

No.17-31/2016-GDS  
Government of India  
Ministry of Communications  
Department of Posts  
(GDS Section)

Dak Bhawan, Sansad Marg,  
New Delhi - 110001

Dated: 16.09.2019

Office Memorandum

Subject :Implementation of the recommendation of GDS Committee for restricting the number of cases under Rule 10 and other disciplinary cases.

The undersigned is directed to refer to para 17.31.3 of the recommendations of GDS Committee report.

2. The Competent Authority has approved the following instruction/ guidelines for ceiling on the appearing as Defence Assistant by the Serving Government Servants & Retired Government Servants and ceiling for appointing IP/ASP as Inquiry & Presenting Officer and retired Departmental Officers as Inquiry Officer under Rule 10 of GDS (Conduct & Engagement) Rules:-

(i) Ceiling on the appearing as Defence Assistant by the Serving Government Servant & Retired Government Servant under Rule 10 of GDS (Conduct & Engagement) Rules:-

| Sl.No. | Particulars  | Ceiling of numbers of cases  |
|--------|--|--|
| 1.     | Ceiling on the appearing as Defence Assistants by the <b>Serving Government Servants</b> | 03 cases at a time under Rule 10 of GDS (Conduct & Engagement) Rules including other disciplinary cases i.e. Rule 14 of CCS(CCA) Rules etc.                                      |
| 2.     | Ceiling on the appearing as Defence Assistants by the <b>Retired Government Servants</b> | 8 cases in a year, with not more than 4 cases at a time under Rule 10 of GDS (Conduct & Engagement) Rules including other disciplinary cases i.e. Rule 14 of CCS(CCA) Rules etc. |

(ii) Ceiling for appointing IP/ASP as Inquiry & Presenting Officer (IO & PO) and retired Departmental Officers for appointing as Inquiry Officer under Rule 10 of GDS (Conduct & Engagement) Rules:-



| Sl.No | Particulars  | Ceiling of numbers of cases  |
|-------|--|--|
| 1.    | Ceiling for appointing IP/ASP as IO & PO                   | 10 cases in a year, with not more than 2 cases at a time under Rule 14 and Rule 10 together. |
| 2.    | Ceiling for appointing retired Departmental Officers as IO | 8 cases in a year, with not more than 4 cases at a time under Rule 10 and Rule 14 together.  |

- (iii) **Procedure for empanelment of Retired Departmental Officers as the inquiry Officers :-** Circle office should make an empanelment of retired Departmental officers for appointing as Inquiry Officer for the purpose of conducting inquiries under Rule 10 of GDS (Conduct and Engagement) Rules. The Circle office will make available that panel to respective Cadre Controlling Authority where its offices are located.
- (iv) **Validity of the Panel :-** The panel of the departmental retired officers created for the purpose of appointing Inquiry Officers for conducting inquiries under Rule 10 of GDS (Conduct and Engagement) Rules will be valid for a period of three years. The respective Cadre Controlling Authority will ensure that a panel of Inquiry Officers, empanelled from retired Departmental officers, is available with them.
- (v) Following are the eligibility conditions for appointment of willing retired officers as Inquiry Officers to conduct departmental inquiries:-
- (a) Retired Departmental officers who are willing to serve as Inquiry Officer.
  - (b) He/she should be of impeccable integrity and should not have been penalized in a Disciplinary Proceedings or prosecuted in a criminal case.
- (vi) The respective Cadre Controlling Authority will immediately take necessary action for inviting applications from willing and eligible retired officers to serve as Inquiry Officer for conducting inquiries under Rule 10 of GDS (Conduct and Engagement) Rules. In this regard, a format for inviting applications is annexed.
- (vii) **Terms and conditions for appointment of retired officers as Inquiry Officer.** The designated retired Departmental Inquiry Officer shall be required to give an undertaking as follows:-



- (a) that he/she is not a witness or a complainant in the matter to be inquired into or a close relative or a known friend of the delinquent Government officer/GDS. A certificate to this effect will be obtained from the Inquiry Officer with respect to every inquiry and placed on record.
- (b) that he/she shall maintain strict secrecy in relation to the documents, he/she receives or information/data collected by him/her in connection with the inquiry and utilize the same only for the purpose of inquiry in the case entrusted to him/her.
- (viii) The retired departmental Inquiry Officer shall submit the inquiry report after completing the inquiry within 180 days from the date of his/her appointment as Inquiry Officer. Extension of time beyond 180 days can be granted only by the disciplinary authority.
- (ix) Letter regarding engaging a Departmental retired officer as Inquiry Officer will only be issued with the approval of the Disciplinary Authority concerned.
- (x) A review of every empanelled retired Departmental Inquiry Officer will be done after receipt of 2 inquiry reports where adherence to time lines and the procedure and quality of work will be assessed by the Head of Circles by obtaining reports from concerned Disciplinary authority. Based on the assessment by the Head of Circle, subsequent allocation of work may be done only after such evaluation. The services of retired Departmental Inquiry Officers whose performance is not upto the mark will be terminated by the Head of Circle.
- (xi) Any issue arising out of this O.M. between the retired Departmental Inquiring Officer and the Disciplinary Authority will be decided by the Heads of Circle, whose decision shall be final and binding on both parties.
- (xii) Following will be the eligibility conditions for appearing as Defense Assistant by the Serving Government Servant & Retired Government Servant under Rule 10 of GDS (Conduct & Engagement) Rules cases:-
- (a) Retired Departmental/Serving Departmental Official/ Officers who are willing to appear as Defence Assistant.



(b) He/she should not have been penalized in a Disciplinary Proceedings (or prosecuted in a criminal case).

3. The above instructions will come into effect from the date of issue of this O.M.

4. Hindi version will follow.



(SB Vyavahare)

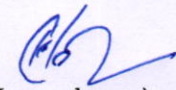
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(SB Vyavahare)

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APPLICATION FOR APPOINTMENT OF RETIRED DEPARTMENTAL OFFICERS AS THE INQUIRY OFFICER TO CONDUCT DEPARTMENTAL INQUIRY

1. Name of the officer:  
(In capital letters) :
2. Date of retirement from government service :
3. Last Post held before retirement :
4. Have you ever been assigned the responsibility of the Inquiry Officer  
If yes, the details thereof :
5. Whether retired on attaining the age of Superannuation or voluntary  
Retirement :
6. Whether any penalty was imposed during the service? If yes, the  
details thereof :
7. Permanent/Present Address & Contact Number :

Place:

Name and signature

Date: