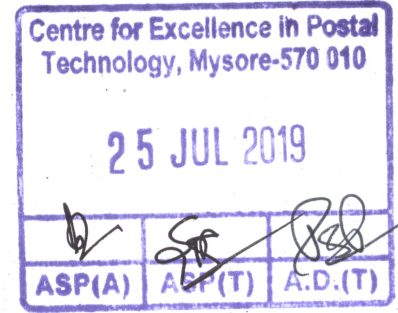


No.17-31/2016-GDS
Government of India
Ministry of Communications
Department of Posts
(GDS Section)



Dak Bhawan, Sansad Marg,
New Delhi - 110001
Dated: 26.06.2019

OFFICE MEMORANDUM

Subject : Review of Rule 12 of GDS (Conduct and Engagement) Rules-2011
for all categories of Gramin Dak Sevaks (GDS).

The undersigned is directed to refer to Rule 12 of GDS regarding Put
off Duty of GDS (Conduct and Engagement) Rules, 2011.

2. The Competent Authority has approved the following substitution in
Rule -12 of GDS (Conduct and Engagement) Rules, 2011 containing the Put
off Duty for all categories of Gramin Dak Sevaks (GDS) in supersession of
all earlier instruction/ order on the subject :-

"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 proceedings against him is
contemplated or is pending; or

(b) Where a case against him 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 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 his duty by the Engaging Authority from the date of original dismissal or removal and shall continue to remain on put off his duty until further orders.

[Handwritten signature]
26/06

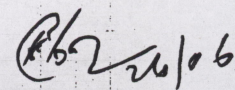
Provided that no such further inquiry shall be ordered unless it is intended to meet a situation where the Court has passed an order purely on technical grounds without going into the merits of the case.

NOTE.- The period of putting a Sevak off his duty including the period of deemed putting him off his 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 his 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 his reinstatement shall be subject to adjustment of compensation already paid as ex-gratia.

6. The above instructions will come into effect from the date of issue of this O.M.

7. Hindi version will follow.



(SB Vyavahare)

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