1).
 - (b) 2 years from the date of order of suspension, if the Government servant is placed under suspension in terms of clause (aa) or clause (b) of sub-rule (1) as the case may be.
 - (c) 2 years from the date the Government servant detained in custody is released or the date on which the fact of his release from detention is intimated to his appointing authority, whichever is later, in the case of deemed suspension under sub-rule (2).

Part-V-Penalties and Disciplinary Authorities

Rule- 11. Penalties

- The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a government servant, namely:

Minor penalties

- (i) Censure
- (ii) Withholding of his promotion
- (iii) recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government by negligence or breach of orders.
- (iii) (a) reduction to a lower stage in the time-scale of pay by one stage for a period not exceeding three years, without cumulative effect and not adversely affecting his pension.
- (iv) withholding of increments of pay

Major Penalties

- (v) Save as provided for in Clause (iii)a reduction to a lower stage in the time-scale of pay for a specified period, with further directions as to whether or not the Government servant will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay.
- (vi) reduction to lower time-scale of pay, grade, post or Service for a period to be specified in the order of penalty, which shall be a bar to the promotion of the Government servant during such specified period to the time-scale of pay, grade, post or Service from which he was reduced, with direction as to whether or not, on promotion on the expiry of the said specified period-



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- (a) the period of reduction to time-scale of pay, grade, post or service shall operate to postpone future increments of his pay, and if so, to what extent.
- (b) the Government servant shall regain his original seniority in the higher time scale of pay, grade, post or service.
- (vii) **compulsory retirement**
- (viii) removal from service which shall not be a disqualification for future employment under the Government.
- (ix) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.

Provided that, in every case in which the charge of possession of assets disproportionate to known-source of income or the charge of acceptance from any person of any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act is established, the penalty Removal or Dismissal from service shall be imposed.

Explanation. —The following shall not amount to a penalty within the meaning of this rule, namely:—

- (i) withholding of increments of pay of a government servant for his failure to pass any departmental examination, if it is the terms of his appointment.
- (ii) stoppage of a government servant at the efficiency bar in the timescale of pay on the ground of his unfitness to cross the bar.
- (iii) non-promotion of a government servant, whether in a substantive or officiating capacity, which he is eligible
- (iv) reversion of a government servant officiating in a higher Service, grade on the ground of unsuitability or on any administrative ground unconnected with his conduct.
- (v) reversion of a government servant, appointed on probation to any other Service at the end of the period of probation in accordance with the terms of his appointment.
- (vi) compulsory retirement of a government servant in accordance with the provisions relating to his superannuation or retirement.
- (vii) **termination of the services**—
 - (a) of a government servant appointed on probation, during or at the end of the period of his probation, in accordance with the terms of his appointment or the rules and orders governing such probation.
 - (b) of a temporary Government servant in accordance with the provisions of sub-rule (1) of rule 5 of the CCS (Temporary Service) Rules, 1965.
- (viii) Any compensation awarded on the recommendation of the Complaints Committee after inquiring into any complaint of sexual harassment within the meaning of rule 3-C of the CCS (Conduct) Rules, 1964.

Govt. Decisions

- (1) At least censure to be awarded if official to be penalized.

- (2) **"Censure"** is penalty but "**warning**" is not a penalty.
- (3) Official under suspension/ facing departmental proceeding to be allowed to appear in departmental examination.
- (4) **Implementation of second penalty imposed during the currency of first penalty-** All the disciplinary authority should clearly indicate in the punishment order whether the **two penalties (or multiple penalties) would run concurrently or consecutively**, while awarding second or subsequent penalties during the currency of earlier penalty/penalties.

Rule- 12. Disciplinary Authorities

- (1) The President may impose any of the penalties specified in Rule 11 on any Government servant.
- (2) the appointing authority or the authority specified in the Schedule in this behalf or by any other authority empowered in **this behalf can impose any of the penalties**.
- (3) If Govt. Servant is serving in any office, by the head of that office, except where the head of that **office is lower in rank than the authority competent** to impose the penalty.
- (4) Major penalties **(v) to (ix)** imposed **not less than appointing authority**.
- (5) in respect of a probationer undergoing training at the **Lal Bahadur Shastri National Academy of Administration**, **the Director of the said Academy** shall be the authority competent to impose on such probationer any of the penalties specified in clauses (i) and (iii).

