

No.62/54/2020-6GS1

From

Chief Secretary to Government, Haryana

To

1. All the Administrative Secretaries to Government Haryana.
2. All the Heads of Departments.
3. The Managing Directors/Chief Administrators of all the Boards/Corporations in Haryana State.
4. All the Divisional Commissioners.
5. All the Deputy Commissioners of the State of Haryana.
6. The Registrars of all the Universities in the State of Haryana.

Dated Chandigarh, the 17th December, 2020

Subject:- Consultation with the Haryana Public Service Commission in Disciplinary Cases.

Sir/Madam,

I am directed to invite your attention to the subject noted above and to say that the consultation of Haryana Public Service Commission (HPSC) is required in disciplinary matters including memorials or petitions relating to such matters, in which major penalty proceedings are initiated against Group 'A' and 'B' officers. The Disciplinary Authorities are required to send the relevant record pertaining to the case, in order to enable the Commission to examine the case and furnish its advice to the Government. The Commission has observed that the consulting with the Commission is required in following types of cases:-

1. **Original Cases** i.e. where the order of penalty is to be passed for the first time by the Disciplinary Authority against an In-service officer.
 2. **Conviction Cases** i.e. where the order of penalty is to be passed for the first time by the Disciplinary Authority against an in-service officer on the ground of conduct which has led to his conviction on a criminal charge.
 3. **Pension Cases** i.e. where the order of penalty is to be passed for the first time by the Disciplinary Authority against a retired officer.
 4. **Appeal Cases** i.e. where the order is to be passed by an Appellate Authority in appeal against an order of imposing a penalty passed by the Disciplinary Authority.
 5. **Revision Cases** i.e. where an order is to be passed in revision of an order passed against an officer in the disciplinary proceedings.
2. In order to give its advice, the entire record pertaining to the case is required to be examined by the Haryana Public Service Commission. But it has been observed that departments are not sending the cases to the Commission by following the proper procedure. In many cases the relevant record is not supplied by the Disciplinary Authority, resulting in prolonged correspondence between the Commission and Department. Thus, the Commission has requested the Government to issue instructions to all the departments in this regard.
3. The matter has been considered by the Government. Accordingly, to facilitate thorough and careful examination of the disciplinary matters a detailed checklist/proforma

for referring the cases to the Commission for their consultation are enclosed herewith as Annexure 'A' to 'E'.

4. They are, therefore, requested that while referring the above stated five types of cases to the Haryana Public Service Commission, it may be ensured that the entire relevant record pertaining to the case is sent as per checklist and proforma attached so as to enable the Commission to tender its advice and to avoid unnecessary correspondence between the Commission and the Departments.

5. These instructions may be brought to the notice of all concerned for strict compliance in letter and in spirit.

Yours faithfully,



Under Secretary General Administration,
for Chief Secretary to Government Haryana

Endst.No.62/54/2020-6GS-I

Dated Chandigarh, the 17th December, 2020

A copy is forwarded to the Secretary, Haryana Public Service Commission, Sector-4, Panchkula w.r.t. his letter No. Misc/05/2020/5381, dated 19.11.2020 for information.



Under Secretary General Administration,
for Chief Secretary to Government Haryana

Annexure – 'A'

Original Cases i.e. where the order of penalty is to be passed for the first time by the Disciplinary Authority against an In-service officer.

1.	Name of charged officer:	
2.	Designation:	
3.	Pay level in the pay matrix:	
4.	The next lower post (along with pay level in the pay matrix) the officer would have held but for his appointment to the present post he is holding:	
5.	Date of joining the Government Service:	
6.	Due date of retirement:	
7.	Appointing Authority:	
8.	Authority competent to impose the penalty in respect of the post held at present:	
9.	Appellate Authority:	
	Record enclosed:	Page No.
1.	Charge sheet along with enclosures:	
2.	Record of delivery of charge sheet to the charged officer.	
3.	Reply of the charged officer.	
4.	Daily order sheets maintained by the Inquiry Officer, indicating the progress of inquiry.	
5.	Depositions – oral statements, recorded from prosecution witnesses and defence witnesses.	
6.	Miscellaneous documents regarding evidence such as exhibits, and extracts of relevant Rules/Codes/Manuals/Acts/Judgments etc.	
7.	Statement of defence of the charged officer.	
8.	Inquiry Officer's report.	
9.	Letter sending the Inquiry Officer's report to the charged officer? or Letter sending the disagreement note of the Disciplinary Authority, if any, on the report of the Inquiry Officer to the charged officer?	
10.	Representation of the charged officer on the findings of the Inquiry Officer.	
11.	Whether the Disciplinary Authority has	

