



**The Andhra Pradesh Civil Services (Disciplinary Proceedings Tribunal
Amendment) Act, 1993**

Act 6 of 1993

Keyword(s):
Election, Public Duty, Public Servant

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THE ANDHRA PRADESH CIVIL SERVICES (DISCIPLINARY PROCEEDINGS TRIBUNAL), (AMENDMENT) ACT, 1993.

ACT No. 6 OF 1993*

[2nd February, 1993]

An Act further to amend the Andhra Pradesh Civil Services (Disciplinary Proceedings Tribunal) Act, 1960.

Be it enacted by the Legislative Assembly of the state of Andhra Pradesh in the Forty fourth year of the republic of India as follows :-

1. *Short title*.—This Act may be called the Andhra Pradesh Civil Services (Disciplinary Proceedings Tribunal) (Amendment) Act, 1993.

2. *Amendment of section 2*.—In the Andhra Pradesh Civil Services (Disciplinary Proceedings Tribunal) Act, 1960 (Act II of 1960) (hereinafter referred to as the Principal Act) in section 2, for clause (b) the following clause shall be substituted, namely :—

“(b) “Government Servant” means a person appointed to public services or to a post in connection with the affairs of the State of Andhra Pradesh ;”.

3. *Amendment of section 3*.—In section 3 of the principal Act, to sub-section (3), the words “out of a panel of names forwarded by the High Court” shall be added at the end.

4. *Amendment of section 4*.—In section 4 of the principal Act, in the opening portion for the words “The Government shall refer to the Tribunal” the words “The Government may refer to the Tribunal” shall be substituted.

*Received the assent of the Governor on the 1st Feb. 1993. For Statement of Objects and Reasons, Please See the *Andhra Pradesh Gazette, Part-IV A Extraordinary*, dated the 30th March, 1992 at Page Nos. 4 & 5.

5. *Insertion of new section 4A.*—After Section 4 of the principal Act, the following section shall be inserted namely:-

4A. *“Government’s power to withdraw cases.*—The Government may in appropriate cases and for reasons to be recorded in writing, withdraw any case referred to the Tribunal at any time before the Tribunal concludes its inquiry.”.

6. *Amendment of Section 7.*—In Section 7 of the principal Act,

(i) the words and “where it finds that the Government servant concerned has been guilty of misconduct, shall recommend the penalties which should be imposed on such Government servant” shall be omitted;

(ii) in the first proviso, the words “and recommend the penalties” shall be omitted.

7. *Amendment of section 10.*—In Section 10 of the principal Act, for sub-section (2), the following shall be substituted, namely :-

“(2) Any rule made under this Act may be made with retrospective effect from any date not earlier than the date of commencement of this Act and when such a rule is made, the reasons for so making the rule shall be specified in a statement to be laid before the Legislative Assembly of the State.

(3) Every rule made under this Act, shall immediately after it is made, be laid before the Legislative Assembly of the State, if it is in session and if it is not in session, in the session immediately following, for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiration of the session in which it is so laid or the session immediately following the Legislative Assembly agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.