

(16)

No. 11012/10/75-Ests(A)  
Government of India/Bharat Sarkar  
Cabinet Secretariat/Mantri Mandala Sachivalaya  
Department of Personnel & Administrative Reforms  
(Kannik aur Prashashnik Sudhar Vibhag)

New Delhi, the 15 October, 1975.

OFFICE MEMORANDUM

Subject:- Forwarding of applications for other posts -  
principles regarding.

The undersigned is directed to say that the question of  
regulating the forwarding of applications for other posts  
has been under consideration by the Government and in  
partial modification of Ministry of Home Affairs (now  
Department of Personnel and Administrative Reforms)  
Office Memorandum No. 39/17/63-Ests(A) dated 6th September,  
1968, following instructions are issued for guidance  
of all administrative authorities :-

- (i) Applications of Government servants for other posts should not be forwarded when disciplinary proceedings against them are contemplated, whether for a major penalty or for a minor penalty. In other words, when the conduct of a Government servant is under investigation and the investigation has reached a stage at which a prima facie case can be made out against the Government servant but formal charge sheet is yet to be issued, the application of such a Government servant should not be forwarded. Thus where the disciplinary cases are actually pending, question of forwarding of application does not arise.
- (ii) When the conduct of a Government servant is under investigation (by the Central Bureau of Investigation or by the Controlling Department) but the investigation has not reached the stage when a prima facie case can be made out against the Government servant, the application of such a Government servant may be forwarded together with brief comments on the nature of allegations and it should also be made clear that in the event of actual selection of the Government servant, he would not be released for taking up the appointment, if the investigations have been completed and disciplinary proceedings have already commenced or are likely to be initiated shortly.

2. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these instructions are issued after consultation with the Comptroller and Auditor General of India.

*(Signature)*

( R.C. GUPTA )

UNDER SECRETARY TO THE GOVERNMENT OF INDIA.

To

All Ministry/Departments of Government of India,  
with usual number of spare copies.

No. 11012/10/75-Ests(A)

Dated the 18 Oct., 1975.

Copy forwarded with usual number of spare copies  
for information and necessary action to :-

1. Comptroller and Auditor General of India, New Delhi.
2. Union Public Service Commission, New Delhi.
3. Central Vigilance Commission, New Delhi.
4. Lok Sabha Secretariat/Rajya Sabha Secretariat.
5. All Union Territory Administrations.
6. All Administration Sections of Ministry of Home Affairs and Department of Personnel and Administrative Reforms.
7. A.I.S(II)/A.I.S(IV)/PRG(I)/PRG(II)/IES/ISS/A.VD. II/A.VD. IV/Est(B) Sections, in the Department of Personnel and Administrative Reforms.

*(Signature)*

( R.C. GUPTA )

UNDER SECRETARY TO THE GOVERNMENT OF INDIA.