



As part of the efficiency drive he was prematurely retired, his predecessor was suspended and the new appointee is going to be sacked, sir.

Chapter 13

FORMATS TO BE USED IN DISCIPLINARY PROCEDURES

Under Rule 8 (1) of the APCS (CCA) Rules, 1991, a member of the Service may be placed under suspension from Service. The competent authority should issue orders in the formats prescribed in G.O. Ms. No. 411 GA (Ser. C) dept. dt. 28.7.93.

Proforma for extension of period of suspension beyond six months is prescribed in G.O. Ms. No. 517 GA (Ser.C) Dept dt. 27.7.1977 which is given as annexure-IV.

Proforma for continuance under suspension after review, in intervals of six months is prescribed in Govt. Memo No. 904/Ser C/67-1 GAD dt. 29.5.97. which is given as annexure v.

- 1) Annexure I to be used where charge sheet has been issued.
- 2) Annexure II to be used where disciplinary proceedings are contemplated.
- 3) Annexure III to be used where a case has been registered and is under investigation.
- 4) Annexure IV to be used to send a report to Govt. for review on the question of extension of suspension.
- 5) Annexure V for Order of continuance of suspension.



As part of the efficiency drive he was prematurely retired,
his predecessor was suspended and the new appointee
is going to be sacked, sir.

ANNEXURE - I

Sub:- Public Services - Sri/Smt.....suspension from
service - Orders - Issued.

* * *

And whereas the Government of Andhra Pradesh/Under-signed being the competent authority (Appointing authority/any other competent authority) consider it necessary to place Sri/Smt.....under suspension pending inquiry into grave charge or charges afore mentioned.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 8 of Andhra Pradesh Civil Services (CCA) Rules, 1991, the Government of Andhra Pradesh/ Under-signed (appointing authority/any other competent authority) here by place(s) the said Sri/Smt.....Under suspension from the date of communication of this order and he/she shall continue to be under suspension in public interest until the conclusion of the disciplinary proceedings/ termination of all proceedings relating to the Criminal charge(s).

It is further ordered that during the period this order remain in force the headquarters of Sri/Smt.....(name and designation of Government Servant) shall be (name of the place) and the said Sri/Smt..... shall not leave the head quarters without obtaining the previous permission of the undersigned.

Signature :.....

Name and Designation of the

Suspending authority.

ANNEXURE - I

Sub:- Public Services - Sri/Smt.....suspension from
service - Orders - Issued.

* * *

And whereas the Government of Andhra Pradesh/Under-signed being the competent authority (Appointing authority/any other competent authority) consider it necessary to place Sri/Smt.....under suspension pending inquiry into grave charge or charges afore mentioned.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 8 of Andhra Pradesh Civil Services (CCA) Rules, 1991, the Government of Andhra Pradesh/Under-signed (appointing authority/any other competent authority) here by place(s) the said Sri/Smt.....Under suspension from the date of communication of this order and he/she shall continue to be under suspension in public interest until the conclusion of the disciplinary proceedings/termination of all proceedings relating to the Criminal charge(s).

It is further ordered that during the period this order remain in force the headquarters of Sri/Smt.....(name and designation of Government Servant) shall be (name of the place) and the said Sri/Smt.....shall not leave the head quarters without obtaining the previous permission of the undersigned.

Signature :.....

Name and Designation of the

Suspending authority.

ANNEXURE - II

Sub:- Public Services - Sri/Smt.....
Suspension from service - Orders - Issued.

* * *

Whereas it has come to the notice of the Government of Andhra Pradesh/under signed who is the competent authority (Appointing authority/any other competent authority) alleging that.....

And whereas disciplinary proceedings against Sri/Smt.....are contemplated.

And whereas the Government of Andhra Pradesh/under signed (appointing authority/any of other competent authority) after careful consideration of the available material and having due regard to the circumstances of the case, are satisfied that it is necessary to place Sri/Smt.....under suspension.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 8 of Andhra Pradesh Civil Services (CCA) Rules, 1991, the Government of Andhra Pradesh/under-signed (appointing authority/any other competent authority) hereby place(s) the said Sri/Smt.....under suspension from the date of communication of this order and he/she shall continue to be under suspension until the conclusion of the disciplinary proceedings/termination of all proceedings relating to the Criminal charge(s).

It is further ordered that during the period this order remains in force, the headquarters of Sri/Smt.....(name and designation of Government Servant) shall be (name of the place) and the said Sri/Smt.....shall not leave the head quarters without obtaining the previous permission of the undersigned.

