

82. THE CENTRAL INDUSTRIAL SECURITY FORCE RULES, 2001¹

In exercise of the powers conferred by Section 22 of the Central Industrial Security Force Act, 1968 (50 of 1968), the Central Government hereby makes the following rules, namely :—

CHAPTER I

PRELIMINARY

1. **Short title and commencement.**—(1) These rules may be called the Central Industrial Security Force Rules, 2001.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

- (a) “Act” means the Central Industrial Security Force Act, 1968 (50 of 1968);
- (b) “Appendix” means an appendix to these rules;
- (c) “close arrest” means confinement of any enrolled member of the Force within the Force or a detachment of the force or a post quarter guard, building or tent under charge of a guard;
- (d) “Magistrate” means any Magistrate as referred to in Section 3 of the Code of Criminal Procedure, 1973;
- (e) “open arrest” means confinement of any enrolled member of the Force within the precinct of any barrack, lines or camp for the time being occupied by any detachment of the Force;
- (f) “Schedule” means a Schedule appended to these rules;
- (g) “section” means a section of the Act;
- (h) the expressions “assault”, “criminal force”, “reason to believe”, “wrongfully restrain” and “voluntarily causes hurt” have the meaning assigned to them respectively in Indian Penal Code;
- (i) words and expressions used in these rules and not defined, but defined in the Act, shall have the meaning respectively assigned to them in the Act.

CHAPTER II

COMPOSITION OF THE FORCE

3. **Constitution of the Force.**—(1) The force shall consist of the following three branches, namely :—

- (i) Executive Branch;
- (ii) Fire Service Branch; and
- (iii) Ministerial Branch.

1. Vide G.S.R. 825(E), dated 2nd November, 2001, published in the Gazette of India, Pt. II, Sec. 3(i), dated 5th November, 2001.

(2) Each Branch shall consist of such supervisory officers (other than the Director General) and enrolled members of the force as the Director General may from time to time specify.

4. Composition of the Force.—The Supervisory Officers and enrolled members of the Force shall be classified in accordance with the ranks in the following categories, namely :—

(1)(a) Supervisory Officers

- (i) Director General;
- (ii) Inspector General;
- (iii) Deputy Inspector General, Deputy Inspector General (Fire)
¹[Principal Regional Training Centre, Principal, Fire Service Training Institute];
- ²[(iii-a) Senior Commandant, Assistant Inspector General;]
- (iv) Commandant, Assistant Inspector General, Assistant Inspector General (Fire), Commandant (Fire), Group Commandant,
³[Vice- Principal, Regional Training Centre, Vice-Principal, Fire Service Training Institute];
- (v) Deputy Commandant and ⁴[Deputy Commandant (Fire) and Deputy Commandant (Medical Officer)];
- (vi) Assistant Commandant, ⁵[***] Assistant Commandant (Junior Administrative Officer) and Assistant Commandant (Fire) ⁶[***].

(b) Enrolled Members

- (vii) Inspector (Executive, Stenographer, Ministerial, Fire and Armourer);
- (viii) Sub-Inspector (Executive, Stenographer, Ministerial, Fire and Armourer);
- (ix) Assistant Sub-Inspector (Executive, ⁷[Stenographer,] Ministerial, Fire and Armourer);
- (x) Head Constable (Driver, Executive, ⁸[Ministerial,] Fire and Armourer);
- ⁹[(xi) Constable (Executive, Fire Armourer, Driver-cum-Pump Operator, Nursing Assistant, Band, Fitter and Tradesman)

1. Ins. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

2. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

3. Ins. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

4. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

5. Omitted by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

6. Omitted by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

7. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

8. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

9. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

Explanation.—For the purpose of clause (b) of sub-rule (1), each of the categories of ranks in clause (b) of sub-rule (1) other than the ranks mentioned at sub-clause (xi) shall be the immediate superior in rank to the rank mentioned below that category.]

- (xii) Followers (Cook, Kahar, Sweeper, Mochi, Barber, Carpenter, Tailor, Dhobi, Charge Mechanic, Motor Pump Attendant, Switch Board Attendant and Painter).

Each of the above categories of ranks other than the ranks mentioned at item No. (xii) shall be the immediate superior in rank to the rank mentioned below that category.

(2) Unless the context otherwise requires, reference to Commandant, Deputy Commandant, Assistant Commandant, Inspector, Sub-Inspector, Assistant Sub-Inspector, Head Constable, Constable and Followers in these rules shall be deemed respectively to include references to all or any of the ranks of Supervisory Officers or enrolled members of the Force as the case may be specified in items (iv) to (xii) of sub-rule (1).

5. Conferment of local rank.—Notwithstanding anything contained in these rules, the Director General may, subject to confirmation of the Central Government, grant to an officer of the Force a higher rank than held by him, as a local rank whenever considered necessary by him in the interest of better functioning of the Force,—

- (i) a local rank shall be conferred by the Director General up to and including the rank of Commandant only;
- (ii) local rank to the officers of the level of Deputy Inspector General and above shall be conferred after prior approval of the Ministry of Home Affairs;
- (iii) the power of conferring local ranks will not be further delegated by the Director General to any of the officers subordinate to him;
- (iv) an officer of the Force who has been granted a local rank,—
 - (a) shall exercise the command and be vested with the powers of an officer holding that rank;
 - (b) shall cease to hold that rank, if the grant of such rank is not confirmed within 21 days by the Central Government, or when so ordered by the Director General or when he ceases to hold the appointment for which the rank is granted;
 - (c) shall not be entitled to any extra pay and allowances for holding such rank;
 - (d) shall not be entitled to claim any seniority over other officers of the Force by virtue of having held such rank.

6. Duties of Director General.—(1) The Director General shall be the Head of the Force and shall be responsible for maintaining it in a state of high efficiency, training, discipline and morale and he shall for that purpose take all such steps as he may consider necessary, by way of tours, inspections, examination of records, calling for reports, framing regulations, issuing

instructions and giving directive on all matters pertaining to the administration of the Force. He shall in particular guide and direct the supervisory officers and it shall be his duty to ensure that each supervisory officer maintains the Force in his charge at a high level of efficiency and discipline.

(2) The Director General shall keep himself in touch with the Chairman, Managing Directors and General Managers of the Public Sector Undertakings where the Force is deputed and post himself from time to time with the problems and needs of each such Undertakings in relation to the Force. He shall maintain close liaison with the Police and other authorities of the State so as to secure effective co-ordination between the State Police and the Force in regard to matters pertaining to the protection and security of Public Sector Undertakings. He shall keep the Central Government duly informed of all matters of importance.

7. Duties of Sector Inspectors General in Central Industrial Security Force.—(1) To exercise powers of Head of Department in the respective sectors for inclusion which may consist one or more zones in financial and administrative matters as provided under the various rules.

(2) To closely monitor the crime situations in the field units and adopt proper crime control measures in the respective sectors.

(3) To exercise operational control of the Force, deployed under his charge including those in various Public Sector Undertakings and to render timely directions to the respective Zonal/Plant Deputy Inspectors General. This also includes deployment on Internal Security duties, Election duties, etc.

(4) To guide and direct all concerned to ensure effective security arrangements in the Industrial Undertakings.

(5) To establish and maintain liaison and co-ordination with the Chief Secretaries, Director General of Police/Inspector General of Police of the States and Heads/Chief Executives of the Public Sector Establishments.

(6) To carry out the inspections of Units in his sector as per the Circulars from Force Headquarters.

(7) To scrutinise the inspection reports conducted by the Zonal/Plant Deputy Inspectors General relating to various Units and monitoring of the compliance of short-falls pointed out therein.

(8) To conduct special enquiries within the sector or elsewhere as and when so directed by Force Headquarters.

(9) To scrutinise and approve the tour programmes, inspection notes and monthly diaries of Zonal/Plant Deputy Inspectors General.

(10) To exercise powers for grant of leave as per the rules instructions issued by Force Headquarters.

(11) To order postings transfers of enrolled members of the Force within the sector.

(12) To ensure speedy disposal of departmental enquiry cases and close monitoring of Court cases.

- (13) To ensure timely recovery of Central Industrial Security Force dues.
- (14) To ensure proper training of the Force personnel under his charge.
- (15) To look after and to take effective steps for the welfare of Force personnel under his charge to keep their morale high.
- (16) To ensure timely action by Units on information/details asked for by Force Headquarters.

8. Duties of Deputy Inspector General.—(1) For proper supervision of the Force, the country shall be divided in zones. A Deputy Inspector General shall be the incharge of each zone. He shall be responsible for maintaining the Force in his charge in a state of high efficiency, training, discipline and morale. For this purpose, he shall inspect the Units and the Industrial Undertakings in Public Sector in his Zone where the Force is deputed at least twice a year and send his Inspection Reports to the inspector General, giving details of the state of the Force and its administration.

(2) The Deputy Inspector General shall be readily available to the Commandants and shall aid, advice and control them. He shall keep in touch with the Chairman, Managing Directors and General Managers of the Undertakings in his Zone and shall also keep liaison with the State authorities with a view to secure full co-operation between the State Police and the Force in ensuring proper protection and security of the property of the Industrial Undertakings in the public sector in his Zone. He shall keep the Inspector General fully informed of all developments which need his attention ¹[Normally] all communications between the Commandant and Inspector General shall be channalized through the Deputy Inspector General though in cases of great urgency the Commandant may write to the Inspector General direct in which case, he shall endorse a copy to the Deputy Inspector General.

²[(3) When Deputy Inspector General is placed as head of the Unit, he shall discharge all duties enumerated in rule 10 and he shall report all developments to Inspector General.]

9. Duties of Managing Director and General Manager.—The Force deputed to an Undertaking shall work under the general supervision, direction and control of the Managing Director of that Undertaking. ³[The Unit Commander] of the Force shall keep the Managing Director fully informed of all developments including the state of the Force. The Managing Director shall inspect the posts of the Force situated in his Undertaking at least once a year.

10. Duties of Commandant.—(1) The Commandant shall be the head of the Unit. He shall be responsible for the efficiency discipline and morale of the Unit and for the proper management of each branch of the Force under him. He shall periodically inspect the Units of the Force under his command.

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

3. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

All orders to the Force under him shall emanate from him and all communication from the Force under him shall pass through him.

(2) The Commandant shall regularly inspect the detachments of the Force posted outside the headquarters and ensure that they remain in a high state of efficiency. He shall ensure that all ¹[***] members of the Force under him attend Parade and refresher courses in turn according to a programme. When at headquarters, he shall attend the parade every ²[Monday] and Friday and hold the Orderly Room every Friday.

