



CCA Rules - Overview & Procedure for Minor & Major Penalties

Vigilance Sections in the Departments

- Preventive vigilance
- Punitive vigilance
- Vigilance angle
- Source of allegation
- Referring case to the appropriate authority
- Preliminary enquiry



PRELIMINARY ENQUIRY

- Gathering of evidence
- Statements
- Fixing up responsibility
- Identifying the persons responsible

Telangana Civil Services (CCA) Rules 1991

(G.O. Ms. No. 490 GA (Ser-C) Dated 08-08-1991 of AP)

(G.O. Ms. No. 190 GA (Ser-C) Dated 27-05-2016 of TS)

➤ Classification

➤ Control

➤ Appeals



Rule 2 – Interpretation

- **Appointing Authority**
- **Commission**
- **Disciplinary Authority**
- **Government servant**

Rule 3 – Application

Rule 4 – Powers to exclude from operation

Rule 5 – Classification of Services



CLASSIFICATION

- State Services (Rule 6)
(Schedule-I)
- Subordinate Services (Rule 7)
(Schedule-II)



CONTROL

Rule – 8: Suspension

When an employee can be placed under suspension

1. Where disciplinary proceedings are contemplated
2. Engaged in activities prejudicial to the interest of security of the State
3. Criminal offence is under investigation, inquiry or trial
4. From the date of detention
5. Date of imprisonment on conviction
6. Removal/Dismissal is set aside in appeal
7. Removal/Dismissal is set aside by the Court

Authorities competent to Suspend

**State Services : Rule-13
Rule-15**

**Subordinate Services : Rule-14
Rule-15**

.....Suspension

➤ Orders in a prescribed format

If charge sheet is filed, Annexure – I

If Dept. Proc. are contemplated – Annexure – II

If case is under investigation – Annexure – III

➤ Date of effect of suspension

➤ What should be paid during suspension

- ✓ Quantum of pay
- ✓ Allowances
- ✓ Enhancement, if any
- ✓ Reduction, if any
- ✓ Restriction on enhancement.

.....during Suspension

- ✓ Leaves
- ✓ Interim Relief
- ✓ Special pay
- ✓ Deduction of NPS
- ✓ Annual Grade Increment
- ✓ Resignation
- ✓ GIS, TGLI, PT
- ✓ Deduction of GPF

..... Suspension

- Certification required

“I (name of Government servant) having been placed under suspension by Order No. Dt. while holding the post of do hereby certify that I have not been employed in any other employment, business, profession or vocation”

- Review of suspension- Authorities

(G.O. Ms. No. 578 GA (Ser.C) Dept., Dt. 31-12-1999)

- Limits for suspension period

(G.O. Ms. No. 86 GA (Ser.C) Dept., Dt. 08-03-1994)

(G.O. Ms. No. 526 GA (Ser.C) Dept., Dt. 19-08-2008)

Effect of Suspension Period

- ✓ On Earned leave
- ✓ On Half pay leave
- ✓ On Increments
- ✓ On promotion
- ✓ On Vacancy

Regularization of Suspension Period

- ✓ In case of death during suspension
- ✓ In case of unjustified suspension
- ✓ In case of justified suspension
- ✓ In case of exoneration on technical grounds

Rule – 9 : Penalties

Minor Penalties

- i. Censure
- ii. Withholding of promotion
- iii. Recovery from Pay (omitted in 2005)
- iv. Withholding of increments of pay without cumulative effect
- v. (a) Suspension to the extent necessary
(b) Reduction to a lower stage in the time scale of pay for a period **not exceeding three years**, without cumulative effect and not adversely affecting his pension

Major Penalties

- vi. Withholding of increments of pay with cumulative effect
- vii (a) reduction to a lower stage in the time scale of pay for a specific period
(b) Reduction to a lower time scale of pay, grade, post or service (with or without further directions regarding conditions for restoration and seniority and pay on such restoration)
- viii. Compulsory retirement
- ix. Removal from service (Other than deemed removal under FR)
- x. Dismissal from service
(*Misappropriation, bribery, bigamy, corruption, moral turpitude, forgery, outraging modesty of women - GO Ms. No. 25, GA (Ser-c) Dt. 03-02-2004*)
The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, also known as the POSH Act

Rule – 10 : Other Penalties

- i. Fine on a member of Last Grade Service and on a person holding any of the posts specified in Appendix-I of these Rules (Guest House, GCP, Jails, Ports, Public Heath & Municipal Engineering)
- ii. Suspension for a period not exceeding fifteen days
 - (a) On Forest Guards
 - (b) Members of Police Sub-ordinate Service and Special Armed Force
 - (c) Fire subordinate services
(for b & c, only if the penalty of reduction to lower grade cannot be imposed)

Authorities competent for imposing penalties

State Services : Rule-11
Rule-12

Subordinate Services : Rule-14
Rule-15

In case of promotion/
Reversion/reduction : Rule-16

Employees of ACB,
VC, ED and Lokayukta : Rule-17



Authorities competent for initiation of Disciplinary Proceedings

Reopen the case : Rule-18

Initiation by lower Authority : Rule-19



Drawing up Charge Memo (Minor/Major)

- Articles of Charge
- Statement of Imputations
- List of documents
- List of witnesses

