

Disciplinary Procedure

General Background



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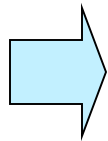
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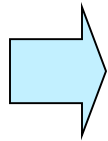
CIVIL SERVICES-CONTEXT

Parliamentary System of Government.

POLICY



**Determined/laid down by MINISTERS
RESPONSIBLE TO THE LEGISLATURE**



**Carried out/run by Civil Service (large
body of OFFICIALS WHICH IS
PERMANENT, PAID, SKILLED AND
PROFESSIONAL)**



PARLIAMENTARY SYSTEM

MINISTERS

- Political Executive.
- Chosen from the party in majority
- Loses office as soon as the party loses its majority
- Cannot claim any expert knowledge about the techniques of administration.
- Fresh ideas owing to their responsibility to the legislature.

CIVIL SERVANTS

- Permanent Executive.
- Appointed by a different procedure.
- Does not belong to the party in power.
- Maintains the continuity of the administration.
- Expert in detailed working of Government.
- Indispensable to the parliamentary form of Government.



CONSTITUTIONAL FRAMEWORK OF CIVIL SERVICES

PART XIV CHAPTER- I : 308 to 312

- 308- Mandatory Provisions
- 309- Recruitment & Service Conditions
- 310- Holding Office during the pleasure of the Governor
- 311- Removal By Appointing Authorities only
- 312- All India Services
- 14- Equality before Law
- 15- No discrimination
- 16- Equality of opportunities in public employment

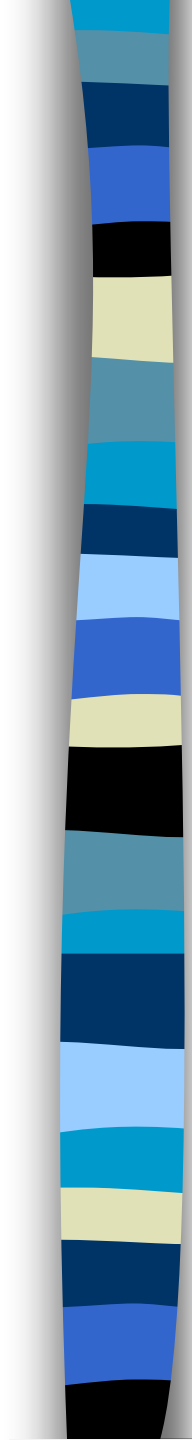


GENERAL

- Framed as Rules under Article **309** proviso to the Constitution of India.
- Notification No. F.18(2) Apptt.(A)/56 dated 11-12-1958 by the Government.
- Came into force at once.
- Published in Rajasthan Rajpatra Extra-Ordinary Part IV(Ga) dated 7-5-1959.
- Hindi translation-Notification No. GSR/86 dated 8-6-1973 published in Rajasthan Rajpatra Part IV(Ga) dated 17-7-1975.



The Rajasthan Civil Services
(Classification, Control and Appeal)
Rules, 1958

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- **Structure:** Parts-8, Schedules A and I to IV, Appendixes 3 and 37 Rules in the Rule.
 - Three in one:
 - Binding to both Government and Government Servant.
 - **CCA RULES MEANS:**

C CLASSIFICATION

C CONTROL

A APPEAL



**Rajasthan Civil
Services
(Classification, Control
and Appeal) Rules,
1958:**

APPEALS:

**RULES 20 TO 34 REMEDIES-
APPEAL(20), REVISION(32) AND
REVIEW(33) GOVERNOR'S
POWER (34).**

CONTROL:

- ❑ **RULES 13- ACTION- SUSPENSION**
- ❑ **RULES 14- CONTROL- PENALTIES**
- ❑ **RULES 15- DISCIPLINARY
AUTHORITIES**
- ❑ **RULES 16 AND 17- PROCEDURE**
- ❑ **RULES 18 AND 19- SPECIAL
PROCEDURE**

CLASSIFICATION:

- ❑ **RULES 1 To 6 - GENERAL**
- ❑ **RULES 6(1) To 11- CLASSIFICATION**
- ❑ **RULES 12 - APPOINTING AUTHORITIES**



COMPETENT AUTHORITIES

APPOINTING AUTHORITIES

- EMPOWERED TO MAKE APPOINTMENTS TO THE SERVICE/ POST/GRADE
- RULE 12
- SCHEDULE “A”
- RULE 23(2)(a)(b)

DISCIPLINARY AUTHORITIES

- AUTHORITY COMPETENT UNDER THESE RULES TO IMPOSE ON GOVERNMENT SERVANT THAT PENALTY.
- RULE 15(1)



COMPETENT AUTHORITIES

HEAD OF DEPARTMENT

AUTHORITY SPECIFIED IN SCHEDULE "A" AND AN AUTHORITY SO DECLARED FOR PURPOSES OF THESE RULES BY AN ORDER OF THE GOVERNMENT.

HEAD OF OFFICE

AUTHORITY SO DECLARED BY THE HEAD OF DEPARTMENT UNDER RULE 3(A) OF THE GENERAL FINANCIAL AND ACCOUNTS RULES [GF&AR].



GOVERNMENT SERVANT

- A MEMBER OF A SERVICE;
- HOLDS A CIVIL POST UNDER THE GOVERNMENT OF RAJASTHAN.
- PERSON ON FOREIGN SERVICE.



APPLICATION OF RULES

APPLY TO ALL GOVERNMENT SERVANTS EXCEPT

- 1. Persons on deputation from the Government of India/other State Governments/Union Territories**
- 2. Workmen under Industrial Disputes Act.**
- 3. Judges of High Court of Rajasthan.**
- 4. Officers and Servants of the said court under Article 229(2).**
- 5. Chairman and Members of RPSC under Article 318.**
- 6. Persons in casual employment.**
- 7. Persons dischargeable from service on less than one month's notice.**
- 8. Members of All India Services.**

