

No. 17-30/2019-GDS
Government of India
Ministry of Communications
Department of Posts
(GDS Section)

Dak Bhawan, Sansad Marg,
New Delhi-110001

Dated: 14th February, 2020

To

All Chief Postmasters General/Postmasters General

Subject :Department of Posts, Gramin Dak Sevaks (Conduct and Engagement)
Rules, 2020 - regarding.

Sir/Madam,

The existing Department of Posts, Gramin Dak Sevaks (Conduct and Engagement) Rules, 2011 has been amended from time to time by issue of suitable amendments. In supersession of the existing rules issued in 2011, the Department of Posts, Gramin Dak Sevaks (Conduct and Engagement) Rules, 2020 are hereby circulated by incorporating all the amendments.

2. In brief, revision/amendments/insertions made in the existing rules are as follows:-

- (i) These rules called "Gramin Dak Sevaks (Conduct and Engagement) Rules, 2020" containing 31 rules are issued replacing the existing set of rules called the "Department of Posts", Gramin Dak Sevaks (Conduct and Engagement) Rules, 2011 containing 31 Rules. Rule 3-B, 3-C, 7-A, 7-B, 10-A to 10-G, 21-A and 21-B have been inserted as new rules in the "Gramin Dak Sevaks (Conduct and Engagement) Rules, 2020".
- (ii) Rationalisation of existing 5 categories of GDS in 3 categories Viz Branch Postmasters, Assistant Branch Postmasters and Dak Sevaks under Rule 3 (c) with a suitable note below.

- (iii) Rule below 3-A (vii) has been replaced with appropriate sentence relating to applicability of the conditions of residence to Gramin Dak Sevaks.
- (iv) Rule 3-B and 3-C have been incorporated in connection with Eligibility Criteria for Engagement to GDS Posts and two types of Voluntary Discharge Schemes for GDS respectively.
- (v) Rule 4 has been amended by making some modifications.
- (vi) Rule- 7 has been amended by incorporating Rule 7-A and 7-B in connection with 5 days Emergency Leave to GDS and 180 days Maternity Leave to Female GDS.
- (vii) Rule-8 has been amended by incorporating some modification and also a note regarding non eligibility of GDS Gratuity and Severance amount etc.
- (viii) Rule -9 has been amended with regard to Major and Minor penalties.
- (ix) Rule 12 has been modified for treating the period of Put Off duty in case the procedure initiated for imposition of a minor penalty.
- (x) Rule 23 has been amended by incorporating treatment of Strike period.
- (xi) Rule 31 Schedule of Engaging Authority has been amended by incorporating Disciplinary Authority and Appellate Authority.
- (xii) The words 'Recruiting Authority', 'Recruitment' and 'Service' whenever appears in the existing rules have been replaced with words 'Engaging Authority' and 'Engagement'.
- (xiii) The Conduct and Engagement Rules, 2020 shall be applicable to all existing categories of GDS including those GDS categories which have been declared as wasting cadre as long as they remain in engagement.

3. You are requested to ensure that the enclosed revised set of Rules called the Department of Posts, Gramin Dak Sevaks (Conduct and Engagement) Rules, 2020 is further circulated to all concerned in your Circle at the earliest and send confirmation to this office within a week's time.



4. Hindi version will follow.

Yours faithfully,

(SB Vyavahare)

Assistant Director General (GDS/PCC)

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DEPARTMENT OF POSTS, GRAMIN DAK SEVAKS (CONDUCT AND
ENGAGEMENT) RULES, 2020

In supersession of the Department of Posts, Gramin Dak Sevaks (Conduct and Engagement) Rules, 2011 except as respects things done or omitted to be done before such supersession, the following rules are issued under the authority of the Government of India.

1. Short Title and Commencement :-

- (1) These rules may be called the Department of Posts, Gramin Dak Sevaks (Conduct & Engagement) Rules, 2020.
- (2) They shall come into force on and from the date of their circulation.

2. Application:-

These rules shall apply to Gramin Dak Sevaks of Department of Posts, Ministry of Communications, Government of India.

3. Definitions:- In these rules, unless the context otherwise requires:-

- (a) "Engaging Authority" means an authority empowered to engage GDS on the basis of GDS (Conduct and Engagement) Rules, 2020.
- (b) "Assistant Superintendent Posts/Inspector Posts" in relation to a Postal/Railway Mail Service Sub Division, the Assistant Superintendent or Sub-Divisional Inspector or Railway Mail Service in charge of Sub Division, as the case may be;
- (c) "Government" means the Central Government;
- (d) "Gramin Dak Sevak" means: -
 - (i) *a Branch Postmaster
 - (ii) *an Assistant Branch Postmaster
 - (iii) *a Dak Sevak

*Note- 1 - Gramin Dak Sevaks other than Branch Postmasters (BPMs) and working in Branch Post offices are designated and called as "Assistant Branch Postmasters (ABPMs)"

*Note-2 -Gramin Dak Sevaks other than Branch Postmasters (BPMs) and working in Departmental Post offices/RMS Offices/other offices are designated and called as "Dak Sevak"

*The above categories are rationalized vide Department of Posts, OM No.17-31/2016-GDS dated 25.06.2018 and 22.07.2019.

- (e) "Head of a Circle" means the Head of a Postal Circle and includes Chief Postmaster-General;
- (f) "Head of a Division" in relation to a Postal or Railway Mail Service, the Senior Superintendent or Superintendent of a Postal or Railway Mail Service Division, as the case may be;
- (g) "Head of a Region" in a Postal Circle means Postmaster-General (Region);
- (h) "Members of the family" in relation to a Gramin Dak Sevak includes :-
- (i) the wife, child or step child of such Sevak, whether residing with him or not, and in relation to a Sevak who is a woman, the husband residing with her and dependent on her; and
 - (ii) any other person related, whether by blood or by marriage to such Sevak or to such Sevaks' wife or husband and wholly dependent on such Sevak, but does not, include a wife or husband legally separated from such Sevak or a child or step child who is no longer in any way dependent upon such Sevak or of whose custody the Sevak has been deprived by any law; only widow and dependent Daughter-in-law.
- (i) "Record officer" in relation to Railway Mail Service, the Sub Record Officer or the Head Record Officer in charge of a Sub Record Office or Head Record Office;

- (j) "Sevak" means a person working as a Gramin Dak Sevak;
- (k) "Postmaster" in relation to a Post Office, Gazetted Postmaster, Postmaster in Higher or Lower Selection Grade, norm based Post Office (in his own office) except a Postmaster in charge of an A,B &C class Sub Post Office.

