

6. DISCIPLINARY PROCEEDINGS

6.10 Specific provision for appointment of Enquiry Officer to ascertain the truth by the disciplinary authority

Personnel and Administrative Reforms (N) Department

G.O. (Ms) No. 77

Dated : 06.02.1996

ORDER

In the Tamil Nadu Civil Services (Discipline and Appeal) Rules there is no specific provision for appointment of enquiry officer to ascertain the truth or otherwise of the allegations / charges so as to arrive at the basis on which the disciplinary authority can take a decision as to whether or not the imposition of any penalty on the accused officer is called for. It is felt that a provision may be made in the Tamil Nadu Civil Services (Discipline and Appeal) Rules, to that effect as provided in Rule 14(2) under Central Civil Services (Classification, Control and Appeal) Rules.

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 (in volume I of the Tamil Nadu Services Manual, 1987).

2. The amendment hereby made shall come into force on the 6th February 1996.

AMENDMENT

In the said Rules, in rule 17, after sub-rule (f), the following sub-rule shall be inserted, namely; -

“(g) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against a Government servant, it may itself inquire into or appoint an authority to inquire into the truth thereof”.

Explanation : Where the disciplinary authority itself hold the inquiry, any reference to the “inquiring authority” shall be construed as a reference to the disciplinary authority”.

(By order of the Governor)

S. SIVASUBRAMANIAN
SECRETARY TO GOVERNMENT