

Procedure to be followed for suspension of All India Service officers posted in Ministries/Departments/State Governments under AIS(D&A) Rules, 1969

Rule 3 of AIS (D&A) Rules, 1969 stipulate suspension of All India Service officers. Vide Notification dated 23.12.2015 provisions of Rule 3, Rule 18 and Rule 25 of the said Rules were amended. In the light of the amendments the following procedure is to be followed by Ministries/Departments/State Governments for suspension of All India Service officers:

- (i) A member of Service when placed under suspension or deemed to have been placed under suspension, the information in this regard shall be communicated to Government of India expeditiously and **within the period of forty-eight hours**.
- (ii) A copy of the suspension order along with the reasons or grounds of suspension shall be communicated to the Cadre Controlling authority in the Central Government **not later than forty-eight hours**.
- (iii) A member of the Service who is detained in official custody whether on a criminal charge or otherwise for a period longer than **forty-eight hours**, shall be deemed to have been suspended by the Government concerned.
- (iv) A detailed report of the suspension shall be forwarded to the Central Government **within a period of fifteen days** from the date on which the member of the Service is suspended or is deemed to have been suspended, as the case may be.
- (v) Where a State Government passes an order for suspension of a member of Service it will be valid for a **period of thirty days** from the date from which the member is placed under suspension. Further extension for **thirty days** requires confirmation by the Central Government.
- (vi) An order of suspension which has been extended shall remain valid for a further period not exceeding **one hundred twenty days**, at a time, unless revoked earlier on the recommendation of the Central/State Review Committee.
- (vii) The period of suspension may further be extended for a period of **one eighty days** at a time on the recommendation of the Central/State Review Committee (as mentioned in Schedule 1 and 2 under AIS (D&A) Rules, 1969) as the case may be.

- (viii) IAS officers working under Central Government shall only be suspended on the recommendations of the Central Review Committee as amended with the approval of Minister-in-charge, Department of Personnel & Training. Central Ministries shall submit proposal for suspension of a Member of Service to this Department with the approval of Minister-in-charge of that Ministry.
- (ix) The period of suspension of a member of Service suspended on charges other than corruption **shall not exceed one year** but the same can be continued beyond one year on the recommendations of the Central Review Committee.
- (x) The period of suspension of a member of Service suspended on charges of corruption **shall not exceed two years** but the same can be continued beyond two years on the recommendations of the Central review Committee.
- (xi) Appeal against suspension order shall be sent to the appellate authority along with comments **within thirty days** from the receipt of the appeal by the State Governments. If the original appeal along with the comments of the State Government is not received by the Central Government within stipulated period, the Central Government shall take a decision on the advance copy of the appeal received by them.
- (xii) If the memorial is against the orders of a State Government, it shall be submitted through the State Government concerned and if the memorial is against the orders of the Central Government, it shall be submitted through the Ministry or the authority concerned in the Central Government, and the State Government concerned, or as the case may be, the Ministry or authority in the Central Government shall forward the same together **within thirty days** from the receipt of the memorial by the State Governments with a concise statement of facts material thereto and, unless there are special reasons to the contrary, with an expression of its opinion thereon and if the original memorial along with the comments of the Ministry or the State Government concerned or as the case may be, is not received by the Central Government within stipulated period, the Central Government shall take decision on the advance copy of the memorial received by them.

Contd....3

(xiii) The Review Committee constituted by the State Government shall consist—

- (a) Chief Secretary - Chairman.
- (b) Senior most Additional Chief Secretary/Chairman, Board of Revenue/ Financial Commissioner or an officer of equivalent rank and status - Member.
- (c) Secretary, Department of Personnel in the State Government - Member Secretary.

(xiv) The composition of Central Ministry's Review Committee as provided in para 1 of Schedule 2 shall comprise of the following:-

(i)	Secretary, Department of Personnel & Training, Govt. of India	Chairperson
(ii)	Secretary to the Government of India in the concerned Ministry/Department or a member nominated by him not below the level of Additional Secretary	Member
(iii)	Additional Secretary / Establishment Officer, Department of Personnel & Training, Govt. of India	Member