



(Classification, Control and Appeal Rules 1991, Corrected up to September, 1998)

**C.C.A. RULES
GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Issued.

GENERAL ADMINISTRATION (SERVICES - C) DEPARTMENT

G.O.Ms.No. 487

Dated : 14-9-1992

Read the following :

1. G.O.Ms.No. 1376, G.A. (Rules) Department, dated 28-11-1963.
2. G.O.Ms.No. 490 G.A. (Ser.C) Department, dated 8-8-91.
3. Published in part 1 No. 235 Extraordinary A.P. Gazette, dt. 1-7-92.

APUS

ORDER :

The Officer on Special Duty appointed by the Government to examine whether any amendments are required to various Acts and Rules relating to the conduct and discipline of Government servants has examined the provisions of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1963, keeping in view of the suggestions made by the Commissioner for departmental enquiries and also of the Government, and then submitted a report to the Government. The Government after careful consideration of the suggestions made by him have decided to issue the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, in super session of the rules issued in the G.O. first read above as amended from time to time.

2. The following Notification will be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and of all other powers hereunto enabling, the Governor of Andhra Pradesh hereby makes the following rules, in super session of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1963, issued in G.O.Ms.No. 1376, General Administration (Rules) Department, dated the 28th November, 1963, and published in supplement to Part-1 of the Andhra Pradesh Gazette, dated the 30th January, 1964.

**RULES
PART-1 - GENERAL**

(1) Short title and commencement :

(1) These rules may be called the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

(2) They shall come into force on and after the expiration of three months from the date of publication of these rules in the Andhra Pradesh Gazette.

Interpretation :

(2) In these rules, unless the context otherwise requires-

(a) "appointing authority" in relation to a Government servant means -

(i) the authority which actually made the temporary or officiating or substantive appointment as the case may be, of the Government Servant to the post held by him at the time of initiation of disciplinary proceeding, or

(ii) the authority which is, under the rules regulating the recruitment to the post which the Government Servant for the time being holds, competent to make an appointment. Whichever authority is higher

(b) 'Commission' means the Andhra Pradesh Public Service Commission;

(c) 'disciplinary authority' means the authority competent under these rules to impose on a Government Servant any of the penalties specified in rule 9 or rule 10;

(d) 'Government' means the Government of Andhra Pradesh.

(e) 'Government Servant' means a person who

(i) is a member of a Civil Service of the State or holds a civil post in connection with the affairs of the State, whether temporary or permanent appointed thereto before, on or after the date specified in rule 1 and includes such Government Servant whose services are temporarily placed at the disposal of the Government of India, the Government of another State, or a company, corporation or organisation owned or controlled by Government, or a local or other authority, notwithstanding that his salary is drawn from sources other than the Consolidated Fund of the State

(ii) is a member of a Civil Service of or holds a civil post under the Government of India or the Government of another State and whose services are temporarily placed at the disposal of Government;

(iii) is in the service of a local or other authority and whose services are temporarily placed at the disposal of Government;

(f) 'Governor' means Governor of Andhra Pradesh; .

(g) 'major penalty' means any of the penalties specified in clauses (vi) to (x) (both inclusive) of rule 9;

(h) 'minor penalty' means any of the penalties specified in clauses (i) to (v) (both inclusive) of rule 9; and in rule 10;

(1) 'Service' means a civil service of the State;

(j) 'State' means the State of Andhra Pradesh. Application :

(3) (1) These rules shall apply to every Government Servant except -

(a) persons in casual employment;

(b) persons subject to discharge from service on less than one month's notice;

(c) persons for whom special provision is made in respect of matters covered by these rules, by or under any law for the time being in force or in any rule or by or under any contract or agreement entered into by or with the previous approval of the Government before or after the commencement of these rules, in regard to matters covered by such special provisions;

(d) members of the All India Services.

(2) If any doubt arises -

(a) whether these rules apply to any person, or

(b) whether a person to whom these rules apply belongs to a particular service, or as to which of the two or more services is the Service to which such person belongs, the matter shall be referred to the Government whose decision shall be final.

Power to exclude from operation :

(4) Notwithstanding anything in rule 3, the Governor may, by notification published in the Andhra Pradesh Gazette, exclude, wholly or in part, from the operation of these rules, the holder of any post or the holders of any class of posts, in respect of whom the Governor declares that these rules cannot usually be applied; and these rules shall, thereupon, to the extent of such exclusion, cease to apply to them accordingly.

PART-II - CLASSIFICATION

Classification of Services :

(5) (1) The civil services of the State, the members of which are subject to these rules, shall be classified as follows :

(a) the State Services; and

(b) the Subordinate Services.

(2) A member of the civil service of the State and every person holding a civil post under the State whose services are placed at the disposal of any company, corporation, organization or local authority by the Government or by any competent authority shall, for the purposes of these rules, be deemed to be a member of such civil service or be deemed to hold such civil post, notwithstanding that his salary is drawn from a source other than the Consolidated Fund of the State.

Constitution of State Services :

(6) The State Services shall consist of the services included in Schedule 1 to these rules and any other service that may be notified by Government from time to time.

Constitution of Subordinate Services :

(7) The Subordinate Services shall consist of the services included in Schedule II to these rules and any other services that may be notified by Government from time to time.

PART-III - SUSPENSION

Suspension :

(8) (1) A member of a Service may be placed under suspension from service

(a) where a disciplinary proceeding against him is contemplated or is pending or

(b) where in the opinion of the authority competent to place the Government servant under suspension, he has engaged himself in activities prejudicial to the interest of the security of the State, or

(c) where a case against him in respect of any criminal offence is under investigation, inquiry or trial :

The proviso omitted : (C.O.Ms.No. 417 G.A. (Ser. C) Dept., dated 24-8-94).

(2). Government servant shall be deemed to have been placed under suspension by an order of the authority competent to place him under suspension.

(a) with effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise for a period exceeding forty-eight hours;

(b) with effect from the date of his conviction if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction. .

Explanation - The period of forty-eight hours referred to in clause (b) of this sub-rule shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Government servant under suspension is set aside in appeal or on revision or review under these rules and the case is remitted for further inquiry or action or with any other directions the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force- until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Government servant is set aside or declared or rendered void in consequence of or by a decision of a court of law and the authority competent to impose the penalty, on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the Government servant shall be deemed to have been placed under suspension by the authority competent to impose the suspension from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders :

Provided that no such further inquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into the merits of the case.

(5) (a) An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority which made or is deemed to have made the order or by an authority to which that authority is subordinate.

(b) Where a Government servant is suspended or is deemed to have been suspended, whether in connection with any disciplinary proceeding or otherwise, and any other disciplinary proceeding is commenced against him during the continuance of that suspension the authority competent to place him under suspension, may, for reasons to be recorded by him in writing, direct that the Government servant shall continue to be under suspension until the termination of all or any of such proceedings.

(c) An order of suspension made or deemed to have been made under this rule may, at any time, be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

PART-IV - PENALTIES AND DISCIPLINARY AUTHORITIES

Penalties :

(9) The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a Government servant, namely :-

Minor Penalties :

(i) Censure;

(ii) Withholding of promotion;

(iii) recovery from pay of the whole or part of any pecuniary loss caused by him to the State Government or the Central Government or to a local authority or to a corporation owned or controlled by the State or the Central Government, by negligence or breach of orders while working in any department of the State or the Central Government, local authority or corporation concerned;

(iv) withholding of increments of pay without cumulative effect (G.O.Ms.No. 205, G.A. (Ser.C) Dept., dt. 5-6-98.

(v) suspension, where a person has already been suspended under rule 8 to the extent considered necessary;

Major Penalties :

(vi) with holding of pay with cumulative effect (G.O.Ms.No. 205, G.A. (Ser.C) Depl., dt. 5-6-9X).

(vii) reduction to a lower rank in the seniority list or to a lower stage in the time-scale of pay or to a lower time-scale of pay not being lower than that to which he was directly recruited or to a lower grade or post not being lower than that to which he was directly recruited, whether in the same service or in another service, state or subordinate;

(viii) compulsory retirement;

(ix) removal from service which shall not be a disqualification for future employment under the Government;

x) dismissal from service which shall ordinarily be a disqualification for future employment under the Government.

Provided that, in every case in which the charge of acceptance from any person of any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act is established the penalty mentioned in clause (ix) or clause (x), shall be imposed.

Provided further that in any exceptional case and for special reasons to be recorded in writing, any other penalty may be imposed.

Explanation - The following shall not amount to a penalty within the meaning of this rule, namely -

(i) non-promotion whether in a substantive or officiating capacity, of a Government servant in a class, category or grade of the service, after consideration of his case on merit, to a higher class, category or grade in the same service to which he is eligible;

(ii) reversion of a Government servant from a department in which he is on deputation to his parent department or to a post not lower than the post on which he holds a lien or a suspended lien, for administrative reasons unconnected with his work or conduct.

(iii) replacement of the services of a Government servant, whose services had been borrowed from the Government of another State or the Central Government or an authority under the control of the Government of another State or the Central Government or the authority from which the services of such Government servant had been borrowed;

(iv) stoppage or postponement of increment of a Government servant on account of extension of probation under rule 26 in Part-11 of the Andhra Pradesh State and Subordinate Services Rules;

(v) reversion of a Government Servant, appointed on probation to any other Service, grade or post, to his permanent Service, grade or post during or the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation -

(vi) reversion of a Government servant officiating in a higher Service, grade or post to a lower Service grade or post, on the ground that he is considered to be unsuitable for such higher Service, grade or post or on any administrative ground unconnected with his conduct.

(vii) withholding of increments of pay of a Government servant for his failure to pass any departmental examination in accordance with the rules or orders governing the service to which he belongs or post which he holds or the terms of his appointment;

(viii) termination of the services of a Government servant appointed on probation, during or at the end of the period of his probation in accordance with the terms of his appointment or the rules and orders governing such probation;

(ix) discharge of a Government servant engaged under contract, in accordance with the terms of his contract;

(x) discharge of a Government Servant appointed otherwise than under contract, to hold a temporary appointment, on the expiration of the period of the appointment;

(xi) compulsory retirement of a Government servant in accordance with the provisions relating to his superannuation or retirement under sub- rules (2) and (2-A) of rule 3 of the Andhra Pradesh Liberalised Pension Rules, 1961 or under rules 292, 293 and 293 A of the Hyderabad Civil Services Rules or under the Andhra Pradesh Government Servant's Premature Retirement Rules, 1975 or under Article 465 (2) or under Note I to Article 465-A of the Civil Services Regulations or in the case of members of the Civil Service of the erstwhile Hyderabad Government, compulsory retirement before completion of 30 years or 25 years of qualifying service according as the members of the service is governed by the Revised Pension Rules 1951 or by the rules in force before that date, as the case may be, or the corresponding provisions thereof.

