**Disciplinary Action in Administration**

**1\_ The Meaning of Disciplinary Action :**

Disciplinary action means the administrative steps taken to correct the misbehaviour of the employee in relation to the performance of his/her job.

**2\_ Goals of Disciplinary Action :**

1\_ Corrective action is initiated to prevent the deterioration of his/her job.

2\_ Corrective action is initiated to prevent the deterioration of individual inefficiency.

3\_to ensure that it does not spread to other employees.

The matters are covered in the Conduct Rules

**3\_ Causes of disciplinary proceedings :**

The following are the various causes of disciplinary proceedings.

**1) Acts Amounting to Crimes**

**a)** Embezzlement

**b)** Falsification of accounts not amounting to misappropriation of money.

**c)** Fraudulent claims

**d)** Forgery of documents

**e)** Theft of Government property

**f)** Defrauding Government

**g)** Bribery

**h)** Corruption

**i)** Possession of disproportionate assets

**j)** Offences against other laws applicable to Government Servants.

**2) Conduct Amounting to Misdemeanor**

**a)** Disobedience of orders

**b)** Insubordination

**c)** Misbehaviour

1. with superior officers
2. with colleagues
3. with subordinates
4. with members of public

**d)** Misconduct

1. violation of conduct rules
2. violation of standing orders
3. intrigues and conspiracy
4. insolvency

**4\_ Types of disciplinary action :**

Disciplinary action may be informal or formal. Informal disciplinary action may mean assignment to a less desirable work, closer supervision, loss or withholding of privileges, failure of consultations in relevant matters, rejection of proposals or recommendation. It may includes curtailing of his/her authority and diminishing his/her responsibility The reason for taking informal disciplinary action may be that offences are too slight, or too subtle, or too difficult to prove, to warrant direct and formal action.

Formal disciplinary action follows where the offence is serious and can be legally established. In such cases the penalties that are imposed on a member of the service are :

**1) Minor Penalties**

**a)** Censure

**b)** Withholding of promotions

**c)** Recovery from pay of the whole or part of any loss caused to Government or to a

company, association or body of individuals. And

**d)** Withholding of increments of pay.

**2) Major Penalties**

**a)** Reduction to a lower stage in the time scale of pay for a specified period.

**b)** Reduction to a lower time scale of pay, grade or post, and

**c)** Compulsory retirement.

In very serious cases of offence, even judicial proceedings against the offender may

also be launched.

**5\_ Mode of taking disciplinary action :**

Usually following provisions are made either in the Constitution or in the statute to check the misuse of power to take disciplinary actions :

**a)** No employee shall be demoted or dismissed by an officer below in rank to one who had appointed him/her.

**b)** No employee shall be punished except for a cause, specified in some statute or departmental regulation.

**c)** No employee shall be punished unless he / she has been given reasonable opportunity to defend his / her case.

**d)** The employee shall be informed of the charges laid against him / her.

**e)** Where a board of inquiry is appointed, it shall consist of not less than two senior officers, provided that at least one member of such board shall be an officer of the service to which the employee belongs.

**f)** After the inquiry against an employee has been completed and after the punishing authority has arrived at any provisional conclusion in regard to the penalty to be imposed, if the penalty proposed is dismissal, removal, reduction in rank or compulsory retirement, the employee charged shall be supplied with a copy of the report of inquiry and be given a further opportunity to show cause why the proposed penalty should not be imposed on him / her.

**6\_Successive steps involved in Displinary Proceedings :**

The successive steps of the procedure of disciplinary action are:

**1\_** Calling for an explanation from the employee to be subjected to disciplinary action.

**2\_** If the explanation is not forthcoming or is unsatisfactory, framing of charges .

**3\_** Suspension of the employee if his / her remaining in the service is likely to prejudice the evidence against him / her.

**4\_** Hearing of the charges, and giving opportunity to the employee to defend himself / herself.

**5\_** Findings and report;

**6** Giving another opportunity to the employee to defend himself/herself against the purposed punishment.

**7\_** Punishment order, or exoneration; and

**8\_** Appeal .

**7\_ ISSUES AND PROBLEMS**

There are various problems concerning the disciplinary proceedings.They are as follows:

1) Lack of knowledge of the Disciplinary Procedure

It has been seen many a time that the appointing authorities as well as employees are unaware of the details of the disciplinary procedures resulting in many problems.

2) Delays

The time taken to take disciplinary action is very long. When an employee knows of the impending action, he / she becomes more and more irresponsible and problematic. Delays cause hardship to the employees.

3) Lack of fair Play

There is a tendency that the appellate authority generally supports the decision of his / her subordinates. This defeats the purpose of appeal.

4) Withholding of Appeal

Most of the officers do not like appeals against their decisions. There is a tendency to withhold appeals.

5) Inconsistency

Disciplinary action should be consistent under the same offence. Otherwise it leads to

favoritism, nepotism and corruption.

**« Don’t compare youself with anyone in this world …if you**

**do so, you are insulting yourself . »** Bill gates