

Government of Orissa  
Political and Services Department.

Confidential.

Memo No. 1949 (115) Gen.,

Dated...16.2.74

CIRCULAR

To

All Departments of Government/all Heads of Depts/District Offices.

Sub:- Expeditious disposal of Departmental proceedings against officers in connection with grave dereliction of duty during communal disturbances.

...  
The undersigned is directed to say that the instructions contained in Political and Services Department memo. no. 04-139/57-3559(76)-Gen dated 15.3.1958 discourage prolong suspension of Government servants. Sub-rule (5) of Rule 12 of the Civil Services (Classification, Control and Appeal) Rules, 1962 empowers the authority to revoke an order of suspension. There is also a similar provision in Rule 3(7)(a) of the All India Services (Disciplinary and Appeal) Rules, 1969.

2. It has been brought to the notice of the State Government by Government of India that some officers who were placed under suspension and were being proceeded against departmentally for alleged dereliction of duty during the communal disturbances, had to be reinstated because the departmental proceedings against them were pending for a long time and as such those officers continued to be under suspension for an unduly long time. Government of India have observed that while as a general rule, it is desirable that Government servants should not be kept under suspension for a long period without completing the proceedings against them, this consideration should not weigh in the cases of Government servants placed under suspension for grave dereliction of duty in dealing with communal situations and disturbances. If an officer who has been found wanting in dealing with communal situations and has placed under suspension is released from such suspension before conclusion of the departmental proceedings against him in consideration of hardship due to prolongation of his suspension an impression is created that Government do not take serious view of his lapses, which undoubtedly is contrary to the intention of Government. Government of India have, therefore, suggested that Government servants, who have been placed under suspension for grave dereliction of duty during the communal disturbances, should not be released from suspension until finalisation of the departmental proceedings, notwithstanding the fact that the period of suspension may have been long. The State Government concur with the views of the Government of India.

3. The State Government desire that the competent authorities bear in mind the aforesaid instructions of the Government of India considering the revocation of orders of suspension in respect of Government servants who have been placed under suspension on account of alleged grave dereliction of duty in dealing with communal disturbances or situations. In exceptional cases where it is considered to be necessary to reinstate an officer placed under suspension for dereliction of duty in dealing with communal situations and disturbances, reference may be made to Government for their decision.

4. The general policy of the State Government that officers found wanting in dealing with communal situations and disturbances should not be released from suspension, underlines the necessity for prompt disposal of departmental proceedings against such officers, so that the period of suspension is not unduly prolonged. Steps should be made to ensure that departmental proceedings drawn up against such officers are disposed of as quickly as possible.

Receipt of this Memo may please be acknowledged.

*[Signature]*  
Additional Secretary to Government.