Other Penalties :

(10) In addition to the penalties specified in rule 9 and notwithstanding anything therein, the following penalties may for good and sufficient reasons and as hereinafter provided be imposed namely :-

(i) fine on a member of the Andhra Pradesh Last Grade Service and on a person holding any of the posts specified in Appendix-I to these rules;

(ii) suspension for a period not exceeding fifteen days -

(a) on Forest Guards;

(b) on directly recruited members of the Andhra Pradesh Police Subordinate Service and the Andhra Pradesh Special Armed Police Service;

(c) on Station Officers, Engineers, Sub-officers, Leading Firemen, Driver-Mechanics, Driver Operators, Firemen - Mechanics, Firemen and equivalent ranks of the Andhra Pradesh Fire Subordinate Service;

Provided that the penalty may be imposed on Government Servants mentioned in sub-clauses (b) and (c) only if the penalty of reduction to a lower grade, post or time-scale or to a lower stage in, the same time-scale cannot be imposed.

Disciplinary Authorities in respect of State Services :

(11) (1) The High Court of Andhra Pradesh may impose on members of the Andhra Pradesh State Judicial Service, any of the penalties specified in clauses (i) to (vii) of rule 9:

Provided that the High Court of Andhra Pradesh may impose on Judicial, First class Magistrates any of the penalties specified in rule 9.

(2) (i) The Commissioners concerned may impose on Mandal Revenue Officers, Assistant Superintendents of Excise (including Chemical Examiner in the cadre of Assistant Superintendent of Excise), Deputy Commercial Tax Officers and Assistant Directors of Survey and Land Records, any of the penalties specified in clauses (i) to (v) of rule 9.

(ii) The District Collector may impose on Mandal Revenue Officers the penalties of (a) censure (b) withholding of increment for a period of three months without cumulative effect.

(iii) (a) The Commissioner, Commercial Taxes may impose on Commercial Tax Officers the penalties of (a) censure, (b) withholding of increment for a period of three months without cumulative effect.

(b) The Deputy Commissioner, Commercial Taxes may impose on Deputy Commercial Tax Officers the penalties of (a) censure, (b) withholding of increment for a period of three months without cumulative effect.

(3) The Principal Secretary to Government, the Second Secretary to Government, the Special Secretary to Government, the Secretary to Government, and the Secretary to Governor may impose on Section Officers working in their respective departments, any of the penalties specified in clauses (i) to (v) of rule-9 :

(3A) The Principal Secretary to Government, the Second Secretary to Government, Special Secretary to Government, the Secretary to Government and the Secretary to Governor may impose on the Private Secretaries to the said Secretaries to Government working in their respective departments, any of the penalties specified in clauses (i) to (v) of Rule 9".

(GO.Ms.No. 199, GA (Ser.C) Dept., dt. 16-5-97).

(4) The Director of Treasuries and Accounts may impose on the Accounts Officers, District Treasury Officers, Assistant Directors, Pension Payment Officers and other Officers of equivalent cadre in Treasuries and Accounts Department, the penalties specified in clauses (i) and (iv) of rule 9.

(5) The Director of Local Fund Audit may impose on the Audit Officers of the Andhra Pradesh Local Fund Audit Service, the penalties specified in clauses (i) and (iv) of rule 9.

(6) The Commissioner, Endowments Department may impose on the Deputy Commissioners and Assistant Commissioners, Endowments Department the penalties specified in clauses (i) and (iv) of rule 9. Sub Rule (7) omitted. (G.O.Ms.No. 246 G.A. (Ser.C) Dept., dt. 13-6-1997).

(8) The Director of Municipal Administration may impose on Municipal Commissioners of the Andhra Pradesh Municipal Commissioners Subordinate Service any of the penalties specified in clauses (i) to (iv) of rule 9.

(9) The Director of Agriculture may impose on the Deputy Directors of Agriculture the penalty specified in clause (i) of rule 9.

- (10) (i) The Director, Bureau of Economics and Statistics or the District Collector may impose on District Statistical Officer, the penalty specified in clause (i) of rule 9.
- (11) The Director, Bureau of Economics and Statistics may impose on Assistant Directors, any of the penalties specified in clauses (i), (ii), (iv) of rule 9.
- (11) The Director, Commerce and export promotion may impose on Assistant Directors and Section Officers in categories II and III of the Andhra Pradesh Central Store Purchase Service, any of the penalties specified in clauses (i) to (iv) of rule 9.
- (12) The Commissioner of Labour may impose on Assistant Commissioners of Labour, any of the penalties specified in clauses (i), (ii), (iv) of Rule 9.
- (13) The Inspector-General of Registration and Stamps may impose on District Registrars (including Assistant Inspector-General), any of the penalties specified in clauses (i), (ii) (iv) of rule 9.
- (14) The Commissioner/Director of Fisheries may impose on Deputy Directors of Fisheries, any of the penalties specified in clauses (i) to (iv) of rule 9.
- (15) The State Port Officer, Andhra Pradesh may impose on Assistant Engineer for Marine Works at minor ports the penalty specified in clause (i) of rule 9.
- (16) (i) The Director of School Education may impose on Officers in Class II of the Andhra Pradesh Educational Service, any of the penalties specified in clauses (i), (ii) (iv) of rule 9.
- (ii) The Director of Higher Education may impose on Deputy Directors of Higher Education, Chief Academic Guidance Officer in the State Council for Educational Research and Training, Hyderabad and Principals of Government Degree Colleges, any of the penalties specified in clauses (i), (ii), (iv) of rule 9.
- (iii) The Director of Adult Education may impose on Deputy Directors of Adult Education and District Adult Education Officers, the penalty specified in clause (i) of rule 9.
- (17) (i) The Director of Medical Education may impose on Civil Assistant Surgeons, any of the penalties specified in clauses (i) to (iv) of rule 9.
- (ii) The Principals of Medical Colleges may impose on Civil Assistant Surgeons of Clinical and Non-clinical Specialities, any of the penalties specified in clauses (i), (ii), (iv) of rule 9.
- (iii) The Superintendents of General Hospitals attached to Medical Colleges may impose on Civil Assistant Surgeons of Clinical Specialties and Civil Assistant Surgeons belonging to the Specialties of Bio-Chemistry, Pathology and Micro-Biology, any of the penalties specified in clauses (i), (ii), (iv) of rule 9.
- (iv) The Superintendents of the District Head quarters Hospitals may impose on Civil Assistant Surgeons working in the District Headquarters Hospitals, any of the penalties specified in clauses (i) (ii), (iv) of rule 9.
- (v) The District Medical and Health Officers may impose on Civil Assistant Surgeons working in the Hospitals in the Districts other than those working in the District Headquarters Hospitals, any of the penalties specified in clauses (i), (ii), (iv) of rule 9.
- (18) (i) The Director of Public Health may impose on Statistician and Medical Officer (Maternity and Child Health) Grade-11, any of the penalties specified in clauses (i) to (vii) of rule 9.

(ii) The Director of Health and Family Welfare may impose on Civil Assistant Surgeons in the Public Health Department, any of the penalties specified in clauses (i) to (iv) of rule 9.

(19) (i) The Director of Animal Husbandry may impose on members in classes III and IV of the Andhra Pradesh Animal Husbandry Service, any of the penalties specified in clauses (i) to (iv) of rule 9.

(ii) The Regional Director or Deputy Director may impose on Veterinary Officers, the penalties specified in clauses (i) to (iv) of rule 9.

(20) The Engineer-in-Chief (Irrigation) may impose on-

(a) Assistant Engineers, Irrigation Department and Junior Superintendents, Public Works Workshops, the penalty specified in clause (i) of rule 9;
and

(b) the Non-Technical Personal Assistant in his Office, any of the penalties specified in clauses (i) to (vii) of rule 9.

(21) The Chief Engineer (Electricity) may impose on -

(a) Assistant Engineers, Store Superintendents, Chief Accountants and Deputy Chief Accountants under his control, the penalty specified in clause (i) of rule 9; and

(b) the Non-Technical personal Assistant in his Office, any of the penalties specified in clauses (i) to (vii) of rule 9.

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(22) The Engineer-in-Chief (R&B) may impose on Deputy Executive Engineers (R&B), the penalty specified in clause (i) of rule 9.

(23) The Chief Engineer, Public Health may impose on Assistant Engineers and Municipal Engineers, Grade II and Municipal Engineers, Grade I (Telangana), the penalty specified in clause (i) of rule 9.

(24) (i) The Chief Engineer (General & Panchayati Raj) may impose on Deputy Executive Engineers of the Panchayati Raj Engineering Service, the penalties specified in clauses (i) and (iv) of rule 9.

(ii) The Superintending Engineer (Panchayati Raj) may impose on Assistant Executive Engineers of the Panchayati Raj Engineering Service, any of the penalties specified in clauses (i) to (iv) of rule 9.

(25) (i) The Deputy Inspector-General of Police or an Officer of corresponding rank may impose on-

(a) Deputy Superintendent of Police, Assistant Commissioner of Police, Assistant Commandant Andhra Pradesh Special Police, Deputy Superintendent, Police Communications and Technical Assistant to, Police transport officer, any of the penalties specified in clauses (i) to (iv) of rule 9; and

(b) Inspector of Police, Reserve Inspector, Armed Reserve, Reserve Inspector, Andhra Pradesh Special Police, Inspector of Police, Shorthand Bureau, Inspector of Police Communications, Inspector of Police Transport Organisation, Inspector of Women Police, any of the penalties specified in rule 9.

(ii) The Superintendent of Police or an Officer of corresponding rank may also impose on Inspector of Police, Reserve Inspector of Armed Reserve, Reserve Inspector of Andhra Pradesh Special Police, Inspector of Police, Shorthand Bureau, Inspector of Police Communications, Inspector of Police Transport Organization, Inspector of Women Police, any of the penalties specified in clauses (i) to (iv) of rule 9.