(3) The Commandant shall be responsible for the security of the Undertaking in which the detachment of his Units are posted. For that purpose he shall remain in close touch with the district as well as Police authorities and the heads of the various departments in the said Undertaking. He shall keep the Managing Director and the General manager of the said undertaking as well as the Deputy Inspector General fully informed of all the developments and send them regular fortnightly reports as prescribed. Matters of urgent nature, however, shall be brought to their notice by the quickest possible means. He shall pay his personal attention to the working of the Intelligence wing and ensure that intelligence is efficiently collected and conveyed promptly to the Managing Director, General Manager and the Deputy Inspector General.

11. Duties of Deputy Commandant.—(1) The Deputy Commandant shall assist the Commandant in the discharge of his duties; and where he is placed as head of the Unit, he shall discharge all the duties of a Commandant and shall exercise only those financial powers that are delegated to him under the relevant rules.

(2) The Deputy Commandant shall be responsible for the efficiency, discipline and morale of the personnel under him and shall also be responsible for the security of the undertaking or its part entrusted to him.

³[**12. Duties of Assistant Commandant.**—The Assistant Commandant shall assist the Commandant and unless specifically directed to the contrary in the regulations framed for the purpose he shall perform all the functions of the Commandant when so required by the latter. He shall be responsible for the efficiency, discipline and morale of the personnel under him and shall also be responsible for the security of the Undertaking and any other duties entrusted to him. He will assist Deputy Commandant where the Deputy Commandant is the head of the Unit.]

CHAPTER III

PROCEDURE OF ARREST, SEARCH, ETC.

13. Arrest.—(1) In making an arrest, under sub-section (1) of Section 11 of the Act, the member of the Force shall actually touch or confine the body of the person to be arrest.

(2) If such person forcibly resists the endeavour to arrest him, or attempts to evade the arrest, the member of the Force may use all means necessary to

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2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).
3. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

effect the arrest. In case of use of force, it should be minimum, required in that particular situation.

(3) The person arrested shall not be ¹[subjected] to more restraint than necessary to prevent his escape.

(4) The member of the Force making the arrest, may search such person, and place in safe custody all articles including weapons, if any, other than necessary wearing apparels, found upon him. An inventory of all such articles shall be prepared in the presence of at least two respectable witnesses and in the presence of the arrested person and a copy of the inventory duly signed by the witnesses and the person conducting the search, shall be given to the person so arrested after obtaining due receipt.

(5) Such arrested person as well as the seized articles and its inventory shall be handed over to a police officer or at the nearest police station without avoidable delay alongwith a brief note giving the time, date and reasons of arrest.

14. Search.—Whenever a search of a person and of his ²[belongings] is conducted under Section 12 of the Act, an inventory shall be prepared in the presence of the two respectable witness and a copy of the inventory duly signed by the witnesses and the person who conducted the search, shall be given to the person concerned after obtaining due receipt. The property so found on such search, shall also be sent to the police alongwith the person. If nothing is found on such search, a nil inventory statement duly signed shall be sent to the police alongwith the person.

15. Prescribed rank.—The prescribed rank for the purposes of sub-section (1) of Section 12 of the Act shall be the Head Constable.

CHAPTER IV

RECRUITMENT TO THE FORCE

³[16. Powers of appointment.—Subject to the provisions of the Act and these rules, appointments to the post of Sub-Inspector and Inspector shall be made by the Deputy Inspector General concerned and to the ranks of Assistant Sub-Inspector, Head Constable and Constable shall be made by the Sr. Commandant or Commandant.]

17. Conditions of eligibility for appointment to the Force.—No person shall be eligible for appointment to the Force unless,—

- (a)(i) he is a citizen of India; or
- (ii) he belongs to such categories of persons as may, from time to time, be declared by the Central Government as being eligible for appointment to the Force;
- (b) he bears a good moral character;

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

3. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

- (c) he obtains a health certificate in the form prescribed in Appendix "C" certified by a Medical Officer of Central Industrial Security Force or any other Medical Officer or Assistant Surgeon belonging to Grade 1 of any Government Hospital or Dispensary.

18. Disqualification.—No person,—

- (a) who has entered into or contracted a marriage with a person having a spouse living; or
(b) who, having a spouse living, has entered into or contracted a marriage with another person,

shall be eligible for appointment to the Force :

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and there are other grounds for so to do, exempt any person from the operation of this rule.

CHAPTER V

DIRECT RECRUITMENT

19. Name of the posts, their classification and scales of pay.—The name of posts of members of the Force, their number and classification and the scale of pay attached thereto shall be as specified in the Recruitment Rules as amended from time to time.

20. Method of recruitment, age limits and other qualifications.—The method of recruitment, age limits, qualifications and other matters relating to each of the said post shall be as specified in the Recruitment Rules as amended from time to time.

21. Agreement.—Every enrolled member of the Force except those appointed on transfer or deputation shall execute at the time of his initial appointment an agreement in the form specified in Appendix "A".

22. Cadre.—Each of the three branches mentioned in Rule 3 shall form a separate cadre for the purpose of seniority, promotion and confirmation.

CHAPTER VI

DEPUTATION

23. (1)(a) During the period of deputation, the officer on deputation shall be governed by the provisions of the Act and the rules and regulations made thereunder :

Provided that the provisions of Rules 58, 59 and 71 shall not apply to him.

(b) Without prejudice to the foregoing, every such officer shall be subject to the rules of discipline applicable to the corresponding rank to the Force.

(2) Save as aforesaid, the other terms and conditions of deputation shall be such as may be agreed upon between the lending authority and the Central Government.

(3) Notwithstanding anything contained in these rules, the Central Government or the Director General, as the case may be, may, without assigning any

reason terminate the period of deputation of any officer at any time and such termination shall not be deemed to be a punishment.

CHAPTER VII

PROMOTION

24. Promotion.—Notwithstanding anything contained in these rules specially deserving Constable or head Constable who have put in fifteen or twenty years of service may be promoted to the rank of Head Constable or Assistant Sub-Inspector, as the case may be, on the basis of their service records by the Commandant with the approval of the Deputy Inspector General, but the total number of such promotions shall not exceed 10% of the posts which may be filled by the method of promotion.

25. Probation.—(1) Every member of the force except those appointed on deputation/absorption, shall be on probation for the period specified in relevant column of the Recruitment Rules :

Provided that in the absence of a specific order of confirmation or a declaration of satisfactory completion of probation, a member of the Force shall be deemed to be on probation :

Provided further that no member of the Force shall ordinarily be kept on probation for more than twice the period prescribed in respective Recruitment Rules.

(2) If during the period of probation the appointing authority is of the opinion that a member of the Force is not fit for permanent appointment, the appointing authority may discharge him ¹[or terminated the services] from the Force after issue of notice of one month or after giving one month's pay in lieu of such notice, or revert him to the rank from which he was promoted or repatriate to his parent department, as the case may be.

(3) On successful completion of probation by a member of the Force, the appointing authority shall pass an order confirming the member of the Force in the grade in which he joined the Force.

26. Termination.—²(1) Where the appointing authority has terminated the services of probationer, the Inspector General may on his own motion or otherwise, reopen the case and after making such enquiry as he thinks fit may (i) confirm the action taken by the appointing authority; (ii) withdraw the notice; (iii) reinstate the probationer in service; or (iv) make such other order in the case as he may consider proper :

Provided that except in special circumstances, which should be recorded in writing, no case shall be reopened under this sub-rule after expiry of three months,—

- (a) from the date of notice, in a case where notice is given;
- (b) from the date of termination of service in a case where no notice is given.]

1. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

(2) Where a probationer is reinstated in service under above rule, the order of reinstatement shall specify (i) the amount of proportion of pay and allowances, if any, to be paid to the probationer for the period of his absence between the date of termination of his services and date of his reinstatement; and (ii) whether the said period shall be treated as a period ¹[spent] on duty for any specified purpose or purposes.

(3) Where the Inspector General has terminated the service of a probationer, acting as appointing authority, all the powers prescribed in sub-rules (1) and (2) above shall be exercised by the Director General and where the Director General has issued the order of termination by the Central Government.

²[(4) During the period of probation or its extension thereof, as the case may be, the appointing authority may without assigning any reason terminate the services of a member of the Force on the grounds of furnishing false or incorrect information at the time of appointment of that member of the Force or for his failure to pass the basic training or repeat course, by tendering a notice of one month to that effect or one month's pay in lieu thereof.]

CHAPTER VIII

SPECIAL PROVISIONS

27. Special provisions for certain categories of persons.—Nothing in these rules shall effect reservations, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, the Schedule Tribes, Ex-servicemen and other special categories of persons, in accordance with the order issued by the Central Government from time to time in this regard.

28. Power to relax.—Notwithstanding anything contained in the foregoing rules, here, in the interest of the formation and the due functioning of the Force, it is necessary so to do relaxation under these rules (other than the requirement being medically fit) may be made at the time of direct recruitment by the Director General,—

(i) Constable—any of the eligibility criteria.

³[(ii) ***]

CHAPTER IX

CONDITIONS OF SERVICE AND CONDUCT

29. Manuals.—The Director General shall frame Training Manual, Establishment Manual as well as other manuals for administration of the Force with the approval of the Central Government.

30. Solemn affirmation of allegiance.—On appointment, each recruit or cadet shall be required to solemnly affirm his allegiance in the form given in

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

3. Sub-clause (ii) omitted by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

Appendix "B" and shall receive a certificate of appointment as prescribed in Section 6 of the Act.

CHAPTER X

PENALTIES AND PROCEDURE

31. Rules governing discipline.—(1) Supervisory officers shall be governed by the rules applicable to the officers of the Central Government of corresponding class in respect of disciplinary proceedings.

(2) The enrolled members of the Force shall in such matters be governed by the rules in this Chapter.

32. Disciplinary Authorities.—(1) The disciplinary authority in respect of an enrolled member of the Force for the purpose of imposing any particular penalty or the passing of any disciplinary order shall be the authority specified in this behalf in Schedule I under whose administrative control the enrolled member is serving and shall include any authority mentioned in the said Schedule superior to such authority.

¹[(2) Whenever an enrolled member of the Force is deployed for operational duty or any other duty or course of training outside the place of his permanent posting then a supervisory officer under whose control such member has been so deployed shall be competent to place him under suspension. Such supervisory officer shall refer the matter to concerned disciplinary authority as mentioned in sub-rule (1).]

(3) A disciplinary authority competent under Schedule I to impose any of the penalties specified in clauses (vi) to (x) or Rule 34 may institute disciplinary proceedings against any enrolled member of the Force for imposition of any of the penalties specified in clauses (i) to (v) of Rule 34 notwithstanding that such disciplinary authority is not competent under Schedule I to impose any such penalties.