Signature.....
Name and Designation of the
Suspending authority

ANNEXURE - III

Sub :- Public Services - Sri/Smt.....suspension
from service - Orders - Issued.

* * *

Whereas it has come to the notice of the Government of Andhra Pradesh/
under - signed who is the competent authority (appointing authority or any other
competent authority), alleging that.....

And whereas a case has been registered by the Anti-Corruption Bureau/Officer
incharge of the Police Station.....in Crime
No.....under section of.....

And whereas it is considered that his continuance in office will prejudice the
investigation.

And whereas the Government of Andhra Pradesh/under-signed (appointing
authority or any other competent authority) after careful consideration of the available
material and having due regard to the circumstances of the case are satisfied that the
criminal charge under investigation is connected with his official position as a Government
servant and involved moral turpitude and therefore consider it necessary to place Sri/
Smt.....under suspension.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 8 of
Andhra Pradesh Civil Services (CCA) Rules, 1991, the Government of Andhra Pradesh/
under-signed (appointing authority/another competent authority) hereby place(s) the
said Sri/Smt.....under suspension from
the date of communication of his order and he/she shall continue to be under suspension
until the conclusion of the disciplinary proceedings/termination of all proceedings relating
to the Criminal charge(s).

It is further ordered that during the period this order remains in force, the
headquarters of Sri/Smt.....(name and designation of Government
Servant) shall be (name of the place) and the said Sri/Smt.....shall
not leave the headquarters without obtaining the previous permission of the undersigned.

Signature.....
Name and Designation of the
Suspending authority

ANNEXURE - III

Sub :- Public Services - Sri/Smt.....suspension
from service - Orders - Issued.

* * *

Whereas it has come to the notice of the Government of Andhra Pradesh/
under - signed who is the competent authority (appointing authority or any other
competent authority), alleging that.....

And whereas a case has been registered by the Anti-Corruption Bureau/Officer
incharge of the Police Station.....in Crime
No.....under section of.....

And whereas it is considered that his continuance in office will prejudice the
investigation.

And whereas the Government of Andhra Pradesh/under-signed (appointing
authority or any other competent authority) after careful consideration of the available
material and having due regard to the circumstances of the case are satisfied that the
criminal charge under investigation is connected with his official position as a Government
servant and involved moral turpitude and therefore consider it necessary to place Sri/
Smt.....under suspension.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 8 of
Andhra Pradesh Civil Services (CCA) Rules, 1991, the Government of Andhra Pradesh/
under-signed (appointing authority/another competent authority) hereby place(s) the
said Sri/Smt.....under suspension from
the date of communication of his order and he/she shall continue to be under suspension
until the conclusion of the disciplinary proceedings/termination of all proceedings relating
to the Criminal charge(s).

It is further ordered that during the period this order remains in force, the
headquarters of Sri/Smt.....(name and designation of Government
Servant) shall be (name of the place) and the said Sri/Smt.....shall
not leave the headquarters without obtaining the previous permission of the undersigned.

Signature.....
Name and Designation of the
Suspending authority

ANNEXURE - IV

(Proforma to be sent to Govt. for extension of period of suspension beyond six
months.)

1. Sl. No.
2. Name and Designation of the Officer under suspension
3. Date of suspension
4. Date of appointment of Enquiry Officer
 - (a) Have charges been framed, if so, date
 - (b) Has it been served on the other officer, if so, when date
 - (c) Has it been served on the other officer, if so, when date
 - (d) Has the case in support of the charge been presented before
Enquiry Officer, date
 - (e) Has the Officer under suspension entered upon his defence. If
so, the date
5. Reasons for asking for extension
6. Expected date of completion
7. Whether the official has been paid subsistence allowance
8. Remarks

ANNEXURE - V

Order of extension of suspension by and 6 months

Sub:- Public Services - Sri/Smt.....suspension
Orders - Issued.

* * *

"The Government have reviewed the case of Sri.....who is under suspension pending enquiry and they have decided that he shall continue under suspension. The next review will be taken up at the end of six months from the date of this order."

Signature:.....

Name and Designation of the

Suspending authority

Under the provisions of Andhra Pradesh Civil Services (Classification, control and Appeal) Rules, 1991, the competent authority should issue orders in disciplinary cases after due consideration, in the relevant proforma issued wide G.O. Ms. No. 82 dt. 1.3.98 of GA (Ser.C) Dept.

