

Jharkhand Government Servants

Classification, Control & Appeal Rules, 2016

An overview of disciplinary frameworks, penalties, and procedures governing state services.

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SHORT TITLE & EXTENT

The Statutory Framework

- ✓ **Short Title:** Jharkhand Government Servants (Classification, Control & Appeal) Rules, 2016.
- ✓ **Extent:** Extends to the whole State of Jharkhand.
- ✓ **Commencement:** In force from the date of publication in the official Gazette (Feb 3, 2016).
- ✓ **Constitutional Authority:** Framed under the Proviso to Article 309 of the Constitution of India.



APPLICATION OF RULES

Applicable To:

Every Government Servant under the State Government of Jharkhand.

Explicit Exclusions:

- ✓ Members of the All India Services (AIS).
- ✓ Persons in casual employment.
- ✓ Persons subject to discharge on less than one month's notice.
- ✓ Special provisions covered by Police, Jail, or Excise Manuals.

Rule of Finality

If any doubt arises regarding the provisions, the decision of the **Department of Personnel, Administrative Reforms and Rajbhasha** shall be final.

CLASSIFICATION OF SERVICES

Posts are classified into four groups based on Pay Band and Grade Pay (per Resolution No. 660, 2009):

Classification	Pay Band (PB) Description	Grade Pay (GP) Range
Group A	PB-IV (37400-67000) & PB-III (15600-39100)	GP 10000 to 5400
Group B	PB-II (9300-34800)	GP 5400, 4800, 4600 & 4200
Group C	PB-1 (5200-20200)	GP 2800 to 1800
Group D	IS (4440-7440)	GP 1800 & 1650

APPOINTING AUTHORITY



State Services (Group A & B)

Appointments are made by the
Government.

Note: Power may be delegated to the Secretary of the Department.



Other Services (Group B, C, D)

Appointments are made by the
Secretary / Head of Dept / Head of Office as specified by order.



Disciplinary Link

Disciplinary Authority is usually the Appointing Authority or any authority authorized by it.

RULE 9: SUSPENSION

Grounds for Suspension:

- ✓ Disciplinary proceeding is contemplated or pending.
- ✓ Activities prejudicial to the security of the State.
- ✓ Criminal offence under investigation or trial.

Deemed Suspension:

If detained in custody (criminal charge or otherwise) for a period exceeding **48 hours**.



SUBSISTENCE ALLOWANCE

50%
Variance Limit

Financial Provisions:

- ✓ Entitled to an amount equal to leave salary on half pay plus Dearness Allowance.
- ✓ **After 12 Months:** Authority may increase or decrease grant by up to 50% based on whether the delay is attributable to the servant.
- ✓ **Condition:** Must furnish certificate of non-employment in any business or profession.

REINSTATEMENT & PAY



Wholly Unjustified

If suspension was unjustified, servant is paid **full pay and allowances** as if they were never suspended.



Court Decisions

If dismissal is set aside by court on merits, the intervening period is treated as **spent on duty** for all purposes.



Deceased Servants

If a servant dies before proceedings conclude, the period is treated as **on duty** and full pay is paid to the family.

MINOR PENALTIES

- ✓ **Censure:** Entry in character roll (effect for 1 year).
- ✓ **Recovery:** From pay for pecuniary loss caused by negligence.
- ✓ **Reduction:** To a lower stage in time scale (max 3 years, no cumulative effect).
- ✓ **Withholding:** Of increments or confirmation (without cumulative effect).



MAJOR PENALTIES

Promotion & Increments

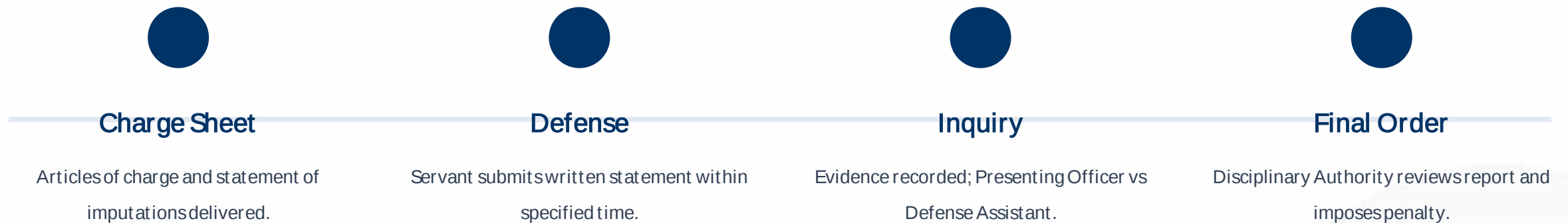
- Withholding of Promotion.
- Withholding increments with **cumulative effect**.
- Reduction to lower time scale, grade, or service.

Terminal Actions

- **Compulsory Retirement**: Premature exit.
- **Removal**: Termination, but not a bar to future govt employment.
- **Dismissal**: Permanent bar to future govt employment.

Mandatory for Disproportionate Assets or Bribery: Removal or Dismissal.

MAJOR PENALTY PROCEDURE



Note: Jharkhand Public Service Commission (JPSC) must be consulted in specified cases.

Appeals & Questions

- ✓ **Right to Appeal:** Against suspension or any penalty.
- ✓ **Limitation:** Appeal must be filed within **90 days**.
- ✓ **No Appeal:** Against orders of the Government (Review petitions only).

Reference: Section 24 to 28 of CCA Rules, 2016