(9)

Through email as well

No. DSJ/E/SML/HHC/Notification/2026-3228-46
OFFICE OF DISTRICT AND SESSIONS JUDGE, SHIMLA
CIVIL AND SESSIONS DIVISION SHIMLA AT CHAKKAR
HIMACHAL PRADESH

Dated: Shimla-5, the 12th March, 2026.

To

All the Judicial Officers,
Civil and Sessions Division,
Shimla, HP.

Subject: Regarding dispensing with the requirement of holding departmental inquiry against Government servants involved/booked under the Narcotics Drugs and Psychotropic Substance (NDPS) Act, 1985.

Madam/Sir,

"Jai Hind"

I am directed by Ld. District and Sessions Judge, Shimla to enclose herewith photocopy of letter No. HHC/Admn.10(4)/98-XXVII-6114, dated 5th/6th March, 2026 along with its enclosures received from the Registry of the Hon'ble High Court of Himachal Pradesh, Shimla for favour of information and necessary action, please.

Yours faithfully,

Encls: As above.

Chief Administrative Officer,
Court of District and Sessions Judge,
Shimla, H.P.

Endst. No. As above. Dated:-

Copy for information and necessary action to:-

The Assistant Programmer/System Assistant(s), presently posted in this office with a request to upload the same on the official website of this Civil and Sessions Division. Photocopy of Registry letter referred to above along with its enclosures are enclosed.

Chief Administrative Officer,
Court of District and Sessions Judge,
Shimla, H.P.

Through Email Only

HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171 001

No.HHC/Admn.10 (4)98-XXVII- 6114
Dated Shimla, the 5th March, 2026.

Court of District & Sessions Judge
SHIMLA
07 MAR 2026
Diary No. 1956

From

The Registrar General,
High Court of Himachal Pradesh,
Shimla – 171001.

To

All the District and Sessions Judges in H.P.

Subject: **Regarding dispensing with the requirement of holding departmental inquiry against Government servants involved /booked under the Narcotics Drugs and Psychotropic Substance (NDPS) Act, 1985.**

Sir/Madam,

I have been directed to send herewith photocopy of letter No. Per (AP-B) B (15)-6/2025 dated 19.02.2026 received from the Chief Secretary to the Govt. of H.P., on the subject cited above, for information and necessary action, with a request to circulate the same amongst all the Judicial Officers in your respective divisions, for their information and necessary action, please.

Yours faithfully,

Encls: As above.

Deputy Registrar(O&A)

Endst. No. HHC/Admn. 10 (4)98-XXVII- Dated: 05.03.2026.

Copy forwarded for favour of information and necessary action to:-

1. The Section Officer (Establishment),High Court of H.P., Shimla.
2. The Section Officer (Computer),High Court of H.P., Shimla, with a request to upload the same on the official website of the High Court of H.P., Shimla.

Encls: As above.

Deputy Registrar(O&A)

D
Ecler N.A

DJSJ, Rmla
7/03/2026

Through Email Only

HIGH COURT OF HIMACHAL PRADESH, SHIMLA – 171 001

No.HHC/Admn.10 (4)98-XXVII-
Dated Shimla, the 5th March, 2026.

From

The Registrar General,
High Court of Himachal Pradesh,
Shimla – 171001.

To

All the District and Sessions Judges in H.P.

Subject: **Regarding dispensing with the requirement of holding departmental inquiry against Government servants involved /booked under the Narcotics Drugs and Psychotropic Substance (NDPS) Act, 1985.**

Sir/Madam,

I have been directed to send herewith photocopy of letter No. Per (AP-B) B (15)-6/2025 dated 19.02.2026 received from the Chief Secretary to the Govt. of H.P., on the subject cited above, for information and necessary action, with a request to circulate the same amongst all the Judicial Officers in your respective divisions, for their information and necessary action, please.

Yours faithfully,

Encls: As above.

Sd/-
Deputy Registrar(O&A)

Endst. No. HHC/Admn. 10 (4)98-XXVII-6116 Dated: 05.03.2026.

Copy forwarded for favour of information and necessary action to:-

1. The Section Officer (Establishment),High Court of H.P., Shimla.
2. The Section Officer (Computer),High Court of H.P., Shimla, with a request to upload the same on the official website of the High Court of H.P., Shimla.

Encls: As above.

