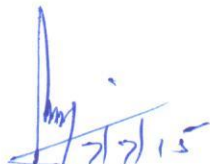


No.6/101/2014-PER/1013  
Administration of Daman & Diu,  
Department of Personnel &  
Administrative Reforms,  
Secretariat,  
Daman – 396 220.

Dated:- 07/07/2015.

**Sub:- Submission of DE cases under Rule 9 of CCS (Pension)  
Rule in MHA – Reg.**

I am directed to forward herewith a copy of letter F.No.14011/244/2009-UTP dated 24<sup>th</sup> June, 2015 alongwith its enclosures received from the Government of India, Ministry of Home Affairs, New Delhi on the subject cited above. All Head of Offices are requested to ensure that henceforth all Disciplinary matters will be submitted in the Ministry through "Single Window Single" as per the check list prescribed after taking prior appointment with the concerned Section Officer of the Ministry.

  
( P. S. Jani )  
Addl. Secretary (Per)

Encl:- As above.

To,  
All Head of Offices,  
Daman & Diu.

Copy to :

1. The Staff Officer to Administrator, Secretariat, Daman for information, please.
2. The SIO, NIC for uploading in official website.
3. The Deputy Collector, Diu for circulation to all offices located in Diu District.
4. The Guard file.

F.No.14011/244/2009-UTP  
Government of India  
Ministry of Home Affairs

5-490

North Block New Delhi,  
Dated the 24<sup>th</sup> June, 2015

To,

1. The Chief Secretary, GNCT of Delhi, I.P. Estate, Delhi Secretariat, Delhi.
2. The Chief Secretary, Govt. of Puducherry, Puducherry.
3. The Chief Secretary, Andaman & Nicobar Islands Secretariat, Port Blair.
4. The Adviser to Administrator, UT of Chandigarh, Chandigarh.
5. The Administrator, UTs of Dadra & Nagar Haveli and Daman & Diu, Secretariat, Moti Daman, Daman.
6. The Administrator, UTs of Lakshadweep, Secretariat, Kavaratti.

**Subject:- Submission of DE cases under Rule 9 of CCS (Pension)  
Rule in MHA-Reg.**

Sir,

I am directed to refer to the subject cited above and to say that the Disciplinary matters received in the Ministry from the UT Administration get inordinately delayed due to various shortcomings viz. Incomplete records, unauthenticated documents, erroneous information in the prescribed check lists and procedural infirmities during the course of inquiry proceedings.

2. Accordingly, it has been decided with the approval of Joint Secretary (UT) that henceforth Disciplinary matters will be received in the Ministry through 'Single Window System' only.

3. It is, therefore, requested that the concerned officials of the UT Administrations may be directed to take prior appointment with the concerned Section Officer and ensure submission of such cases in person. A copy of the check list prescribed for this purpose is enclosed.

Yours faithfully

  
(Ashok Kumar)

Under Secretary to the Govt. of India  
Tel. 23093599

Copy for information to:-

- (I) JS(UT)
- (II) Dir (D)
- (III) Dir (Services)
- (IV) DS (ANL)
- (V) All US / SO in UT Division

Sp. Sec. Pers./Home/Vig.  
Daman & Diu and DNH

Letter/File No.: 761  
Date: 30/6/15  
2/7/15

3082 29/6/15  
3255 30/6/15

प्रशासनिक एवं प्रशासनिक सुधार विभाग  
Dept. of Per. & Admn. Reforms  
दमण, दमण / Secretariat, Daman.  
Word No. 1529  
2/7/15

SS(Pers)

To 29/6

By

2/7/15

As per

Encl: As above

Sw (h)  
The my  
Grand

3/7 WPC

## Annexure

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1. A self contained note with complete details of the case in chronological order along with a soft copy.
2. Check list of duly filled in alongwith complete referencing of the documents referred to therein (copy enclosed).
3. One spare attested copy of all documents referred to in the said check list.
4. A statement in tabular form containing the points raised by the Charged Officer and the comments of Disciplinary Authority thereupon.
5. ACR folder.
6. Original file pertaining to the case.
7. Original or authenticated copies of the documents.
8. English translation, duly authenticated, of the documents in regional language.
9. If any information / document are not available, it should be appropriately mentioned in the check list and forwarding letter giving proper justification.
10. Any other documents relevant to the case.



Proforma/Check List for forwarding disciplinary case

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PART I : SERVICE AND RELATED PARTICULARS

1. Name of charged officer and the Service :  
on which borne
  
2. (i) Whether temporary/permanent / contract :  
service
  
- (ii) If confirmed, date of confirmation :
  
- (iii) Post, if any, in which quasi-permanent :
  
3. Post held substantively, if in permanent  
service
  
- (a) Designation :
  
- (b) Scale of pay (indicating :  
stages, EB etc.)
  
- (c) Pay drawn :
  
- (d) Date from which pay shown against :  
(c) drawn
  
- (e) Date of increment :
  
4. Post held at present :
  
- (a) Designation :
  
- (b) Scale of pay (indicating Stages, EB :  
etc)

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- (c) Pay drawn :
- (d) Date from which pay shown against (c) drawn :
- (e) Date of increment :
  
- 5. The next lower post (along with pay scale)/ grade, the officer would have held but for his appointment to the present post he is holding :
- 6. Date of Birth :
- 7. Date of joining Govt. Service :
- 8. Due date of retirement or actual date of retirement, if already retired. :
  
- 9. (a) Amount of monthly pension admissible/ sanctioned :
  
- (b) (i) Amount of gratuity admissible :
  
- (ii) Amount of gratuity sanctioned. (This information is required only in respect of cases of recovery from or withholding of pensionary benefits) :
  
- 10. (a) Appointing authority in respect of the post held at present, or the authority, which actually appointed the person, if that authority is higher. :
  
- (b) Authority competent to impose the penalty in respect of the post held at present. :
  
- (c) Appellate authority in respect of the post held at present. :

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11. Whether an oral inquiry, if required :  
under the rules, has been held
12. Name and designation of the Inquiry :  
Officer, appointed, if any.