33. Suspension.—(1) The appointing authority or any authority to which it is subordinate or the disciplinary authority or any other authority empowered in that behalf by the president by general or special order may place an enrolled member of the Force under suspension,—

- (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; or
- (c) where in the opinion of the authority aforesaid, he engaged himself in activities prejudicial to the interest of the security of the State :

Provided that where the order of suspension is made by an authority lower than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order was made and obtain his approval within 30 days from the date of the order.

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

(2) An enrolled member of the Force shall be deemed to have been placed under suspension by an order of the appointing authority,—

- (a) with effect from the date of his detention, if he is detained in custody, whether on a criminal charge or otherwise, for a period exceeding ¹[forty-eight] hours;
- (b) with effect from the date of his conviction in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding ²[forty-eight] hours and is not forthwith dismissed or removed or compulsorily retired ³[consequent] to such conviction.

Explanation.—The period of forty-eight hours referred to in clause (b) of this sub-rule shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an enrolled member of the Force under suspension is set aside in appeal or on review under these rules and the case is remitted for further enquiry or action or with any other directions, the orders of his suspension shall be deemed to have continued in ⁴[force] on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in ⁵[force] until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon an enrolled member of the Force is set aside or declared or rendered void in consequence of or by a decision of a Court of law and the disciplinary authority, on consideration of the circumstances ⁶[of] the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the enrolled member of the Force shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

(5) (a) ⁷[Subjected to the provisions of sub-rule (7) an order of suspension] made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) Where an enrolled member of the Force is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceedings or otherwise) and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension, may for reasons to be recorded by him in writing direct

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3. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).
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6. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).
7. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

that the enrolled member of the Force shall continue to be under suspension until the termination of all or any of such proceedings.

(c) An order of suspension made or deemed to have been made under this rule, may at any time be modified or revoked by the authority which made or is deemed to have been made the order or by any authority to which that authority is subordinate.

34. Nature of Penalties.—The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on an enrolled member of the Force, namely :—

Major Penalties,—

- (i) dismissal from service which shall ordinarily be a disqualification for future employment under the Government;
- (ii) removal from service which shall not be a disqualification for future employment under the Government;
- (iii) compulsory retirement;
- ¹[(iv) reduction to lower time scale of pay, grade, post or service for a period to be specified in the order of penalty, which shall be a bar to the promotion of the enrolled member of the Force during such specified period to the time scale of pay, grade, post or service from which he was reduced, with direction as to whether or not, on promotion on the expiry of the said specified period—
 - (a) the period of reduction to time-scale of pay, grade, post or service shall operate to postpone future increments of his pay; and if so, to what extent; and
 - (b) the enrolled member of the Force shall regain his original seniority in the higher time scale of pay, grade, post or service.]
- (v) save as provided for in clause (viii) below, reduction to a lower stage in the time scale of pay for a specified period with further directions as to whether or not the enrolled member will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will have the effect of postponing the future increments of his pay.

Minor Penalties,—

- (vi) censure;
- (vii) withholding of his promotion;
- (viii) reduction to a lower stage in the time scale of pay for a period of not exceeding three years, without cumulative effect and not adversely affecting his pension;
- (ix) withholding of increment of pay;
- (x) fine to any amount not exceeding of 7 days' pay.

1. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

Explanation.—The following shall not amount to a penalty within the meaning of this rule, namely :—

- (a) withholding of increment of an enrolled member for failure to pass a departmental examination in accordance with the rules or orders or the terms of his appointment;
- (b) stoppage of increment of an enrolled member at the efficiency bar in a time scale of pay on the ground of his unfitness to cross the bar;
- (c) non-promotion of an enrolled member whether in a substantive or officiating capacity, after consideration of his case, to a rank or post for promotion to which he is eligible;
- (d) reversion of an enrolled member officiating in a higher rank or post to a lower rank or post, on the ground that he is considered after trial, to be unsuitable for such higher rank or post or on any administrative grounds unconnected with his conduct;
- (e) reversion of an enrolled member appointed on probation to any other rank or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing such probation;
- (f) replacement of the services of an enrolled member whose services had been borrowed from any department of the Central Government or State Government or any authority under the Central Government or the State Government at the disposal of the Central Government or the State Government or the authority from which the services of such enrolled member had been borrowed;
- (g) compulsory retirement of an enrolled member in accordance with the provisions relating to his superannuation or retirement;
- (h) Termination of service,—
 - (i) of an enrolled member appointed on probation during or at the end of the period of his probation, in accordance with the terms of his appointment or the rules and orders governing such probation; or
 - (ii) of a temporary enrolled member in accordance with the provisions of Rule 25; or
 - (iii) of an enrolled member, employed under an agreement, in accordance with the terms of such agreement;
- (i) treatment of absence from duty as “dies-non” ordered by a competent authority under Rule 55.

NOTE

Show-cause notice.—The show-cause notice could not be served upon him for the reason that he again deserted the LINE and returned back after 50 days. Therefore the disciplinary proceedings could not be concluded expeditiously. The respondent submitted the reply to the show-cause notice and the material on record reveal that during the pendency of the enquiry he further deserted the LINE for 10 days. There is

nothing on record to show any explanation for such repeated misconduct or absenteeism. The Court/Tribunal must keep in mind that such indiscipline is intolerable so far as the disciplined force is concerned. The respondent was a guard in CISF. No attempt had ever been made at any stage by the respondent-employee to explain as to what prejudice has been caused to him by non-furnishing of the enquiry report. Nor he ever submitted that such a course has resulted in failure of justice. Moreso, the respondent employee had never denied at any stage that he had not been punished three times before initiation of the disciplinary proceedings and deserted the LINE twice even after issuance of the show-cause notice in the instant case. No explanation could be furnished by the respondent-employee as under what circumstances he has not even consider it proper to submit the application for leave. Rather, the respondent thought that he had a right to desert the LINE at his sweet will. It was a case of gross violation of discipline. Appeal filed by the respondent-employee was decided by the Statutory Appellate Authority giving cogent reasons. The facts of the case did not present special features warranting any interference by the Court in limited exercise of its powers of judicial review. In such a fact situation, the High Court should not have interfered with the punishment order passed by the disciplinary authority on such technicalities. [*Union of India v. Bishamber Das Dogra*, 2009 (122) FLR 578 : 2009 (9) JT 176 : 2009 (8) Scale 667 : 2009 (9) SCR 828 : 2009 (8) SRJ 366 (SC)].

35. Petty punishments.—Head Constable, Constable ¹[***] may also be awarded, as punishment, extra drill, guard, fatigue or other duty for a term not exceeding fourteen days.

Explanation.—Petty punishments shall ordinarily be awarded in Orderly Room as provided in Rule 38 of this Chapter.

36. Procedure for imposing major penalties.—(1) Without prejudice to the provisions of the Public Servants ²[(Inquiries)] Act, 1850 (37 of 1850), no order imposing on an enrolled member of the Force any of the penalties as specified in clauses (i) to (v) of Rule 34 shall be made except after an inquiry held, as far as may be, in the manner hereinafter provided.

(2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an enrolled member of the Force, it may itself inquiry into, or appoint an authority to inquiry into the truth thereof.

Explanation.—Where the disciplinary authority itself holds the inquiry, any reference in sub-rules (7) to (18) of this rule shall be construed as a reference to the disciplinary authority.

(3) Where it is proposed to hold an inquiry against an enrolled member of the Force under this Rule, the disciplinary authority shall draw up or cause to be drawn up,—

- (i) the substance of the imputation of misconduct or misbehaviour into definite and distinct articles of charge;
- (ii) a statement of the imputation of misconduct of misbehaviour in support of each article of charge, which shall contain,—

1. Omitted by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).
 2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

- (a) a statement of all relevant facts including any admission or confession made by the enrolled member of the Force,
- (b) a list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.

(4) The disciplinary authority shall deliver or cause to be delivered to the enrolled member of the Force a copy of the articles of charge, the statement of imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the enrolled member of the Force to submit, within such time as may be specified, a written statement of his defence and to state whether he desires to be heard in person.

(5) (a) On receipt of the written statement of defence, the disciplinary authority may itself inquiry into such of the articles of charge as are not admitted, or if it considers it necessary to do so, appoint under sub-rule (2), an inquiring authority not below the rank of Inspector for the purpose, and where all the articles of the charge have been admitted by the enrolled member of the Force in his written statement of defence, the disciplinary authority shall record its findings on each charge after taking such evidence as it may think fit and shall pass an order in the manner laid down in sub-rules (20) to (22).

(b) If no written statement of defence is submitted by the enrolled member of the Force, the disciplinary authority may itself inquiry into the articles of charge, or may, if it considers it necessary to do so, appoint, under sub-rule (2) an inquiring authority for the purpose.

¹[(c) Where the Disciplinary Authority itself inquiries into any article of charge or appoints an Inquiring Authority for holding any enquiry into such charge, it may, by an order, appoint a member of the Force to be known as the 'Presenting Officer' to present on its behalf the case in support of the articles of charge.]

(6) The disciplinary authority shall, where it is not the Inquiring Authority, forward to the inquiring authority,—

- (i) a copy of the articles of charge and the statement of the imputations of misconduct or misbehaviour;
- (ii) a copy of the written statement of defence, if any, submitted by the enrolled member of the Force;
- (iii) a copy of the statement of witnesses, if any, referred to in sub-rule (3);
- (iv) evidence proving the delivery of the documents referred to in sub-rule (3) to the enrolled member of the Force;

²[(v) a copy of the order appointing the Presenting Officer.]

(7) The enrolled member of the Force shall appear in person before the inquiring authority on such day and at such time and place, within ten working

1. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f.9.6.2003).

2. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

days from the date of receipt by him of the article of charge and the statement of imputation of misconduct or misbehaviour as the inquiring authority may, by notice in writing, specify in this behalf or within such further time, not exceeding ten days as the inquiring authority may allow.

(8)(a) The enrolled member of the Force so charged may be permitted by the inquiring authority to present his case with the assistance of any other member of the Force posted at the place of inquiry. He will give three choices for his defence assistance and the controlling officer will depute any one of the three indicated by him.

(b) The ¹[***] member of the Force cannot have more than three cases in hand in which he is rendering defence assistance. However, the controlling authority of such person who is sought to be engaged may refuse permission for his working as defence assistant if the public interest so demands.

(9) If the enrolled member of the Force who has not admitted any of the article of charge in his written statement of defence or has not submitted any written statement of defence, appears before the inquiring authority, such authority shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the enquiring authority shall record the plea, sign the record and obtain the signature of the enrolled member of the Force thereon.

