


DISCIPLINE & APPEAL RULES

Features:

- AIS(Discipline and Appeal) rules 1969
- Quasi judicial in nature
- Preponderance of probability
- Evidence act limitation
- Sources of complaints

Suspension-Rule 8

- ✓ Grounds of suspension
- ❖ Custody of 48 hours and above
- ❖ Actions against interest of state
- ❖ Involved in case of criminal action

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- ✓ Suspension due to grounds other than corruption shall be for ONE year
 - ✓ Grounds of corruption- TWO years
 - ✓ Beyond the Aperiods of One/Two yrs can be done on basis of recommendations of Review Committee
 - ✓ When suspended and after inquiry is dismissed and the dismissal order is set aside by court, the suspension period will continue
 - ✓ When suspended for initiation of disc. Procdgs. , suspension shall be for period not exceeding 60 days and can be extended for period not exceeding 120days
 - ✓ When a suspended employee dies, the period of suspension shall be treated as on duty
 - ✓ When suspended and later acquitted in courts on merits of the case, suspension period may be treated as on duty

- ✓ When suspended but later acquitted in a court on grounds of not on merits, suspension period need not be treated as on duty
- ✓ During suspension period subsistence allowance @ 50% will be given
- ✓ After 3 months it can be enhanced
- ✓ Non employment certificate to be submitted each month
- ❑ **Penalties-2 types- Minor & Major-Rule 6**
- ❖ Minor penalties-5
- ✓ Censure
- ✓ Withholding of promotion
- ✓ Recovery from pay
- ✓ Withholding of increments
- ✓ Reduction to lower stage not exceeding 3 years

❖ Major penalties:

- ✓ Reduction to lower stage
- ✓ Reduction to lower time scale of pay or post
- ✓ Compulsory retirement
- ✓ Removal
- ✓ Dismissal

❑ Procedure for imposition of penalties-Rule-8

- ✓ Charge memo
- ✓ Inquiry officer
- ✓ Presenting officer
- ✓ Defence assistant
- ✓ Inquiry report

❑ Action on Inquiry report-rule 9

❑ Appeals- Rule-Part V-Rule 17

❑ Revision-Part VI-Rule 24

❑ Review-24-A

❑ Memorial-Rule 25