NOTE I - The persons holding the posts of Extra-Departmental Agents under the Posts and Telegraphs Extra-Departmental Agents (Conduct & Service) Rules, 1964 or *Gramin Dak Sevaks* (Conduct and Engagement) Rules, 2001 or Gramin Dak Sevaks (Conduct and Engagement) Rules, 2011 on regular basis on the date of commencement of these rules shall be deemed to have been engaged to and hold the posts of Gramin Dak Sevaks in accordance with the provisions of these rules;

3-A Terms and Conditions of Engagement:-

- (i) A Sevak shall not be required to perform duty beyond a maximum period of 5 hours in a day;
- (ii) A Sevak shall not be retained beyond 65 years of age;
- (iii) A Sevak shall have to give an undertaking that he has other sources of income besides the allowances paid or to be paid by the Government for adequate means of livelihood for himself and his family;
- (iv) A Sevak can be transferred from one post/unit to another post/unit in public interest/administrative/vigilance ground;
- (v) A Sevak shall be outside the Civil Service of the Union;
- (vi) A Sevak shall not claim to be at par with the Central Government employees;
- (vii) Residence in post village/delivery jurisdiction of the Post Office within one month after selection but before engagement shall be mandatory for a Sevak; Failure to reside in place of duty for GDS BPM & within delivery jurisdiction of the Post Office for other categories of Gramin Dak Sevaks after engagement shall be treated as violative of conditions of engagement and liable for disciplinary action under Rule 10 of the Conduct & Engagement Rules, requiring removal/dismissal;

- (viii) Post Office shall be located in the accommodation to be provided by Gramin Dak Sevak Branch Postmaster suitable for use as Post Office premises. However, where accommodation is provided for Post Offices by the Central/ State Government/Local Government/Village Panchayat etc. the same will be used for Post Office premises.
- (ix) Combination of duties of a Sevak shall be permissible;

3-B Eligibility Criteria for Engagement to Gramin Dak Sevaks Posts:-

I. Age Limit:

The minimum and maximum age for the purpose of engagement to GDS posts shall be 18 and 40 years respectively as on the date of notification of the vacancy. Permissible relaxation in upper age limit for different categories as prescribed. are as under:-

Sl.No.	Category	Permissible age relaxation
1.	Schedule Caste/Scheduled Tribe (SC/ST)	5 years
2.	Other Backward Classes (OBC)	3 years
3.	Economically Weaker Sections (EWS)	No relaxation*
4.	Persons with Disabilities (PwD)	10 years*
5.	Persons with Disabilities (PwD) + OBC	13 years*
6.	Persons with Disabilities (PwD) + SC/ST	15 years*

Note:- 1* There will be no relaxation in upper age limit to EWS candidates. However, the persons belonging to EWSs who are not covered under the scheme of reservation for SCs, STs and OBCs shall get 10% reservation in engagement to Gramin Dak Sevaks posts in the Department of Posts as prescribed in Directorate letter No 17-09/2019 dated 26.02.2019.

Note:-2* All engaging authorities shall maintain the above age relaxation for persons with disability for all categories of GDS posts. This relaxation however is not applicable for persons with benchmark of disability "Blind", as in place of blind, candidate with Low Vision have been identified as prescribed in Directorate letter No. 17-8/2017-GDS dated 26.02.2019. Relaxation in upper age limit is subject to the condition that maximum age of the applicant on the crucial date shall not exceed 56 years.

II. Educational Qualification:

(i) Secondary School Examination pass certificate of 10th standard with passing marks in Mathematics and English (having been studied as compulsory or elective subjects) conducted by any recognized Board of School Education of the Government of India/State Governments/ Union Territories in India shall be a mandatory educational qualification for all approved categories of Gramin Dak Sevaks (i.e. BPM, ABPM & Dak Sevak) as prescribed from time to time.

(ii) Compulsory knowledge of Local Language:

The candidate should have studied the local language at least up to 10th standard [as compulsory or elective subjects] as declared by the State Government or as per constitutional provisions relating to the 8th schedule of Constitution of India as prescribed by the Department from time to time.

(iii) Basic Computer Training:

The candidates for all approved categories of GDS referred to in (i) above will be required to furnish Basic Computer Training Course Certificate of at least 60 days duration, from any Computer Training Institute run by Central Government/State Government / Universities / Boards / Private Institutions Organizations. This requirement of basic computer knowledge certificate shall be relaxable in cases where a candidate has studied computer as a subject in Matriculation or class XII or any other higher educational level and in such cases, a separate certificate will not be insisted upon.

III. Residence:

The condition of residence shall apply as stipulated in Rule 3-A (vii) of GDS (Conduct and Engagement) Rules, 2020. The candidates must provide accommodation for Branch Post Office after selection but before engagement as prescribed by the Department from time to time unless accommodation is provided by other agencies.

IV. Knowledge of Cycling:

Knowledge of Cycling is a pre-requisite condition for all GDS posts. In case of a candidate having knowledge of riding a scooter or motor cycle, that may be considered as knowledge of cycling. The candidate has to submit a declaration to this effect.

V. Adequate means of Livelihood:

The condition of adequate means of livelihood shall apply as stipulated in Rule 3-A (iii) of GDS (Conduct and Engagement) Rules, 2020. However, this condition shall not be a pre-requisite for candidates for the purpose of applying to the GDS post or selection there to and the selected candidate shall be required to comply with this prescribed condition within 30 days after selection but before engagement. The GDS will also have to ensure that he/she is having adequate additional means of livelihood during the period of engagement till his discharge.

VI. Furnishing of Security:

On engagement as GDS, the person so engaged shall be required to furnish security in such manner as may be prescribed from time to time.

VII. Fulfillment of other terms and conditions:

Terms and conditions of engagement to GDS posts shall apply as stipulated in the relevant rules of GDS (Conduct & Engagement) Rules, 2020 modified from time to time by the Department of Posts.

VIII. Adequate representation of SC/ST/OBC, Persons with Disability & Economically Weaker Sections (EWSs).

The instructions issued by the Department vide no.19-11/97-ED & TRG dated 27.11.1997, No. 17-08/2017-GDS dated 26.02.2019 and No.17-09/2019-GDS dated 26.02.2019 providing for adequate representation of SC/ST/OBC communities, Persons with Disability and Economically Weaker Sections (EWSs) respectively will continue to apply.

IX. Production of SC/ST/OBC/Disability/Economically Weaker Sections Certificate :-

Production of SC/ST/OBC/Disability/EWSs certificate in the prescribed format would be compulsory in case of such candidates.

X. Time Related Continuity Allowance (TRCA)

(i) The following Minimum TRCA shall be payable to the different categories of GDS posts as mentioned in Directorate Order No 17-31/2016-GDS dated 25.06.2018 and letter no. 17-2/2018-GDS dated 22.03.2019 and as may be prescribed by the Government on the basis of workload/revenue norms as per the standard of assessment decided by the department from time to time:-

Minimum TRCA of all categories of GDS as per Working hrs/Levels			
Sl.No.	Category	Minimum TRCA for 4 Hours/level 1	Minimum TRCA for 5 Hours/level 2
1	BPM	Rs.12000/-	Rs.14500/-
2	ABPM/Dak Sevaks	Rs.10000/-	Rs.12000/-

(ii) However, in respect of the GDSs engaged on or after 01.07.2018, the initial fixation of TRCA will be done on the first stage of Level -1 of the respective category.