²[(10)(a) The Inquiring Authority shall return a finding of guilt in respect of those articles of charge to which the enrolled member of the Force pleads guilty;

(b) The Inquiring Authority shall, if the enrolled member of the Force fails to appear within the specified time or refuses or omits to plead, require the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge, and shall adjourn the case to a later date, not exceeding thirty days, after recording an order that the enrolled member of the Force may, for the purpose of preparing his defence,—

- (i) inspect within five days of the order or within such further time not exceeding five days as the Inquiring Authority may allow, the documents specified in the list referred to in sub-rule (3);
- (ii) submit a list of witnesses to be examined on his behalf;
- (iii) give a notice within ten days of the order or within such further time not exceeding ten days as the Inquiring Authority may allow, for the discovery or production of any documents which are in the possession of Government but not mentioned in the list referred to in sub-rule (3).]

(11) The inquiring authority shall, on receipt of the notice for the discovery or production of documents forward the same or copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production of the documents by such date as may be specified in such requisition :

1. Omitted by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).
2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

¹[Provided that the Inquiring Authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case.]

(12) On receipt of the requisition referred to in sub-rule (11), every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority :

Provided that if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the public interest or security of the State, it shall inform the inquiring authority accordingly and the inquiring authority shall, on being so informed, communicate the information to the enrolled member of the Force and withdraw the requisition made by it for the production or discovery of documents.

(13) ²[***]

(14) ³[***]

⁴[(15) On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the Disciplinary Authority. The witnesses shall be examined by or on behalf of the Presenting Officer and maybe cross-examined by or on behalf of the enrolled member of the Force. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross examined, but not on any new matter, without the leave of the Inquiring Authority. The inquiring Authority may also put such questions to the witnesses as it thinks fit.]

⁵[(16) If it shall appear necessary before the close of the case on behalf of the Disciplinary Authority, the Inquiring Authority may, in its discretion, allow the Presenting officer to produce evidence not included in the list given to the enrolled member of the Force or may itself call for new evidence or recall and re-examine any witness and in such case the enrolled member of the Force shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the enquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and the day to which the enquiry is adjourned. The Inquiring Authority shall give the enrolled member of the Force an opportunity of inspecting such documents before they are taken on the record. The Inquiring Authority may also allow the enrolled member of the Force to produce new evidence, if it is of the opinion that the production of such evidence is necessary, if the interests of justice.

Note.—New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be

1. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).
2. Omitted by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).
3. Omitted by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).
4. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).
5. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

called for only when there is an inherent lacuna of defect in the evidence which has been produced originally.]

¹[(17) When the case for the Disciplinary Authority is close, the enrolled member of the Force shall be required to state his defence, orally or in writing as he may prefer. If the defence is made orally it shall be recorded, and the enrolled member of the Force shall be required to sign the record. In either case, a copy of the statement of defence shall be given to the Presenting Officer if any appointed.]

²[(18) (a) The evidence on behalf of the enrolled member of the Force shall then be produced. The enrolled member of the Force may examine himself in his own behalf if he so prefers. The witnesses produced by the enrolled member of the Force shall then be examined and shall be liable to cross-examination, re-examination and examination by the Inquiring Authority according to the provisions applicable to the witnesses for the Disciplinary Authority.

(b) The Inquiring Authority may, after the enrolled member of the Force closes, his case, and shall, if the enrolled member of the Force has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the enrolled member of the Force to explain any circumstances appearing in the evidence against him.

(c) The Inquiring Authority may, after the completion of the production of evidence, hear the Presenting Officer, if any, appointed and the enrolled member of the Force, or permit them to file written briefs of their respective case, if they so desire.

(d) Whenever any Inquiring Authority, after having heard and recorded the whole or any part of the evidence in any inquiry ceases to exercise jurisdiction therein, and is succeeded by another Inquiring Authority which has, and which exercises, such jurisdiction, the Inquiring Authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor and partly recorded by itself :

Provided that if the succeeding Inquiring Authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is necessary in the interests of justice, it may recall, examine, cross-examine and re-examine any such witnesses as hereinbefore provided.

(e) If the enrolled member of the Force to whom a copy of the articles of charge has been delivered, does not submit written statement on or before the date specified for the purpose or does not appear in person before the Inquiring Authority or otherwise fails or refuses to comply with the provisions of this rule, the Inquiring Authority may hold the inquiry *ex parte*.]

(19)(i) After the conclusion of the inquiry, a report shall be prepared and it shall contain,—

- (a) the articles of charge and the statement of the imputations of misconduct or misbehaviour;

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).
2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

- (b) the defence of the enrolled member in respect of each article of charge;
- (c) an assessment of the evidence in respect of each article of charge;
- (d) the findings on each article of charge and reasons thereof.

Explanation.—If, in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original article of the charge, it may record its findings on such article of charge :

Provided that the findings on such article of charge shall not be recorded unless the enrolled member has either admitted the fact on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(ii) The inquiring authority, where if is not itself the disciplinary authority, shall forward to the disciplinary authority the records of enquiry which shall include,—

- (a) the report prepared by it under clause (i);
- (b) the written statement of defence, if any, submitted by the enrolled member;
- (c) the oral and documentary evidence produced in the course of inquiry;
- (d) written brief, if any, filed by the enrolled member ¹[or the Presenting Officer] during the course of the inquiry; and
- (e) the orders, if any, made by the disciplinary authority and the inquiry authority in regard to the enquiry.

(20) (i) Where a disciplinary authority competent to impose any of the minor penalties and not competent to impose any of the major penalties specified in Rule 34 has itself inquired into or cause to be inquired into the articles of any charge and that authority having regard to his own finding or having regard to his decision on any of the findings of any inquiring authority appointed by it, is of the opinion that the major penalty specified in Rule 34 should be imposed upon the enrolled member, that authority shall forward the records of the inquiry to such disciplinary authority as is competent to impose any of the major penalties.

(ii) The disciplinary authority to which the records are so forwarded may act on the evidence on the record or may remit the case to the disciplinary authority from whom the records were forwarded or the inquiring authority, as the case may be, for further inquiry and report on any point.

(21)(i) The disciplinary authority, if it is not itself the inquiry authority, may consider the records of inquiry and record its findings on each charge. The disciplinary authority may, for reasons to be recorded by it in writing, remit the case to the inquiring authority for further inquiry and report and the inquiry

1. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

authority shall thereupon proceed to hold the further inquiry according to the provisions of this rule as far as may be.

(ii) The disciplinary authority shall, if it disagrees with the findings of the inquiring authority on any article of charge, record its reasons for such disagreement and record its own findings on such charge if the evidence on record is sufficient for the purpose.

¹[(iii) The Disciplinary Authority shall forward or cause to be forwarded a copy of the report of the inquiry, if any, held by the Disciplinary Authority or where the Disciplinary Authority is not the Inquiring Authority, a copy of the report of the Inquiring Authority together with reasons for disagreement, if any, and record its own findings on any article of charge to the enrolled member of the Force who shall be required to submit, if he so desires, his written representation or submission to the Disciplinary Authority within fifteen days irrespective of whether the report is favourable or not to the enrolled member of the Force.

(iv) The Disciplinary Authority shall consider the representation, if any, submitted by the enrolled member of the Force before proceeding further in the manner as provided in sub- rule (2) of Rule 36.]

(22)(i) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the minor penalties specified in Rule 34 should be imposed on the enrolled member, it shall, notwithstanding anything contained in Rule 37, make an order imposing such penalty.

(ii) If the disciplinary authority having regard to its findings on all or any of the articles of charge and on the basis of evidence adduced during the course of inquiry, is of the opinion that any of the major penalties specified in Rule 34 should be imposed on the enrolled member, it shall make an order imposing such penalties and it shall not be necessary to give the enrolled member any opportunity of making representation on the penalty proposed to be imposed.

37. Procedure for imposing minor penalties.—(1) No order imposing any of the minor penalties specified in Rule 34 shall be made except after,—

- (a) informing the enrolled member in writing of the imputations of misconduct or misbehaviour on which it is proposed to be taken and giving him a reasonable opportunity of making such representation as he wishes to make against the proposal;
- (b) holding an inquiry, if the disciplinary authority so desires, in the manner laid down in sub-rules (3) to (22) of the Rule 36;
- (c) taking the representation, if any, submitted by the enrolled member under clause (a) and the record of inquiry, if any, held under clause (b) into consideration; and
- (d) recording the findings on each imputation of misconduct or misbehaviour.

1. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

(2) Notwithstanding anything contained in clause (b) of sub-rule (1), if in a case it is proposed after considering the representation, if any, made by the Government servant under clause (a) of that sub-rule to withhold increments of pay and such withholding of increments is likely to affect adversely the amount of pension payable to the Government servant or to withhold increments of pay for a period exceeding 3 years or to withhold increments of pay with cumulative effect for any period an inquiry shall be held in the manner laid down in sub-rules (3) to (22) of Rule 36 before making any order imposing on the enrolled member of the Force any such penalty.

(3) The records of the proceedings in such cases shall include,—

- (i) a copy of the intimation to the enrolled member so charged of the proposal to make action against him;
- (ii) a copy of the statement of imputation of misconduct or misbehaviour delivered to him;
- (iii) his representation, if any;
- (iv) the evidence produced during the enquiry, if any;
- (v) the findings on each imputation of misconduct or misbehaviour; and
- (vi) the orders on the case together with the reasons therefor.

38. Procedure for imposing petty punishment.—Petty breaches of discipline and trifling cases of misconduct by the enrolled members of the Force not above the rank of the Head Constable shall be inquired into and disposed of in the Orderly Room. The punishment enumerated in Rule 35 may be awarded, making a record of a summary proceedings in the Orderly Room register which shall be maintained for keeping record of such punishments. There shall be no appeal against the punishment awarded in the Orderly Room.

39. Special procedure in certain cases.—Notwithstanding anything contained in Rules 36 to 38,—

- (i) where any penalty is imposed on an enrolled member of the Force on the ground of conduct which has led to his conviction on a criminal charge; or
- (ii) where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules; or
- (iii) where the President is satisfied that in the interest of the security of the State, it is not expedient to hold any inquiry in the manner provided in these rules, the disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit :

Provided that the enrolled member of the Force may be given an opportunity of making representation against the penalty proposed to be imposed before any order is made in case under clause (i).

40. Provisions regarding enrolled members of the Force borrowed from State Government etc.—(1) Where an order of suspension is made or

a disciplinary proceeding is conducted against an enrolled member of the Force whose services have been borrowed from another department of the Central Government or from a State Government or an authority subordinate thereto, the authority lending his services (hereinafter in these rules referred to as the "lending authority") shall forthwith be informed of the circumstances leading to the order of suspension of the enrolled member of the Force or the commencement of the disciplinary proceedings, as the case may be.

