New Delhi, the 16th August, 1978

S.O. 2465.—In exercise of the powers conferred by the proviso to article 309, and clause (3) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965 namely:

1. (1) These rules may be called the Central Civil Services (Classification, Control and Appeal) Amendment Rules, 1978.

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

2. In rule 15 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, for sub-rule (4), the following sub-rule shall be substituted, namely:

"(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, it shall make an order imposing such penalty and it shall not be necessary to give the government servant any opportunity of making representation on the penalty proposed to be imposed:

Provided that in every case where it is necessary to consult the Commission, the record of the inquiry shall be forwarded by the disciplinary authority to the Commission for its advice and such advice shall be taken into consideration before making an order imposing any such penalty on the Government servant."