No. 7(14) - IV/67-II
Government of India
Ministry of Finance
(Department of Expenditure)

New Delhi, the 19th May, 1969.

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the Constitution and of all other powers enabling him in this behalf, the President hereby makes the following regulations further to amend the Civil Service Regulations, namely:

1. (1) These Regulations may be called the Civil Service (Fifth Amendment) Regulations, 1969.

(2) They shall come into force on the date of publication in the official Gazette.

2. In the Civil Service Regulations, in article 459 -

(1) for clauses (h) and (i) the following clauses shall be substituted, namely:-

"(h) Notwithstanding anything contained in this rule the appropriate authority shall, if it is of the opinion that it is in the public interest so to do, have the absolute right to retire any Government servant by giving him notice of not less than three months in writing or three months' pay and allowances in lieu of such notice:

(i) if he is in Class I or Class II service or post the age limit for the purpose of direct recruitment to which is below thirty five years, after he has attained the age of fifty years; and

(ii) in any other case after he has attained the age of fifty five years.

Provided that nothing in this clause shall apply to a Government servant referred to in clause (f) who entered service on or before 23rd July, 1966.

(1) Any Government servant may by giving notice of not less than three months in writing to the appropriate authority retire from service after he has attained the age of fifty years if he is in Class I or Class II service or post, the age limit for the purpose of direct recruitment to which is below thirty five years; and in all other cases after he has attained the age of fifty five years.
Provided that:

(a) nothing in this clause shall apply to a Government servant referred to in the clause (f) who entered Government service on or before 23rd July, 1966 and

(b) it shall be open to the appropriate authority to withhold permission to a Government servant under suspension who seeks to retire under this clause.

(2) after clause (i) the following clauses shall be added, namely:

"(j) Notwithstanding any thing contained in clause (h) the appropriate authority shall, if it is of the opinion that it is in the public interest to do so, have the absolute right to retire a Government servant in Class III service or post who is not governed by any pension rules, after he has completed thirty years' service by giving him notice of not less than three months in writing or three months' pay and allowances in lieu of such notice.

(k) A Government servant in clause III service or post, who is not governed by any pension rules may by giving notice of not less than three months in writing to the appropriate authority, retire from service after he has completed thirty years' service.

(3) for Note 2, the following note shall be substituted, namely:

"Note 2: The three months' notice referred to in clauses (h), (i), (j) and (k) may be given before the Government servant attains the age specified in clauses (h) and (i) or has completed 30 years of service specified in clauses (j) and (k), provided that the retirement takes place after he has attained the relevant age or has completed 30 years service, as the case may be.

Sd/- N.S. Chandramowli
Under Secretary to the Government of India.
<table>
<thead>
<tr>
<th>Classification</th>
<th>Composition of Committee</th>
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<td>1. (a) Gazetted Officers holding posts, initial appointment to which is referable to the Appointments Committee of the Cabinet.</td>
<td>1.(a) The Central Establishment Board under the Chairmanship of the Cabinet Secretary will make its recommendations which will be placed before the Appointments Committee of the Cabinet for orders. Where action is proposed to be taken on grounds of lack of integrity, the Central Vigilance Commission shall be consulted before the case is placed before the Appointments Committee of the Cabinet.</td>
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<td>(b) Other Gazetted Officers working in or under a Ministry/Department.</td>
<td>(b) Secretary of the Ministry/Department concerned as the Chairman and one other senior officer nominated by the Cabinet Secretary as member. Final orders will be passed by the Minister concerned. Where action is proposed to be taken on grounds of lack of integrity, the Central Vigilance Commission shall be consulted before the recommendations are placed before the Minister concerned.</td>
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<td>2. Non-gazetted Officers:</td>
<td>2.(a) The Joint Secretary in charge of Administration or any other Joint Secretary as Chairman and another senior officer as member. Where action is proposed to be taken on grounds of</td>
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| (a) Non-gazetted officers serving in the Headquarters of a Ministry/Department. | }
(b) Non-gazetted officers in field organisation.

