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Secretary C.W.

Dy. No. 217

30/1/2014

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 17th January, 2014

**G.S.R. 27(E).**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, and in consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rule further to amend the Fundamental Rules, 1922, namely :—

1. (1) These rules may be called the Fundamental (First Amendment) Rules, 2014.  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Fundamental Rule, 1922, in rule 56, —
  - (a) in clause (k), in sub-clause (1), for item (c), the following shall be substituted namely :—

“(c) it shall be open to the Appropriate Authority to withhold permission to a Government servant, who seeks to retire under this clause, if,—

    - (i) the Government servant is under suspension; or
    - (ii) a charge sheet has been issued and the disciplinary proceedings are pending; or
    - (iii) if judicial proceedings on charges which may amount to grave misconduct, are pending.

**Explanation :—**For the purpose of this clause, judicial proceedings shall be deemed to be pending, if a complaint or report of a police officer, of which the Magistrate takes cognizance, has been made or filed in a criminal proceedings.”;

(b) for clause (m), the following shall be substituted, namely :—

“(m) A Government servant in Group ‘C’ post who is not governed by any pension rules, may, by giving notice of not less than three months in writing to the Appropriate Authority, retire from service after he has completed thirty years service :

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Provided that it shall be open to the Appropriate Authority to withhold permission to a Government servant, who seeks to retire proceedings.”;

- (i) the Government servant is under suspension; or
- (ii) a charge sheet has been issued and the disciplinary proceedings are pending; or
- (iii) if judicial proceedings on charges which may amount to grave misconduct, are pending.

**Explanation :—**For the purpose of this clause, judicial proceedings shall be deemed to be pending, if a complaint or report of a police officer, of which the Magistrate takes cognizance, has been made or filed in a criminal proceedings.”;

[No. 25013/3/2010-Estt. (A-IV)]

MAMTA KUNDRA, Jt. Secy.

**Note :** The Principal Rules, 1922 were published and came into force with effect from 1st January, 1922 and were subsequently amended vide following notification namely :—

**Ministry of Finance :**

1. Notification No. 12(2)-E.V. (C)-63 dated 21-7-1965
2. Notification No. 7(10)-E.V./63 dated 23-7-1966
3. Notification No. 7(6)-E.V./68 dated 8-7-1968
4. Notification No. 7(2)-E.V./67-I dated 17-5-1969
5. Notification No. 7(2)-E.V./69-I dated 26-5-1969
6. Notification No. 7(14)-E.V./67-I dated 26-5-1969
7. Notification No. 7(7)-E.V. (A)/74 dated 7-2-1975
8. Notification No. 7(8)-E.V. (A)/77 dated 20-8-1977

**Ministry of Home Affairs, Department of Personnel and A.R. :**

9. Notification No. 19017/1/79-Estt. (A) dated 30-11-1979
10. Notification No. 25013/4/80-Estt. (A) dated 11-9-1981
11. Notification No. 15013/4/80-Estt. (A) dated 12-6-1982
12. Notification No. 26012/14/83-Estt. (A) dated 11-10-1983
13. Notification No. 25013/25/83-Estt. (A) dated 25-02-1984

**Department of Personnel and Training :**

14. Notification No. 25013/25/83-Estt. (A) dated 2-7-1985
15. Notification No. 25013/10/87-Estt. (A) dated. 7-10-1988
16. Notification No. 25013/11/87-Estt. (A) dated 11-5-1989
17. Notification No. 25012/2/86-Estt. (A) dated 30-8-1993
18. Notification No. 28020/1/96-Estt. (C) dated 9-2-1998
19. Notification No. 25012/2/97-Estt.m(A) dated 13-5-1998 [G.S.R. No. 248 (E) dated. 13.5.1998]
20. Notification No. 25012/2/97-Estt.(A) dated 27-5-1998 [G.S.R. No. 276 (E) dated 27-5-1998]
21. Cordgm. No. 25012/2/97-Estt.(A) (i) dated 12-11-1998
22. Cordgm. No. 25012/2/97-Estt. (A) (ii) dated 12-11-1998
23. Notification No. 25012/2/97-Estt. (A) dated 8-12-1998 [G.S.R. NO. 724(E) dated 8-12-1998]
24. Notification No. 25012/2/97-Estt. (A) dated 25-1-1999 [G.S.R. No.49 (E) dated 25-1-1999]
25. Notification No. 24012/4/2001-Estt. (A) dated 04-07-2001 [G.S.R. No.506 (E) dated 4-7-2001]
26. Notification No. 25012/6/2001-Estt. (A) dated 27-02-2002 [G.S.R. No. 117(E) dated 27-2-2002]