XI. Method of Engagement:

Method of engagement will continue to be as online engagement process for engagement of all categories of GDS as prescribed from time to time.

(i) Exemption of fee for applying on GDS Posts:

Male applicants belonging to the category UR/OBC/EWS have to pay a fee as prescribed. Payment of fee is exempted for all female candidates, all SC/ST candidates and all PwD candidates.

XII. Job Profile:

(i) BRANCH POSTMASTER (BPM):

The Job Profile of Branch Postmaster will include managing affairs of GDS Branch Post Office, India Post Payments Bank (IPPB) and ensuring uninterrupted counter operation during the prescribed working hours using the handheld device/Smartphone supplied by the Department. The overall management of postal facilities, maintenance of records, upkeep of handheld device, ensuring online transactions, and marketing of Postal, India Post Payments Bank services and procurement of business in the villages or Gram Panchayats within the jurisdiction of the Branch Post Office should rest on the shoulders of Branch Postmasters. However, the work performed for IPPB will not be included in calculation of TRCA, since the same is being done on incentive basis. Branch Postmaster will be the team leader of the GDS Post Office and will have overall responsibility of smooth and timely functioning of Post Office including mail conveyance and mail delivery. He/she might be assisted by Assistant Branch Postmaster of the same Branch Post Office. BPM will be required to do combined duties of ABPMs as and when ordered. He/she will also be required to do marketing, organizing melas, business procurement and any other work assigned by IP/ASP/SPOs/SSPOs/SRM/SSRM etc. In some of the Branch Post Offices, the BPM has to do all the work of BPM/ABPM.

(ii) ASSISTANT BRANCH POSTMASTER (ABPM):

The Job Profile of Assistant Branch Postmaster will include all functions of sale of stamps/stationery, conveyance and Delivery of mail at doorstep deposits/payments/other transactions under IPPB, assisting Branch Postmasters in counter duties using the handheld device/Smart phone supplied by the Department. However, the work performed for IPPB will not be included in calculation of TRCA, since the same is being done on incentive basis. He/She will also be required to do marketing, organizing melas, business procurement and any other work assigned by the Branch Postmaster or IP/ASP/SPOs/SSPOs/SRM/SSRM etc. ABPMs will also be required to do Combined Duty of BPMs as and when ordered.

(iii) DAK SEVAK

The Job Profile of Dak Sevaks will include all functions viz sale of stamps and stationery, conveyance and delivery of mail and any other duties assigned by Postmaster/Sub Postmaster including IPPB work in the Departmental Post Offices/RMS. However, the work performed for IPPB will not be included in calculation of TRCA, since the same is being done on incentive basis. He/She may also have to assist Postmasters/Sub Postmasters in managing the smooth functioning of Departmental Post Offices and do marketing, business procurement or any other work assigned by the Postmaster or IP/ASP/SPOs/SSPOs/SRM/SSRM etc.

3-C Voluntary Discharge Schemes:-

All categories of Gramin Dak Sevaks (GDSs) can avail of the Voluntary Discharge Scheme on completion of 20 years of engagement period or on medical grounds as per instructions issued from time to time by the Department.

4. Engaging Authority :-

- (1) The Engaging Authority in respect of each category of Sevak shall be as shown in the Schedule annexed to these rules.

- (2) If any doubt arises as to who is the appropriate Authority in any case, the matter shall be referred to the Director General (Posts), whose decision thereon shall be final.
- (3) Notwithstanding anything contained in these rules, any authority superior to the Engaging Authority as shown in the Schedule under Rule 31 of GDS (Conduct & Engagement) Rules, 2020 may, at any time, either on its own motion or otherwise call for the records relating to the engagement of Gramin Dak Sevak made by the Engaging Authority, and if such Engaging Authority appears:-
- (a) to have exercised a jurisdiction not vested in it by any law or rules time being in force; or
 - (b) to have failed to exercise a jurisdiction so vested; or
 - (c) to have acted in the exercise of its jurisdiction illegally or with material irregularity, such superior authority may, after giving an opportunity of being heard, make such order as it thinks fit directing the engaging authority to act under Rule 8 of GDS (Conduct & Engagement) Rules or to have initiated action to remove from engagement after following the procedure laid down under Rule 10 of the Rules including order for cancellation / rectification of the engagement process.

5. Powers of the Engaging Authority :

The powers of the Engaging Authority in the matter of awarding any of the penalties specified in Rule 9 may be exercised by an authority which has been shown in the Schedule annexed to these rules or by any other authority empowered in this behalf by a special order of the Head of the Circle or the Head of the Region under circumstances to be recorded in writing:

Provided that in no case, the authority so appointed shall be lower in rank than the authority who originally engaged the Gramin Dak Sevak.

6. Pension/GDS Gratuity/Severance Amount:

The Garmin Dak Sevaks shall not be entitled to any pension. However, they shall be entitled to GDS gratuity, Severance amount or SDBS as may be decided by the Government from time to time.

7. Leave :

The Gramin Dak Sevaks may be granted paid leave at the rate of 20 days in a year (10 days for every half year) without accumulation or as may be determined by the Government, from time to time.

Provided that -

- (a) where a Sevak fails to resume duty on the expiry of the maximum period of leave admissible and granted to him/her, or
- (b) where such a Sevak who is granted leave for a period less than the maximum period admissible to him/her under these rules, remains absent from duty for any period which together with the leave granted exceeds the limit up to which he/she could have been granted such leave, he/she shall, unless the Government, in view of the exceptional circumstances of the case, otherwise decides, be removed from engagement after following the procedure laid down in Rule 10.

7-A Emergency Leave :-

Gramin Dak Sevaks shall be entitled for 'Emergency' leave for a maximum of 5 days in a calendar year, or as may be prescribed by the Government from time to time.

7-B Maternity Leave for Female GDS:-

A female Gramin Dak Sevak (GDS) with less than two surviving children may be granted maternity leave by an authority competent to grant leave for a period of 180 days from the date of its commencement, as per instructions issued by the Department from time to time.



8. Termination of Engagement:-

(1) The engagement of a Sevak who has not already rendered more than three years' continuous engagement from the date of his/her engagement shall be liable to be terminated at any time by a notice in writing given either by the Sevak to the Engaging Authority, or by the Engaging Authority or any Authority to which the Engaging Authority is subordinate or any other Authority empowered in that behalf by the Government, by general or special order, to the Sevak;

(2) The period of such notice shall be one month.

