

F. No.11011/01/2022-AIS-III
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
AIS-III Section

Information Document on imposition of penalty in the event of a death of the accused member of Service-clarification regarding.

References:

- (i) Letter no. 11018/1/1999-AIS-III dated 14.05.1999
- (ii) Letter no. 11018/02/2008-AIS-III dated 24.06.2008

This Department has issued various instructions from time to time regarding imposition of penalty in the event of a death of the accused member of Service, an effort has been made to consolidate the said instructions at one place and the same may be summarized for better understanding and guidance as under:

2. In this context, where a member of an All India Service dies during the pendency of inquiry, i.e. without charges being proved against him, imposition of any of the penalties prescribed under the All India Service (Discipline & Appeal) Rules, 1969, would not be justifiable. Therefore, disciplinary proceedings should be closed immediately on the death of the alleged member of the Service.
3. Since, the Disciplinary proceedings come to an end only after passing of the final orders by the Disciplinary Authority, if a member of a Service dies before the passing of the final order by the Disciplinary Authority even though charges were proved and penalty was decided, in such case, the disciplinary proceedings should be closed without imposing any penalty on him.