(2) In the light of the findings in the disciplinary proceeding conducted against such an enrolled member of the Force, if the disciplinary authority is of the opinion that any of the penalties specified in clauses (vi) to (x) of Rule 34 should be imposed on him, it may, subject to the provisions of sub-rule (22)(i) of the Rule 36 and after consultation with the lending authority, pass such orders on the case as it may deem necessary,—

- (i) provided that in the event of difference of opinion between the borrowing authority and the lending authority, the services of such enrolled member of the Force shall be re-placed at the disposal of the lending authority;
- (ii) if the disciplinary authority is of the opinion that any of the penalties specified in clauses (i) to (v) of Rule 34 should be imposed on the enrolled member of the Force, it shall re-place the services of such enrolled member of the Force at the disposal of the lending authority and transmit to it the proceedings of the enquiry for such action as it may deem necessary.

41. Provisions regarding enrolled member of the Force lent to State Government etc.—(1) Where the services of an enrolled member of the Force are lent to another department of the Central Government or to a State Government or other authority ¹[hereinafter] in this rule referred to as "borrowing authority" the borrowing authority shall have the powers of the appointing authority for the purpose of placing such enrolled member of the Force under suspension and of the disciplinary authority for the purpose of conducting a disciplinary against him :

Provided that the borrowing authority shall forthwith inform the authority which lent the services of such enrolled member of the Force hereinafter in this rule referred to as 'the lending authority' of the circumstances leading to the order of suspension of such enrolled member of the Force or the commencement of the disciplinary proceeding, as the case may be.

(2) In the light of findings in the disciplinary proceedings conducted against the enrolled member of the Force :—

- (i) If the borrowing authority is of the opinion that any of the penalties specified in clauses (vi) to (x) of Rule 34 should be imposed on such a member, it may, after consultation with the lending authority, make such orders on the case as it may deem necessary :

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

Provided that in the event of difference of opinion between the borrowing authority and the lending authority, the services of such enrolled member of the Force shall be re-placed at the disposal of the lending authority;

- (ii) If the borrowing authority is of the opinion that any of the penalties specified in clauses (i) to (v) of Rule 34 should be imposed on the enrolled member, it shall re-place his services at the disposal of lending authority and transmit the proceedings of the enquiry and thereupon the lending authority may, if ¹[it] is a disciplinary authority, pass such orders thereon as it may deem necessary, or if he is not a disciplinary authority, submit the case to the appropriate disciplinary authority which shall pass orders on the case as it may deem necessary :

Provided that before passing any such order the disciplinary authority shall comply with the provisions of sub- rule (22) of Rule 36.

Explanation.—The disciplinary authority may make an order under this clause on the record of the inquiry transmitted to it by the borrowing authority or after holding such further inquiry as it may deem necessary, as far as may be in accordance with Rule 36.

42. Reduction in rank etc.—No enrolled member of the Force shall be reduced to a rank lower than that to which he was first appointed to the service nor shall be reduced permanently in the sense that he may never be eligible for re-promotion however meritorious his subsequent service may be. When reduction to a lower rank class, grade or a lower time scale or a lower stage in the time scale is ordered, the order shall also specify the position in the lower rank on such reduction as well as the period for which the reduction shall hold good.

43. Withholding of increment.—In case of withholding of increment as a punishment, the order shall state the period for which the increment is to be withheld and whether it shall have the effect of postponing further increments.

CHAPTER XI

APPEALS, REVISIONS AND PETITIONS

44. Appeal against order of suspension.—An enrolled member of the Force may appeal against the order of suspension to the authority, to which the authority which made or is deemed to have made the order is immediately subordinate.

45. Orders against which no appeal lies.—Notwithstanding anything contained in this chapter, no appeal shall lie against,—

- (i) any order of interlocutory nature or of the nature of ²[step-in-aid of] the final disposal of disciplinary proceedings other than an order of suspension; and
- (ii) any order passed by an inquiring authority in the course of inquiry under Rule 36.

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

46. Appeal against order imposing penalties.—(1) An enrolled member may prefer an appeal against all or any of the following orders, namely :—

- (i) an order of suspension made or deemed to have been made under Rule 33;
- (ii) an order imposing any of the penalties specified in Rule 34, made by the disciplinary authority or by any appellate or revising authority.

(2) Such appeal shall be made to the authority immediately superior to the authority who has imposed the penalty.

Note.—(i) Appeal against the order of Deputy Inspector General shall lie to the Sector Inspector General and against the order of the Sector Inspector General to the Director General.

(ii) Appeal against the order of the Deputy Inspector General at Force Headquarters including Deputy Inspector General (Training and Fire) shall lie to Inspector General (Headquarters) and against the order of Inspector General (Headquarters) to the Director General.

(iii) Appeal against the order of the Director General shall be to the Central Government.

(iv) Where the person who made the order appealed against becomes, by virtue of his subsequent appointment or otherwise the appellate authority in respect of such order, an appeal against such order shall lie to the authority to whom such person is immediately subordinate.

(3) There shall be no second appeal. But when the appellate authority imposes a penalty higher than the one appealed against, an appeal shall lie to the authority next superior to the appellate authority.

47. Period of limitation for appeals.—No appeal under these rules shall be entertained unless it is submitted within a period of 30 days from the date on which the appellant received 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 preferring the appeal in time.

48. Form and contents of appeal.—(1) Every enrolled member preferring an appeal shall do so separately in his own name.

(2) The appeal shall be addressed to the authority to whom the appeal¹ [lies and it] 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.

49. Submission of Appeals.—The appellant shall submit such appeal to the authority which made the order appealed against :

Provided that if the appellant at the time of submitting such appeal is not serving under that authority, shall submit the appeal to the authority under

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

whom he is serving and that authority shall forward it forthwith to the appropriate authority. If the appellant is not in service, he shall submit his appeal direct to the appellate authority, a copy of the appeal will also be forwarded by the appellant to the authority which made the order appealed against.

50. Withholding of appeals.—(1) The authority which made the order appealed against, may withhold the appeal if,—

- (i) it is an appeal against an order for which no appeal lies under Rule 45; or
- (ii) it is not in conformity with the provisions of Rule 48; or
- (iii) it is not submitted within the period specified in Rule 47 and no sufficient cause is shown for the delay; or
- (iv) it is repetition of any appeal already decided and no new facts of circumstances are adduced :

Provided that an appeal withheld on the ground only that it was not in conformity with provisions of Rule 48, shall be returned to the appellant and if re-submitted within 30 days thereof, after compliance with the said provisions, shall not be withheld.

(2) Where an appeal is withheld on any grounds under sub-rule (1) of this rule, the appellant shall be informed of the facts and the reasons thereof.

51. Transmission of appeals.—The authority which made the order appealed against, shall on receipt of such appeal, forward the same together with the relevant records, to the appellate authority without any avoidable delay and without waiting for any directions from the appellate authority unless the appeal is withheld under Rule 50.

52. Consideration of appeals.—(1) In the case of an appeal against an order of suspension, the appellate authority shall consider whether in the light of the provisions of ¹[Rule 33] and having regard to the circumstances of the case, the order of suspension is justified or not and confirm or revoke the order accordingly.

(2) In the case of an appeal against the order imposing any of the penalties specified in Rule 34, or enhancing any penalty imposed under the said rules, the appellate authority shall consider,—

- (a) whether the procedure laid down in these rules has been complied with and if not whether such non-compliance has resulted in the violation of any provisions of the Constitution of India or in the failure of justice;
- (b) whether the findings of the disciplinary authority are warranted on the basis of the evidence on the record; and
- (c) whether the penalty or the enhanced penalty imposed is excessive, or adequate, or inadequate and pass orders,—

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

- (i) confirming, enhancing, reducing or setting aside the penalty; or
- (ii) remitting the case to the authority which imposed or enhanced the penalty, or to any other authority with such directions it may deem fit in the circumstances of the case;
- ¹[(iii) No order imposing enhanced penalty shall be made in any other case unless the appellant has been given a reasonable opportunity, as far as may be, in accordance with the provisions of Rule 37, of making a representation against such enhanced penalty.]

Provided that,—

- (i) If such enhanced penalty which the appellate authority proposes to impose is one of the penalties specified in clauses (i) to (v) of Rule 34 and an inquiry under Rule 36 has not already been held in the case, the appellate authority shall, subject to the provisions of Rule 39, itself hold such an inquiry or direct that such inquiry be held in accordance with Rule 36 and thereafter on a consideration of the proceedings of such inquiry make such orders as it may deem fit; and
- (ii) If the enhanced penalty which the appellate proposes to impose is one of the penalties specified in clauses (i) to (v) of Rule 34 and an inquiry under Rule 36 has already been held in the case, the appellate authority shall make such orders as it may deem fit.

53. Implementation of orders in appeal.—The authority which made the order appealed against shall give effect to the orders passed by the appellate authority.

²[54. Revision.]—(1) Any authority superior to the authority making the order may either on his own motion or otherwise call for the records of any inquiry and revise any order made under these rules, and may,—

- (a) confirm, modify or set aside the order; or
- (b) confirm, reduce, enhance or set aside the penalty imposed by the order, or impose any penalty where no penalty has been imposed; or
- (c) remit the case to the authority which made the order or to any other authority directing such authority to make such further enquiry as it may consider proper in the circumstances of the case; or
- (d) pass such order as it may deem fit, within six months of the date of communication of the order proposed to be revised :

Provided that no order imposing or enhancing any penalty shall be made by any revisioning authority unless the enrolled member of the Force concerned

1. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

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 (i) to (v) of Rule 34 or to enhance the penalty imposed by the order sought to be revised to any of the penalties specified in those clauses, and if any, inquiry under Rule 36 of Central Industrial Security Force Rules, 2001 has not already been held in the case no such penalty shall be imposed except after an enquiry in the manner laid down in the aforesaid rules.

(2) The provisions of Rule 52 relating to appeals shall apply so far as may be to such orders in revision.

(3) Orders and instructions issued by the Central Government on this subject from time to time shall be applicable *mutatis mutandis* as applicable under Central Civil Services (Classification, Control and Appeal) Rules, 1965.]

55. Dies-non.—Notwithstanding anything contained in these rules a disciplinary authority while passing final order to impose a penalty upon an enrolled member of the Force or an appellate authority or a revising authority may, on reinstatement of an enrolled member of the Force in service after setting aside a penalty of dismissal, removal or compulsory retirement without exonerating such enrolled member of the Force of the charges which resulted in any of these penalties, after giving an opportunity to the enrolled member of the Force concerned to show cause against such action and for reasons to be recorded in writing, order that the intervening period between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement be treated as dies-non for purposes of service.

56. Petitions.—(1) Any enrolled member of the Force may submit a petition in respect of any matter connected with his official position in which his personal interests are involved other than a matter covered by the rule relating to appeals and revision.

(2) Each such enrolled member of the Force shall submit a petition solely relating to his individual case.