(26) The General Manager, District Industries Centre or an Officer not lower in rank than a Joint Director of Industries, who is the Head of the District Industries Centre, may impose on a member of Service holding a post included in category III of the Andhra Pradesh Industries Service, the penalties specified in clauses (i) and (iv) of rule 9.

(a) The Principal Chief Conservator of Forests may impose on Assistant Conservator of Forests any of the penalties specified in clauses (i), (ii) and (iv) of Rule 9."

(G.O.Ms.No. 496, GA (Ser.C) Dept, dt. 29-11-96).

(b) The Commissioner of industries may impose on officers of the Industries Department upto and including the Officers of the rank of Joint Directors of Industries any of the penalties specified in clause (i) to (v) of rule 9.

(G.O.Ms.No. 247, GA (Ser.C) Dept., dated 16-06-1997).

(c) The Controller, Legal Metrology may impose on the Assistant Controllers, Legal Metrology any of the penalties specified in clauses (i) to (v) of rule 9.

(d) The Commissioner and Director, Handloom & textiles may impose on Deputy Director (Handloom & Textiles) the penalties specified in clauses (i) and (iv) of Rule 9."

(G.O.Ms.No. 359, GA (Ser.C) Dept., dt. 7-9-1998).

(27) Without prejudice to the foregoing provisions;

(i) every Head of Department may impose on a member of the State Services under his control, the penalty specified in clause (iii) of rule 9, except in the case of each member holding a post immediately below his rank; and

(ii) every Head of Department declared to be the appointing authority may impose on a member of the State Service holding an initial Gazetted post under his control, any of the penalties specified in clauses (i) to (viii) of rule 9.

(G.O.Ms.No. 205, G.A. (Ser.C) Dept., dt. 5-6-1998).

Government's power to impose penalties on members of State Services

(12) Notwithstanding anything in rule 11, the Government may impose any of the penalties specified in rule 9 on members of the State Services. Authorities competent to suspend members of State Services

(13) The authority which may place under suspension under rule 8 members of the State Services mentioned in column (1) of the table below shall be the authority mentioned in column (2) thereof:

TABLE

Class of numbers of the State Service	Authority which may place under suspension under rule S
1.Members of the State Judicial Service.	High Court of Judicature of Andhra Pradesh at Hyderabad.
2.Mandal Revenue Officers, (Tahsildars) (including Mandal Revenue Officers, Civil Supplies), Assistant Civil Supplies Officers (Civil Supplies) Assistant Excise Superintendents (including Chemical examiner) and Deputy	Commissioners concerned

Commercial Tax Officer.

The District Collectors are empowered to place the Mandal Revenue Officers Tahsildar Cadre) under suspension for a period of three months and to obtain the approval of the Commissioner of Land Revenue. If the suspension period has to be extended beyond the period of three months. (G.O.Ms.No. 533, GA (Ser.C) Dept., dt. 6-12-1997).

3. Section Officers in the Department of Secretariat and Governor's Secretariat.

Chief Secretary to Government,
Principal Secretary to Government,
Second Secretary to Government,
Secretary to Government, Special
Secretary to Government or the
Secretary to the Governor, as the case
may be.

3 (A) Private Secretaries to Secretaries to Government in the Departments of Secretariat and Governor's Secretariat.

Chief Secretary to Government,
Principal Secretary to Government,
Second Secretary to Government,
Secretary to Government, Special
Secretary to Government or the
Secretary to Governor as the case
may be.

(G.O.Ms.No. 496 GA (Ser.C)
Department, dated 29-11-1996).

4. Deputy Executive Engineers and Assistant Executive Engineers in Irrigation Department, and Junior Superintendents Public Works Workshops.

Engineer-in Chief, Irrigation
Department

5. Asst. Research Officer in the Engineering Research Department

i) Chief Engineer in charge of
.Engineering Research Dept.

6.(i) Deputy Executive Engineers Assistant Executive Engineers Roads & Buildings Department.

(i) Engineer in Chief (R&B).

ii) Non Technical Personal Asst. to the Chief Engineer (Roads & Buildings).

ii) Chief Engineer concerned to whom
the Non Technical Personal Assistant
is attached.

7. Deputy Executive Engineers (Public Health), Mechanical Expert, Superintendent, and Chemist, Drainage and Disposal work.

Chief Engineer (Public Health).

8. Deputy Executive Engineer of Panchayati Raj Engineering Department, Non-Technical Personal Assts. to the Chief Engineer (Genl. & P.R.)

Chief Engineer (Genl. & P.R.)

9. Civil Assistant Surgeons and Health Officers.

Director of Medical Education or
Inspector-General of Prisons if the
misconduct relates to professional
duties of Jail discipline.

10. Statistical Officers and Medical Officers (Maternity and Child

Director of Medical Education

Health), Grade-11.

11. Lay Secretaries and Treasurers in Government Medical Institutions.

Director of Medical Education or Director of Indian Medicine and Homeopathy as the case may be.

12. Members in Class IV of the Andhra Pradesh Animal Husbandry Service.

Director of Animal Husbandry

13. (G.O.Ms.No.246, G.A. (Ser.C) Dept., dt. 13-6-1997)

14. Inspector of Factories, Inspector of Boilers, District Inspector of Labour, Inspector of Evaluation and Implementation and Administrative Officers (Subsidized Housing Scheme).

Commissioner of Labour

15. Inspectors of Police, Reserve Inspectors. Armed Reserve, Reserve Inspectors, Commissioner of Police or Officer of tours of Andhra Pradesh Special Police, corresponding rank concerned. Inspectors of Police, Shorthand Bureau, Inspectors of Police Communications, Inspectors of Police Transport Organization, Inspectors of Women Police.

Deputy Inspector General of Police.

16. Deputy Director working in the Departments of Printing and in its various wings.

Director of Printing, Stationery and Stores purchase, Hyderabad.

16A. Assistant Conservator of Forests working in the Forest Department.

Principal Chief Conservator of Forests.

(G.O.Ms.No. 496, GA (Ser.C) Dept., dt. 29-11-1996).

17. Other members of State Services holding initial gazetted post

Heads of Departments concerned.

Disciplinary authorities and authorities competent to suspend in respect of Subordinate Services :

(14) (1) (a) The authority which may place a member of a Subordinate Service under suspension under rule 8 or impose on such member the penalties specified in clause (i) of rule 10 and clauses (i) and (iv) of rule 9 shall be his immediate superior gazetted officer or where the appointing authority for such member is a non-gazetted officer, such officer, or any authority to which he is subordinate;

(b) The authority which may impose, on a member of a subordinate Service, the penalty specified in clause (iii) of rule 9 shall be the officer next above the immediate superior gazetted officer;

Provided that the appointing authority or any authority to which it is subordinate may also impose the aforesaid penalty :

Provided further that the Assistant Excise Superintendent, M.R.Os, Deputy Commercial Tax Officer, Personal Assistant to the Superintendent of Police and Deputy

Superintendent of Police, except to the extent provided in the first proviso to sub-rule (2), shall not exercise the powers vested in a gazetted officer under the sub-rule; but such powers shall be exercised by Superintendent of Excise, Revenue Divisional Officer, Commercial Tax Officer, Superintendent of Police or Additional Superintendent of Police as the case may be :

Provided also that in the case of the members belonging to the categories of officers specified in Appendix-II to these rules, the authority which may impose any of the penalties specified in clauses (i), (iii), (iv) of rule 9 or place under suspension under rule 8 shall be as specified thereof against each such category.

(2) The authority which may impose on a member of a Subordinate Service, the penalties specified in clauses (ii), (v) to (x) of rule 9 shall be the appointing authority or any authority to which it is subordinate:

Provided that in case of the members of the Services specified in Appendix III to these rules, the authority which may impose any of the penalties specified in rule 9 and clause (i) of rule 10 shall be as specified thereof against each;

Provided further that in case of a member of the Andhra Pradesh Police Subordinate Service or the Andhra Pradesh Special Armed Police Service, the authority which may impose any of the penalties specified in rule 9, shall be as specified against each of the categories in Appendix IV;

(G.O.Ms.No. 284, G.A. (Ser.C) Dept., dt. 7-7-1997).

Provided also as that the Superintendent, Forest School, Yellandu, Forest Utilisation Officer, State Sylviculturist, Working Plans Officer or District Forest Officer concerned, as the case may be or any authority to which it is subordinate, may impose the penalty specified in clause (ii) of rule 10 on Government servants mentioned in sub-clause (a) thereof;

Provided also that the authority specified as competent to impose the penalty of suspension under clause (v), of rule 9 in Appendix-IV, as the case may be or any authority to which it is sub-ordinate may impose the penalty specified in clause (ii) of rule 10 on Government servants mentioned in sub-clause (b) thereof;

Provided also that the Additional Director of Fire Service or the Regional Fire Officer concerned, as the case may be, or any authority to which it is subordinate may impose the penalty specified in clause (ii) of rule 10 on Government servants mentioned in sub-clause (c) thereof.

Power of appointing authority etc. to suspend members of State and Subordinate Services.

(15) Notwithstanding anything in these rules, the appointing authority or any authority to which it is subordinate including Government may also place under suspension under rule 8, any member of a Service to whom these rules apply.

Disciplinary authority in case of promotion or transfer of a member of a Service and on reversion or reduction there from :

(16) (1) Where, on promotion or transfer, a member of a Service in a class, category or grade is holding an appointment in another class category or grade thereof or in another Service State or Subordinate no penalty, shall be imposed upon him in respect of his work or conduct before such promotion or transfer except by authority competent to impose the penalty upon a member of the Service in the latter class, category, grade or Service, as the case may be. This provision shall apply also to cases of transfer or promotion of a person from a post under the jurisdiction of one authority to that of another authority within the same class, category or grade;

Provided that the authority which may impose any of the penalties on a member of the Andhra Pradesh Police Subordinate Service or the Andhra Pradesh Special Armed Police Service or the Deputy Superintendent of Police or Assistant Commissioner of Police in category 2 and the Inspector of Police in category 4 of the Andhra Pradesh Police Service in cases not involving promotion or appointment by transfer, shall be the competent authority having jurisdiction over such member at the time of commission of such act or omission, as the case may be or any authority to which it is subordinate;

Provided further that in case of a member of the Andhra Pradesh Police Subordinate Service or the Andhra Pradesh Special Armed Police Service an Officer superior to the competent authority may, for reasons to be recorded in writing, transfer a record of enquiry in a disciplinary case from the competent authority to any other authority holding the same rank for disposal,

(2) Where a person has been reverted or reduced from a State Service to a Subordinate Service, or from one Service to another or from one class, category or grade of a Service to another class, category or grade thereof, no penalty shall be imposed upon him in respect of his work or conduct while he was a member of the Service, class, category or grade, as the case may be, from which he was reverted or reduced, except by an authority competent to impose the penalty upon a member of such service, class, category or grade.