Govt. Decisions

- (a) Department inquiry will be completed **within six months** by inquiry officer.
- (b) Inquiry officer should be senior in rank of charge officer.
- (c) The panel of the retired officers created for the purpose of appointing Inquiry officers for conducting departmental inquiry will be valid for a period of **three years**.
- (d) **The number of disciplinary cases assigned to an Inquiry officer-**

S. No.	Inquiry officer	Ceiling of number of cases
1.	Retired official	8 cases in a year , not more than 4 cases at a time (Rule 14 and Rule 10 of GDS Rules together)
2.	Serving official (IP/ASP as IO/PO)	10 cases in a year , not more than 2 cases at a time (Rule 14 and Rule 10 of GDS Rules together)

- (e) **The official act as defense assistance in disciplinary cases-**

S. No	Defense Assistant	Ceiling of number of cases
1.	Retired official	8 cases in a year , not more than 4 cases at a time (Rule 14 and Rule 10 of GDS Rules together)
2.	Serving official	Not more than 3 cases at a time (Rule 14 and Rule 10 of GDS Rules together)

- (f) The inquiry report should be submitted in **two copies** to disciplinary authority.
- (g) **"Hota Committee"** regarding Disciplinary and Vigilance Inquiries.



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- (h) The rate of Honorarium and other allowance payable to retired and serving Inquiry officer will be as under-

Particulars /details (For serving)		Rate per case
Honorarium	Inquiry Officer (Serving Pt time)	Equal to <u>15%</u> of Basic pay drawn
	Presenting officer (Serving Pt time)	Equal to <u>10%</u> of Basic pay drawn
For Retired Inquiry Officer Honorarium		
Item	Category	Witnesses in Chargesheet
Honorarium	I	witnesses are more than 10 in charge sheet
	II	witnesses are between 6-10 in charge sheet
	III	Witnesses are less than 6 in charge sheet
Transport allowance	Rs. 40000/- per case	
Secretarial Assistance		witnesses are more than 10 in charge sheet
		witnesses are between 6-10 in charge sheet
		Witnesses are less than 6 in Charge sheet.

- In case of common proceedings, an additional amount of Rs. 5000/- will be payable to Inquiry officer (Both Retired and serving).
- 50% will be paid on submission of the Inquiry Report and Remaining amount will be paid within 45 days.
- (i) The time limit for furnishing written representation by Charged official on the advice of UPSC is 15 days.
- (j) The time limit for conducting major penalty proceeding is 18 months from the date of issue of the charge sheet to Charged Official.
- (k) Govt. servant under suspension eligible to function as Defense counsel/Assistant.

(l) Time limit

S.L.No.	Disposal of disciplinary Cases	Time limit
1.	Written representation by charge official defense of charge sheet	15 days
2	Sending proposal to CVC for first stage advice and second stage.	One month from receipt of investigation report.
3.	Written representation by charge official on the advice of UPSC	15 days
4.	Final order after inquiry	Within 3 months

(m) Disciplinary cases should be closed on the death of the charged official.

Rule-13. Authority to institute proceedings

- (1) The President or any other authority empowered by him by general or special order may-
 - (a) institute disciplinary proceedings against any Government servant.
 - (b) direct a disciplinary authority to institute disciplinary proceedings against any Government servant on whom that disciplinary authority is competent to impose under these rules any of the penalties specified in rule 11.
- (2) A disciplinary authority competent under these rules to impose any of the penalties specified in clauses **(i) to (iv) of rule 11** may institute disciplinary proceedings against any Government servant for the imposition of any of the penalties specified in clauses **(v) to (ix) of rule 11** notwithstanding that such disciplinary authority is not competent under these rules to impose any of the latter penalties.

Part-VI-Procedure of Imposing Penalty

Rule- 14. Procedure for imposing major penalties

- (1) No order imposing any of the penalties specified in clauses (v) to (ix) of Rule 11 shall be made except after an inquiry held, as far as may be, in the manner provided in this rule and rule 15.
- (2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against a government servant, it may itself inquire into, or appoint under this rule.
 - Inquiry in a complaint of sexual harassment within the meaning of **rule 3-C of the CCS (Conduct) Rules, 1964** by the complaints Committee.
- (3) Disciplinary appoint of Inquiry officer, presenting officer and charge official take defence assistance, etc.
- (4) After the conclusion of the inquiry, a report shall be prepared and it shall contain-
 - (a) The article of charge and the statement of the imputations of misconduct or misbehavior.
 - (b) Defence of the Government servant in respect of each article of charge.
 - (c) an assessment of the evidence in respect of each article of charge.
 - (d) the findings on each article of charge and the reasons therefor.



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Rule- 15. Action on Inquiry Report

- (1) The disciplinary authority, if it is not itself the inquiring authority may, for reasons to be recorded by it in writing, remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of Rule 14, as far as may be.
- (2) The disciplinary authority shall forward a copy of the report of the inquiry, if any, held by the disciplinary authority or where the disciplinary authority is not the inquiring authority, 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 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, irrespective of whether the report is favorable or not to the Government servant.
- (3) 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.
- (4) 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, not be necessary to give the Government servant any opportunity of making representation on the penalty proposed to be imposed.