(3) Joint petitions of any kind whatsoever shall not be taken notice of and submission of such petitions shall be deemed to be an act of indiscipline.

(4) Such petition shall be in proper form and not couched in improper language and be submitted to the immediate superior even if the petitioner be on leave at the time. A petition submitted in contravention of this rule shall be summarily rejected.

(5) Such immediate superior shall submit it through his immediate superior to the authority competent to dispose it of. An officer superior to him may withhold any such petition if it is couched in intemperate language or is otherwise improperly written, in which case he shall inform the petitioner in writing that his petition has been withheld.

(6) In any subsequent petition to the competent authority, the petitioner shall also attach to his petition, a copy of the order on his previous petition as communicated to him by his immediate superior officer.

57. Other methods forbidden.—The supervisory officers and enrolled members of the Force are forbidden from resorting to any method other than that prescribed in these rules for pressing their claims or for obtaining redress of alleged grievances or reversal, any such attempt on their part shall be deemed to be an act of indiscipline.

CHAPTER XII

MISCELLANEOUS

58. Resignation.—(1) The appointing authority may during the period of probation or thereafter permit any member of the Force to resign from his post with effect from such date as may be specified in the order accepting his resignation :

Provided that before acceptance of resignation of any such member of the force up to the period of ten years from the date of appointment in the Force, for reasons other than accepting a job elsewhere for which cadre clearance has been given, shall be required to refund the cost of training imparted to him in the Force or a sum equal to three months' pay and allowances, whichever is more.

(2) The resignation of a member of the Force who is under trial or whose conduct is under inquiry may be refused.

59. Discharge Certificate.—Whenever a member of the Force ceases to be such member for any reason whatsoever, a discharge certificate in the Form specified in Appendix "D" annexed to these rules shall be given to him.

60. Surrender of certificate of appointment.—Every enrolled member ceasing to be a member of the Force shall surrender to his immediate superior his certificate of appointment which shall thereupon be submitted to the Commandant.

61. Free accommodation.—(1) Normally, the undertaking where the Force has been deputed shall provide accommodation in the township itself to all supervisory officers and at the rate of 45 per cent married and 55 per cent unmarried or as amended by the Central Government from time to time, to the enrolled members of the Force.

(2) The accommodation to the enrolled member of the Force shall be rent-free but where such facilities are not available they shall get house rent allowance in lieu thereof as applicable to other Central Government employees.

(3) The members of the Force shall also get compensation in lieu of married accommodation in terms of orders issued by the Government from time to time in this respect. The compensation shall be payable to that percentage of members of the Force who are entitled to get married accommodation minus those members of the Force who are allotted accommodation by the Undertaking.

(4) Supervisory officer of the Force who is provided accommodation by the Public Sector Undertakings or allotted accommodation by Directorate of Estate will pay licence fee to the Public Sector Undertakings at the rates as applicable to their own employees or the licence fee as fixed by the Central Government for general pool accommodation from time to time with reference to plinth area of accommodation as the case may be.

62. Medical facilities.—members of the Force shall be entitled to the facilities of the Central Government Health Scheme and in places where these facilities are not available, they shall be governed by the Central Civil Services (Medical Attendant) Rules, 1944 :

Provided that when they are deployed in a Public Sector Undertakings,—

- (i) in a case where such Public sector Undertaking provides medical facilities to its employees, such members of the Force shall be entitled to avail such facilities free of charge; and
- (ii) if such facilities are not available, the authorised medical attendant for such members of the Force will be as provided in Central Civil Services (Medical Attendant) Rules, 1944.

63. Leave.—The Supervisory Officers and ¹[enrolled members of the Force] shall be governed by the Leave Rules as are applicable to employees of the Central Government, excepting that they shall be entitled to fifteen days Casual Leave in a calendar year in respect of field formation where no specific working hours in a day or working weeks are prescribed and entitlement of Casual leave in static formation like Force Head Quarters, Sector Head Quarters, etc., of Central Industrial Security Force will be 8 days in a calendar year as per Ministry of Home Affairs' Office Memorandum No. 27012/6/98/ PE.I/419, dated 7.7.2000. The Regularisation of leave will be subject to orders issued by Central Government from time to time.

64. Recall from Leave.—The Supervisory Officers and enrolled members of the Force on leave may be recalled at any time by the authority empowered to sanction their leave. They may be directed to report for duty either at Headquarters or to proceed direct to the place at which their services are required.

In either case, travelling allowance as on tour (by shortest route) for the return journey may be allowed to them at the discretion of the authority recalling them from leave.

65. Free Leave Pass and Leave Travel Concession.—(1) Free Leave Pass and Leave Travel Concession shall be admissible to the members of the Force of and below the rank of ²[Inspector] as follows, namely :—

- (a) When living away from their families one Free Leave Pass every year from places of duty to the railway stations nearest to their towns and return subject to the Leave Travel Concession for their families in a block period of two years.
- (b) In case they are living with their families and propose to avail themselves of Leave Travel Concession for their families also, they shall be entitled to Free Leave Pass to home towns and return for self only once in two years and Leave Travel Concession (once in a block period of two years) to the family members under the normal Leave Travel Concession Rules applicable to other Central Government employees.

1. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

- (c) Free Leave Pass when proceeding on medical leave of duration of not less than one month, provided it is certified that the illness or injury which necessitated medical leave was not brought about by any fault or negligence on the part of the member of the Force.
- ¹[(ca) An additional Leave Travel Concession is admissible to the member to the Force in the event of death, serious illness or marriage of a member of the family of the member of the Force. The additional Leave Travel Concession is limited only to the onward journey from the place of duty.]
- (d) Leave Travel Concession once in four years for self and family members to travel to any place in India as admissible to other Central Government employees :

Provided that the Leave Travel Concession admissible under clause (d) shall be in lieu of the Free Leave Pass admissible under clause (a) and the Leave Travel Concession and Free Leave Pass admissible under clause (b).

(2) ²[Supervisory Officers and all enrolled members of the Force], shall be eligible to the same leave travel concession to which the other Central Government employees are eligible pursuant to the orders of the Central Government in this behalf.

66. Power to grant monetary rewards.—Monetary rewards may be granted to the enrolled members of the Force non-gazetted Government servants, employees and workers of the industrial undertakings and members of the public in accordance with Rules 67, 68 and 69.

67. Eligibility for monetary rewards.—(1) Monetary rewards may be granted only to the enrolled members of the Force for,—

- (a) doing outstanding work, requiring special courage, skill or initiative such as,—
 - (i) the arrest of a criminal; or
 - (ii) securing of information leading to the detection of a crime or matters connected therewith; or
 - (iii) making exceptionally good enquiries; or
 - (iv) an encounter with a criminal, if connection with the protection, safeguard and security of an industrial undertakings;
- (b) doing work of a less outstanding nature but requiring prompt, honest and intelligent observance of, and obedience to order so as to be of material assistance in the protection, safeguard and security of an industrial undertaking;
- (c) doing extra hard works in connection with the protection, safeguard and security of industrial undertaking;

1. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

- (d) smartness, marksmanship, diligence, praiseworthy attention to the employees and workers of the industrial undertakings or to the persons who visit the industrial undertakings on business or for any other purpose which, in exceptional cases, is calculated to promote the efficiency of the Force.

(2)(i) Monetary rewards in the form of books or articles of value not exceeding one thousand rupees for each prize may also be granted to enrolled members of the Force for proficiency during training for every batch of trainees who pass out of the Training College or Training Centre, as specified below :

I Prize—for all round efficiency first rank;

II Prize—for all round efficiency second rank;

III Prize—for proficiency in parade, muskety and sports.

(ii) Monetary rewards shall not be granted on request.

Explanation.—For the removal of doubts, it is hereby declared that it shall be permissible to grant also the III Prize to a trainee who has been granted I Prize or II Prize.

(3) Monetary rewards may be granted to the non-gazetted Government servants, employees and workers of the industrial undertakings and the members of the public as an incentive for assisting the Force,—

- (i) in the detection of any serious case; or
- (ii) in the apprehension of an offender; or
- (iii) in resisting a criminal or an anti-social element; or
- (iv) for any other purpose, which is for the better protection, safeguard and security of the industrial undertakings.

Explanation.—For the removal of doubts, it is hereby declared that for the purposes of this rule,—

- (i) 'general good work' shall not be a ground for the grant of monetary rewards;
- (ii) monetary rewards shall not be granted on request.

68. Authorities competent to grant monetary rewards.—(1) The supervisory officers are empowered, subject to the budget provisions of the Force, to offer and grant monetary rewards under Rule 67 as prescribed by the Central Government from time to time.

(2) A monetary reward under Rule 67 shall be granted by an officer competent to grant the same if he is of opinion, for reasons to be recorded in writing, that the person fulfils the requirements in this behalf.

(3) The order granting such monetary reward shall indicate the reasons therefor and the provisions of Rule 67 under which it is granted.

69. Monetary rewards offered by the Managing Director of the industrial undertakings.—A supervisory officer of the Force may permit an enrolled member of the Force to accept monetary reward offered by a Managing Director of an industrial Undertakings for a purpose relatable to sub-rule (1) of Rule 67.

70. Benefits on account of risk of "office"/special risk of "office".—In these matters, supervisory officer and enrolled members of the Force shall be governed by Central Civil Services (Extra Ordinary Pension) Rules as amended from time to time.

71. Superannuation etc.—The rules relating to superannuation pension, provident fund and gratuity of supervisory officers and enrolled members of the Force shall be the same as those applicable to the Central Government employees.

72. Transfer.—(1) Transfers of members of the Force may be made as under,—

- (i) of supervisory officers, by the Director General;
- ¹[(ii) ***]
- (iii) of the enrolled members of the Force from one unit to another within the Zone by the Deputy Inspector General of that Zone;
- (iv) of the enrolled members of the Force from one unit to another unit within the sector by the ²[Inspector General] of that sector; and
- (v) of the enrolled members of the Force from one unit or zone to another in the entire Force by the ³[Deputy Inspector General of Force Headquarters.]

(2) An authority superior to the authority competent under sub- rule (1) may make an order of transfer, annul, change or modify any order of transfer made under sub-rule (1).

73. Payment of charges.—The charges payable by an industrial undertaking in public sector for the deputation of supervisory officers and enrolled members of the Force under Section 14 of the Act to such undertaking, shall be paid for such periods and in such manner as the Central Government may from time to time specify.

Explanation.—For the purposes of this rule, charges payable by an industrial undertaking in public sector shall include,—

- (i) the pay and allowances, leave salary contribution and pension contribution payable to officers and enrolled members of the Force deputed to that undertaking;
- (ii) the cost of clothing, equipment, transport, arms and ammunitions and other accouterments necessary for the proper discharge of the functions of such officers and members; and
- (iii) the amount which the Central Government may, having regard to the number of officers and members of the Force deputed to the industrial undertaking, determine from time to time, as the proportionate amount being payable by the industrial under-

1. Clause (ii) omitted by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

3. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

taking towards the cost of maintaining the Headquarters and other establishments of the Force.