Provided that the engagement of any such Sevak may be terminated forthwith and on such termination, the Sevak shall be entitled to claim a sum equivalent to the amount of Basic Time Related Continuity Allowance *plus* Dearness Allowance as admissible for the period of the notice at the same rates at which he/she was drawing them immediately before the termination of his/her engagement, or, as the case may be, for the period by which such notice falls short of one month.

NOTE -1 : Where the intended effect of such termination has to be immediate, it should be mentioned that one month's Time Related Continuity Allowance *plus* Dearness Allowance as admissible is being remitted to the Sevak in lieu of notice of one month through money order.

NOTE -2 : When engagement of a GDS is terminated under this Rule, he/she shall not be eligible for GDS Gratuity and Severance amount etc.

9. Nature of Penalties:-

The following penalties may, for good and sufficient reasons and as hereinafter provided, to be imposed by the Engaging Authority, namely:-

Minor Penalties

- (i) Censure;
- (ii) Debarring of a Sevak from appearing in the recruitment examination for the post of Multi Tasking Staff and /or Postman and /or Mail Guard and/or from being considered for recruitment

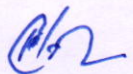
as Postal Assistants /Sorting Assistants for a period not exceeding three years;

- (iii) Debarring of a Sevak from being considered for recruitment to Multi Tasking Staff on the basis of selection-cum-seniority for a period not exceeding three years;
- (iv) Recovery from Time Related Continuity Allowance (TRCA) of the whole or part of any pecuniary loss caused to the Government by negligence or breach of orders;
- (v) Withholding of annual increase in Time Related Continuity Allowance (TRCA) without cumulative effect for a period not exceeding three years;

Major Penalties :

- (vi) Reduction to a lower stage in the TRCA slab for a specified period exceeding three years (not in nature of permanent measure) with further direction as to whether or not the Sevak will earn annual increase during the period of reduction and whether on expiry of such period, the reduction will or will not have the effect of postponing the future increase of his / her Time Related Continuity Allowance (TRCA).
- (vii) Compulsory Discharge from engagement with monetary benefits (i.e. SDBS etc.) and GDS Gratuity proportionate to engagement period rendered by GDS, as per conditions laid down in Department of Posts O.M. No 17-31/2016-GDS dated 27th June, 2018.
- (viii) Removal from engagement which shall not be a disqualification for future engagement;
- (ix) Dismissal from engagement, which shall ordinarily be a disqualification for future engagement.

Note: The Penalty of recovery under Rule 9 (iv) can be imposed fully without any restriction."



10-A. Procedure for imposing Minor penalty:-

- (i) No order imposing any of the penalties specified in Clause (i) to (v) of Rule 9 shall be passed on a GDS except after:-
 - (a) The Sevak is informed in writing of the proposal to take action against him/her and of the allegation on which it is proposed to be taken and given an opportunity to make any representation he/she may wish to make; and
 - (b) such representation, if any, is taken into consideration by the engaging Authority.

10-B. Procedure for imposing Major penalty:-

- (i) No order imposing any of the penalties specified in clause (vi) to (ix) of Rule 9 shall be passed on a GDS except after:-
 - (a) The Sevak is informed in writing of the proposal to take action against him/her and of the allegation on which it is proposed to be taken and given an opportunity to make any representation he/she may wish to make; and
 - (b) such representation, if any, is taken into consideration by the Engaging Authority.

Provided that, the major penalty shall not be imposed except after an inquiry in which he/she has been informed of the charges against him/her and has been given a reasonable opportunity of being heard in respect of those charges:

Provided further that where it is proposed after such inquiry, to impose upon him/her any such penalty, such penalty may be imposed on the basis of the evidence adduced during the inquiry.

10-C. The record of proceedings shall include:-

- (i) A copy of the intimation to the Sevak of the proposal to take action against him/her;

- (ii) a copy of the statement of allegations, along with a list of evidence in support thereof, communicated to him/her;
- (iii) his/her representation, if any;
- (iv) the records of the inquiry proceedings along with the inquiry report of the Engaging Authority or Inquiry Officer, if any, appointed in a case where a formal inquiry is necessary;
- (v) the representation, if any of the Sevak on the Inquiry Officer's report;
- (vi) findings of the Engaging Authority in respect of the allegations;
- (vii) the order imposing the penalty.

10-D. Inquiry has to be conducted even if the GDS accepts the charges in the cases where major penalty is to be imposed by Engaging Authority. The purpose of holding inquiry in such cases is primarily to give the GDS adequate opportunity to defend himself/herself. In case the charge is accepted by him/her unconditionally, there would obviously be no need for an inquiry for imposing major penalty.

10-E. Normally, there is no need for conduct of an inquiry for imposing minor penalty to GDS. However, where a minor penalty is to be imposed under Rule 10, it is upto the discretion of Disciplinary Authority to decide whether an inquiry should be held or not in case of a request by the delinquent GDS received by the Disciplinary/Engaging Authority. The implication of this rule is that, on receipt of representation of delinquent GDS concerned on the imputations of misconduct or misbehavior communicated to him/her, the Disciplinary/Engaging Authority should apply its mind to all facts and circumstances and reasons urged in the representation for holding a detailed inquiry and form an opinion whether an inquiry is necessary or not. In a case where delinquent GDS has asked for inspection of certain documents and cross-examination of the prosecution witnesses, the Disciplinary/Engaging Authority should naturally apply its mind more closely to the request and should not reject

the request solely on the ground that an inquiry is not mandatory. If the records indicate that, notwithstanding the points urged by the delinquent GDS, the Disciplinary/Engaging Authority could, after due consideration, come to the conclusion that an inquiry is not necessary, it should say so in writing indicating its reasons, instead of rejecting the request for holding inquiry summarily without any indication that it has applied its mind to the request, as such an action could be construed as denial of natural justice.

10-F. Procedure for imposing penalty after discharge:-

- (1) The departmental proceedings under rule 10, if instituted while a Sevak was in engagement shall after the discharge of the Sevak on attaining the age of sixty five years be deemed to be proceedings under that rule and shall be continued and concluded by the authority by which the proceedings were commenced in the same manner as if the Sevak had continued in engagement and in such case the function of the disciplinary authority shall be only to reach a finding on the charges and to submit a report recording its findings to the President and the final decision on such report shall be taken in the same manner as in the case of review petitions of the Sevaks addressed to the President and no appeal shall lie against such decision.
- (2) The President reserves to himself the right of withholding group insurance amount, security amount, post-engagement benefits like *ex-gratia* gratuity/GDS Gratuity and severance amount of a Sevak, by ordering recovery from these amounts in case a Sevak is found guilty of grave misconduct or negligence during the period of his engagement.
- (3) For the purpose of this rule, departmental proceedings shall be deemed to be instituted on the date on which statement of charge is issued to the Sevak or if Sevak had been put off duty, on the date on which he/she had been so put off.