Special Provision in respect of Police Officials employed in Anti-Corruption Bureau, Vigilance and Enforcement Department and Lokayukta and Upa-Lokayukta :

(17) No member of the Andhra Pradesh Police Subordinate Service or an Inspector of Police employed in the Anti-Corruption Bureau, the Department of Vigilance and Enforcement, General Administration Department or under the Lokayukta and Upa-Lokayukta shall be compulsorily retired, removed or dismissed from service during the period of his employment in the Anti-Corruption Bureau, the Department of Vigilance and Enforcement, General Administration Department or under the Lokayukta and Upa-Lokayukta or for a period of three years, from the date on which he ceased to be employed therein, without the previous sanction of the State Government;

Provided that the previous sanction of the State Government shall not be necessary for compulsory retirement, removal or dismissal of a member of the Service or an Inspector of Police employed in the Anti-Corruption Bureau, the Department of Vigilance and Enforcement, General Administration Department, or under the Lokayukta and Upa-Lokayukta, for any act done by him prior to his employment therein.

Lower authority not to reopen case : higher authority can exercise power :

(18) (1) Where in any case a higher authority has imposed or declined to impose a penalty under rule 11, 12 or 14 a lower authority shall have no jurisdiction to proceed under these rules in respect of the same case.

(2) Where in any case a lower authority has imposed a penalty or exonerated a member of a service, it shall not debar a higher authority from exercising his powers under these rules in respect of the same case. The order of such higher authority shall supersede any order passed by a lower authority in respect of the same case.

Authority to institute proceedings.

(19) (1) The Government or any other authority empowered by it by general or special order may-

(a) institute disciplinary proceedings against any Government Servant;

(b) direct a disciplinary authority to institute disciplinary proceedings against any government servant on whom that disciplinary authority is competent to impose under these rules any of the penalties specified in rule 9 or rule 10.

(2). A disciplinary authority competent under these rules to impose any of the penalties specified in clauses (i) to (v) of rule 9 or in rule 10 may institute disciplinary proceedings against any Government servant for the imposition of any of the penalties specified in clauses (vi) to (x) of rule 9 notwithstanding that such disciplinary authority is not competent under these rules to impose any of the latter penalties.

PART-V - PROCEDURE FOR IMPOSING PENALTIES

Procedure for imposing major penalties :

(20) (1) No order imposing any of the penalties specified in clauses (vi) to (x) of rule 9 shall be made except after an inquiry held, as far as may be, in the manner provided in this rule and rule 21 or in the manner provided by the Public Servants (inquiries) Act, 1850 (Central Act 37 of 1850) or the Andhra Pradesh Civil Services (Disciplinary Proceedings Tribunal) Act 1960 or the Andhra Pradesh Lokayukta and Upa Lokayukta Act 1983, where such inquiry is held under the said Acts.

(2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a Government servant, it may itself inquire into, or appoint under this rule or under the provisions of the Public Servants (Inquiries) Act, 1850 as the case may be an authority to inquire into the truth thereof.

Explanation :- Where the disciplinary authority itself holds the inquiry, any reference in sub-rule (7) to sub-rule (20) and in sub-rule(22) to the inquiring authority shall be construed as a reference to the disciplinary authority,

(3) Where it is proposed to hold an inquiry against a Government servant under this rule and rule 21, the disciplinary authority and who is subordinate to the appointing authority can draw up or cause to be drawn up

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(G.O.Ms.No. 33, G.A. (Ser.C) Dept., dt. 24-1-1998).

(i) the substance of the imputations of mis conduct or misbehaviour into definite and distinct articles of charge:

(ii) a statement of the imputations of misconduct or misbehaviour in support of each article of charge which shall contain -

(a) a statement of all relevant facts including any admission or confession made by the Government servant;

(b) a list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.

(4) The disciplinary authority shall deliver of cause to be delivered to the Government servant a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the Government servant to submit, within such time as may be specified, a written statement of his defence and to state whether he desires to be heard in person.

(5) (a) On receipt of the written statement of defence the disciplinary authority may itself inquire into such of the articles of charge as are not admitted, or, if it considers it necessary so to do, appoint under sub-rule (2), an inquiring authority for the purpose and where all the articles of charge have been admitted by the Government servant in his written statement of defence, the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in rule 21.

(b) If no written statement or defence is submitted by the Government servant, the disciplinary authority may itself inquire into the articles of charge or may, if it considers it necessary to do so, appoint under sub-rule (2) an inquiring authority for the purpose.

(c) Where the disciplinary authority itself inquires into any article of charge or appoints an inquiring authority for holding an inquiry into such charge, it may, by an order, appoint a Government servant or a legal Practitioner, to be known as the "Presenting Officer" to present on its behalf the case in support of the articles of charge.

(6) The disciplinary authority shall where it is not the inquiring authority, forward to the inquiring authority '-

(i) a copy of the articles of charge and the statement of the imputations of misconduct or misbehaviour;

(ii) a copy of the written statement of defence, if any submitted by the Government servant;

(iii) a copy of the statements of witnesses, if any referred to in sub-rule

(3);(iv) evidence proving the delivery of the documents referred to in sub-rule (3) to the Government servant; and

(v) a copy of the order appointing the "Presenting Officer".

(7) The Government servant shall appear in person before the inquiring authority on such day and at such time within fifteen working days from the date of receipt by him of the articles of charge and the statement of the imputations of misconduct or misbehavior, as the inquiring authority may, by a notice in writing, specify in misbehalf or within such further time, not exceeding fifteen days as the inquiring authority may allow.

(8) (a) The Government servant may take the assistance of any other Government servant to present the case on his behalf, but may not engage a legal practitioner for the purpose unless the Presenting Officer appointed by the disciplinary authority is a legal practitioner, or, the disciplinary authority, having regard to the circumstances of the case so permits :

Provided that no member of service dealing in his official capacity with the case of inquiry relating to the person charged shall be permitted by the inquiry officer or by any officer to whom an appeal may be preferred to appear on behalf of the person charged before the enquiry officer.

Provided further that the Government servant may take the assistance of any other Government servant posted at any other station if the inquiring authority having regard to the circumstances of the case and for reasons to be recorded in writing, so permits.

Note - (1) The Government servant shall not take the assistance of any other Government servant who has pending two disciplinary cases on hand in which he has to give assistance.

Note - (2) The Government servant shall, not take the assistance of any other Government servant who is dealing in his official capacity with the case of inquiry relating to the Government Servant charged.

(b) The Government servant may also take the assistance of a retired Government servant to present the case on his behalf, subject to such conditions as may be specified by the Government from time to time by general or special order in this behalf. (Further instructions issued vide Memo No. 657/Ser.C/94-4 G.A. (Ser.C) Dept., dated 9-3-1995.

(9) If the Government servant who has not admitted any of the articles of charge in his written statement of defence or has not submitted any written statement of defence, appears before the inquiring authority, such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the inquiring authority shall record the plea, sign the record and obtain the signature of the Government servant thereon.

(10) The inquiring authority shall return a finding of guilty in respect of those articles of charge to which the Government servant pleads guilty.

(11) The inquiring authority shall, if the Government servant fails to appear within the specified time or refuses or omits to plead, require the presenting Officer to produce the evidence by which he proposes to prove the articles of charge, and shall adjourn the case to a later date not exceeding thirty days after recording an order that the Government servant may, for the purpose of preparing his defence :

(i) inspect within five days of the order or within such further time not exceeding five days as the inquiring authority may allow, the documents specified in the list referred to in sub-rule (3);

(ii) Submit a list of witnesses to be examined on his behalf.

Note - If the Government servant applies orally or in writing for the supply of copies of the Statement of witnesses mentioned in the list referred to in sub-rule (3) the inquiring authority shall furnish him with such copies as early as possible and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the disciplinary authority.

(iii) give a notice within ten days of the order or within such further time not exceeding ten days as the inquiring authority may allow for the discovery or production of any documents which are in the possession of Government but not mentioned in the list referred to in sub-rule (3).

Note - The Government servant shall indicate the relevance of the documents required by him to be discovered or produced by the Government.

(12) The inquiring authority shall, on receipt of the notice for the discovery or production of documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production of the documents by such date as may be specified in such requisition.

Provided that the inquiring authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case.

(13) On receipt of the requisition referred to in sub-rule (12), every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority and the requisitioning of the documents can be done either at the instance of the Member of Service or by the inquiring authority suo-moto.

Provided that if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the public interest or security of the State it shall inform the inquiring authority accordingly and the inquiring authority shall on being so informed communicate the information to the Government, servant and withdraw the requisition made by it for the production or discovery of such documents.

Provided further that if such documents are not produced as evidence and if they are sent only for the perusal of inquiring authority, the inquiring authority shall have the power to take it to a higher authority stating that on a perusal of a particular document it finds nothing in it to warrant claiming privilege.

(14) On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the presenting Officer and may be cross-examined by or on behalf of the Government servant. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on any new matter, without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.

(15) If it shall appear necessary before the closure of the case on behalf of the disciplinary authority the inquiring authority may, in its discretion, allow the presenting Officer to produce evidence not included in the list given to the Government servant or may itself call for new evidence or recall and re-examine any witness and in such case the Government servant shall be entitled to have, if he demands it a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the inquiry is adjourned. The inquiring authority shall give the Government servant an opportunity of inspecting such documents before they are taken on the record. The inquiring authority may also allow the Government servant to produce new evidence, if it is of the opinion that the production of such evidence is necessary in the interest of justice.

Note - New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be called for only when there is an inherent lacune or defect in the evidence which has been produced originally.

(16) When the case for the disciplinary authority is closed, the Government servant shall be required to state his defence, orally or in writing as he may prefer, If the defence is made orally, it shall be recorded and the Government servant shall be required to sign the record. In either case, a copy of the statement of defence shall be given to the presenting Officer, if any appointed.