Rule- 16. Procedure for imposing minor penalties

If disciplinary authority want impose any of the penalties specified in clause (i) to (iv) of rule 11 for any misconduct-

- a) informing the Government servant in writing of the proposal to take action against him and of the imputations of misconduct or misbehavior on which it is proposed to be taken, and giving him reasonable opportunity of making such representation as he may wish to make against the proposal.
- b) taking the representation, if any, submitted by the Government servant
- c) recording a finding on each imputation or misconduct or misbehavior.

Rule- 17. Communication of Orders

- Orders made by the disciplinary authority shall be communicated to the Government servant who shall also be supplied with a copy of its finding on each article of charge.
- Where the disciplinary authority is not the inquiring authority, a statement of the findings of the disciplinary authority together with brief reasons for its disagreement, if any, with the findings of the inquiring authority and also a copy of the advice of the Commission and the reasons for such non-acceptance, if any.

Rule- 18. Common Proceedings

Where two or more Government servants are concerned in any case, the President or any

other authority competent to impose the penalty of dismissal from service on all such Government servants may make an order directing that disciplinary action against **all of them may be taken in a common proceeding.**

Rule- 19. Special procedure in certain cases

Notwithstanding anything contained in rule 14 to 18-

- (i) where any penalty is imposed on a government servant **on the ground of conduct which has led to his conviction on a criminal charge.**
- (ii) where the disciplinary authority is satisfied for reasons to be recorded by it in writing that **it is not reasonably practicable to hold an inquiry in the manner provided in these rules**
- (iii) where the President is satisfied that **in the interest of the security of the State, it is not expedient to hold any inquiry** in the manner provided in these rules,
the disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit.

Rule- 20. Provisions regarding officers lent to State Governments, etc.

- (1) The borrowing authority shall have the powers of the appointing authority for the purpose of placing such Government servant under suspension and of the disciplinary authority for the purpose of conducting a disciplinary proceeding against him.
- (2) In the light of the findings in the disciplinary proceeding conducted against the Government servant-
 - (i) if the borrowing authority 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 may, after consultation with the lending authority.
Provided that in the event of a difference of opinion between the borrowing authority and the lending authority, the services of the Government servant shall be replaced at the disposal of the lending authority.
 - (ii) if the borrowing authority 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 replace his services at the disposal of the lending authority.

Rule- 21. Provisions regarding officers borrowed from State Governments, etc.

- (1) Where an order of suspension is made or a disciplinary proceeding is conducted against a Government servant and shall **be informed of the circumstances leading to the order of the suspension of the Government servant or of the commencement of the disciplinary proceeding**, as the case may be.
- (2) In the light of the findings in the disciplinary proceeding conducted against the Government servant,
 - (i) if the disciplinary authority is of the opinion that any of the penalties specified in **clauses (i) to (iv) of rule 11** should be imposed on him except in regard to a government servant serving in the Intelligence Bureau up to the rank of Assistant Central Intelligence Officer,

after consultation with the lending authority, pass such orders on the case as it may deem necessary.

Provided that in **the event of a difference of opinion between the borrowing authority and the lending authority**, the services of the Government servant shall be replaced at the disposal of the lending authority.

- (ii) if the disciplinary authority 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 replace the services of such Government servant at the disposal of the lending authority.

Part VII-Appeal

Rule- 22. Orders against which no appeal lies

- (i) any order made by the President
- (ii) any order of an interlocutory nature or of the nature of a step-in-aid of the final disposal of a disciplinary proceeding, other than an order of suspension
- (iii) any order passed by an inquiring authority in the course of an inquiry under Rule 14.

Rule- 23. Orders against which appeal lies

- (i) an order of suspension made or deemed to have been made under rule 10.
- (ii) an order imposing any of the penalties specified in rule 11
- (iii) an order enhancing any penalty, imposed under rule 11.
- (iv) an order which denies or varies to his disadvantage his pay, allowances, pension, etc.
- (v) stopping him at the efficiency bar in the time-scale of pay on the ground of his unfitness to cross the bar.
- (vi) reverting him while officiating in a higher service, grade or post, to a lower service, grade or post, otherwise than as a penalty.
- (vii) for the period from the date of his dismissal, removal or compulsory retirement from service, or from the date of his reduction to a lower service, grade, post, time-scale or stage in a time-scale of pay, to the date of his reinstatement or restoration to his service, grade or post.
- (viii) determining whether or not the period from the date of his suspension or from the date of his dismissal, removal, compulsory retirement or reduction to a lower service, grade, post, time-scale of pay or stage in a time-scale of pay to the date of his reinstatement or restoration to his service, grade or post shall be treated as a period spent on duty for any purpose.

