

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Amendments to sub-rules (4), (5(a)), (5(b)) and (5(c)) of rule 20 – Orders – Issued.

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**GENERAL ADMINISTRATOIN (SERVICES-C) DEPARTMENT**

G.O.Ms.No. 110

Dated:18.03.2013.

Read the following:-

1. G.O.Ms.No.487, G.A.(Ser.C) Dept., Dt.14.9.1992.
2. G.O.Ms.No.383, G.A.(Ser.C) Dept., Dt.19.12..2003.
3. G.O.Ms.No.337, G.A.(Ser.C) Dept., Dt.22.7.2006.

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**ORDER:**

The following notification will be published in the Andhra Pradesh Gazette:-

**NOTIFICATION**

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers hereunto enabling the Governor of Andhra Pradesh, hereby makes the following amendments to the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, issued in G.O.Ms.No.487, General Administration (Ser.C) Department, dated the 14<sup>th</sup> September, 1992 and published in Part-I No.235, Extraordinary Issue of the Andhra Pradesh Gazette, dated the 1<sup>st</sup> July, 1992, as subsequently amended from time to time:-

**AMENDMENTS**

In rule 20 of the said rules,

- (1) for sub-rule (4), the following shall be substituted, namely:-

“(4) The disciplinary authority shall deliver or cause to be delivered to the Government servant a copy of the article of charge, the statement of imputations of misconduct or misbehavior and a list of documents and witnesses by which each article of charge is proposed to be sustained and copies of the said documents and statements of the said witnesses and shall require the Government servant to submit within such time not exceeding 10 working days, a written statement of his defense and to state whether he desires to be heard in person. If the charged officer desires to be heard in person, personal appearance may be allowed before the disciplinary authority on such day and at such time not exceeding ten working days.”

- (2) in sub-rule (5), for clauses (a), (b) and (c), the following clauses shall be substituted, namely:-

“5 (a) (i) On receipt of the written statement of defense, the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or, if it considers it necessary to do so, appoint under Sub Rule (2) an Inquiring Authority for the purpose, and where all the articles of charge have been admitted by the Government servant in his written statement of defense, the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in Rule 21.

- (ii) On the date fixed for appearance, the Government servant who desired to be heard in person shall submit the written statement of his defense. He shall be questioned whether he pleads guilty to the charges or not and if he pleads guilty to all or any of the article of charges, the disciplinary authority shall record findings of guilty in respect of those articles of charge to which the Government servant pleads guilty and obtain the signature of Government servant thereon. Where Government servant admits all the articles of charge, the disciplinary authority shall record its findings on each articles of charge after taking such evidence as it may think fit and shall act in the manner laid down in Rule 21. When Government servant pleads not guilty to all or any of the article of charges or refuses or omits to plead, the disciplinary authority shall record the plea and obtain the signature of the Government servant thereon and may decide to hold the inquiry itself or if it considers it necessary to do so, appoint under Sub Rule (2) an Inquiry Authority for the purpose.

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- (b) If no written statement of defense is submitted by the Government servant, the disciplinary authority may itself inquire into articles of charge or may, if it considers it necessary to do so, appoint, under Sub Rule (2) an Inquiring Authority for the purpose.
- (c) Where the disciplinary authority itself inquires into any article of charge or appoints a serving or retired Government servant as Inquiring Authority for holding the inquiry into such charge, he shall also by an order appoint serving or retired Government servant or Legal Practitioner or a legally trained Government servant as Presenting Officer to present the case in support of the articles of charge;

Provided that no Government servant dealing in his official capacity with the case of inquiry relating to the person charged or any officer to whom an appeal may be preferred shall be permitted by the inquiring authority to appear on behalf of the person charged before the inquiring authority;

Provided further that the Government servant may take the assistance of any other Government servant posted at any other station, if the inquiring authority having regard to the circumstances of the case and for reasons to be recorded in writing, so permits.

Note (1): The Government servant shall not take the assistance of any other Government servant, who already has two disciplinary cases on hand in which he has to give assistance.

Note (2): The Government servant may also take the assistance of a retired Government servant to present the case on his behalf, subject to such conditions as may be specified by the Government from time to time by general or special order in this behalf."

2. A copy of this order is available on internet and can be accessed at the address "<http://www.goir.ap.gov.in>".

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**B. VENKATESWARA RAO**  
**SECRETARY TO GOVERNMENT (SERVICES & HRM)**

To

The Commissioner of Printing, Stationery and Stores Purchases, Hyderabad.

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All the Heads of Department.

All the District Collectors.

The Director General, Anti Corruption Bureau, Hyderabad.

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

The Secretary, Andhra Pradesh Vigilance Commission, Secretariat, Hyderabad.

The Registrar, High Court of Andhra Pradesh, Hyderabad.

The Registrar, Andhra Pradesh Administrative Tribunal, Hyderabad.

The Law (E) Department.

The GA (SC.D) Department.

All the Service Sections in General Administration Department.

**Copy to:**

The PS to Principal Secretary to Chief Minister.

The PS to Chief Secretary to Government.

The PS to Secretary to Government (Services & HRM), GAD.

The PA to Deputy Secretary to Government (Services), GAD.

SF/SCs

//FORWARDED :: BY ORDER//

SECTION OFFICER