(17) The evidence on behalf of the Government servant shall then be produced. The Government servant may examine himself in his own behalf if he so prefers. The witnesses produced by the Government servant shall then be examined and shall be liable to cross-examination, re-examination and examination by the inquiring authority according to the provisions applicable to the witnesses for the disciplinary authority.

(18) The inquiring authority may, after the Government servant closes his case, and shall, if the Government servant has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the Government servant to explain any circumstances appearing in the evidence against him.

(19) The inquiring authority may after the completion of the production* of evidence, hear the presenting officer, if any appointed and the Government servant, or permit them to file written briefs of their respective cases if they so desire.

(20) If the Government servant to whom a copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of this rule, the inquiring authority may hold the inquiry exparty.

(21) (a) Where a disciplinary authority competent to impose any of the penalties specified in clauses (i) to (v) of rule 9 and in rule 10 but not competent to impose any of the penalties specified in clauses (vi) to (x) of rule 9, has itself inquired into or caused to be inquired into the articles of any charge and that authority, having regard to its own findings or having regard to its decision on any of the findings of any inquiring authority appointed by it, is of the opinion that the penalties specified in clauses (vi) to (x) of rule 9 should be imposed on the Government servant, that

authority shall forward the records of the inquiry to such disciplinary authority as is competent to impose the last mentioned penalties.

(b) The disciplinary authority to which the records are so forwarded may act on the evidence on the record or may if it is of the opinion that further examination of any of the witnesses is necessary in the interests of justice, recall the witnesses and examine cross-examine and re-examine the witnesses and may impose on the Government servant such penalty as it may deem fit in accordance with these rules.

(22) Whenever an inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to Exercise jurisdiction therein, and is succeeded by another inquiring authority which has and which exercises, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor, and partly recorded by it self :

Provided that if the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross examine and re-examine any such witnesses as herein before provided.

(23) (i) After the conclusion of the inquiry, a report shall be prepared and it shall contain -

(a) the articles of charge and the statement of the imputations of misconduct or misbehavior;

(b) the defence of the Government servant in respect of each article of charge;

(c) an assessment of the evidence in respect of each article of charge;

(d) the findings on each article of charge and the reasons therefore.

To recommend penalty proposed to be imposed on the delinquent officer keeping in view rule 9 of these rules.

(G.O.Ms.No. 43, G.A. (Ser.C) Dept., dt. 10-2-1998).

Explanation - If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original articles of the charge, it may record its findings on such article of charge :

Provided that the findings on such article of charge shall not be recorded unless the Government servant has either admitted the facts on which such articles of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(ii) The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include.

(a) the report prepared by it under clause (i);

(b) the written statement of defence, if any, submitted by the Government servant;

(c) the oral and documentary evidence produced in the course of the inquiry;

(d) written briefs, if any filed by the Presenting Officer or the Government servant or both during the course of the inquiry; and

(e) the orders, if any, made by the disciplinary authority and the inquiring authority in regard to the inquiry.

Explanation - It is not necessary to have an inquiry in the manner provided for in this rule or to hear in Person in the case of reduction of rank in seniority (A and B lists) of Constables fit for promotion as Head Constables in the Andhra Pradesh Police Subordinate Service or Andhra Pradesh Special Armed Police Service.

Action on the inquiry report :

(21) (1) The disciplinary authority, if it is not itself the inquiring authority may, for reasons to be recorded by it in writing, remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold the further inquiry according to the provisions of rule 20 as far as may be.

(2) The disciplinary authority shall, if it disagrees with the findings of the inquiring authority on any article of charge, record its reasons for such disagreement and record its own findings on such charge if the evidence on record is sufficient for the purpose

(3) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in clauses (i) to (v) of rule 9 and in rule 10 should be imposed on the Government servant, it shall notwithstanding anything contained in rule 22, make an order imposing such penalty :

Provided that in every case where it is necessary to consult the Commission the record of the enquiry shall be forwarded by the disciplinary authority to the Commission for its advice and such advice shall be taken into consideration before making any order imposing any penalty on the govt. servant.

(4) If the disciplinary authority having regard to its findings on all or any of the articles of charge and on the basis of the evidence adduced during the inquiry, is of the opinion that any of the penalties specified in clauses (vi) to (x) of rule 9 should be imposed on the Government servant, it shall make an order after furnishing a copy of the report of the inquiring authority to the Government servant and after taking into consideration any representation made by him thereto within a reasonable time ordinarily not exceeding one month. It shall not be necessary to give the Government servant any opportunity of making representation on the penalty proposed to be imposed :

Provided that in every case where it is necessary to consult the Commission, the record of the inquiry shall be forwarded by the disciplinary authority to the Commission for its advice and such advice shall be taken into consideration before making an order imposing any such penalty on the Government servant.

22. Procedure for imposing minor penalties

(1) Subject to the provisions of sub-rule (3) of rule 21, no order imposing on a Government servant any of the penalties specified in clauses (i) to (v) of rule 9 and in rule 10 shall be made except after -

(a) informing the Government servant in writing of the proposal to take action against him and of the imputations of misconduct or misbehavior on which it is proposed to be taken and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal;

(b) holding an inquiry in the manner laid down in sub-rule (3) to (23) of rule 20 in every case in which the disciplinary authority is of the opinion that such inquiry is necessary.

(c) taking the representation, if any submitted by the Government servant under clause (a) and the record of inquiry if any held under clause (b) into consideration.

(d) recording a finding on each imputation of misconduct or misbehavior and

(e) consulting the Commission where such consultation is necessary.

(2) Notwithstanding anything contained in clause (b) of sub-rule (1), if in a case it is proposed, after considering the representation, if any, made by the Government servant under clause (a) of that sub-rule, to withhold increments of pay and such withholding of increments is likely to affect adversely the amount of pension payable to the government servant or to withhold increments of pay for a period exceeding three years an inquiry shall be held in the manner laid down in sub rules (3) to (23) of rule 20, before making any order imposing on the Government servant any such penalty.

(3) The record of the proceedings in such cases shall include

(i) a copy of the intimation to the Government servant of the proposal to take action against him;

(ii) a copy of the statement of imputations of misconduct or misbehavior delivered to him;

(iii) his representation if any;

(iv) the evidence produced during the inquiry, if any;

(v) the advice of the Commission, if any;

(vi) the findings on each imputation of misconduct or misbehavior; and

(vii) the orders on the case together with the reasons therefore. 23.

Communication of orders :

Orders made by the disciplinary authority shall be communicated to the Government servant who shall also be supplied with a copy of the report of the inquiry, if any, held by the disciplinary authority and a copy of its findings on each article of charge, or, where the disciplinary authority is not the inquiring authority a copy of the report of the inquiring authority and a statement of the findings of the disciplinary authority together with brief reasons for its disagreement, if any with the findings of the inquiring authority (unless they have already been supplied to him) and also a copy of the advice, if any, given by the Commission and, where the disciplinary authority has not accepted the advice of the Commission, a brief statement of the reasons for such non-acceptance.

Common proceedings :

(24) (1) Where two or more Government servants of the same service or different services are concerned in any case the Government or any other authority competent to impose the penalty of dismissal from service on all such Government servants may make an order directing that disciplinary action against all of them may be taken in a common proceedings :

Provided that if the authorities competent to impose the penalty of dismissal on such Government servants are different, such authorities not being the Government, an order for holding such inquiry in a common proceeding may be made by the highest of such authorities with the consent of the other authorities competent to impose the said penalty on the others.

(2) Subject to the other provisions of these rules, every such order shall specify:

(i) the authority which may function as the disciplinary authority for the purpose of such common proceeding;

(ii) the penalties specified in rule 9 and rule 10 which such disciplinary authority shall be competent to impose;

(iii) whether the procedure laid down in rule 20 and rule 21 or rule 22 shall be followed in the proceeding.

Special procedure in certain cases :

(25) Notwithstanding anything contained in rule 20 to rule 24 -

(i) where any penalty is imposed on a Government servant on the ground of conduct which has led to his conviction on a criminal charge, or

(ii) where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules, or

(iii) where the Governor is satisfied that in the interest of the security of the State it is not expedient to hold any inquiry in the manner provided in these rules, the disciplinary authority may consider the circumstances of the case and make such orders there on as it deems fit :

Second proviso deleted. (G.O. Rt. No. 6421, G.A. (Ser.C) Dept., dt. 29-12-1993).

Provided that the Commission shall be consulted, where such consultation is necessary, before any orders are made in any case under this rule.

Waiver of procedure in certain cases :

(26) (1) All or any of the provisions of rules 20 to 24 may, in exceptional cases and for special and sufficient reasons to be recorded by the disciplinary authority in writing, be waived where there is a difficulty in observing fully the requirements of these rules and those requirements can be waived without causing any in-justice to the Government servant charged.

(2) If, in respect of any Government servant charged, a question arises whether it is reasonably practicable to hold such inquiry or give such opportunity as is referred to in rules 20 to 24 the decision thereon of the disciplinary authority competent to impose any of the penalties specified in clauses (vii) to (x) of rule 9 on the Government servant concerned shall be final.

Action on report of Lokayukta and up-Lokayukta

(27) Notwithstanding anything contained in rule, 20, or rule, 22, where it is proposed to impose on a Government servant any of the penalties specified in rule 9 or rule 10 on the basis of the recommendation contained in a report mentioned in sub-section (1) of section 12 of the Andhra Pradesh Lokayukta and Upa-Lokayukta Act, 1983 the disciplinary authority shall take action on the basis of the recommendation contained in the report and impose any of the penalties specified in rule 9 or rule 10:

Provided that the disciplinary authority for the purpose of this rule shall be the authority prescribed under clause (c) of section 2 of the Lokayukta and upa-Lokayukta Act, 1983 or the authority competent under the Rules, Whichever authority is higher.