	considered the merits of the case and come to the conclusion that a formal penalty is called for?	
12.	The provisional view of the Disciplinary Authority regarding the quantum of punishment to be awarded to the charged officer.	
13.	Information/position of disciplinary proceedings instituted against other co-accused officers, if any.	
14.	Information/position of action instituted against persons (other than Government servants) involved in the case, if any.	
15.	Details of other Disciplinary Cases instituted against the Government servant and the penalty imposed, if any.	
16.	Present status of pending Court Cases, if any, alongwith the next date of hearing.	

Date:

Signature _____

Name of the Officer:

Designation: _____

Annexure - 'B'

Conviction Cases i.e. where the order of penalty is to be passed for the first time by the Disciplinary Authority against an In-service officer on the ground of conduct which has led to his conviction on a criminal charge.

1.	Name of charged officer:	
2.	Designation:	
3.	Date of joining the Government Service:	
4.	Due date of retirement:	
5.	Appointing Authority:	
6.	Authority competent to impose the penalty in respect of the post held at present:	
7.	Appellate Authority:	
	Record enclosed:	Page No.
1.	Complaint/F.I.R.	
2.	Investigation Report.	
3.	Judgement of the Court.	
4.	Show Cause Notice issued to the Government servant.	
5.	Record of the delivery of the show cause notice to the Government servant.	
6.	Representation of the Government servant on the show cause notice.	
7.	Comments of Disciplinary Authority on the representation of Government servant.	

8.	Whether the Disciplinary Authority has considered the merits of the case and come to the conclusion that a formal penalty is called for on the ground of conduct which has led to the conviction of the Government servant on a criminal charge?	
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Date:

Signature _____

Name of the Officer:

Designation: _____

Annexure – 'C'

Pension Cases i.e where the order of penalty is to be passed for the first time by the Disciplinary Authority against a Retired officer.

1.	Name of charged officer:	
2.	Designation:	
3.	Actual date of retirement:	
4.	Amount of monthly pension admissible /sanctioned:	
5.	Amount of gratuity admissible and withheld:	
6.	Appointing Authority:	
7.	Authority competent to impose the penalty in respect of the post held at present:	
8.	Appellate Authority:	
	Record enclosed:	Page No.
1.	Charge sheet along with enclosures.	
2.	Record of delivery of charge sheet to the charged officer.	
3.	Reply of the charged officer.	
4.	Daily order sheets maintained by the Inquiry Officer, indicating the progress of inquiry.	
5.	Depositions – oral statements, recorded from prosecution witnesses and defence witnesses.	
6.	Miscellaneous documents regarding evidence such as exhibits, and extracts of relevant Rules/Codes/ Manuals/Acts/ Judgments etc.	
7.	Statement of defence of the charged officer.	
8.	Inquiry Officer's report.	

9.	Letter sending the Inquiry Officer's report to the charged officer? or Letter sending the disagreement note of the Disciplinary Authority, if any, on the report of the Inquiry Officer to the charged officer?	
10.	Representation of the charged officer on the findings of the Inquiry Officer.	
11.	Whether the Disciplinary Authority has considered the merits of the case and come to the conclusion that a formal penalty is called for?	
12.	The provisional view of the Disciplinary Authority regarding the quantum of punishment to be awarded to the charged officer.	
13.	Information/ position of Disciplinary proceedings instituted against other co-accused officers, if any.	
14.	Information/position of action instituted against persons (other than Government servants) involved in the case, if any.	
15.	Details of other Disciplinary Cases instituted against the Government servant and the penalty imposed, if any.	
16.	Present status of pending Court Cases, if any, alongwith the next date of hearing.	

Signature _____

Date:

Name of the Officer:

Designation: _____

Annexure – 'D'

Appeal Cases i.e. where the order is to be passed by an Appellate Authority in appeal against an order of imposing a penalty passed by the Disciplinary Authority.

