

**DEPARTMENT OF SOCIAL WELFARE  
GOVT. OF NCT OF DELHI  
7<sup>TH</sup> FLOOR, MSO BUILDING, ITO, NEW DELHI  
(ADMINISTRATION BRANCH)**

**F.NO. 44(11)/2022/DSW/Estt/ 11485-11544**

**Dated**

**19 SEP 2023**

**Circular**

**Sub:General Advisory to all Additional Chief Secretaries/Pr. Secretaries/Secretaries/HODs, GNCTD.**

Please find enclosed herewith a letter bearing No F.5/05/2014/DOV/Pt. file/10667-10670 dated 14/9/23 received from Directorate of Vigilance regarding General Advisory to all the Additional Chief Secretaries/Pr. Secretaries/Secretaries/HODs, GNCTD

Encl: As above.

  
**Section Officer(Admn.)**

**F.NO. 44(11)/2022/DSW/Estt/ 11485-11544**

**Dated**

**19 SEP 2023**

Copy to:

1. All DDs/DSWOs/DDO/HOO/Supdt./In-charge of Homes/Institutions/Schools.
2. ~~Sr. System Analyst for uploading on the website of the Department.~~
3. Guard File

  
**Section Officer(Admn.)**

997/cc  
20/09/2023



312/0

**GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**DIRECTORATE OF VIGILANCE**  
**4TH LEVEL, C-WING, DELHI SECRETARIAT**  
**IP ESTATE, NEW DELHI-110002**

**No.F.5/05/2014/DOV/Pt. file** | 10667 - 10670

**Dated:** 14/9/23

**ADVISORY**

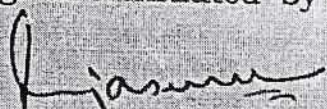
A Disciplinary Proceeding case was referred by this Directorate to MHA/GOI for passing of Presidential Orders under Rule 9 of CCS(Pension) Rules, 1972 as the Charged Officer had retired from Govt. Service .

The Ministry of Home Affairs, GOI observed that the disciplinary proceedings against the charged officer were initiated under Rule 14 of CCS (CCA) Rules, 1965 by an Authority, who was not competent in the matter, as by virtue of post held by charged officer at the time of issuance of chargesheet.

In a similar case, advice of DoP&T was obtained and DoP&T had advised that the proposed Articles of Charge would only be finalized upon approval by the Disciplinary Authority and that there is no provision under the CCS (CCA) Rules, 1965 for granting ex-post facto approval of the competent Disciplinary Authority in such cases. If the charge sheet was issued by the authority, which is not competent to issue the charge sheet, then there is no sanctity of this charge sheet.

In view of above, MHA/GoI directed that the Charge-sheet Memorandum issued to Charged Officer may be withdrawn and the Disciplinary Proceedings against the Charged Officer may be closed as the charge-sheet is not issued as per Rules .

Now therefore, all the Additional Chief Secretaries / Pr. Secretaries / Secretaries /HODs, Govt. of NCT of Delhi are advised that they should invariably exercise due diligence at the time of initiation of Disciplinary Proceedings cases and to ensure that such proceedings are initiated by the approval of Competent Disciplinary Authority.

  
(Y.V.V.J. Rajasekhar, IAS)  
Special Secretary (Vigilance)

To,


All Additional Chief Secretaries / Pr. Secretaries / Secretaries /HODs  
All Derpartments of Govt. of NCT of Delhi.

**No.F.5/05/2014/DOV/Pt. file/** 10667 - 10670

**Dated:** 14/9/23

**Copy to:**

- I. Principal Secretary to Hon'ble Lt. Governor, Delhi.
- II. SO to Chief Secretary, Delhi
- III. PS/PA to Secretary/Sp. Secreatry (Vig.), GNCTD

  
(Y.V.V.J. Rajasekhar, IAS)  
Special Secretary (Vigilance)



9/14/23, 4:11 PM

Gmail - Fwd: General Advisory to all the Additional Chief Secretaries/ Pr. Secretaries/ Secretaries/ HODs, GNCTD.



dd admn <ddadmn2@gmail.com>

**Fwd: General Advisory to all the Additional Chief Secretaries/ Pr. Secretaries/ Secretaries/ HODs, GNCTD.**

1 message

Anjali Sehrawat <dsw@nic.in>

Thu, Sep 14, 2023 at 3:46 PM

To: DD ADMIN 2 <ddadmn2@gmail.com>, DD Vigilance <ddswvigilance@gmail.com>

**From:** "dvigil" <dvigil@nic.in>

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**Sent:** Thursday, September 14, 2023 3:25:57 PM

**Subject:** General Advisory to all the Additional Chief Secretaries/ Pr. Secretaries/ Secretaries/ HODs, GNCTD.

Please find enclosed herewith an Advisory dated 14.09.2023.

Regards

Y.V.V.J. Rajasekhar, IAS

Special Secretary (Vigilance)

Govt. of NCT of Delhi



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ONE EARTH • ONE FAMILY • ONE FUTURE

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14/9/23

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Sh. Sharat

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15/9/23