Rules not to affect provisions relating to Andhra Pradesh Survey and Land Records Subordinate Service

(28) Nothing in these rules shall affect the rule of regulation of the pay of the members of the Andhra Pradesh Survey and Land Records Subordinate Service in the following categories according to their monthly out turn of work :

Class I

Category - 3

Town Surveyor, Panchayat Surveyor

Category : 4

Deputy Surveyor, Taluk Surveyor

Category : 5

Field Surveyor
Class II
Category : 7
Junior Computer
Category : 8
Junior Draftsmen

Rules not to affect provisions in Andhra Pradesh Stationery Manual

(29) Nothing in these rules shall affect the operation of the instructions contained in the Andhra Pradesh Stationery manual. Volume I relating to the recovery from the pay of warehousemen, packers in the office of the Director of Stationery of the value of the short receipts reported by the indenting Officers.

Provisions regarding officers lent to Government of India etc.

(30) (1) Where the services of a Government servants are lent by one department to another department or to the Government of India or the government of another State (hereinafter in this rule referred to as "the borrowing authority") the borrowing authority shall have the powers of the appointing authority for the purpose of placing such Government servant under suspension and of the disciplinary authority for the purpose of conducting a disciplinary proceeding against him :

Provided that the borrowing authority shall forthwith inform the authority which lent the services of the Government servant (hereinafter in this rule referred to as "the lending authority") of the circumstances leading to the order of suspension of such Government servant or the commencement of the disciplinary proceeding as the case may be.

(2) In the light of the findings in the disciplinary proceedings conducted against the Government servant :

(i) if the borrowing authority is of the opinion that any of the penalties specified in clauses (i) to (v) of rule 9 or in rule 10 should be imposed on the Government servant, it may, after consultation with the lending authority, unless in any case it is otherwise provided by specific orders of the Government make such orders on the case as it deems necessary :

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority, the services of the Government servant shall be replaced at the disposal of the lending authority.

(ii) if the borrowing authority is of the opinion that any of the penalties specified in clauses (vi) to (x) of rule 9 should be imposed on Government servant it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry and thereupon the lending authority may, if it is the disciplinary authority pass such orders thereon as it may deem necessary or if it is not the disciplinary authority submit the case to the disciplinary authority which shall pass such orders on the case as it may deem necessary;

Provided that before passing any such order, the disciplinary authority shall comply with the provisions of sub-rules (3) and (4) of rule 21;

Explanation ; The disciplinary authority may make an order under this clause on the record of the inquiry transmitted to it by the borrowing authority or after holding such further inquiry as it may deem necessary as far as may be, in accordance with rule 20;

Provided further that the provisions in clauses (i) and (ii) requiring the replacement of the services of the Government servant at the disposal of the lending authority shall not apply where the Government servant has been lent by one department to another and both the departments are under the same administrative authority.

(3) For the purpose of this rule, an Assistant or Assistant section Officer of the Secretariat or an Assistant or a Senior Asst., of the Office of the Commissioner for land & Revenue deputed for training as Revenue Inspector, in the Andhra Pradesh Ministerial services or a section officer of the secretariat or a superintendent of the office of the Commissioner for land Revenue deputed for training as Mandal Revenue Officers in the district shall be deemed to be a Government servant lent.

(4) (i) Where the borrowing authority is a company or corporation or organization or local or other authority, such borrowing authority may subject to such a specific conditions or limitations if any, that may be made in the terms of deputation suspend the Government servant or impose on him any of the penalties specified in clauses (i) to (iv) of rule 9 or clause (i) of rule 10, except where Government are the authority competent to suspend or impose the said penalties.

Provided that the borrowing authority shall intimate the fact of placing the government Servant under suspension or imposing on him the penalty as the case may be to the lending authority and in the event of a difference of opinion between the borrowing authority and the lending authority, the services of the Government servant shall be replaced at the disposal of the lending authority.

(ii) If the borrowing authority is of the opinion that any of the penalties specified in clauses (vi) to (x) of rule 9 or clause (ii) of rule 10 should be imposed on the Government servant, it shall replace his services at the disposal of the lending authority and transmit to it the record of the proceedings and thereupon the lending authority may, if it is the disciplinary authority, pass such orders thereon as it may deem necessary, or, if it is not the disciplinary authority submit the case to the disciplinary authority which shall pass such orders on the case as it may deem necessary.

Provided that before passing any such order, the disciplinary authority shall comply with the provisions of sub-rules (3) and (4) of rule 21.

(iii) Where a Government servant whose services are placed at the disposal of any company, corporation, organization, or a local or other authority has at any time before his services were so placed, committed, any act or omission which renders him liable to any penalty specified in rule 9 or rule 10, the authority competent to impose any such penalty on such Government servant shall alone be competent to institute disciplinary proceeding against him and to impose on him such penalty specified in rule 9 or rule 10 as it thinks fit and the borrowing authority under whom he is serving at the time of the institution of such proceeding, shall be bound to render all reasonable facilities to such competent authority instituting and conducting such proceeding.

Provisions regarding Officers borrowed from Government of India etc.

(31) (1) where an order of suspension is made or a disciplinary proceedings is conducted against a Government servant whose services have been borrowed by one department from another department or from the Government of India or the Government of another state or a company or corporation or organization or local or other authority, the authority lending the services (hereinafter in this rule referred to as "the lending authority") shall forthwith be informed of the circumstances leading to the order of the suspension of the government servant or of the commencement of the disciplinary proceedings, as the case may be.

(2) in the light of the findings in the disciplinary proceeding conducted against the Government Servant.

(i) if the disciplinary authority is of the opinion that any of the penalties specified in clauses (i) to (v) of rule 9 or in rule 10 should be imposed on him, it may, subject to the provisions of sub-rule (3) of rule 21 and after consultation with the lending authority pass such orders on the case as it may deem necessary.

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority the services of the Government servant shall be replaced at the disposal of the lending authority.

(ii) if the disciplinary authority is of the opinion that any of the penalties specified in clauses (vi) to (x) of rule 9 should be imposed on the government servant, it shall replace the services of such government servant at the disposal of the lending authority and transmit to it the proceedings of the inquiry for such action as it may deem necessary.

PART VI –

APPEALS Orders Against which no appeal lies.

(32) Notwithstanding anything contained in this part no appeal shall lie against;

(i) any order made by the Governor

(ii) any order of an interlocutory nature or of the nature of a step in aid of the final disposal of a disciplinary proceeding other than an order of suspension;

(iii) any order passed by an inquiring authority in the course of an inquiry under rule 20.

Orders against which appeal lies

(33) (1) Subject to the provisions of rule 32 a Government servant may prefer an appeal, as herein after provided against all or any of the following orders namely:

(i) an order of suspension made or deemed to have been made under rule 8;

(ii) an order imposing any of the penalties specified in rule 9 or rule 10 whether made by the disciplinary authority or by an appellate or revising authority;

(iii) an order enhancing any penalty imposed under rule 9 or rule 10;

(iv) an order discharging him in accordance with the terms of his contract if he has been engaged on a contract for a fixed or for an indefinite period and has rendered under either form of contract, continuous service for a period exceeding five years at the time when his services are so discharged; and

(v) an order reducing or withholding the maximum pension, including an additional pension, admissible to him under the rules governing pension.

(2) Subject to the provisions of rule 32, a member of a subordinate service may, as herein after provided, prefer an appeal against an order passed by authority subordinate to the Government (i) varying to his disadvantage his conditions of service, pay, allowances or pension as regulated in rules or in a contract of service and (ii) interpreting to his disadvantage the provisions of any rules or contract of service whereby his conditions of service, pay, allowances or pension are regulated.

Explanation : In this rule, the expressions 'Government servant' and 'member of a subordinate service include a person who has ceased to be in Government service.

Appellate authorities :

(34) (1) A Government servant, including a person who has ceased to be in Government service, may prefer an appeal against all or any of the orders specified in rule 33 to the authorities as follows :

(i) An appeal from an order passed by the High court shall lie to the Governor.

(ii) An appeal from an order imposing on a member of a state service any of the penalties specified in rule 9 or placing such member under suspension under rule 8 passed by

the Head of the Department shall lie to the Government and an appeal from an order passed by a lower authority shall lie to the Head of the Department:

Provided that an appeal from an order imposing the penalties specified in clauses (i) to (v) of rule 9 on all types of Inspectors of police by the Superintendent of a police or an officer of the corresponding rank shall lie to the special Inspector General of Police (Law and Order).

(iii) An appeal from an order imposing on a member of a subordinate service any of the penalties specified in rule 9 or rule 10 or placing such member under suspension under rule 8 passed by any authority lower than the Government shall lie to the next higher authority to whom the former authority is administratively subordinate :

Provided that in respect of the members of subordinate services working in the Habitual offenders settlements in the police Department, the appellate authority shall be the Superintendent of Police concerned in respect of orders passed by the Manager of the settlement :

Provided further that in the case of a member of the Andhra Pradesh police subordinate service or the Andhra Pradesh Special Armed Police Service, the appellate authority shall be as specified against each of the categories in appendix IV;

(G.O.Ms.No. 284 G.A. (Ser.C) Dept., dt. 7-7-1997).

Provided also that in the case of a member of the Andhra Pradesh police subordinate service or the Andhra Pradesh Special Armed Police service, an officer Superior to the competent authority may, for reasons to be recorded in writing, transfer an appeal from the competent authority to any other authority holding the same rank for disposal.

(iv) An appeal against an order referred to in sub-rule (2) of rule 33 shall lie to the Government.

(2) Notwithstanding anything contained in sub-rule (1) -

(i) an appeal against an order in a common proceeding held under rule 24 shall lie to the authority to which the authority functioning as the disciplinary authority for the purpose of that proceeding is immediately subordinate;

(ii) where the person who made the order appealed against becomes by virtue of his subsequent appointment or otherwise the appellate authority in respect of such order, an appeal against such order shall lie to the authority to which such person is immediately subordinate and if there is no such authority by an authority appointed by the Government.

Period of limitation for appeals :

(35) No appeal preferred under these rules shall be entertained unless such appeal is preferred within a period of three months from the date on which a copy of the order appealed against is delivered to the appellant;

Proviso deleted. (G.O.Ms.No. 64 GA (Ser.C.) Dept., dt. 27-2-1998). Form and contents of appeals :

(36) (1) every person preferring an appeal shall do so separately and in his own name.

(2) the appeal shall contain all material statements and arguments relied on by the appellant and shall be complete in itself, and shall not contain any disrespectful or improper language. It shall be presented to the authority to whom the appeal lies, a copy being forwarded by the appellant to the authority which made the order appealed against.

(3) The authority which made the order appealed against shall, on receipt of a copy of the appeal, forward the same with its comments thereon together with the relevant records to the appellate authority without any avoidable delay and without waiting for any direction from the appellate authority.

