

**STANDARD FORM NO. 5**

**STANDARD FORM OF CHARGE SHEET  
[RULE 9 OF THE RAILWAY SERVANTS (DISCIPLINE AND APPEAL) RULES,  
1968]**

Name of Railway Administration .....

Place of Issue .....

No.

Dated.....

**MEMORANDUM**

1. The undersigned propose(s) to hold an inquiry against Shri ..... **under Rule 9** of the Railway Servants (Discipline and appeal) Rules, 1968. The **substance** of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (**Annexure-I**). A **statement** of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (**Annexure-II**). A **list of documents** by which and a **list of witnesses** by whom, the articles of charge are proposed to be sustained are also enclosed (**Annexure-III & IV**). Further, copies of documents mentioned in the list of documents, as per Annexure III are enclosed.
2. Shri ..... is hereby informed that if he so desires, he can inspect and take extract from the documents mentioned in the enclosed list of documents (Annexure III) **at any time during office hour within ten days** of receipt of this Memorandum. For this purpose, he should contact .....
3. Shri ..... is further informed that he may, if **so desires, take the assistance of any other Railway servant**/an official of a Railway Trade Union (who satisfies the requirements of rule 9 (13) of the Railway Servants (Discipline and Appeal) Rules, 1968 and Note I and or /Note 2 there under as the case may be) for inspecting the documents and assisting him in presenting his case before the Inquiring Authority in the event of an oral inquiry being held. For this purpose, **he should nominate one or more persons in order of preference**. Before nominating the assisting railway servant (s) or Railway Trade Union Official (s), Shri ..... should obtain an undertaking from the nominee (s) that he (they) is (are) willing to assist him during the disciplinary proceedings. The undertaking should also contain the particulars of other cases (s) if any, in which the nominee (s) had already undertaken to assist and the undertaking should be furnished to the undersigned along with the nomination.

4. Shri ..... is hereby directed to submit to the undersigned a written statement of his defence which should reach, the undersigned within ten days of receipt of this Memorandum, if he does not require to inspect any documents for the preparation of his defence, and within ten days after completion of inspection of documents if he desires to inspect documents, and also :-
  - a) to state whether he wishes to be heard in person, and
  - b) to furnish the names and addresses of the witnesses, if any, whom he wishes to call in support of his defence.
5. Shri ..... is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.
6. Shri ..... is further informed that if he does not submit his written statement of defence within the period specified in para 4 or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 9 of the Railway Servants (Discipline and Appeal) Rules, 1968 or the orders/directions issued in pursuance of the said rule, the inquiring authority may hold the inquiry ex-parte.
7. The **attention** of Shri ..... is **invited to Rule 20** of the Railway Services (Conduct) Rules, 1966 under which **no railway servant** shall bring or attempt to bring any political or other influence to bear upon any **superior authority** to further his interests in respect matters pertaining to his service under the Government. If any **representation is received on his behalf from another person** in respect of any matter dealt within these proceedings, it will be **presumed** that Shri ..... is aware of such a representation and that it has been made **at his instance and action** will be taken against him for **violation of Rule 20** of the Railway Services (Conduct) Rules, 1966.
8. The receipt of this Memorandum may be acknowledged.

Encls:

(Signature)

Name and designation of competent authority

To,

Shri .....

Designation.....

Place.....

Copy to Shri ..... (name & designation of the lending authority) for information.

- ❖ Strike out which is not applicable.
- ❖ To be deleted if copies are given / not given with the Memorandum as the case may be.
- ❖ Name of the authority (This would imply that whenever a case is referred to the disciplinary authority by the investigating authority or any authority who are in the custody of the listed documents or who would be arranging for inspection of the documents to enable that authority being mentioned in the draft memorandum.)