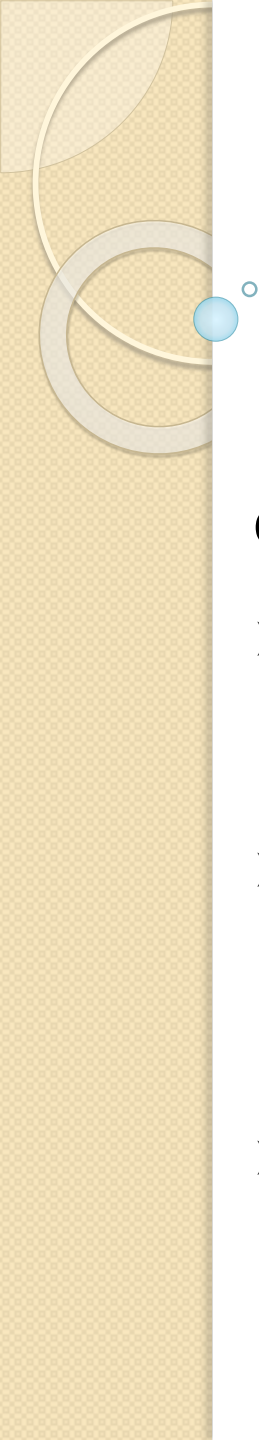


Rule 22

(Minor Penalties)

Cannot be imposed except after

- Informing the Government servant in writing of the proposal to take action against him
- Giving opportunity for submission of representation



Rule 20

(Major Penalties)

Cannot be imposed except after and an inquiry is held

- In the manner provided in Rule 20 and Rule 21 of TSCS (CCA) Rules 1991

OR

- In the Manner provided by the TSCS (Disciplinary Proceedings Tribunal) Act 1960

OR

- Under TS Lokayukta and Upalokayukta Act 1983 report



Rule 24

- Common Proceedings
- Disciplinary Authority
- Penalties
- Procedure



Statement of defense

- Within 10 days
- Can be heard in person
- Acceptance/ Denial
- Assistance of other Govt. servant



Action on statement of defense

- Drop the Charge
- May review or modify the Charge
- If accepted, record finding on the Charge admitted and issue orders in the manner laid down in Rule 21
- Appoint and Inquiring Authority, if the Charge is denied



Appointing **Inquiry Officer** **and** **Presenting Officer**



Duties of Inquiry Officer

- Issue notices to the P.O. & C.O.
- Shall permit the CO to inspect the documents
- Adjourn the case for inquiry



Recording of evidence

- Summoning of witnesses
- Oral or Documentary evidences
- Examination
- Cross Examination
- Re examination
- Questions by the IO



.....Recording of evidence

- Numbering of the documents and Witnesses
- Not to allow leading questions
- Recording of witnesses turned hostile



Inquiry Report

- Must be based on the evidences adduced
- Testimony and evidence weighed together
- Contain reasons for findings.
- Asses the evidence
- Should not consider extraneous material
- Specific finding on the Charge framed

....Inquiry Report shall contain

1. Introductory Paragraph
2. The Articles of Charge and Statement of imputations.
3. Charges Admitted/Dropped
4. Charges actually inquired into
5. The defense of Charged Officer
6. Assessment of each evidence
7. Findings on each Article of Charge along with reasons

(Cir Memo No. 56183/Sec.C/99 Genl. Admn (Ser.C) Dept. Dt. 15-10-1999)



Rule 21

Action on the inquiry report

- ✓ Remit the case to the inquiring authority
- ✓ Agree or Disagree with the report
- ✓ Communicate the inquiry report
- ✓ Consult the TGPSC for advice, wherever required
- ✓ Advice of Vigilance Commission, wherever required
- ✓ Impose punishment or Exonerate

Rule 25 – Special procedure

**Notwithstanding anything contained in Rule 20 to 24,
Disciplinary authority may make an order of punishment**

- When an employee is convicted on a Criminal Charge
- When Disciplinary Authority is satisfied that it is not reasonably practical to hold an inquiry.
- When Governor is satisfied that in the interest of security of the State, it is not expedient to hold any inquiry

Rule 26 – Exceptional Cases

Disciplinary authority may waive all or any of the provisions of Rule 20 to 24, for special and sufficient reasons, where there is difficulty in observing fully the requirements of these rules, without causing any injustice to the Charged Officer

Rule 27

Disciplinary authority may make an order of punishment

- On the basis of the recommendation of the TS Lokayukta and Upa-Lokayukta
- On the report of the Complaints Committee

Rule 30 & Rule 31

- Officers lent to Government of India etc.
- Officers borrowed from the Government of India etc.

APPEALS

✓ Appeal

✓ Revision

✓ Review

Appeals

- Rule-32: Where no appeal lies
 - a) Any order made by the Governor
 - b) An order of interlocutory nature
 - c) An order passed by the IO

Appeals

● Rule-33: Where appeal lies

- a) An order of Suspension
- b) An order of Penalty
- c) An order of enhancing penalty
- d) An order of reducing/withholding pension

Appeals

- Rule-34: Appellate authorities
- Rule-35: Period of limitation for Appeal
- Rule-36: Contents of Appeal
- Rule-37: Consideration of Appeal
- Rule-38: Review of original orders of Govt
- Rule-39: Implementation of orders in appeal



Revision (40)

- Preferred within one year
- If not preferred within 4 years, either suo-motu or otherwise



Review (41)

- New material/evidence which could not be produced at the time of passing the order
- Within 3 years

Service of orders (42)

- If on duty, to be served in person
- If on leave/suspension/absent,
by registered post to the address given
- If cannot be served, shall be published
in TS Gazette



**Power to relax time limits and to
condone delay (43)**

Supply of VC Advice (44)

Repeal and Saving (45)

Removal of doubts (46)