74. Non-applicability of rules in certain cases.—(1) These rules shall not apply to ¹[***] members of the Force taken on contract who shall be governed by the conditions of their contract.

(2) Nothing in these rules shall be deemed to preclude the President,—

- (a) from making any appointment to the Force which he may consider necessary, or
- (b) from passing any order or revising, whether on his own motion or otherwise, any order passed under these rules by any subordinate authority.

75. Award of Director General's Commendation Disc.—(1) Director General's Commendation ²[Disc] will be awarded to the CISF personnel on the following grounds :—

- (a) for conspicuous achievement during operations;
- (b) commendable work in natural calamities;
- (c) outstanding achievement in sports for the country at international level;
- (d) any innovation which may bring significant improvement in the working of the Force;
- (e) clean and good record of service for 15 years;
- (f) accident free driving and good record for a continuous period of 20 years;
- (g) for being graded "AX" in Army courses of 12 weeks duration or more;
- (h) for any conspicuous efforts in processing of difficult cases;
- (i) for any conspicuous work which may be considered of a commendable nature;
- (j) recovery of property worth more than Rs. 20,000/- in case of Constable to Head Constable and more than Rs. 50,000/- in case of Assistant Sub-Inspector to Inspectors and more than Rs. 1,00,000/- in case of ³[Gazetted Officers]. The property so recovered should not be of unclaimed nature;
- (k) outstanding action in dealing with terrorists/criminals which does not call for award of a gallantry medal;
- (l) standing first in Force level professional courses or standing 1st, 2nd or 3rd in an Inter-Force level training course;
- (m) personnel who have been promoted out of turn owing to some outstanding work can also be considered.

1. Omitted by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

3. Subs. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

(2) Detailed instructions on this subject shall be issued separately from time to time with the approval of Central Government.

76. Ministerial staff.—Ministerial staff (Civilian) shall be governed by the recruitment rules framed under Article 309 of the Constitution of India.

77. Other conditions of service.—The members of the Force shall, in respect of all matters regarding conditions of service for which no provision or insufficient provisions have been made in these rules be governed by the rules and orders for the time being applicable to officers holding corresponding posts in the Central Government in respect of such matter.

CHAPTER XIII

MAGISTERIAL POWER FOR THE PURPOSE OF INQUIRING INTO OR TRYING ANY OFFENCE COMMITTED BY AN ENROLLED MEMBER OF THE FORCE AND THE OFFENCES PUNISHABLE UNDER THIS ACT

78. Magisterial Powers.—For the purpose of inquiring into or trying offences specified in sub-section (1) of Section 18 of the Act and in respect of all matters incidental to such inquiry or trial of such offences, every officer holding rank of Commandant or equivalent as mentioned in sub-clause (iv) of clause (a) of sub-rule (1) of Rule 4, shall exercise the powers of a Magistrate of the first class.

79. Judicial trials.—All trials in relation to any of the offences specified in sub-section (1) of Section 18 of the Act shall be held in accordance with the provisions of the Code of Criminal Procedure, 1973 (2 of 1974).

80. Magistrate.—For the purpose of this Chapter 'Magistrate' means the Commandant on whom the powers of a Magistrate have been conferred under sub-section (2-A) of Section 18 of the Act.

81. Language to be used in the proceedings before Commandant.—Either English or Hindi may be used by the Commandant while exercising the powers of a Magistrate for inquiring into or trying any offence under sub-section (1) of Section 18 of the Act.

82. Magistrate not to try enrolled members of the Force.—Where an enrolled member of the Force is brought before the Magistrate and charged with an offence referred to in sub-section (1) of Section 18 of the Act, for which he is liable to be tried, such Magistrate shall not proceed to inquire into or try the offence unless,—

- (a) he is of the opinion for reason to be recorded in writing that he should so proceed without being moved thereto by the Unit Commander; or
- (b) he is moved thereto by the Unit Commander.

83. Magistrate to give notice.—Before proceeding under clause (a) of Rule 82, the Magistrate shall give written notice to the Unit Commander and until the expiry of a period of 21 days from the date of service of such notice he shall not,—

- (a) convict or acquit the accused under Section 252, Section 255(1) and (2), Section 256 or Section 257 of the Code of Criminal Procedure, 1973 or hear him in defence under Section 254 of the said Code; or
- (b) frame in writing a charge against the accused under Section 238 or Section 246(1) of the said Code; or
- (c) make an order committing the accused for trial by the Court of Session under Section 193 of the said Code; or
- (d) transfer the case for enquiry or trial under Section 192 of the said Code.

84. Magistrate to be informed of the trial of the accused.—(1) When an accused person has been delivered by the Magistrate, the Unit Commander shall, as soon as may, inform the Magistrate whether the accused has been tried by him or any other official proceedings have been taken, ordered to be taken against the accused or not.

(2) When the Magistrate has been informed under sub-rule (1) that the accused has not been tried or other official proceedings have not been taken or ordered to be taken against him, the Magistrate shall report the circumstances to the Central Government for taking appropriate steps to ensure that the accused person is dealt with in accordance with law.

85. Unit Commander to deliver the accused to the Magistrate.—Where an enrolled member of the Force has committed an offence which in the opinion of the Unit Commander is to be tried by a Magistrate in accordance with the law in force the Unit Commander shall after giving written notice to the Magistrate concerned, deliver such person under proper escort to the Magistrate.

86. Manner of imprisonment.—Any enrolled member of the Force sentenced to imprisonment under the Act shall be confined in the nearest jail :

Provided that if the sentence of imprisonment is for one month or less or where the Unit Commander is satisfied that due to the difficulty of transport and escort of the enrolled member of the force sentenced to imprisonment to the nearest jail it is so desirable such person shall be confined in the Quarter Guard of the Force.

87. Force custody.—(1) Where a Unit Commander is of the opinion that any enrolled member of the Force has committed an offence and should be tried by a Commandant who is vested with powers of Magistrate under Section 18(2-A) it shall be lawful for such Commandant, with the prior approval of the Deputy Inspector General to order the enrolled member of the Force to be taken into Force custody and kept either in close arrest or open arrest as he may deem fit from time to time depending on the gravity of the charge and the attending circumstances :

Provided that no enrolled member of the Force shall be detained in Force custody for a period of more than eight days without a trial having been

convened by a Commandant/Magistrate or without a punishment having been awarded to him under Section 8 of the Act.

(2) In each unit or group, there shall be one or more places of confinement, as may be considered necessary by the Deputy Inspector General, where arrested enrolled member of the Force shall be confined. Such places shall be under the supervision of the Commandant, Deputy Commandant or Assistant Commandant of the Unit, who shall be responsible for their upkeep.

(3) If any enrolled member of the Force in Force custody escapes or is rescued, the member of the Force from whose custody he escaped or was rescued shall report the escape or rescue to the officer-in-charge of the Police Station and may immediately pursue and arrest such enrolled member in any place in India.

88. Promulgation of sentence.—The sentence awarded by a Magistrate shall be promulgated at the earliest opportunity after it has been pronounced and shall subject to the provisions of the Act be carried out without delay after promulgation.

89. Transmission of proceedings.—(1) The proceeding of every Magistrate without delay be forwarded to the Deputy Inspector General within whose command the trial was held for his information.

90. Appeals.—Any person convicted on a trial held by a Magistrate under this Chapter may appeal to the Court of Session. The provisions of the Code of Criminal Procedure, 1973 relating to appeals in that Code shall apply to appeals under this rule.

CHAPTER XIV

91. Technical consultancy services to the industrial establishments in the private sector.—(a) The Central Industrial Security Force may provide technical consultancy services to industrial establishments in the Central/State Government Departments, Public/Joint/Private sector, autonomous bodies or any other institution approved by the Government which may cover :—

- (i) Study of industrial security and fire protection related problems and suggesting appropriate solutions.
- (ii) Imparting of knowledge and skills in the field of industrial security and fire protection to the consuler (hereinafter called client) or his employees through training programmes which may be conducted at Central Industrial Security Force Training Institutions or at the client's industrial establishment(s) or at any other place as deemed appropriate by the Director General.
- (iii) To conduct training and certification courses in the fields of Industrial Safety, Security and Fire Protection and charge prescribed fees for the same. The fees for various such courses will be determined by the Director General.
- (iv) Planning, designing and effecting industrial security and fire protection schemes measures, controls and systems for the client.
- (v) Providing feed back after monitoring the functioning of suggested measures, controls and systems.

- (vi) Planning and designing of communication network and preparation of related operating instructions.
- (vii) Drafting industrial security and fire protection related instructions, standing orders and standing operating procedures.
- (viii) Preparing disaster management and contingency plan and supervising or conducting rehearsals of such plans.
- (ix) Conducting audits in the field of industrial security, industrial safety or fire safety.
- (x) Undertaking research and development activities independency or in collaboration with the clients and or other reputed agencies in the field of industrial security, industrial safety and fire protection and related matters.

(b) On receipt of request from the Managing Director of any industrial establishment in the Private Sector or any other person authorized by him, in this behalf, subject to any general directions issued by the Central Government, the Director General, if deems it appropriate, after examination of the request, may forward terms and conditions of providing technical consultancy services to the Managing Director or any other person authorized by him and may ask to remit prescribed fee for technical consultancy services.

(c) On remittance of prescribed fees from the Managing Director of an industrial establishment in the Private Sector, the Director General may nominate any officers of the Force or constitute a team of officers for conducting technical study of the concerned industrial establishment relating to any matter enumerated in sub-rules (i) to (x) of Rule 91(a).

(d) The Director General may, if deems it appropriate and if the nature of consultancy sought so requires, also associate any person(s) expert in the field, expertise whereof is not available with the officers of the Force, with the team constituted under sub-rule (c).

(e) The expert person associated with the team under provisions of sub-rule (d) shall be paid such amount as deemed appropriate considering his/her expertise, contribution in terms of period of time, services and state of availability of such experts in the given circumstances.

(f) The officer so nominated or the team so constituted by the Director General under sub-rule (c) shall prepare a report after conducting such study as they may deem appropriate and submit the same to the Director General. After due approval of Director General of the Force, the consultancy report, so prepared will be communicated to the Managing Director of concerned industrial establishment in the Private Sector or to the person authorized by him in this behalf.

(g) The consultancy report so prepared for client(s) establishment shall be the property of that establishment and such reports shall not be used by any member of the Force or by such person associated with the consultancy board for any personal benefit. Such reports, however, can be used for academic purposes.