1. Under F.R. 53 (2) the suspended official shall submit to the competent authority, a certificate that he/she is not engaged in any other employment, business, profession or vocation. The format of certificate to be submitted shall be in the format as shown in Form-I.
2. The competent authority shall frame the Articles of charges in a disciplinary case in the format as show in Form-II.
3. The competent authority shall issue an order of revocation of a suspension order in the format as shown in Form-III.
4. The competent authority shall issue orders for appointing Inquiry Authority in a disciplinary case in the format as shown in form-IV.
5. The competent authority shall issue orders for appointment of a presenting officer under Rule 20 (5) (c) in the format as shown in Form-V.
6. The competent authority shall frame the Memorandum of charges for imposing Minor Penalty in the format as shown in Form-VI.
7. The competent authority shall initiate Minor penalty proceedings in the format as shown in Form-VII.
8. The competent authority shall initiate disciplinary action in common proceedings in the format as shown in Form-VIII.

"The Government have reviewed the case of Sri.....who is under suspension pending enquiry and they have decided that he shall continue under suspension. The next review will be taken up at the end of six months from the date of this order."

Signature:.....

Name and Designation of the

Suspending authority

Under the provisions of Andhra Pradesh Civil Services (Classification, control and Appeal) Rules, 1991, the competent authority should issue orders in disciplinary cases after due consideration, in the relevant proforma issued wide G.O. Ms. No. 82 dt. 1.3.98 of GA (Ser.C) Dept.

1. Under F.R. 53 (2) the suspended official shall submit to the competent authority, a certificate that he/she is not engaged in any other employment, business, profession or vocation. The format of certificate to be submitted shall be in the format as shown in Form-I.
2. The competent authority shall frame the Articles of charges in a disciplinary case in the format as show in Form-II.
3. The competent authority shall issue an order of revocation of a suspension order in the format as shown in Form-III.
4. The competent authority shall issue orders for appointing Inquiry Authority in a disciplinary case in the format as shown in form-IV.
5. The competent authority shall issue orders for appointment of a presenting officer under Rule 20 (5) (c) in the format as shown in Form-V.
6. The competent authority shall frame the Memorandum of charges for imposing Minor Penalty in the format as shown in Form-VI.
7. The competent authority shall initiate Minor penalty proceedings in the format as shown in Form-VII.
8. The competent authority shall initiate disciplinary action in common proceedings in the format as shown in Form-VIII.

1/22 _____ Dr. M.C.R.H.R.D. Institute of Andhra Pradesh

FORM - I

STANDARD FORM OF CERTIFICATE TO BE FURNISHED BY THE SUSPENDED OFFICAL UNDER F.R. 53 (2)

I.....(Name of Government Servant) having been placed under suspension by order No.....Date..... while holding the post of.....do hereby certify that I have not been employed in any business.

Signature :.....

Name of Government Servant :

Address :

FROM - II

STANDARD FORM FOR INITIATION OF MAJOR PENALTY PROCEEDINGS

PUBLIC SERVICES - Sri.....

(Name and designation).....

Department - Departmental proceedings under Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, Articles of charges - Issued.

G.O. Rt. No.

Memo

Date :

ORDER :

It is proposed to hold an enquiry against Sri.....(Name and designation).....Department in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure II and III).

Dr. M.C.R.H.R.D. Institute of Andhra Pradesh_____123

3. Sri.....(Name and designation) is directed to submit within 10 days of the receipt of this order, a written statement of his/her defence.
4. Sri.....(name and designation) is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He/she should, therefore, specifically admit or deny each article of charge.
5. Sri.....(name and designation) is further informed that if he/she does not submit his/her written statement of defence on or before the date specified in para 3 above further action will be processed based on the material available.
6. Attention of Sri.....is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964 (under) which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings.

It will be presumed that Sri.....is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964.

The receipt of the Memorandum may be acknowledged.

(IN THE NAME OF THE DISCIPLINARY AUTHORITY)

To

Sri.....

ANNEXURE - I

Statement of articles of charge framed against Sri.....
.....(name and designation).

Article-I: That the said Sri.....(Name and Designation) while functioning as.....during the period.....

BASIS OF THE CHARGE :

3. Sri.....(Name and designation) is directed to submit within 10 days of the receipt of this order, a written statement of his/her defence.
4. Sri.....(name and designation) is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He/she should, therefore, specifically admit or deny each article of charge.
5. Sri.....(name and designation) is further informed that if he/she does not submit his/her written statement of defence on or before the date specified in para 3 above further action will be processed based on the material available.
6. Attention of Sri.....is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964 (under) which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings.