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**PART II : DETAILS OF CASE RECORDS**

(All the records are required to be arranged and cross-referenced, as indexed below and page numbers of the file/folders to be indicated against each item)

**Item**

**(A) ORIGINAL CASE**

(Where the Central Government or the State Government is the Disciplinary Authority and an order of penalty is to be passed for the first time)

- (a) Complaint, if any, received by the authorities
  
- (b) (i) Report of the preliminary enquiry, if any, held in the matter leading to the institution of formal disciplinary proceedings against the Charged Officer (together with depositions recorded)  
(ii) Order, of suspension/revocation of suspension, if any.
  
- (c) Order, if any of the competent authority for joint/common proceedings where two or more Govt. servants are involved.
  
- (d) (i) Chargesheet together with the statement of imputations along with enclosures.  
(ii) Records of delivery of charge sheet to the Charged Officer  
(iii) Whether the Chargesheet issued as per the Rules
  
- (e) Reply of the Charged Officer
  
- (f) A note from the Disciplinary Authority explaining the factual or procedural points, if any, raised in the Charged officer's reply in minor penalty cases where no enquiry has

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been held

- (g) Order of the disciplinary authority appointing the Inquiry Officer.
- (h) Order of the disciplinary authority appointing the Presenting Officer
- (i) Daily Order Sheet maintained by the inquiry Officer, indicating the progress of oral inquiry.
- (j) Correspondence of the Inquiry Officer, if any, with the disciplinary Authority or the Charged Officer
- (k)
  - (i) Depositions – oral statements, recorded from prosecution witness and defence witnesses
  - (ii) Statement of defence of the Charged Officer
  - (iii) General examination of the Charged Officer
  - (iv) Whether copies of relevant documents have been supplied to the Charged Officer
  - (v) Exhibits
    - (a) Prosecution
    - (b) Defence
- (l)
  - (i) Written brief, if any, submitted by the Presenting Officer
  - (ii) Whether a copy of brief of Presenting Officer supplied to the Charged Officer
- (m) Written brief, if any, submitted by the Charged Officer
- (n) Inquiry Officer's report
- (o)
  - (i) Whether Inquiry Officer's report provided to the Charged Officer



(ii) Whether disagreement of the Disciplinary Authority, if any, on the report of the Inquiry Officer communicated to the Charged Officer

(iii) Representation of the Charged Officer on the findings of the Inquiry Officer

(iv) Para-wise comments of the Disciplinary Authority on the Representation of the Charged Officer, if any.

(p) Whether the disciplinary authority has considered the merits of the case and come to the conclusion that a formal penalty is called for

**(B) APPEAL CASES**

(Where the order of penalty has been passed by a subordinate authority and an appeal lies to the President)

(In these cases all the documents listed in (A) should also be sent)

- (a) Order passed by the disciplinary authority together with a note, if any, containing the conclusion arrived at by him in respect of each charge.
- (b) Appeal of the Officer concerned
- (c) Whether appeal has been addressed to the competent authority
- (d) Comments of the disciplinary authority on the appeal including clarification on procedural points, if any, raised by the appellant

**(C) REVISION/REVIEW CASES**

(i) Whether appeal addressed to the President of India or to some subordinate authorities

(Where the appellate authority is subordinate to the President and a modification of the appellate order is sought by way of

revision/review or where the President has passed the original order)

(In these cases all the documents listed in (A) and (B) should also be sent)

- (ii) Whether the approval of the Competent Authority obtained before referring the Case for Commission's advice.
- (a) Appellate Authority's order/President's order
- (b) Petition/Memorial submitted by the Officer
- (c) Note indicating the Reviewing Authority's findings on the charges, detailing the reasons warranting modification of the penalty already imposed and the extent of such modification.
- (d) Additional comments on the procedural or factual points, if any, raised in petition.

**(D) PENSION CASES**

(Where the President proposes to withhold or withdraw pension otherwise admissible to the Officer as a result of disciplinary proceedings instituted/deemed to continue in respect of an officer who has retired from service)

(In these cases all the documents listed in (A) should also be sent)

- (a) Order of the President\*, if any, that the Disciplinary proceedings should be instituted/continued under the relevant pension rules.
- (b) Show cause notice issued to the Officer indicating precisely the quantum of cut proposed to be made in his pension and the period for which it shall be operative
- © Reply of the Officer to the aforesaid notice
- (d) Comments on factual or procedural points raised by the Officer in his reply

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(E) **GENERAL**

- (a) Miscellaneous documents regarding evidence such as the exhibits, statements, etc. referred to in (A) to (D) and extracts of relevant Rules, Codes, Manuals, Acts, Judgments, etc.
- (b) Information/position of disciplinary proceedings instituted against other co-accused officers.
- (c) Whether complete and up to date Confidential Roll of the Officer has been enclosed

To be signed by officer equivalent to Joint Secretary to Govt. of  
India  
Tel.No. (O)