



## HIMACHAL PRADESH NATIONAL LAW UNIVERSITY, SHIMLA

### SEMESTER II

**LL. M. (One Year Programme)**

**LM-204**

**Course Title: Service Law**

#### **Module-1**

#### **Fundamental Right to Equality**

- 1.1 Concept of Equality and Service Jurisprudence;
- 1.2 Equality of Opportunity in Appointment and Employment;
- 1.3 Protective Discrimination in Service
- 1.4 Principle of Equal Pay for Equal Work;
- 1.5 Compassionate Appointment.

#### **Module-2**

#### **Services under the Union and the States**

- 2.1 Conditions of Service and Rule Making Power (Article 309)
- 2.2 Doctrine of pleasure and limitations on its exercise (Article 310)
- 2.3 Constitutional safeguards to Civil Servants (Article 311)
- 2.4 Probation and Confirmation
- 2.5 Compulsory Retirement and Voluntary Retirement

#### **Module-3**

#### **Annual Performance Appraisal Report, Deputation, Suspension etc.**

- 3.1 Annual Confidential Report (ACR)/Annual Performance Appraisal Report (APAR)
- 3.2 Principles relating to deputation: Role of Lending and Borrowing Authorities and Repatriation
- 3.3 Suspension/Deemed Suspension and Subsistence Allowance

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3.4 Principles of determination of Seniority

3.5 Quota Rota Rule

**Module-4**  
**Penalties and Procedure to Conduct Disciplinary Enquiry**

4.1 Determination and imposition of major penalties

4.2 Determination and imposition of minor penalties

4.3 Procedure to conduct disciplinary enquiry

4.4 Charge sheet, Role of presenting officer; Inspection and supply of copies of documents, Production of evidence, Cross examination and Examination in chief

4.5 Writing and Submission of Enquiry Report, Opportunity of Hearing on Findings and Action on Enquiry Report and Competent Authorities

**Note: The topics of the syllabus have to be studied with reference to CCS (CCA) Rules 1965.**

**Prescribed legislation:**

1. The Constitution of India ,1950
2. CCS (CCA) Rules 1965

**Prescribed Books:**

1. Seervai , H.M., Constitutional Law of India [4th ed., Vol. 1 (1991), Vol. 2 (1993), Vol. 3 (1996)]
2. Jain, M.P., (Indian Constitutional Law, (7th ed., 2017)
3. Basu, D.D., Shorter Constitution of India, (15th ed., 2018)
4. Singh, Mahendra P., V. N. Shukla's Constitution of India, (13th ed., 2017)
5. Muthu Swami; Departmental Proceedings
6. Narender Kumar; Law relating to government services and management of discipline proceedings
7. Katju Markandey, Domestic Enquiry (1999)
8. Mallick, M.R. Service Law in India (2000)
9. Pal, Samaraditya, Law Relating to Public Service (2011)
10. Bhatnagar, A S, Guide to Departmental Problems, Inquiries, Punishments and Appeal
11. Chawla, Jagjit Singh, Service Law Digest: An encyclopedia of Service Cases, Service Law Reporter

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