450 Consideration of Appeal :

(37) (1) in the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of rule 8 and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.

2) In the case of an appeal against an order imposing any of the penalties specified in rule 9 or 10 or enhancing any penalty imposed under the said rules the appellate authority shall consider;

(a) whether the procedure laid down in these rules has been complied with and if not, whether such non-compliance has resulted in the violation of any provisions of the Constitution of India or in the failure of justice;

(b) whether the findings of the disciplinary authority are warranted by the evidence on the record; and

(c) whether the penalty or the enhanced penalty imposed is adequate, inadequate or severe and pass orders

(i) confirming, enhancing, reducing or setting aside the Penalty; or

(ii) remitting the case to the authority which/ imposed or enhanced the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case:

Provided that

(i) the Commission shall be consulted in all cases where such consultation is necessary;

(ii) if the enhanced penalty which the appellate authority proposed to impose is one of the penalties specified in clauses (vi) to (x) of rule 9 and an inquiry under rule 20 has not already been held in the case, the appellate authority shall, subject to the provisions of rule 25, itself hold such inquiry or direct that such inquiry be held in accordance with the provisions of rule 20 and, there after, on consideration of the proceedings of such inquiry, make such orders as it may deem fit;

(iii) if the enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clauses (vi) to (x) of rule 9 and an inquiry under rule 20 has already been held in the case, the appellate authority shall make such orders as it may deem fit;

(iv) Subject to the provisions of rule 25, the appellate authority shall -

(a) Where the enhanced penalty which the appellate authority proposes to impose, is the one specified in clause (iv) of rule 9 and falls within the scope of the provisions contained in sub-rule (2) of rule 22; and

(b) Where an inquiry in the manner laid down in rule 20 has not already been held in the case; itself hold such inquiry or direct that such inquiry be held in accordance with the provisions of rule 20 and thereafter, on a consideration of the proceedings of such inquiry, pass such orders as it may deem fit; and

(v) no order imposing an enhanced penalty shall be made in any other case unless the appellant has been given a reasonable opportunity, as far as may be in accordance with the provisions of rule 22, of making a representation against such enhanced penalty.

(3) In an appeal against any other order specified in rule 33 the appellate authority shall consider all the circumstances of the case and make such orders as it may deem just and equitable.

Review of original order's passed by Government, in lieu of appeal

(38) (a) Every member of a State Service, or a member of a Subordinate Service in whose case the Government have passed original orders, shall not be entitled to appeal but shall be entitled to make separately and in his own name, within a period of three months from the date on which the order was communicated to him, a petition to the Government for review of the order passed by them on any of the following grounds, namely :

(i) That the order against which the petition for review is made was not passed by the competent authority;

(ii) that a reasonable opportunity was not given to the petitioner for defending himself;

(iii) that the punishment is excessive or unjust

(iv) that the petitioner has made a discovery of new matter or evidence which he proves to the satisfaction of the Government, was not within his knowledge or could not be adduced by him before the order imposing the penalty was passed; and

(v) that there is an evident error or omission in the order such as failure to apply the law of limitation or an error of procedure apparent on the face of record.

(b) Any petition for review which does not satisfy any of the above grounds shall be summarily rejected.

(c) The Government shall pass such order as they think proper in respect of any petition for review that has been admitted under this rule.

Implementation of orders in appeal.

(39) The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

PART VII - REVISION AND REVIEW

Revision

(40) (1) Notwithstanding anything contained in these rules -(i) The Government, or

(ii) the head of the department, directly under the Government, in the case of a Government servant serving in a department or office under the control of such head of department or departments, or

(iii) the appellate authority, (G.O.Ms.No. 64 (Ser.C) Dept., dt. 27-2-1998). or

(iv) any other authority specified in this behalf by the Government by a general or special order, and within such time as may be prescribed in such general or special order may exercise the power within six months only when new facts of the case have been brought to light subsequent to issue of final orders issued by the original disciplinary authority and revise any order made under these rules or under the rules repealed by the rule 45 after consultation with the Commission where such consultation is necessary, and

(G.O.Ms.No. 64, GA (Ser.C) Dept., dt. 27-2-1998).

(a) confirm, modify or set aside the order; or

(b) confirm, reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed; or

(c) remit the case to the authority which made, the order or to any other authority directing such authority to make such further inquiry as it may consider proper in the circumstances of the case; or

(d) pass such other orders as it may deem fit :

Provided that the Special Inspector - General of Police (Law and order) or the Deputy Inspector General of Police or an officer of the corresponding rank, may, of his own motion or otherwise, revise an order passed on appeal by the authority subordinate to him;

Provided further that no order imposing or enhancing any penalty shall be made by any revising authority unless the Government servant concerned has been given a reasonable opportunity of making a representation against the penalty proposed and where it is proposed to impose any of the major penalties, specified in rule 9 or to enhance the minor penalty imposed by the order sought to be revised to any of the major penalties and if an inquiry under rule 20 has not already been held in the case, no such penalty shall be imposed except after inquiring in the manner laid down in rule 20, subject to the provisions of rule 25 and except after consultation with the Commission, where such consultation is necessary :

Provided further that subject to the provisions of rule 25, the revising authority shall -

(a) where the enhanced penalty which the revising authority proposes to impose, is the one specified in clause (iv) of rule 9 and falls within the scope of the provisions contained in sub-rule (2) of rule 22 and

(b) where an inquiry in the manner laid down in rule 20 has not already been held in the case, itself hold such inquiry or direct that such enquiry be held in accordance with the provisions of rule 20 and thereafter, on a consideration of the proceedings of such inquiry, pass such orders as it may deem fit :

Provided further that no power of revision shall be exercised by the head of department, unless

(i) the authority which made the order in appeal, or

(ii) the authority to which an appeal would lie, where no appeal has been preferred, is subordinate to him.

(2) No proceeding for revision shall be commenced until after (i) the expiry of the period of limitation for an appeal, or (ii) the disposal of the appeal, where any such appeal has been preferred.

(3) An application for revision shall be dealt with in the same manner as if it were an appeal under these rules.

Review :

(41) The Government may, exercise the power to review any order passed under these rules only on the reference made by the Head of Department, when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come, or has been brought, to its notice;

(G.O.Ms.No. GA (Ser.C) Dept., dt. 27-2-1998).

Provided that no order imposing or enhancing any penalty shall be made by the Government unless the Government servant concerned has been given a reasonable

opportunity of making a representation against the penalty proposed or where it is proposed to impose any of the major penalties specified in rule 9 or to enhance the minor penalty imposed by the order sought to be reviewed to any of the major penalties and if an inquiry under rule 20 has not already been held in the case, no such penalty shall be imposed except after inquiring in the manner laid down in rule 20, subject to the provisions of rule 25 and except after consultation with the Commission where such consultation is necessary.

Provided further that the Government shall exercise the power of review within a period of three years.

(G.O.Ms.No. 408, G.A. (Ser.C) Dept, dt. 20-9-1996).

PART VIII - MISCELLANEOUS

Service of orders, notices etc.

(42) Every order, notice and other process made or issued under these rules shall

(i) if he is on duty, be served on the Government servant by delivering or tendering it in person;

(ii) if he is on leave or under suspension or, otherwise absent be communicated to him by registered post to the address given by him, if any, or of his usual place of residence;

(iii) if it cannot be so served or communicated, be published in the Andhra Pradesh Gazette.

Power to relax time limit and to condone delay

(43) Save as otherwise expressly provided in these rules, the authority competent under these rules to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these rules for any thing required to be done under the rules or condone any delay.

Supply of copy of Commission's advice

(44) Whenever the Commission is consulted as provided in these rules, a copy of the advice by the commission and, where such advice has not been accepted also a brief statement of the reasons for such non-acceptance, shall be furnished to the Government servant concerned along with a copy of the order passed in the case, by the authority making the order.

Repeal and Saving :

(45) (1) The Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1963, issued in G.O.Ms.No. 1376, General Administration (Rules) Department, dated the 28th November, 1963, in so far as they relate to the services specified in these rules, are hereby repealed :

Provided that -

(a) such repeal shall not affect the previous operation to the said rules, or any notification or order made, or anything done, or any action taken, there under:

(b) any proceedings under the said rules, pending at the commencement of these rules shall be continued and disposed of as far as may be, in accordance with the provisions of these rules, as if such proceedings were proceedings under these rules.

(2) Nothing in these rules shall operate to deprive any person of any right of appeal, which he would have had if these rules had not been made, in respect of any order

passed before the commencement of these rules. An appeal pending at the time when, or preferred after these rules came into force shall be deemed to be an appeal under these rules, and rule 37 shall apply as if the appeal were against an order appealable under these rules.

(3) As from the commencement of these rules any appeal or application for revision or review against any orders made before such commencement shall be preferred or made under these rules, as if such orders were made under these rules:

Provided that nothing in these rules shall be construed as reducing any period of limitation for any appeal, revision or review provided by any rule in force before the commencement of these rules.

Removal of Doubts :

(46) If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the Government, whose decision shall be final.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.V. NATARAJAN
Chief Secretary to Government.

SCHEDULE I (Rule-6)

The Andhra Pradesh Administrative Service.
The Andhra Pradesh Agricultural Service.
The Andhra Pradesh Animal Husbandry Service.
The Andhra Pradesh Boiler Service
The Andhra Pradesh Central Stores Purchase Service
The Andhra Pradesh Civil Service (Executive Branch)
The Andhra Pradesh Commercial Taxes Service.
The Andhra Pradesh Co-operative Service.
The Andhra Pradesh Economic and Statistical Service.
The Andhra Pradesh Educational Service.
The Andhra Pradesh Electrical Service.
The Andhra Pradesh Employment Service.
The Andhra Pradesh Engineering Service.
The Andhra Pradesh Excise Service.
The Andhra Pradesh Factory Service.
The Andhra Pradesh Fire Service.
The Andhra Pradesh Fisheries Service.
The Andhra Pradesh Forest Service.
The Andhra Pradesh General Service.
The Andhra Pradesh Government Life Insurance Service.
The Andhra Pradesh (R&B) Engineering Service.
The Andhra Pradesh Hindu Religious and Charitable Endowments (Administration) Service.
The Andhra Pradesh Homeopathic Service.
The Andhra Pradesh Indian Medicine Service.
The Andhra Pradesh Industries Service.
The Andhra Pradesh Information Service.
The Andhra Pradesh Jail Service.
The Andhra Pradesh Labour Service.
The Andhra Pradesh Marketing Service.
The Andhra Pradesh Medical Service.
The Andhra Pradesh Mining Service.
The Andhra Pradesh Municipal Commissioners Service.
The Andhra Pradesh Panchayat Service.
The Andhra Pradesh Panchayat Raj Engineering Service.
The Andhra Pradesh Panchayat Raj Service (Executive Branch),
The Andhra Pradesh Pay and Accounts Service.
The Andhra Pradesh Police Service.

