

AS INTRODUCED IN THE RAJYA SABHA  
ON 5TH AUGUST, 2022

**Bill No. XLIV of 2022**

THE ALL-INDIA SERVICES (AMENDMENT) BILL, 2022

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*further to amend the All-India Services Act, 1951.*

BE it enacted by the Parliament in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the All-India Services (Amendment) Act, 2022.

Short title and  
commencement.

(2) It shall come into force on such date as the Central Government may, by notification  
5 in the Official Gazette, appoint.

Insertion of new sections 3A, 3B and 3C.

2. After section 3 of the All-India Services Act, 1951, the following sections shall be inserted, namely:—

61 of 1951.

Special responsibility and duty of a person appointed to an All-India Service to execute projects under his jurisdiction within scheduled time.

“3A.(1) It shall be the special responsibility and duty of a person appointed to an All-India Service to ensure that the plans or projects or any development work under his jurisdiction or charge or administrative control or for the execution or completion or carrying out of which he is responsible in any way, are executed or completed or carried out efficiently, economically and within the scheduled time. 5

(2) It shall be the responsibility and duty of a person appointed to an All-India Service to ensure that plans and projects recommended by the Members of Parliament or of the State Legislatures under any special scheme are executed within the schedule and such a person shall take special care to inform the Member of Parliament or of the State Legislature about the progress of the project from time to time. 10

Evaluation of performance of every person appointed to an All-India Service.

3B. Notwithstanding anything contained in this Act, at the end of every year, the performance of every person appointed to an All-India Service shall be evaluated, with particular reference to the execution or carrying out of the specific plans or projects or development works under his jurisdiction or in his charge or administrative control or for the execution or carrying out of which he is responsible in a way, and a performance report shall be prepared thereon, in such manner as may be prescribed. 15

Periodic review of persons appointed to the All-India Services on completion of five years.

3C. (1) Notwithstanding anything contained in section 3, the Central Government shall, in consultation with the State Government concerned and parent department or Ministry, as the case may be, ensure periodic review of persons appointed to an All-India Service on completion of five years of tenure through a procedure to be conducted by the Union Public Service Commission in such manner as may be prescribed: 20

Provided that if the periodic review has not been conducted after five years of service in respect of a person appointed to an All-India Service, such review may be conducted at any other time as the Central Government may deem fit. 25

*Explanation.*—For the purposes of this section, the term “periodic review” shall mean the review of the entire service record including the Annual Confidential Report (ACR) of the person appointed to an All-India Service regarding suitability or otherwise of such person for further retention in the Service, to be conducted regularly for each person appointed to such Services. 30

(2) The Central Government, after consultation with the Union Public Service Commission and on conclusion of the periodic review of persons appointed to an All-India Service as specified under sub-section (1), may recommend for the lowest fifteen per cent. of such persons from each batch of such Services. 35

(a) the dismissal or pre-mature retirement of five per cent. of lowest of such persons from each batch; or

(b) administrative training, for the ten per cent. of such persons who have achieved a higher rank than the lowest five per cent., which includes and is not limited to, sending such persons for a compulsory career training program for a period of at least six months at the Academy concerned, in such manner as may be prescribed. 40

5 (3) The Central Government after consultation with the Government of the State concerned, Union Public Service Commission and the parent department or the Ministry, as the case may be, by notification in the Official Gazette, make rules for regulating the manner and procedure for the conduct of periodic review of persons appointed to an All-India Service.

(4) The Central Government after consultation with the Director of Academy concerned and Union Public Service Commission frame guidelines on the method and evaluation of administrative training as provided under clause (b) of sub-section (2).”

## STATEMENT OF OBJECTS AND REASONS

For creating smooth administrative machinery, there is a need of effective accountability standards. The persons appointed to the All-India Services are a vital cog in the wheel of development of India. They are selected through a rigorous method of examination and are entrusted with the responsibility of development at district, State, National as well as international level. The need is to weed out the deadwood in order to maintain a high standard of efficiency and initiative in the All-India Services. It is not necessary that a good officer may continue to be efficient for all times to come. It may be that there may be some officers who may possess a better initiative and higher standard of efficiency and if they are given chance, the work of the Government might show marked improvement.

There are a number of judicial pronouncements in support of total assessment of the performance of the persons appointed to the All-India Services. There have also been observations that have approved any measure by which the assessment by superiors, with an opportunity to watch the work and conduct of an officer, is taken into account while deciding about premature retirement. It is sometimes found that a few officers of the All-India Services do tend to become mere passengers in the post or at the level in which he is placed for the time being. They become either listless or do not exhibit any creativity or innovativeness and do not achieve the desired results. The need is to strike a just balance between the termination from the service of a tired employee and maintenance of top efficiency in the diverse activities of administration.

The Bill, therefore, seeks to amend the All-India Services Act, 1951 with a view to provide for periodic review of performance of persons appointed to the All-India Services on completion of five years of tenure. It also provides for dismissal or pre-mature retirement of bottom five per cent. of officers at the periodic review and compulsory training to the other bottom ten per cent. officers who have achieved a higher rank than the bottom five per cent. of such officers of All-India Services at Academy concerned.

Hence, this Bill.

DR. ASHOK KUMAR MITTAL

RAJYA SABHA

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further to amend the All-India Services Act, 1951.

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*(Dr. Ashok Kumar Mittal, M.P.)*