The Head of the Department or the Appointing Authority whomsoever is higher would be the Chairman; another senior officer nominated by an appropriately higher authority and who does not exercise direct immediate control or supervision over the officers being screened, as member. If action is proposed to be taken on grounds of lack of integrity, the Vigilance Officer concerned shall be associated as a third member. Final orders will be passed by the appropriate authority.

**INDIAN AUDIT AND ACCOUNTS DEPARTMENT**

3. (a) I.A.&A.D. Officers holding posts, initial appointment to which is referable to the Appointments Committee of the Cabinet.

(b) I.A.& A.D. Officers appointed by the President other than those covered by (a) above.

3. (a) Same as in column (2) against item 1(a) above.

(b) The Committee will consist of Deputy Comptroller & Auditor General as Chairman and two Additional Deputy Comptroller & Auditors General as members. The recommendations of the Committee shall be put up to the Comptroller & Auditor General and final orders passed by the appropriate authority. Where action
3. (c) Class II Gazetted Officers and non-gazetted staff of the I.A. & A.D.

The Committee will consist of Accountant General/Chief Auditor/Director, as Chairman and D.A.G.(Administration) or any equivalent officer and one more senior officer who does not exercise direct immediate control or supervision over the officers being screened, as members. The recommendations of the Committee shall be placed before the appropriate authority for final orders. Where action is proposed to be taken on grounds of lack of integrity, the Central Vigilance Commission in respect of gazetted officers and the Chief Vigilance Officer of the I.A. & A.D. in respect of the non-gazetted staff shall be consulted before the recommendations are submitted to the appropriate authority.
APPENDIX III-A

(TO BE USED WHERE THE PRESIDENT IS THE APPROPRIATE
AUTHORITY TO RETIRE A CENTRAL GOVERNMENT SERVANT)

ORDER

WHEREAS the President is of the opinion that it is in
the public interest to do so;

NOW, THEREFORE, in exercise of the powers conferred by
clause ......." of rule 56 of the Fundamental Rules, the
President hereby gives notice to ___________ (name) ___________

______________________________________________

( designation )

**having already attained** the age of fifty/fifty-five years
on attaining

______________________________________________

having completed thirty years of service
on completing

on the ___________ 19, shall retire from service with
effect from the forenoon of the ___________ 19, or, from
the date of expiry of three months computed from the date
of the service of this notice on him, whichever is later.

( Signature )

@Designation of the appropriate authority

To

Shri/Smt. ____________________________

______________________________________________

ACKNOWLEDGEMENT

I, ____________________________, now holding the post ___________
hereby acknowledge the receipt of the original notice of the

..../-
order of retirement as aforesaid.

Countersigned:

Name

Designation

Place

Date

* Here State (j) (i) or (j)(ii) or (l) as the case may be.

** Strike off the portion not applicable.

@ Any authority who is competent to authenticate orders on behalf of the President can sign this order.
ORDER

WHEREAS the (appropriate authority) is of the opinion that it is in the public interest to do so;

NOW, THEREFORE, in exercise of the powers conferred by clause __________ of rule 56 of the Fundamental Rules, the (appropriate authority) hereby gives notice to __________ (name) __________ (designation) __________

that he,

**having already attained the age of fifty/fifty-five years**

**having completed thirty years of service**

on the __________ 19, shall retire from service with effect from the forenoon of the __________ 19, or,

from the date of expiry of three months computed from the date of the service of this notice on him, whichever is later.

(Signature)

Designation of the appropriate authority

To

Shri/Smt. __________

________________________

ACKNOWLEDGEMENT

I, __________, now holding the post of __________, hereby acknowledge the receipt of the original notice of the order of retirement as aforesaid.

Countersigned: Sd/-

Name Designation

Designation Place

Date

© As defined in F.R. 56

* Here state (j)(i), (j)(ii) or (l) as the case may be.

**Strike off the portion not applicable.
order of retirement as aforesaid.

Countersigned:  

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<tr>
<th>Name</th>
<th>Designation</th>
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Date

* Here state (j)(i) or (j)(ii) or (1) as the case may be.

**Strike off the portion not applicable.

© Any authority who is competent to authenticate orders on behalf of the President can sign this order.