

CERCULAR MEMO

Sub: Discipline proceedings – Disciplinary action against subordinate instruction issued.

According to Rule 18 (2) (c) of the K.C.S. (C.C. & A) Rules 1860 the penalties of (1) Censure (ii) fine and (iii) withholding of increments on a member of the subordinate service can be awarded by his immediate superior gazetted officer, or any higher authority.

The other penalties referred to in Rule ii of the K.C.S. (C.C. & A) Rules, 1960 viz, (1) Recovery from pay (ii) withholding of promotion (iii) Reduction to a lower rank (iv) compulsory retirement (v) Removal from service and (vi) Dismissal from service can be imposed by the appointing authority or any higher authority.

As Divisional Forest officers / Assistant Conservators of Forests are appointing authority for guards and as conservator of Forests and appointing authorities for forests they can impose these penalties on Guards or foresters as the case may be. Hence in default where Guards and foresters are involved such cases can be dealt with under the afore mentioned rules by the Divisional forest Officers/Assistant conservators of Forests and the conservators of forests and they need not be reported to the Chief Conservator of Forests for disciplinary action. Important cases may be reported for to me for information. It is however noticed that Divisional Forest officers Assistant Conservators of Forests and the Conservators of Forests have seldom been exercising effectively the disciplinary powers vested in them under the C.C. and Rules. They are requested to see that in future this is done in order to maintain efficiency and discipline in the Department. In a Department like sure one can expect irregularities of varying degrees being committed by officers. Prompt and effective disciplinary action will certainly have a salutary effect on the administration as well on the officers. Constant and effective supervision by superior officers will eliminate scope should be taken to avoid delay at a very great extent. However care should be taken to avoid delay at every stage and level. In order to watch the progress of disciplinary action, all disciplinary authorities should prescribe a progress sheet for each case as given below.

1. Date on which the irregularity came to the notice of the disciplinary authority.
2. Date on which charge memo was issued.
3. Date on which the charge memo was served on the officers.
4. Date on which written statement of defense was received.
5. Date on which the file was submitted for further orders.
6. Date on which oral enquiry was ordered.
7. Date on which the oral enquiry was held.
8. Date on which the record on enquiry was received.
9. Date of submission of file after examining the report.

10. Date on which show case notice was issued.
11. Date of Service of show case notice.
12. Date on which written representations is due.
13. Date on which written representation was received.
14. Date of submission of file after examination of the representation.
15. Date on which final orders are passed.
16. Date on which final orders are served on the officer.

If a statement as given above is put up along with each disciplinary case file, the delay in disposal of the case at each stage can be easily located. Normally it should not be difficult to dispose a disciplinary case within six months from the date on which it was initiated, very often, such loss time is required especially if only a minor punishment is proposed to be initiated because in the case of minor punishments there is no need for a charge memo and oral enquiry.

All disciplinary authorities should maintain a punishment register and a punishment stock file. The punishment register should show clearly the name of the officer, the punishment awarded and the No. and date of the proceedings in which the punishment is ordered. The punishment stock file should contain copy of all proceedings memo by which a punishment is ordered.

P T Devassy.  
Chief conservator of forests.

To

All Conservators of Forests.  
All Divisional Forest Officers/Assistant Conservators of Forests/wild Life  
Preservation Officer.

Copy to Vigilance Advisor.

Copy to the Chief Conservators of Forests.

For Chief Conservator of Forests.