(h) *Consultancy fee.*—The consultancy fees shall be charged from the Industrial Establishments in the Private Sector as prescribed from time to time.

92. Repeal and Saving.—(1) The Central Industrial Security Force Rules, 1969 are hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said rules, shall be deemed to have been done or taken under the corresponding provisions of these rules.

APPENDIX "A"

(See Rule 21)

FORM OF AGREEMENT

To

The President of India

In consideration of the President of India having agreed to appoint me as

*an Inspector

*a Sub-Inspector

*an Asstt. Sub-Inspector

*a Head Constable

*a Constable

in the Central Industrial Security Force.

I,, son of....., hereby agree and undertake to—

- (i) serve in the Central Industrial Security force for a period of not less than ten years with effect from the date of my appointment in the force;
- (ii) carry out all duties entrusted to me and all lawful orders given to me by my superiors in rank;
- (iii) refund all the cost of training imparted to me in the Force or sum equal to three months' pay and allowances whichever is more in the event of tendering my resignation from the Force for reasons other than accepting a job elsewhere for which cadre clearance has been given, during the period of my initial training or thereafter during the period of ten years from the date of joining Central Industrial Security Force; and
- (iv) if, after ten years I desire to resign, I will submit my request in writing and will not withdraw from my duties until I am duly relieved.
- ¹[(v) I understand and agree that my services can be terminated by the appointing authority on my failure to pass the final examination of initial training course or for suppression of any factual

information at the time of enrolment by issuing of notice of one month or the tender of one month's pay in lieu of such notice.]

Note.—The terms “pay and allowance” used in clause (iii) above means the usual pay and allowances received by him during the period of three months immediately prior to the date of his resignation.

*Strike out whichever is not applicable.

Witness

Signature.....

Signature of the employee.....

Designation.....

Designation.....

Date.....

Date.....

Place.....

Place.....

ACCEPTED

For and on behalf of the President of India.

APPENDIX “B”

SOLEMN AFFIRMATION OF ALLEGIANCE

(See Rule 30)

“I,, do solemnly affirm that I will be faithful and bear true allegiance to India and to the Constitution of India as by law established and that I will carry out the duties of my office loyally, honestly and with impartiality.”

Signature.....

Signature and designation of the

Supervisory Officer (in whose

presence the affirmation is made)

APPENDIX “C”

(See Rule 17)

MEDICAL EXAMINATION REPORT

¹[(FOR GROUP B AND GROUP C] CISF PERSONNEL)

Photo of candidate attested
by the Chairman of the
Recruitment Board

1. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

PART 1

Form to be used when a candidate is granted authority to present himself for medical examination for fitness on appointment.

Name.....Caste or Race.....

Residence.....

Father's name and residence.....

Date of Birth by Christian era as nearly as can be ascertained.....

Exact height by measurement :

Height.....

Chest.....

Weight.....

Signature of the individual.....

Station.....

Signature of Appointing Officer.....

Date.....

Designation.....

PART 2

CANDIDATE'S STATEMENT AND DECLARATION

The candidate must make the statement required below, prior to his medical examination and must sign the declaration appended thereto. His attention is specially directed to the warning contained in the note below :—

- 1.(a) Have you ever had a small pox, intermittent or any other fever, enlargement or suppuration of glands, spitting of blood as heart disease, fainting, attack, rheumatism?
- (b) Any other disease or accident requiring confinement to bed and prolonged medical or surgical treatment.
2. When you were last vaccinated?
3. Have you or any other relative been affected with consumption, sorofulous, gout asthma, fits, epilepsy or insanity?
4. Have you suffered from any form of nervousness due to over-work or any other cause?
5. Have you been examined and declared unfit for Government service by Medical Officer/Medical Board within the last three years.

I declare that all the above answers are to the best of my belief true and correct. I also solemnly affirm that I have not received disability certificate/pension on account of any disease or other condition.

Candidates Signature.....

Signed in my presence.....

Note.—The candidate will be held responsible for accuracy of above statement, by wilfully suppressing any Information will incur the risk or losing

the appointment and if appointed of forfeiting all the superannuation allowances or gratuity.

PART 3

It is certified that I/We have examined.....s/o.....a candidate for employment in the Central industrial Security Force and cannot discover that he has any disease, constitutional affliction or bodily infirmity excluding knock knee, flat feet and.....

I/We consider/do not consider this as a disqualification for employment in Central Industrial Security Force. His age according to his own statement is.....

This may be filled up after examining the candidate for knock knee, flat feet, bow legs, squint eyes, inability close the left eye, inability to flax the fingers properly, varicose veins or any other obvious disabilities which are likely to affect his functioning as a member of the Central Industrial Security Force.

- | | | | |
|--|-------|---------|-------|
| 1. General Development | Good | Fair | Poor |
| 2. Body built | Thin | Average | Obese |
| 3. Eyes | Right | Left | |
| (A) Any obvious disease | | | |
| (i) External | | | |
| (ii) Media | | | |
| (B) Visual Acuity..... | | | |
| (i) Distant | | | |
| (ii) Near | | | |
| (C) Colour Vision | | | |
| 4. Ear, Nose & Throat | | Right | Left |
| (a) Any obvious disease | | | |
| (b) Hearing | | | |
| (c) PNS | | | |
| 5. Conditions of teeth.....Dental points..... | | | |
| 6. Respiratory System | | | |
| (i) Appearance of Chest | | | |
| (ii) Breathing Rate | | | |
| (iii) Any abnormality on stethoscopic examination. | | | |
| 7. (A) Circulatory System | | | |
| Heart : Any organic lesion..... | | | |
| Rate : Standing..... | | | |
| After hopping 25 times..... | | | |
| 2 Minutes after hopping..... | | | |

- (B) Blood pressure
 Systolic.....
 Disstolic.....

8. Abdomen

- (a) Tenderness.....
 (b) Palpability
 (i) Liver;
 (ii) Spleen;
 (iii) Kidneys;
 (c) Haemorrhoids;
 (d) Fissure/fistula;
 (e) Hernia/Hydrocele;
 (f) Any other.

9. Locomotor System

- (i) Condition of spine
 (ii) Condition of limb joints

10. Nervous System

- (i) Evidence of nervous instability;
 (ii) Tremers;
 (iii) History of Mental Disease.

11. Report of Radiological examination of chest if done.

12. Is there anything in the health of candidate likely to render him unfit for the efficient discharge of his duties on the service for which he is a candidate?

13. State the service for which the candidate has been examined (GD/Follower/Trades/Communication/Medical etc.).

14. Small pox vaccination marks (Give number and site).

15. Mild defects noted, not sufficient for rejection.

16. Out line reasons declaring candidate unfit.

17. UNFIT/TEMPORARY UNFIT/FIT.

Signature of the candidate.....

Place.....

Date.....

Signature of Medical Officer with date

1.....

2.....

¹[APPENDIX "D"]*Discharge Certificate*

(See Rule 59)

Particulars

Photo Attested

1. Name
2. Father's name
3. CISF No.
4. Post held at the time of discharge.
5. Educational qualification — Civil-Technical
6. Religion
7. Whether Schedule Castes/Schedule Tribes/Other Backward Classes.
8. Identification mark and blood group
9. Date of birth
10. Date of enrolment
11. Date of discharge
12. Nature of discharge
13. Pay drawn before discharge
14. Medal Decorations or Awards, if any
15. Address of Unit or Branch of CISF last served
16. Permanent home address with Pin Code
17. Name of next of kin with relationship
18. Character
19. Employee's signature and thumb impression

Place :

Date :

(Official Seal)

Signature and

Designation of

Supervisory Officer

Following criteria will be adopted for assessment of "Character" in the discharge certificate—

1. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

Sl. No.	Category assessment	of Conditions
	Exemplary	(i) Minimum ten years service with the Central Industrial Security Force. (ii) No punishment under the Central Industrial Security Force Act and rules or in Civil/Criminal Court. (iii) Quality of ACR/APAR
2.	Very Good	(i) Minimum seven years service with the Central Industrial Security Force. (ii) No punishment under Sections 8(i) and 18 of Central Industrial Security Force Act and rules or in Civil/Criminal Court. (iii) Quality of ACR/APAR
3.	Satisfactory	(i) At least three year's service with the Central Industrial Security Force without any major or minor punishment under the Central Industrial Security Force Act and rules. (ii) No reduction in rank or grade for an offence under the Central Industrial Security Force Act and rules. (iii) Quality of ACR/APAR
4.	Unsatisfactory	(i) Cases not covered under items (1) to (3). (ii) More than two reduction in rank or grade for offence under the Central Industrial Security Force Act and the rules.]

SCHEDULE I

(See Rule 32)

SCHEDULE OF DISCIPLINARY AUTHORITIES AND THEIR POWERS TO PASS DIFFERENT DISCIPLINARY ORDERS IN RESPECT OF DIFFERENT CLASSES AND GRADES AND RANKS OF MEMBERS OF THE FORCE

Disciplinary Authorities and Extent of their Power

Sl. No.	Nature of Disciplinary Order	Director General	Sector Inspector General/Inspector General (Hqrs.)	Dy. Inspector General	¹ [Sr. Commandant]	Dy. Commandant	Asst. Commandant
1	2	3	4	5	6	7	8
1.	Suspension	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force
2.	Dismissal	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force ² [Excepting Sub-Inspector and Inspector]		

1. Ins. by G.S.R. 462 (E), dated 23rd May, 2003 (w.e.f. 9.6.2003).

2. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

1	2	3	4	5	6	7	8
3.	Removal	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force ¹ [Excepting Sub-Inspector and Inspector]		
4.	Compulsory	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force ¹ [Excepting Sub-Inspector and Inspector]		
5.	² [Reduction to lower time-scale of pay, grade, post or service or reduction to the lower stage in the time scale of pay excluding the penalty mentioned at Sl. No. 6 below]	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force ¹ [Excepting Sub-Inspector and Inspector]		
6.	Reduction to a lower stage in the time scale of pay for a period not exceeding three years, without cumulative effect and not adversely affecting his pension	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force
7.	Withholding of promotion	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force
8.	Withholding of increment	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force
9.	Removal from an office of distinction or deprivation of special emoluments	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force
10.	Fine to an amount not exceeding seven days pay	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force
11.	Censure	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force	All enrolled member of the force
12.	Punishment, drill extra guard, fatigue, or other duty	Head Constable/Constable ³ [***]	Head Constable/Constable ³ [***]	Head Constable/Constable ³ [***]	Head Constable/Constable ³ [***]	Head Constable/Constable ³ [***]	Head Constable/Constable ³ [***]

1. Subs. by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).

2. Omitted by Noti. No. GSR 485(E), dated 4.7.2013 (w.e.f. 12.7.2013).