

No. 17-47/2024-GDS
Government of India
Ministry of Communications
Department of Posts
(GDS Section)

Dak Bhawan, Sansad Marg,
New Delhi-110001
Dated: 14.10.2024

OFFICE MEMORANDUM

Subject: Guidelines to deal with the appointment of GDS to the Departmental Posts in the event of pendency of Disciplinary/Criminal Proceedings, Put off-duty and currency of punishment on GDS-reg.

The matter regarding dealing with appointment of GDS to the Departmental Posts in the event of pendency of Disciplinary/Criminal Proceedings, Put off-duty and currency of punishment on GDS was under consideration in Directorate for quite some time.

In his respect, it has been decided to issue a comprehensive guidelines to deal with above situation and a copy of the same is attached here-with as Annexure-A to this OM. The guidelines cover the action to be taken while making appointment through limited competitive examination as well as on the basis of seniority:

A) Appointment through Limited Competitive Examination:

- (a) At the time of applying for Competitive exams
- (b) At the time of declaration of result/joining on Departmental Post
- (c) Action on conclusion of the disciplinary/criminal proceedings/reinstatement from being put off duty

B) Appointment to Departmental Posts based on seniority:

- (a) At the time of meeting of the Screening Committee
- (b) Action on conclusion of the disciplinary case/ criminal prosecution/reinstatement from being put off duty

All the Circles are requested to bring the guidelines to the knowledge of all concerned.

This issues with the approval of the competent authority.

Signed by

Ravi Pahwa

Date: 14-10-2024 13:51:41

(Ravi Pahwa)

Assistant Director General (GDS/PCC/PAP)

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To

- i) All Heads of Circles**
- ii) All Heads of Regions**

Copy for information to:

- i) PSO/Sr PPS/PS to Secretary**
- ii) PSO/Sr PPS/PS to DGPS**
- iii) PSO/Sr PPS/PS to all Members, Postal Service Board**
- iv) Sr. DDG (Vigilance) and CVO/ Sr. DDG (PAF)**
- v) CGM, Parcel/BD/PLI**
- vi) All DDsG, Dak Bhawan**
- vii) Director, RAKNPA/Director, Postal Training Centers**
- viii) GM, CEPT, Bengaluru - for uploading a copy on the website.**
- ix) AD (OL) - for hindi translation**
- x) All recognized GDS Union**

Annexure-A**File No. 17-47/2024-GDS dated 14.10.2024****Guidelines to deal with the appointment of GDS to the Departmental Posts in the event of pendency of Disciplinary/Criminal Proceedings, Put off-duty and currency of punishment on GDS****I Appointment through Limited Competitive Examination:****(a) At the time of applying for Competitive exams**

1. A GDS will be allowed to appear in the Limited Competitive Examination on specified Departmental Post on provisional basis under the following situations:

- (i) GDS is Put off duty;
- (ii) GDS in respect of whom charge sheet has been issued and disciplinary proceedings is pending;
- (iii) GDS in respect of whom prosecution for a criminal charge is pending and
- (iv) Currency of punishment except punishment as Rule 9(ii) of GDS (Conduct and Engagement) Rules, 2020.

(b) At the time of declaration of result/joining on Departmental Post:

1. The result of the GDS will not be declared under the following situations:

- (i) GDS is Put off duty;
- (ii) GDS in respect of whom charge sheet has been issued and disciplinary proceedings is pending and
- (iii) GDS in respect of whom prosecution for a criminal charge is pending

2. In case of currency of any penalty (other than compulsory discharge/removal/dismissal from engagement), the appointment will be given effect on once the currency of punishment is over. In case of penalty of recovery of loss, the appointment will be made after the amount of penalty is fully recovered from such GDS. 'Censure' will have no affect and the GDS may be appointed on the Departmental post.

3. In case GDS who is declared successful in the examination but in whose case any of the circumstances mentioned in para (1) above arises, **after declaration of result but before appointment**, the GDS will not be relieved to join the said post and further action will be taken in accordance with para (c) below.

4. In case of the GDS whose result is withheld , further action will be taken in accordance with as per sub para (c) below upon conclusion of disciplinary proceedings/reinstatement from being put off duty.

(c) Action on conclusion of the disciplinary/criminal proceedings/ reinstatement from being put off duty:

1. On conclusion of disciplinary proceeding/criminal prosecutions, if GDS **is exonerated or allegations are dropped or GDS not found guilty the result will be declared and given effect to.**

(i) If the GDS is declared successful for appointment, the due date for appointment will be determined with reference to the position assigned to the GDS in the results of Competitive Exam and with reference to the date of appointment of his/her junior on the basis of such position.

(ii) In case where the GDS happens to be junior most as per the position in the results of Competitive Exam, due date for appointment will be determined with reference to the date of appointment of immediate senior on the basis of such position. However, GDS will not be entitled to any arrears of pay and allowances of the new post in both the situations.

2. The GDS will not be appointed on the Departmental post if, after conclusion of the proceedings, is awarded any of the penalties as referred to in Rule 9 of the GDS (C&E) Rules, 2020 or held guilty in the criminal proceedings.

3. In case of **reinstatement from being put off duty, pending** disciplinary proceedings, the results will not be declared. Further action will be taken on the basis of outcome of disciplinary proceedings as per sub para (1) or (2) above, as the case may be.

4. In case it is decided not to initiate disciplinary proceedings after **reinstatement from being put off duty**, the results will be declared accordingly.

II Appointment to Departmental Posts based on seniority:

(a) Action to be taken by Screening Committee:

1. At the time of consideration of the cases of GDS for appointment through Selection cum Seniority Quota, the recommendations of the Screening Committee will be kept in a '**sealed cover**' under the following situations:

- (i) Put off duty;
- (ii) Pendency of disciplinary proceedings;
- (iii) Pendency of Criminal proceedings

2. In case of currency of any penalty, other than compulsory discharge/removal/dismissal from engagement, the appointment will be given effect on once the currency of punishment is over. In case of penalty of recovery of loss, the appointment will be made after the amount of penalty is fully recovered from such GDS. 'Censure' will have no affect and the GDS may be appointed on the Departmental post.

3. A GDS, who is recommended for appointment by the Screening Committee but in whose case any of the circumstances mentioned in para (i) above arises after the recommendations of the Screening Committee are received but before he is actually appointed, the recommendations of Screening Committee will be considered as if his case had been placed in a sealed cover. He will not be promoted until he is completely exonerated of the charges against him.

(b) Action on conclusion of the disciplinary case/ criminal prosecution/reinstatement from being put off duty:

1. After completion of disciplinary case/criminal prosecution if the GDS is **exonerated or allegations are dropped or GDS not found guilty** the sealed cover will be opened and will be given effect to.

2. If the GDS is recommended to be fit for appointment to the departmental post, the he/she will be promoted from the date of promotion of his/her next junior on notional basis. In case where the GDS happens to be junior most, he/she will be promoted with reference to the date of appointment of his/her immediate senior on notional basis. However, GDS will not be entitled to any arrears of pay and allowances of the new post in both situations.

3. If any penalty is imposed on the GDS as a result of the disciplinary proceedings or if he/she is found guilty in the criminal prosecution, the findings of the sealed cover/covers will not be acted upon. His/her case for appointment may be considered in the meeting of the next Screening Committee in normal course and having regard to the penalty imposed on him/her

Signed by

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(Date: 14/02/2024 13:37:34)

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