The Andhra Pradesh Port Service.
The Andhra Pradesh Public Health Service.
The Andhra Pradesh Public Health and Municipal Engineering Service.
The Andhra Pradesh Printing Service.
The Andhra Pradesh Registration Service.
The Andhra Pradesh State Higher Judicial Service.
The Andhra Pradesh State Judicial Service.
The Andhra Pradesh State Legal Service.
The Andhra Pradesh Survey and Land Records Service.
The Andhra Pradesh Technical Education Service.
The Andhra Pradesh Town Planning Service.
The Andhra Pradesh Transport Service.
The Andhra Pradesh Treasury and Accounts Service.
The Andhra Pradesh Weights and Measures Service.
The Andhra Pradesh Backward Class Welfare Service.
Andhra Pradesh Horticulture Service.

SCHEDULE - II (Rule-7)

The Andhra Pradesh Agricultural Subordinate Service.
The Andhra Pradesh Animal Husbandry Subordinate Service.
The Andhra Pradesh Certified Schools Subordinate Service
The Andhra Pradesh Commercial Taxes Subordinate Service.
The Andhra Pradesh Co-operative Subordinate Service.
The Andhra Pradesh Economic and Statistical Subordinate Service.
The Andhra Pradesh Educational Subordinate Service.
The Andhra Pradesh Electrical Subordinate Service.
The Andhra Pradesh Engineering Subordinate Service.
The Andhra Pradesh Excise Subordinate Service.
The Andhra Pradesh Fire Subordinate Service.
The Andhra Pradesh Fisheries Subordinate Service.
The Andhra Pradesh Forest Subordinate Service.
The Andhra Pradesh General Subordinate Service.
The Andhra Pradesh Government Press Subordinate Service.
The Andhra Pradesh (R&B) Engineering Subordinate Service.
The Andhra Pradesh Homeopathic Subordinate Service.
The Andhra Pradesh Indian Medicine Subordinate Service.
The Andhra Pradesh Industries Subordinate Service.
The Andhra Pradesh Information Subordinate Service.
The Andhra Pradesh Jail Subordinate Service.
The Andhra Pradesh Judicial Ministerial Service.
The Andhra Pradesh Last Grade Service.
The Andhra Pradesh Labour Subordinate Service
The Andhra Pradesh Marketing Subordinate Service.
The Andhra Pradesh Medical Subordinate Service.
The Andhra Pradesh Ministerial Service.
The Andhra Pradesh Mining Subordinate Service.
The Andhra Pradesh Minor Irrigation Subordinate Service.
The Andhra Pradesh Municipal Commissioners Subordinate Service.
The Andhra Pradesh Panchayat Raj Executive Subordinate Service.
The Andhra Pradesh Panchayati Raj Subordinate Engineering Service
The Andhra Pradesh Pay and Accounts Subordinate Service.
The Andhra Pradesh Police Subordinate Service.
The Andhra Pradesh Port Subordinate Service.
The Andhra Pradesh Public Health Subordinate Service.
The Andhra Pradesh Public Health and Municipal Engineering Subordinate Service.
The Andhra Pradesh Registration Subordinate Service.
The Andhra Pradesh Revenue Subordinate Service.
The Andhra Pradesh Secretariat Subordinate Service.
The Andhra Pradesh Special Armed Police Service.
The Andhra Pradesh Survey and Land Records Subordinate Service.
The Andhra Pradesh Survey and Land Records Subordinate (Temporary)Service.
The Andhra Pradesh Technical Education Subordinate Service.

The Andhra Pradesh Town Planning Subordinate Service.
The Andhra Pradesh Treasury and Accounts Subordinate Service.
The Andhra Pradesh Sericulture Service.
The Andhra Pradesh Backward Classes Welfare Sub-ordinate Service.
The Andhra Pradesh Horticulture Service.
The Andhra Pradesh Endowments Executive Officers Sub-ordinate Officer's Service.

APPENDIX - I

(Rule - 10 (I))

Government Guest House Department
Members of the Andhra Pradesh General Subordinate Service

- a) Government House Department, Hyderabad: Stewards Grades I & II, Butlers, Carpenters, Painters, Head Cooks, Assistant Cooks, Drivers, Tailor and Electrician.
- b) Hyderabad House, New Delhi : Sanitary Fitter, Electrician, Drivers, Cooks and Butlers.
- c) Jubilee Hall, Hyderabad : Daroga.

GOVERNMENT PRESS :

- I. Office Establishment at Kurnool - Attenders.
- II. Members of the Andhra Pradesh Government Press Subordinate Service. JAIL

DEPARTMENT :

Andhra Pradesh Jail Subordinate Service Branch I. Class-1.

1. Jailors in Sub-Jails.
2. Gate-keepers (including Chief Head warders, Jamedars, Grades I and II Head Warders, and Dafedars)
3. Warders (including Jawans) in Jails-Grades I and II.

CLASS II

Woman warders - Grades I and II BRANCH II - CLASS I

1. Special Grade Prison Teachers and Instructors.
2. Higher Elementary Grade Teachers and Instructors.

CLASS II

1. Carpenter Instructors - Grades II and III.
2. Blaksmith Instructors
3. Tailor Instructors - Grade II
4. Weaving Instructors - Grades II and III.
5. Durrie - making Instructors - Grades II and III.
6. Carpet-making Instructors.
7. Dyeing Instructors-Grades II and III.
8. Polisher.
9. Fitters-Grades II and III.
10. shoe-making instructors.

CLASS III

Jamedar, Chauffers.
Temporary posts.

BRANCH IV

1. Wiremen

2. Packer Clerks and Packers.

PORT DEPARTMENT :

I. Andhra Pradesh Port Subordinate Service.

1. Assistant Light keepers and Signallers.
2. Hag Lascars.
3. Tindals - Grade II.
4. Boatmen.

II. Andhra Pradesh General Subordinate Service

1. Serangs - Grade II
2. Firemen - Grade I and II
3. Welders
4. Greasers.
5. Lascars
6. Store Attender
7. Hammermen.

PUBLIC HEALTH AND MUNICIPAL ENGINEERING DEPARTMENT :

I. Andhra Pradesh General Subordinate Service : At tenders employed in the office of the Sanitary Engineer.

APPENDIX - II
(Rule 14 (1) (b) Third Proviso)
Authority which may impose the Penalty of

Categories of Officers	Censure u/r.9(i)	Recovery from pay u/r 9(iii)	Withholding increments u/r.9(iv)	Authority of which may place under suspension u/r.8
1	2	3	4	5
Jailors in Central or District Jails	Appointing Authority	Appointing Authority	Appointing Authority	Appointing Authority
School Assistants, Deputy Inspector of Schools, Assistant Lecturers, Tutors. Demonstrators, Upper Division Clerks, Head Clerks, Managers etc.	Appointing Authority	Appointing Authority	Appointing Authority	Appointing Authority
Staff of Public Works Department (excluding Secretariat staff)	Authority next above the immediate superior Gazetted Officer	Authority next above the immediate superior Gazetted Officer	Authority next above the immediate superior Gazetted Officer	Authority next above the immediate superior Gazetted Officer

Supervisors in Departments. Head Clerks and Managers in the Offices of Superintending Engineers.	Executive Engineer	Executive Engineer	Executive Engineer	Executive Engineer
Staff working under the administrative control of the Director, Industries and Commerce.	Immediate Superior Gaz etted Officer	Immediate Superior Gaz etted Officer	Immediate Superior Gaz etted Officer	Appointing authority
Assistant Inspectors of Labour, Welfare Organizers, Health Visitors, Craft Instructress, Audio Visual In charge, Upper Division Clerks.	Industrial Relations Officer and Labour Enforcement Officer Concerned	Industrial Relations Officer and Labour Enforcement Officer Concerned	Industrial Relations Officer and Labour Enforcement Officer Concerned	Deputy Commissioner of Labour Concerned
Diary Assistants	immediate superior Gazetted Officer	Joint Registrar	Additional Joint Registrar	Additional Joint Registrar

APPENDIX - III
(Rule 14 (2) First Proviso)
AUTHORITY WHICH MAY
CLASS OF SUBORDINATES

Withholding of u/r.	Fine u/r. 10(i)	Censur u/r.9(i)	Promotion u/r.9(ii)
1	2	3	4
BUREAU OF ECONOMICS AND STATISTICS			
I. Members of the Andhra Pradesh Economics and Statistical Sub-ordinate Service. Taluk Statistical Assistants	Tahasildar or District Statistical Officer	Director, Bureau of Economics and Statistics	
COMMERCIAL TAXES DEPARTMENT			

I. Members of the Andhra Pradesh Commercial Taxes Subordinate Service. Assistant Commercial Tax Officers.			
II. Members of the Andhra Pradesh Ministerial Service in the Office of the	Deputy Commercial Tax Officer		
1) Deputy Commercial Tax Officer. 2) Assistant Commercial Tax Officer	Assistant Commercial Tax Officer		
III. Members of the Andhra Pradesh General Sub-ordinate Service Bill Collectors.	Deputy Commercial Tax Officer or Assistant Commercial Tax Officer, as the Case may be.		

Recovery from pay u/r.9(iii)	Withholding of increments u/r. 9 (iv)	Suspension u/r.9(v)	Reduction u/r.9(vii)	Compulsory retirement or removal or dismissal u/r. 9(viii)(ix)(x)
5	6	7	8	9
Director, Bureau of Economics and Statistics	Tahasildar or District Statistical Officer	Director, Bureau of Economics and Statistics	Director, Bureau of Economics and Statistics	Director, Bureau of Economics and Statistics
Deputy Commissioner or commercial taxes	Deputy Commissioner or commercial taxes			