05/03/2026
Deputy Registrar(O&A)

VIC for n/a
7/3/26

1397 25.2.26

No. Per (AP-B) B (15)-6/2025
Government of Himachal Pradesh
Department of Personnel
(Appointment-II)

From

The Chief Secretary to the
Government of Himachal Pradesh

To

1. All the Administrative Secretary to the Government of Himachal Pradesh
2. All the Head of Departments in Himachal Pradesh
3. All the Divisional Commissioners / Deputy Commissioners in Himachal Pradesh
4. All the Managing Directors/ Registrars/Secretaries of Boards/ Corporations/ Universities/ Autonomous Bodies in Himachal Pradesh

Dated Shimla-171002, the 19th February, 2026

Subject **Regarding dispensing with the requirement of holding departmental inquiry against Government servants involved / booked under the Narcotics Drugs and Psychotropic Substance (NDPS) Act, 1985.**

Sir/Madam,

I am directed to refer to the subject cited above and to say that the State of Himachal Pradesh is presently confronted with an alarming rise in cases involving Chitta / Drugs which has emerged as one of the most serious threats to public health, social order and youth. it has brought to the notice of the State Government that FIRs have been lodged against the government employees under NDPS Act for the allegations indicating involvement in possession, trafficking, transportation, financing or facilitation of Chitta / Drugs. The conduct alleged against the said employees reflect not only criminality but a total breakdown of integrity, morality and public trust while at the same time disrepute to Government of Himachal Pradesh.

Singh
24.2.26
Ld. Regr (Admn)
25/2/26

Ld. DR (O&A)
Ld. AR (O&A) 25/2/26 25/2/2026 Mr. Rajeev Verma

2. The State Government has emphasized that the involvement of Government servants in offences under the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 195 is absolutely unacceptable and must attract the most severe administrative action. The State Government has now adopted a Zero- Tolerance Policy towards such act of Government servant directly or indirectly.

3. Article 311(2)(b) of the Constitution of India permits dismissal or removal of a Government servant without holding a departmental inquiry, when it is not reasonably practicable to conduct such an inquiry.

4. A similar enabling provisions has been prescribed in Rule 19(ii) of Central Civil Services (Classification, Control and Appeal) Rules, 1965, under the heading "Special procedure in certain cases", which contains explicit and enabling provisions whereby a disciplinary inquiry may be dispensed with. The said Rule authorizes the Disciplinary Authority, for reasons to be recorded in writing, to forgo the holding of a regular departmental inquiry where it is satisfied that it is not reasonably practicable to conduct such an inquiry in the manner prescribed under the Rules. The scope and intent of Rule 19(ii) are sufficiently wide and comprehensive to address exceptional situations, including cases involving grave and serious offences under the Narcotic Drugs and Psychotropic Substance (NDPS) Act, 1985 where the conduct of a regular inquiry may be rendered impracticable due to factors such as the nature of the offence, threat to witnesses or overriding considerations of public interest and administrative exigency.

5. The Disciplinary Authority is vested with the discretion to dispense with the requirement of holding a regular departmental inquiry only upon strict fulfillment of the statutory conditions prescribed under the relevant rules. Such extraordinary power shall be exercised sparingly, with utmost alertness, due diligence and in strict conformity with the principles of natural justice and constitutional safeguards. The Disciplinary Authority shall not invoke the said provision in an arbitrary or mechanical manner merely to avoid conducting a departmental inquiry as mandated under the rules.

6. Accordingly, it has been decided that in cases where FIRs have been registered against Government employees under the NDPS Act for allegations indicating involvement in possession, trafficking, transportation, financing, or facilitation of Chitta/Drugs, the Appointing Authority/Disciplinary Authority may invoke the provisions of Rule 19 of the CCS (CCA) Rules, 1965, strictly in accordance with the statutory mandate, judicial precedents and after recording cogent reasons in writing. The exercise of such powers shall be subject to careful examination of the facts and circumstances of each case and shall not be resorted to as a matter of routine.

7. These instructions may be widely circulated among all concerned authorities /subordinate offices for strict and scrupulous compliance.

Yours faithfully,

(Niraj Kumar)
Deputy Secretary (Personnel) to the
Government of Himachal Pradesh
Email persbr2-hp@nic.in
Phone No. 0177- 2626416

Endst No. As above Dated Shimla-171002, the 19th February, 2026

Copy to the Director General of Police, Himachal Pradesh, Shimla-171002 with reference to their letter No. PHQ/ ND&PS / article311(2)(b)/ 2025-31292 dated the 3rd December, 2025 for information.

(Niraj Kumar)
Deputy Secretary (Personnel) to the
Government of Himachal Pradesh