1.	Name of charged officer:	
2.	Designation:	
3.	Pay level in the pay matrix (in case of in-service officers):	
4.	The next lower post (along with pay level in the pay matrix) the officer would have held but for his appointment to the present post he is holding (in case of in-service officers):	
5.	Date of joining the Government Service:	
6.	Due date of retirement, or actual date of retirement, if already retired:	
7.	Appointing Authority:	
8.	Authority competent to impose the penalty in respect of the post held at present:	
9.	Appellate Authority:	
	Record enclosed:	Page No.
1.	Charge sheet along with enclosures.	
2.	Record of delivery of charge sheet to the charged officer.	
3.	Reply of the charged officer.	
4.	Daily order sheets maintained by the Inquiry Officer, indicating the progress of inquiry.	
5.	Depositions – oral statements, recorded from prosecution witnesses and defence witnesses.	

6.	Miscellaneous documents regarding evidence such as exhibits, and extracts of relevant Rules/Codes/Manuals/ Acts/Judgments etc.	
7.	Statement of defence of the charged officer.	
8.	Inquiry Officer's report.	
9.	Letter sending the Inquiry Officer's report to the charged officer? or Letter sending the disagreement note of the Disciplinary Authority, if any, on the report of the Inquiry Officer to the charged officer?	
10.	Representation of the charged officer on the findings of the Inquiry Officer.	
11.	Order imposing penalty passed by the Disciplinary Authority.	
12.	Appeal of the officer concerned.	
13.	Whether appeal has been addressed to the competent authority?	
14.	The provisional view of the Appellate Authority regarding acceptance/ rejection of the appeal.	
15.	Information/ position of disciplinary proceedings instituted against other co-accused officers, if any.	
16.	Information/position of action instituted against persons (other than Government servants) involved in the case, if any.	
17.	Details of other Disciplinary Cases instituted against the Government servant and the penalty imposed, if any.	
18.	Present status of pending Court Cases, if any, alongwith the next date of hearing.	

Date:

Signature _____

Name of the Officer:

Designation: _____

Annexure – 'E'

Revision Cases i.e. where an order is to be passed in revision of an order passed against an officer/retired officer in the disciplinary proceedings.

1.	Name of charged officer:	
2.	Designation:	
3.	Pay level in the pay matrix (in case of in-service officers):	
4.	The next lower post (along with pay level in the pay matrix) the officer would have held but for his appointment to the present post he is holding (in case of in-service officers):	
5.	Date of joining the Government Service:	
6.	Due date of retirement, or actual date of retirement, if already retired:	
7.	Appointing Authority:	
8.	Authority competent to impose the penalty in respect of the post held at present:	
9.	Appellate Authority:	
10.	Authority competent to pass order in review/revision:	
	Record enclosed:	Page No.
1.	Charge sheet along with enclosures.	
2.	Record of delivery of charge sheet to the charged officer.	
3.	Reply of the charged officer.	

4.	Daily order sheets maintained by the Inquiry Officer, indicating the progress of inquiry.	
5.	Depositions – oral statements, recorded from prosecution witnesses and defence witnesses.	
6.	Miscellaneous documents regarding evidence such as exhibits, and extracts of relevant Rules/Codes/Manuals/Acts/Judgments etc.	
7.	Statement of defence of the charged officer.	
8.	Inquiry Officer's report.	
9.	Letter sending the Inquiry Officer's report to the charged officer? or Letter sending the disagreement note of the Disciplinary Authority, if any, on the report of the Inquiry Officer to the charged officer?	
10.	Representation of the charged officer on the findings of the Inquiry Officer.	
11.	Order imposing penalty passed by the Disciplinary Authority.	
12.	Appeal of the officer concerned.	
13.	Order of the Appellate Authority.	
14.	Petition submitted by the officer	
15.	Note indicating the Reviewing Authority's findings on the charges, detailing the reasons warranting modification of the penalty already imposed and the extent of such modification.	
16.	Information/ position of disciplinary proceedings instituted against other co-accused officers, if any.	

17.	Information/position of action instituted against persons (other than Government servants) involved in the case, if any.	
18.	Details of other disciplinary cases instituted against the Government servant and the penalty imposed, if any.	
19.	Present status of pending Court Cases, if any, alongwith the next date of hearing.	

Date:

Signature _____

Name of the Officer:

Designation: _____