10-G. Procedure for disciplinary proceedings after discharge:-

- 1 (a) The departmental proceedings under Rule 10, if not instituted and the GDS is discharged on attaining of age of 65 years and his/her terminal benefits have not been released on the ground that, departmental proceedings under Rule 10 were proposed to be instituted shall be instituted after the discharge of the Sevak on attaining the age of Sixty Five years and be deemed to be proceedings under that rule and shall be continued and

concluded by the authority by which the proceedings were proposed to be instituted and in such case, the function of the Disciplinary Authority shall be only to reach a finding on the charges and to submit a report recording its findings to the President and the final decision on such report shall be taken in the same manner as in the case of review petitions of the Sevaks addressed to the President and no appeal shall lie against such decision.

(b) Provided that, the departmental proceedings are not instituted while the GDS was in engagement, before his discharge:-

- (i) Shall not be instituted save with the sanction of the President,
- (ii) Shall not be in respect of any event which took place more than four years before such institution, and
- (iii) Shall be conducted by such authority and in such place as the President may direct and in accordance with the procedure applicable to departmental proceeding in which an order of dismissal from engagement could be made in relation to the GDS during his/her engagement.

(c) The President reserves to himself/herself the right of withholding security amount, post-engagement benefits like GDS gratuity and Severance Amount of a Sevak, by ordering recovery from these amounts in case a Sevak is found guilty of grave misconduct or negligence during the period of his/her engagement.

2. For the purpose of this Rule:-

- (i) Departmental proceedings shall be deemed to be instituted on the date on which the statement of charges is issued to the Gramin Dak Sevak or discharged Gramin Dak Sevak or if the Gramin Dak Sevak has been placed under Put Off Duty from an earlier date, on such date; and
- (ii) Judicial proceedings shall be deemed to be instituted :-
 - (a) in the case of criminal proceedings, on the date on which the complaint or report of a police officer, of which the Magistrate takes cognizance, is made, and

- (b) in the case of civil proceedings, on the date the plaint is presented in the court.

NOTE:-1-Standard form for issue of charge sheet to GDS under Minor and Major Penalties are mentioned at Appendix-I to Appendix-III.

11. Provisions of Rule 10 shall not apply:-

- (i) Where any penalty is imposed on a Sevak on the ground of conduct which has led to his/her conviction on a criminal charge; or
- (ii) Where the Authority empowered to dismiss or remove a Sevak is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to hold such enquiry; or
- (iii) Where the President is satisfied that in the interest of the security of the State it is not expedient to follow the procedure prescribed in that rule; and the Engaging Authority may consider the circumstances of the case and make such orders thereon as it deems fit.

12. Put Off Duty:-

- (1) The Engaging Authority or any authority to which the Engaging Authority is subordinate or any other authority empowered in that behalf by the Government, by general or special order, may put a Sevak off duty;
- (a) Where a disciplinary proceeding against him/her is contemplated or is pending; or
- (b) Where a case against him/her in respect of any criminal offence is under investigation, inquiry or trial:

Provided that in cases involving fraud or embezzlement, the Sevak holding any post specified in the Schedule to these rules may be put off duty by the Inspector of Post Offices or the Assistant Superintendent of Post Offices of the Sub-Division, as the case may be, under immediate intimation to the Engaging Authority.

(2). Where Inspector of Post Offices or the Assistant Superintendent of Post Offices of the Sub-Division is not the Engaging Authority, an order made by them under Sub-Rule (1) shall cease to be effective on the expiry of fifteen days from the date of such order unless earlier confirmed or cancelled by the Engaging Authority or the Authority to which the Engaging Authority is subordinate.

(3). A Sevak shall be entitled to an amount of compensation as ex-gratia payment equal to 25% of his/her Time Related Continuity Allowance together with admissible Dearness Allowance per month for the period of put off duty.

Provided that where the period of put of duty exceeds 90 days, the Engaging Authority or the authority to which the Engaging Authority or any other authority empowered in this behalf, as the case may be, who made the order of put duty shall be competent to vary the amount of compensation for any period subsequent to the period of first 90 days as follows:-

- (i) The amount of compensation as ex-gratia payment may be increased by a suitable amount, not exceeding 50% of such compensation admissible during the period of the first 90 days, if in the opinion of the said authority the period of put off duty has been prolonged, for reasons to be recorded in writing, not directly attributable to the Sevak.
- (ii) The amount of compensation as ex-gratia payment may be reduced by a suitable amount not exceeding 50% of such compensation admissible during the first 90 days, if in the opinion of the said authority, the period of put off duty has been prolonged due to reasons to be recorded in writing directly attributable to the Sevak.

Note 1. - The rate of Dearness Allowance will be based on the increased or decreased amount of compensation admissible under sub-clauses (i) and (ii) above.

Note-2.- The payment of compensation for the put off duty period shall not be subject to furnishing of a certificate that the Sevak is not engaged in any other employment, business, profession or vocation;

Provided that a Sevak who has been absconding or remains absent unauthorizedly and is subsequently put off duty shall not be entitled to any compensations as ex-gratia payment;

Provided further that in the event of departmental proceedings initiated against a GDS (who was placed under put off duty) for imposition of major penalty finally ends with the imposition of a minor penalty, the Sevak concerned should, be paid full Time Related Continuity Allowance and allowances for the period of put off duty.

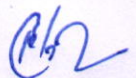
(4). Where a penalty of dismissal or removal from engagement imposed upon a Sevak putting him off the duty under this rule is set aside in appeal or on review under these rules and the case is remitted for further inquiry or action with any other direction, the order of putting him/her off duty shall be deemed to have continued in force on and from the date of the original order of dismissal or removal and shall remain in force until further orders.

(5). Where a penalty of dismissal or removal from engagement imposed upon a Sevak, is set aside or declared or rendered void in consequence for by a decision of a Court of Law and the disciplinary authority, on a consideration of the circumstances of the case, decides to hold a further inquiry against the Sevak on the allegations on which the penalty of dismissal or removal was originally imposed, the Sevak shall be deemed to have been put off duty by the Engaging Authority from the date of original dismissal or removal and shall continue to remain on put off duty until further orders.

Provided that no such further inquiry shall be ordered unless it is intended to meet a situation where the Court has passed an order purely on technical grounds without going into the merits of the case.

NOTE.- The period of putting a Sevak off duty including the period of deemed putting him/her off duty shall be decided by the Competent Authority after de-novo proceedings in this regard are finalized and compensation as ex-gratia payment for the concerned period shall be regulated according to provisions of sub -rule (3). The break caused due to putting the Sevak off duty shall be regulated as per extant provisions issued from time to time by the Central Government for this purpose.

Note.- Any payment made under this rule to a Sevak on reinstatement shall be subject to adjustment of compensation already paid as ex-gratia.



13. Appeal:-

- (1) A Sevak may appeal against an order putting him/her off duty to the authority to which the authority passing the order regarding putting him/her off duty is immediately subordinate.
- (2) A Sevak may appeal against an order imposing on him/her any of the penalties specified in Rule 9 to the authority to which the authority imposing the penalty is immediately subordinate.

