

No.105/4/2013-AVD.I (B)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi.
Dated the 27th January, 2015

To
The Chief Secretaries of
All the State Government/
Union Territory Administrations
(As per standard List)

Subject: Submission of Appeal before DoP&T against order passed by the State disciplinary authority under Rule 18 (3) & (4) of AIS (D&A) Rules, 1969-regarding

Sir,


I am directed to invite your kind attention to Rule 18 (3) of All India Services (Discipline & Appeal) Rules, 1969 which stipulates as follows:

As per Rule 18 (3) of AIS (D&A) Rules, 1969 "every such appeal shall be submitted through the head of the office under whom the appellant is for the time being serving and through the Government from whose order the appeal is preferred". As per Rule 18 (4) of AIS (D&A) Rules, 1969, "the authority which made the order appealed against shall, on receipt of a copy of every appeal, which is not withheld under Rule 21, 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 Central Government".

2. It has been observed that the appeals against the orders of State Disciplinary authorities etc. are being preferred directly to the Government of India by the IAS officers without following the aforesaid rules. Consequently, the same are not being disposed of in a time bound manner due to non receipt of relevant records & comments of the State Governments/Other authorities under whom the officer is working. Contempt cases are also being attracted due to non disposal of such appeals timely.

3. Accordingly, Competent Authority in this Department has decided that such appeals received directly in this Department without following the due procedure shall not be entertained. State Governments/Union Territories Administrations/Ministries/Departments of Central Ministries are requested to abide by the procedure provided in Rule 18 of AIS (D&A) Rules, 1969 to submit the appeals through the Head of Office and the Government whose order is being appealed against and inform all the IAS officers working under them for strict compliance.

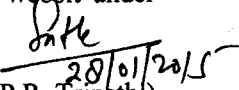
Yours faithfully,


(Anshu Sinha)
Director (V-I)
Tel.No.23092158

Copy to:

(1) All Ministries/Departments of Government of India (as per standard mailing list)

~~(2) NIC, DoPT with the request that the above circular may be placed on the DoP&Ts websit under heading 'Vigilance' of OMs & Orders.~~


(S.P.R. Tripathi)
Under Secretary to the Government of India
Tel.No.23092298