It will be presumed that Sri.....is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964.

The receipt of the Memorandum may be acknowledged.

(IN THE NAME OF THE DISCIPLINARY AUTHORITY)

To

Sri.....

ANNEXURE - I

Statement of articles of charge framed against Sri.....
.....(name and designation).

Article-I: That the said Sri.....(Name and Designation) while functioning as.....during the period.....

BASIS OF THE CHARGE :

Article-II: That during the aforesaid period and while functioning in the aforesaid office, the said Sri.....(Name and Designation)

BASIS OF THE CHARGE:.....

ANNEXURE-II

List of documents by which the articles of charge framed against Sri.....
.....(Name and Designation), are proposed to be sustained.

ANNEXURE-III

List of witnesses by whom the articles of charge framed against Sri.....(Name and Designation) are proposed to be sustained.

FORM-III

STANDARD FORM OF ORDER FOR REVOCATION OF SUSPENSION

Memo No.....

Dated :.....

Sub :-

Ref:-

Whereas, an order placing Sri.....(Name and Designation of the Government Servant) under suspension was made/was deemed to have been made by.....on.....

2. Now, therefore, (the authority which made or is deemed to have made the order of suspension or any authority to which that authority is subordinate) in exercise of the powers conferred by clause (c) of subrule (5) of rule-8 of the Andhra Pradesh Civil Services (Classification, control and Appeal) Rules, 1991, hereby revoke the said order of suspension with immediate effect.

(In the name of competent authority/Disciplinary Authority)

To

Sri.....

(Name and Designation of suspended Officer)

Sri.....

(Name and Designation of Appointing Authority)

Sri.....

(Name and Designation of lending Authority making orders of suspension)

Sri.....

(Name and Designation of the authority making the order of suspension)

FORM IV

STANDARD FORM OF ORDER RELATING TO APPOINTMENT OF INQUIRING AUTHORITY

Memo No.....

Dated:.....

Sub :-

Whereas, an inquiry under Rule 20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 is being held against , Sri.....
(name and designation of the Government Servant)

2. And whereas, it is considered that an Inquiring Authority should be appointed to inquire into the charges framed against the said Sri.....
3. Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule-2 of rule-20 of the said rule, the disciplinary authority hereby appoints Sri.....(name and designation of the Inquiring Officer) as the Inquiring Authority to inquire into the charges framed against the said Sri.....

Signature
Designation of the Competent
Authority.

To

Sri.....

(Name and Designation of suspended Officer)

Sri.....

(Name and Designation of Appointing Authority)

Sri.....

(Name and Designation of lending Authority making orders of suspension)

Sri.....

(Name and Designation of the authority making the order of suspension)

FORM IV**STANDARD FORM OF ORDER RELATING TO
APPOINTMENT OF INQUIRING AUTHORITY**

Memo No.....

Dated:.....

Sub :-

Whereas, an inquiry under Rule 20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 is being held against, Sri.....
(name and designation of the Government Servant)

2. And whereas, it is considered that an Inquiring Authority should be appointed to inquire into the charges framed against the said Sri.....
3. Now, therefore, in exercise of the powers conferred by sub-rule (2) of rule-2 of rule-20 of the said rule, the disciplinary authority hereby appoints Sri.....(name and designation of the Inquiring Officer) as the Inquiring Authority to inquire into the charges framed against the said Sri.....

Signature
Designation of the Competent
Authority.

FORM - V**STANDARD FORM OF THE ORDER RELATING TO THE
APPOINTMENT OF PRESENTING OFFICER**

Memo No.....

Dated:.....

Sub:-

Whereas, an inquiry under Rule-20 of the Andhra Pradesh Civil Service (Classification, Control and Appeal) Rules, 1991 is being held against Sri.....(name and designation of the Charged Officer).

2. And whereas, it is considered that a Presenting Officer should be appointed to present on behalf of the disciplinary authority the case in support of the articles of charge.
3. Now, therefore, the disciplinary authority in exercise of the powers conferred by sub-rule (5) of rule 20 of the said rules, hereby appoints Sri.....(name and designation of Presenting Officer) as the Presenting Officer.

(In the nature of Disciplinary Authority)

Copy to

1. The Presenting Officer
2. The Charged Officer
3. The Inquiry Officer.

FORM-VI**STANDARD FORM OF MEMORANDUM OF CHARGE
FOR MINOR PENALTIES**

Memo No.....