14. Period of limitation for Appeal :-

No appeal shall be entertained unless it is submitted within a period of three months from the date on which the appellant receives a copy of the order appealed against.

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

15. Form and contents of Appeal :-

- (1) Every Sevak submitting an appeal shall do so separately and in his/her own name.
- (2) The appeal shall be addressed to the authority to whom the appeal lies under Rule 13, shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in itself.

16. Submission and withholding of Appeal :-

Every appeal shall be submitted to the authority which made the order appealed against. That authority may withhold the appeal if-

- (i) It does not comply with any of the provisions of Rule 15; or
- (ii) It is not submitted within the period specified in Rule 14 and no cause is shown for the delay; or
- (iii) It is repetition of any appeal already decided and no new facts or circumstances are adduced.

Provided that an appeal withheld on the only ground that it does not comply with the provisions of Rule 15 shall be returned to the

appellant and, if resubmitted within one month thereof after compliance with the said provisions, shall not be withheld.

(1) Where an appeal is withheld, the appellant shall be informed of the fact and the reason therefor.

(2) At the commencement of each quarter, a list of the appeals withheld by any authority during the previous quarter together with the reasons for withholding them shall be furnished by that authority to the Appellate Authority.

17. Transmission of Appeal :-

(1) The authority which made the order appealed against shall, without any avoidable delay, transmit to the Appellate Authority every appeal which is not withheld under Rule 16 together with its comments thereon and the relevant records.

(2) The authority to which the appeal lies may direct transmission to it of any appeal withheld under Rule 16 and thereupon such appeal shall be transmitted to that authority together with the comments of the authority withholding the appeal and the relevant records.

18. Consideration of Appeal :-

The Appellate Authority shall consider:-

- (a) whether the procedure specified in these rules has been complied with;
- (b) whether the findings are justified; and
- (c) whether the penalty imposed is excessive, adequate or inadequate; and passing orders,
 - (i) setting aside, reducing, confirming or enhancing the penalty;
 - (ii) remitting the case to the authority which imposed the penalty or to any other authority with such direction as it may deem fit in the circumstances of the case.

Provided that no order imposing an enhanced penalty shall be passed unless the appellant is given an opportunity of making any representation which he may wish to make against such enhanced penalty.

19. Revision :-

(1) Notwithstanding anything contained in these rules-

(i) Regional PMG, for those Gramin Dak Sevaks who work in region headed by PMG; and in the rest of the cases by the Head of the Circle (Chief Postmaster General),

(iii) Any other authority immediately superior to the authority passing the orders; or

(iv) Any other authority specified in this behalf by the Government by general or special order, and within such time as may be specified in that general or special order; may, at any time, either on its own motion or otherwise call for records of any enquiry or disciplinary case and revise an order made under these rules, reopen the case and after making such enquiry as it considers necessary, may

(a) confirm, modify or set aside the order, or

(b) pass such orders as it deems fit."

Provided that no such case shall be reopened under this rule after the expiry of six months from the date of the order to be revised except by the Government or by the Head of Circle or by the Postmaster-General (Region) and also before the expiry of the time limit of three months specified for preferring an appeal under Rule 14.

Provided further that no order imposing or enhancing any penalty shall be made by any Revisionary Authority unless the Sevak concerned has been given a reasonable opportunity of making a representation against the penalty proposed and where it is proposed to impose any of the penalties specified in Clauses (v) and (vi) of Rule 9 or to enhance the penalty imposed by the order sought to be revised to any of the penalties specified in those clauses, no such penalty shall be imposed except after the inquiry in the manner laid down in Rule 10, in case no such inquiry has already been held.

(2) No application to revise an order made on an application for a revision or order passed or made on a revision shall be entertained.

20. Review:-

The President may, at any time, either on his own motion or otherwise, review an order passed under these rules when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of

changing the nature of the case, has come, or has been brought to his notice:

Provided that no order imposing or enhancing any penalty shall be made by the President unless the Sevak concerned has been given a reasonable opportunity of making a representation against the penalty proposed or where it is proposed to impose any of the major penalties specified in Rule 9 or to enhance the minor penalty imposed by the order sought to be reviewed to any of the major penalties and if any enquiry under Rule 10 has not been held in the case, no such penalty shall be imposed except after enquiry in the manner laid down in Rule 10 subject to the provisions of Rule 11;

Provided further that such review petition may be preferred within two years subject to the condition that the review petition is based on new evidence which was not available previously and has the effect of changing the nature of the case;

Provided further that the powers of the President under this rule shall be exercised by a plenary board comprising of Member (P) and Member (O) or comprising of such authorities as may be delegated from time to time.

21. General :-

Every Sevak shall at all times:-

- (i) maintain absolute integrity;
- (ii) maintain devotion to duty; and
- (iii) do nothing which is unbecoming of a Sevak.

21-A. Promptness and Courtesy:-

No Sevak Shall:-

- (i) in the performance of his/her official duties, act in a discourteous manner;
- (ii) in his/her official dealing with the public or otherwise adopt dilatory tactics or willfully cause delay in disposal of the work assigned to him.

21-B. Prohibition of sexual harassment of working women :-

- (1) No Gramin Dak Sevak shall indulge in any act of sexual harassment of any woman at any workplace.
- (2) Every Sevak who is in charge of a workplace shall take appropriate steps to prevent sexual harassment to any woman at such workplace.

EXPLANATION:- 1. For the purpose of this Rule:-

- (a) "*Sexual Harassment*" includes any one or more of the following acts or behavior, (whether directly or by implication), namely:-
 - (i) physical contact and advances; or
 - (ii) a demand or request for sexual favours; or
 - (iii) making sexually coloured remarks; or
 - (iv) showing pornography ; or
 - (v) any other unwelcome physical, verbal, non-verbal conduct of a sexual nature.
- (b) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:-
 - (i) implied or explicit promise of preferential treatment in employment/engagement; or
 - (ii) implied or explicit threat of detrimental treatment in employment/engagement; or
 - (iii) implied or explicit threat about her present or future employment /engagement status; or
 - (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or

- (v) Humiliating treatment likely to affect her health or safety.
- (c) "Workplace" includes,-
 - (i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the Central Government;
 - (ii) hospitals or nursing homes;
 - (iii) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto; any place visited by the employee/GDS arising out of or during the course of employment/engagement including transportation provided by the employer for undertaking such journey;
 - (iv) a dwelling place or a house.

22. Taking part in Politics and Elections :-

(1) No Sevak shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics nor shall he/she take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

(2) It shall be the duty of every Sevak to endeavor to prevent any member of the family from taking part in, subscribing in aid of, or assisting in any other manner, any political movement or activity which is, or tends directly or indirectly to be, subversive of the Government as by law established, and where a Sevak is unable to prevent a member of his/her family from taking part in, or subscribing in aid of, or assisting in any other manner, any such movement or activity, he/she shall make a report to that effect to the Government.

