

6.11 Engaging retired Government Servants to assist serving personnel in disciplinary proceedings - Amendment

Personnel and Administrative Reforms (N) Department

G.O. (Ms) No. 78

Dated : 06.02.1996

Read :

From Govt. of India, Ministry of Home Affairs Department of P&AR, New Delhi.
Letter No. 11018/12/178 - AIS - (III) dated 14-8-78

ORDER

In Government of India's letter read above, certain conditions have been prescribed under the All India Services (Discipline and Appeal) Rules, 1969, for a member of the service to take the assistance of a retired Government servant to present the case on his behalf before the enquiry officer. Similar provisions are also available in the Central Civil Services (Classification, Control & Appeal) Rules. The Government after careful examination have decided to incorporate similar provisions in the Tamil Nadu Civil Services (Discipline and Appeal) Rules, by amending the said Rules.

2. The following Notification will be published in the Tamil Nadu Government Gazette :

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Civil Services (Discipline and Appeal) Rules.

2. The amendment here by made shall come into force on and from the 6th February 1996.

AMENDMENT

In the said Rules, in rule 17, in sub-rule (b), in clause(i), after the proviso, the following proviso shall be added, namely;-

"Provided further that the Government Servant may take one assistance of any retired Government Servant to present the case on his behalf but may not engage a legal practitioner or the purpose unless the inquiring authority is a legal practitioner or the inquiring authority, having regard to the circumstances of the case, so permits.

Explanation : The Government Servant shall not take the assistance of any retired Government Servant who has two pending disciplinary cases on hand, in which he has to give assistance".

(By order of the Governor)

N. HARIBHASKAR
CHIEF SECRETARY TO GOVERNMENT