Rule- 24. Appellate Authority

Group 'A' and 'B'

- (i) Appointing authority, if where the order appealed against is made by an authority subordinate to it.
- (ii) to the President where such order is made by any other authority.

Example- Order made by Supdt. of post to **ASP or IP**, he may refer appeal to DPS.

Group 'C'

- (i) which the authority making the order appealed against is immediately subordinate.



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Example- Order made by Supdt. of post to **Group C officer**, he may refer appeal to DPS.

- **Disciplinary and Appellate authority.**

S.L. No.	Category of officer	Disciplinary Authority	Appellate Authority.
1.	SAG/HAG/JAG/STS/JTS (officer of IPOS Group A)	President	N/A
2.	PS Group B (SPOs/SRMs/ADs. Etc.)	DG (Posts)	President
3	PS Group B (SPOs/SRMs/Ads. Etc.)	CPMG	DG (Posts)
4.	Group B (Gazetted) ASP/ASRM	CPMG	Member (P)
5.	Group B (Gazetted) ASP/ASRM	DPS	CPMG
6.	Group B (Non-Gazetted) IRM/IP	DPS	PMG/CPMG
7.	Group C (PA/SA)	SSPOs/SPOs SSRMs/SRMs	DPS
8.	Group C (Postman/Mail Guard, MTS)	IP/IRM/Postmaster	SPOs/SSPOs/ SRM/SSRMs

- A Government servant may prefer an appeal against an order imposing any of the penalties specified in rule 11 to the President, if such penalty is imposed by any authority other than the President, on such Government servant in respect of his activities connected with **his work as an office-bearer of an association, federation or union, participating in the Joint Consultation and Compulsory Arbitration Scheme.**

Rule- 25. Period of Limitation of appeals

No appeal preferred under this part shall be entertained unless such appeal is preferred within a period of **45 days** from the date on which a copy of the order appealed against is delivered to the appellant.

- Provided that the appellate authority may entertain the appeal after the expiry of the said period, if **it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.**

Rule- 26. Form and contents of appeal

- (i) Every person preferring an appeal shall do so separately and in his own name.
- (ii) The appeal shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against. It shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language, and shall be complete in itself.
- (iii) The authority which made the order appealed against shall, on receipt of a copy of the appeal, forward the same with its comments thereon together with the relevant records to the appellate authority without any avoidable delay, and without waiting for any direction from the appellate authority.



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Rule- 27. Consideration of appeal

- (i) In the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of rule 10 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.
- (ii) In the case of an appeal against an order imposing any of the penalties specified in rule 11 or enhancing any penalty imposed under the said rules, the appellate authority shall consider
 - (a) whether the procedure laid down in these rules have been complied with and if not
 - (b) whether the findings of the disciplinary authority are warranted by the evidence on the record
 - (c) whether the penalty or the enhanced penalty imposed is adequate, inadequate or severe.

Rule- 28. Implementation of orders in appeal

- The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

Part VIII- Revision and Review

Rule- 29. Revision

- **Revision is a stage after appeal.** Power of revision may be exercised by the revising authority *Suo motu* or on application from Govt. servant. The Authority **who decided the appeal cannot revise his order.** Authority higher than the appellate authority can revise the order of Appellate authority. Competent Authorities for Revision are-

- (i) the President
- (ii) Comptroller and Auditor-General, in the case of a government servant serving in the Indian Audit and Accounts Department.
- (iii) the Member (Personnel) Postal Services Board in the case of a government servant serving in or under the Postal Services Board.
- (iv) the Head of a Department directly under the Central Government, in the case of a government servant serving in a department
- (v) the appellate authority, **within six months** of the date of the order proposed to be revised.
- (vi) Any other authority specified in this behalf by the president by a general or special.

Consideration in Revision.

- (i) Confirm, modify or set aside the order.
- (ii) Confirm, reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed.
- (iii) Remit the case to the authority which made the order to or any other authority directing such authority to make such further enquiry as it may consider proper in the circumstances of the case.



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Rule- 29-A. Review

- The President may, at any time, either on his own motion or otherwise review any order passed under these rules, when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come, or has been brought, to his notice.

Part IX- Miscellaneous

Rule- 30. Service of orders, notices, etc.

- Every order, notice and other process made or issued under these rules shall be served in person on the Government servant concerned or communicated to him by registered post.

Rule- 31. Power to relax time-limit and to condone delay

- The authority competent under these rules to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these rules for anything required to be done under these rules or condone any delay.

Rule- 32. Omitted

Rule- 33. Transitory Provisions

Rule- 34. Repeal and Saving

- The Central Civil Services (CCS) Rules, 1957 and Civilian in Defense Services (CCS) Rules 1952 hereby repealed.

Rule- 35. Removal of doubts


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