(3) If any question arises whether a party is a political party or whether any organization takes part in politics or whether any movement or activity falls within the scope of sub-rule (2), the decision of the Government thereon shall be final.



(4) No Sevak shall canvass or otherwise interfere with or use his/her influence in connection with, or take part in an election to any legislative or local authority:

Provided that-

- (i) A Sevak qualified to vote at such election may exercise his/her right to vote, but where he/she does so, he/she shall give no indication of the manner in which he/she proposes to vote or has voted;
- (ii) A Sevak shall not be deemed to have contravened the provisions of this rule by reason only that he/she assists in the conduct of an election in the due performance of a duty imposed on him/her by or under any law for the time being in force.

EXPLANATION.- The display by a Sevak on his/her person, vehicle or residence of any electoral symbol shall amount to using his/her influence in connection with an election within the meaning of this sub-rule.

23. Strikes:-

No Sevak shall resort to or abet any form of strike, coercion or physical duress in connection with any matter pertaining to his/her conditions of engagement or the engagement of any other Sevak. Period of strike shall be treated as under:-

- (i) The period of strike will not only result in deduction of TRCA for the period of absence during the strike but also break in engagement on account of incitement, violence and sabotage. GDS who resort to action of the above kind violate Rule 23 of GDS (Conduct and Engagement) Rules, 2020 and disciplinary action can also be taken against them. It may be noted that the list of activities which are covered under the definition of strike as enumerated above is only illustrative and not exhaustive. It only clarifies the position in respect of practices which are often resorted to at present.
- (ii) GDS who is absent from engagement hours for participating in the strike shall not be entitled to draw TRCA, DA, bonus, Paid leave TRCA etc.
- (iii) The strike period shall not be adjusted or regularised by grant of any kind of leave.

- (iv) If, it is specifically ordered by the competent authority after show cause notice on account of incitement, violence and sabotage, the strike period would also result in break in engagement.
- (v) The strike period would not qualify towards engagement period for payment of GDS Gratuity, Severance amount at the time of discharge from engagement.
- (vi) The strike period would not qualify towards engagement period for absorption of GDS against Multi-Tasking Staff (MTS) posts, which is done on seniority basis.
- (vii) The strike period would not qualify towards engagement period of GDS to appear at the LDCE for the cadre of Postal Assistant /Sorting Assistant/Postmen/MailGuard/Multi-Tasking Staff etc.
- (ix) The above action as per para (i) to (vii) may also be taken without prejudice to any disciplinary action that may be taken against such GDS.

24. Criticism of Government:-

No Sevak shall, in any radio broadcast or in any document published in his/her own name or anonymously, or pseudonymously or in the name of any other person or in any communication to the Press or in any public utterance, make any statement of fact or opinion:-

- (i) which has the effect of any adverse criticism of any current or recent policy or action of the Central Government or a State Government; or
- (ii) which is capable of embarrassing the relations between the Central Government and the Government of any State; or
- (iii) which is capable of embarrassing the relations between the Central Government and the Government of any foreign State.

Provided that nothing in this rule shall apply to any statement made or views expressed by a Sevak in his/her official capacity or in the due performance of the duties assigned to him.

25. Evidence before committee or any other Authority :-

- (1) Save as provided in sub-rule (3), no Sevak shall, except with the previous sanction of the Government, give evidence in connection with any inquiry conducted by any person, committee or authority.
- (2) Where any sanction has been accorded under sub-rule (1), no Sevak giving such evidence shall criticize the policy or any action of the Central Government or of a State Government.
- (3) Nothing in this rule shall apply to-
 - (a) evidence given at an inquiry before an authority appointed by the Government, Parliament or a State Legislative; or
 - (b) evidence given in any judicial inquiry; or
 - (c) evidence given at any departmental enquiry ordered by authorities subordinate to the Government.

26. Unauthorized communication of information:-

No Sevak shall, except in accordance with any general or special order of the Government or in the performance in good faith of the duties assigned to him/her, communicate, directly or indirectly, any official document or information to any Sevak or any other person to whom he/she is not authorized to communicate such documents or information.

EXPLANATION - Quotation by a Sevak (in his/her representation to the Engaging Authority, Head of Office, or Head of Department, or President) of or from any letter, circular, or office memorandum or from the notes in any file, to which he/she is not authorized to have access, or which he/she is not authorized to keep in his/her personal custody or for personal purposes, shall amount to unauthorized communication of information within the meaning of this rule.

27. Insolvency and habitual indebtedness:-

A Sevak shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A Sevak against whom any legal proceeding is instituted for the recovery of any debt due from him/her or for adjudging him/her as an insolvent shall forthwith report the full facts of the legal proceedings to the Government.

28. Vindication of acts and character of Sevak:-

(1) No Sevak shall, except with the previous sanction of the Government, have recourse to any Court or to the Press for the vindication of any official act which has been the subject matter of adverse criticism or an attack of defamatory character.

(2) Nothing in this rule shall be deemed to prohibit any Sevak from vindicating his/her private character or any act done by him/her in his private capacity and where any action for indicating his/her private character or any act done by him/her in private capacity is taken, the Sevak shall submit a report to the Engaging Authority regarding such action.

29. Canvassing of non-official or other outside influence:-

No Sevak shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his/her interests in respect of matters pertaining to his/her engagement under the Government.

29-A Prohibition regarding engaging in any business detrimental to the business of the Post Office/IPPB:-

The GDS will not engage in any activity with any outside agency which would be detrimental to the business or interest of the post office/IPPB.

30. Interpretation:-

If any question arises relating to the interpretation of these rules, it shall be referred to the Government whose decision thereon shall be final.

31. Delegation of powers:-

The Government may, by general or special order, direct that any power exercisable by it under these rules (except the power under Rule 30 and this rule) shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order:-

**SCHEDULE OF ENGAGING AUTHORITY, DISCIPLINARY
AUTHORITY & APPELLATE AUTHORITY FOR GDS**

Serial Number (1)	Description of service (2)	Engaging Authority (3)	Authority competent to impose penalties and penalties which it may impose with reference to Rule 9 of GDS (Conduct and Engagement) Rules, issued vide Department of Posts' O.M. No 17-31/2016-GDS dated 23.04.2019.		Appellate Authority (6)
			Disciplinary Authority (4)	Penalties (5)	
1.	Gramin Dak Sevak Branch Postmaster	Deputy Superintendents of Post offices (in case of Divisions headed by Director Postal Services/ Postmaster General), if available, otherwise Head of the Division.	Deputy Superintendents of Post offices (in case of Divisions headed by Director Postal Services/ Postmaster General), if available, otherwise Head of the Division	All	Chief Postmaster General/ Postmaster General, Director Postal Services
			Assistant Superintendents / Inspector Posts of Sub Divisions	(i) to (v)	

(i) Standard form of charge sheet for Minor Penalties to GDS
(Under Rule 10 A of GDS Conduct & Engagement Rule)

No.