Date:.....

Sub:-

Sri.....(Designation).....(Office in which working.....) is hereby informed that it is proposed to take action against him/her under Rule-22 of the Andhra Pradesh Civil Services (Classification, Control and appeal) Rules, 1991. A Statement of the imputation of mis-conduct or misbehaviour on which action is proposed to be taken is enclosed.

2. Shri/Smt..... is hereby given an opportunity to make such representation as he/she may wish to make against the proposed.
3. If Shri/Smt..... fails to submit his/her representation within ten days of the receipt of this Memorandum, it will be presumed that he/she has no representation to take and order will be liable to be passed against Sri/ Smt..... ex-parte.
4. The receipt of this Memorandum should be acknowledge by Shri/ Smt.....

(In the name of the Disciplinary Authority)

To

Shri/Smt.....

FORM-VII

STANDARD FORM FOR INITIATION OF MINOR PENALTY PROCEEDINGS

(In cases where disciplinary authority decides to hold the enquiry)

Memo No.....

Dated:.....

Sub:-

In continuation of Memorandum No..... Dt. issued under Rule-22 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, it is considered necessary to hold an enquiry against Shri..... under Rule-22 of the A.P. Civil Service (Classification, control and Appeal) Rules, 1991.

Sri.....(Designation).....(Office in which working.....is hereby informed that it is proposed to take action against him/her under Rule-22 of the Andhra Pradesh Civil Services (Classification, Control and appeal) Rules, 1991. A Statement of the imputation of mis-conduct or misbehaviour on which action is proposed to be taken is enclosed.

- 2. Shri/Smt.....is hereby given an opportunity to make such representation as he/she may wish to make against the proposed.
- 3. If Shri/Smt.....fails to submit his/her representation within ten days of the receipt of this Memorandum, it will be presumed that he/she has no representation to take and order will be liable to be passed against Sri/ Smt.....ex-parte.
- 4. The receipt of this Memorandum should be acknowledge by Shri/ Smt.....

(In the name of the Disciplinary Authority)

To

Shri/Smt.....

FORM-VII

STANDARD FORM FOR INITIATION OF MINOR PENALTY PROCEEDINGS

(In cases where disciplinary authority decides to hold the enquiry)

Memo No.....Dated:.....

Sub:-

In continuation of Memorandum No.....Dt. issued under Rule-22 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, it is considered necessary to hold an enquiry against Shri..... under Rule-22 of the A.P. Civil Service (Classification, control and Appeal) Rules, 1991.

The substance of the imputation of mis-conduct or mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charge and the imputation of mis-conduct or mis-behaviour in support of each article of charge is enclosed (Annexure-I). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-II and III).

- 2. Shri.....is directed to submit within ten days of the receipt of this Memorandum a written statement of his defence.
- 3. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.
- 4. Shri.....is further informed that if he does not submit his written statement of defence on or before the date specified in para-2 above, or othewise fails or refuses to comply with the provisions or Rules-20 and 22 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders/directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.
- 5. Attention of Shri.....is invited to Rules-24 of the Andhra Pradesh Civil Services (Conduct) rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter delat with in these proceedings, it will be presumed that Sri.....is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964.

- 6. The receipt of this Memorandum may be acknowledged.

(In the Name of Disciplinary Authority)

To

Shri.....

Enclosures : Annexures I, II and III

FORM - VIII

STANDARD FORM OF ORDER FOR TAKING DISCIPLINARY
ACTION IN COMMON PROCEEDINGS

Memo No..... Dated.....

Sub:-

Whereas, the Government Servants sepcified below are jointly concerned in a disciplinary case:

Shri.....

Shri.....

Shri.....

Shri.....

Now, therefore, in exercise of the powers conferred by Rules (1) and (2) of Rule 24 of Andhra Pradesh Civil Services (Classification, Control and appeal) Rules, 1991, the Disciplinary authority hereby directs.

- (i) that disciplinary action against all the said Government Servants shall be taken in a common proceedings.
- (ii) that.....(name and designation of the authority) shall function as the Djsciplinary Authority for the purpose of the common proceedings and shall be competent to impose the following penalties, namely :-

(Here specify the penalties)

- (iii) that the procedure prescribed in Rules 1-20, 20 of the C.C.A. Rules, 1991 shall be followed in the said proceedings.

(In the Name of the disciplinary Authority)

Copy to

Sri..... (Name & Designation)

Sri..... (Name & Designation)

Sri..... (Name & Designation)