Government of India
Ministry /Office of

Dated.....

Place of issue.....

MEMORANDUM

Shri/Smt/Ms..... (Category).....(BO/Departmental/RMS
Office in which working).....is hereby informed
that it is proposed to take action against him/her under Rule 10A
of Gramin Dak Sevak (Conduct and Engagement)Rule, 2020
amended from time to time. A statement of the imputation of
misconduct or misbehavior on which action is proposed to be taken
as mentioned above is enclosed.

2. Shri/Smt/Ms is hereby given an opportunity to
make such representation as he/she may wish to make against the
proposal.

3. If Shri/Smt/Ms fails to submit his/her
representation within 10 days of the receipt of this Memorandum,
it will be presumed that he/she has no representation to make and
orders will be liable to be passed against ShriSmt/Ms.....*ex-
parte*.

4. The receipt of this Memorandum should be acknowledged by
Shri/Smt/Ms

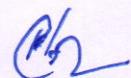
(By order)

Signature

Name and designation of the Competent authority

To

Shri/Smt/Ms



(ii) Standard form for initiation of Minor Penalty proceedings
(in case where disciplinary authority decides to hold the inquiry)
(Under Rule 10A of GDS Conduct & Engagement Rule)

No.

Government of India
Ministry /Office of

Dated.....

MEMORANDUM

In continuation of Memorandum No..... dated..... issued under Rule 10A of the Gramin Dak Sevak (Conduct and Engagement) Rules, 2020 amended from time to time, the undersigned is of the opinion that, it is necessary to hold an inquiry against Shri/Smt/Ms under clause 10E of the GDS (Conduct and Engagement) Rules, 2020. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statements of article of charge (Annexure-I). A statement of the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charges are proposed to be sustained are also enclosed (Annexures-III and IV).

2. Shri/Smt/Ms is directed to submit within ten days of the receipt of this Memorandum a written statement of his/her defence and also to state whether he/she desires to be heard in person.

3. He/She is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He/She should, therefore, specifically admit or deny each article of charge.



4. Shri/Smt/Ms is further informed that if he/she does not submit his/her written statement of defence on or before the date specified in Para 2 above, or does not appear in person before Inquiring Authorities or otherwise fails or refuses to comply with the provisions of Rule 10A & 10B of the GDS (Conduct and Engagement) Rules, 2020 or the orders/directions issued in pursuance of the said Rule, the Inquiring Authority may hold the inquiry against him/her *ex-parte*.

5. Attention of Shri/Smt/Ms is invited to Rule 29 of the GDS (Conduct and Engagement) Rules, 2020, under which no Sevak shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his/her interests in respect of matters pertaining to his/her engagement under the Government. If any representation is received on his/her behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Shri/Smt/Ms is aware of such a representation and that it has been made at his/her instance and action will be taken against him/her for violation of Rule 29 of the GDS (Conduct and Engagement) Rules, 2020.

6. The receipt of this Memorandum may be acknowledged.

(By order.....)

Signature

Name and designation of the Competent authority

To

Shri/Smt/Ms

ANNEXURE-1

Statement of articles of Charge framed against Shri/Smt/Ms (Name and category of the Gramin Dak Sevak).

Article-I

That said Shri/Smt/Mswhile functioning as during the period

Article-II

That during the aforesaid period and while functioning in the aforesaid Office, the said Shri/Smt/Ms

Article-III

That during the aforesaid period and while functioning in the aforesaid Office, the said Shri/Smt/Ms

ANNEXURE-II

Statement of imputation of misconduct or misbehavior in support of the articles of charge framed against Shri/Smt/Ms(Name and category of the Gramin Dak Sevak).

Article-I

Article-II

Article-III

ANNEXURE-III

List of documents by which the article of charge framed against Shri/Smt/Ms (Name and category of the Gramin Dak Sevak)are proposed to be sustained.

ANNEXURE-IV

List of witnesses by whom the articles of charge framed against Shri/Smt/Ms (Name and category of the Gramin Dak Sevak) are proposed to be sustained.

(ii) Standard form of Charge sheet for Major Penalties
(Under Rule 10 B of GDS Conduct & Engagement Rule)

No.

Government of India

Ministry /Office of

Dated.....

MEMORANDUM

The undersigned proposes to hold an inquiry against Shri/Smt/Msunder Rule 10B (major penalties) of the Gramin Dak Sevak (Conduct and Engagement) Rules,2020. The substance of imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexures -III and IV).

2. Shri/Smt/Ms is directed to submit within 10 days of the receipt of this Memorandum a written statement of his/her defence and also to state whether he/she desires to be heard in person.

3. He/She is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He/She should, therefore specifically admit or deny each article of charge.

4. Shri/Smt/Ms is further informed that if he/she does not submit his/her written statement of defence on or before the date specified in Para 2 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to

comply with the provisions of Rule 10B (Major penalties) of the Gramin Dak Sevak (Conduct and Engagement) Rules, 2020, or the orders /directions issued in pursuance of the said rule, the inquiring authority may hold the inquiry against him/her ex parte.

5. Attention of Shri/Smt/Msis invited to Rule 29 of the GDS (Conduct and Engagement) Rules, 2020, under which no Sevak shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his/her interest in respect of matters pertaining to his/her engagement under the Government. If any representation is received on his/her behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Shri/Smt/Msis aware of such a representation and that it has been made at his/her instance and action will be taken against him/her for violation of Rule 29 of the GDS (Conduct and Engagement) Rules, 2020.

6. The receipt of this Memorandum may be acknowledged.

(By order)

Signature

Name and designation of the Competent authority

To

Shri/Smt/Ms

ANNEXURE-1

Statement of articles of Charge framed against Shri/Smt/Ms (Name and category of the Gramin Dak Sevak).

Article-I

That said Shri/Smt/Mswhile functioning as during the period



Article-II

That during the aforesaid period and while functioning in the aforesaid Office, the said Shri/Smt/Ms

Article-III

That during the aforesaid period and while functioning in the aforesaid Office, the said Shri/Smt/Ms

ANNEXURE-II

Statement of imputation of misconduct or misbehavior in support of the articles of charge framed against Shri/Smt/Ms(Name and category of the Gramin Dak Sevak).

Article-I

Article-II

Article-III

ANNEXURE-III

List of documents by which the article of charge framed against Shri/Smt/Ms (Name and category of the Gramin Dak Sevak)are proposed to be sustained.

ANNEXURE-IV

List of witnesses by whom the articles of charge framed against Shri/Smt/Ms (Name and category of the Gramin Dak Sevak) are proposed to be sustained.