

CONFIDENTIAL

*Expeditious completion of investigations in
case of the officers under suspension.*

GOVERNMENT OF MAHARASHTRA

GENERAL ADMINISTRATION DEPARTMENT

Circular No. CDR-1174/9072/D-I

Sachivalaya, Bombay-400 032, dated the 18th September 1974

CIRCULAR

Instances have come to the notice of Government where inordinate delay has taken place in completing investigations by the Police and also other authorities. Consequently inordinate delay has taken place in filing charge-sheets in courts in cases where prosecution is launched and in serving charge-sheets in cases where disciplinary proceedings are initiated. Government has been anxious about expeditious completion of investigations and suitable instructions have been issued from time to time for the guidance of the authorities concerned. Where persons into whose conduct investigations are being made are placed under suspension, there is all the more need for speedy action. Suspension does constitute a very great hardship to a Government servant. In order to avoid undue hardship to the Government servant concerned it is essential to ensure that the period of suspension is reduced to the barest minimum. Government is, therefore, pleased to direct that in cases of officers under suspension, the investigations should be completed and a charge-sheet filed in a court of competent jurisdiction in cases of prosecution or served on the Government servant concerned in cases of departmental proceedings *within six months* as a rule. The investigating authorities should be personally held responsible for completing the investigations within the aforesaid period in case of officers under suspension. In very difficult cases the Chief Secretary to Government may grant extension by three months to complete the investigations. The Departments of the Secretariat should submit cases where such extension is considered justified to the Chief Secretary through the General Administration Department.

H 51

[P.T.O.]

CONFIDENTIAL

*Expeditious completion of investigations in
case of the officers under suspension.*

GOVERNMENT OF MAHARASHTRA

GENERAL ADMINISTRATION DEPARTMENT

Circular No. CDR-1174/9072/D-I

Sachivalaya, Bombay-400 032, dated the 18th September 1974

CIRCULAR

Instances have come to the notice of Government where inordinate delay has taken place in completing investigations by the Police and also other authorities. Consequently inordinate delay has taken place in filing charge-sheets in courts in cases where prosecution is launched and in serving charge-sheets in cases where disciplinary proceedings are initiated. Government has been anxious about expeditious completion of investigations and suitable instructions have been issued from time to time for the guidance of the authorities concerned. Where persons into whose conduct investigations are being made are placed under suspension, there is all the more need for speedy action. Suspension does constitute a very great hardship to a Government servant. In order to avoid undue hardship to the Government servant concerned it is essential to ensure that the period of suspension is reduced to the barest minimum. Government is, therefore, pleased to direct that in cases of officers under suspension, the investigations should be completed and a charge-sheet filed in a court of competent jurisdiction in cases of prosecution or served on the Government servant concerned in cases of departmental proceedings *within six months* as a rule. The investigating authorities should be personally held responsible for completing the investigations within the aforesaid period in case of officers under suspension. In very difficult cases the Chief Secretary to Government may grant extension by three months to complete the investigations. The Departments of the Secretariat should submit cases where such extension is considered justified to the Chief Secretary through the General Administration Department.

H 51

[P.T.O.]

2. Government is also pleased to direct that if the investigations cannot be completed within a period of six months or the extension of time if any granted by the Chief Secretary, the order placing the Government servant under suspension should be revoked and he should be permitted to resume duties, by posting him to a different post and/or transferring him to a different place wherever possible. All cases in which the Government servants have already been under suspension should be reviewed in the light of these instructions and action taken to complete the investigations as early as possible and to reinstate the Government servants who have been under suspension for over six months.

By order and in the name of the Governor of Maharashtra,

M. K. GÜPTE,
Under Secretary to Government.

G.C., G.A.D., No. CDR-1174/9072/D-I, dated 18th September 1974.

To

The Secretary to the Governor,
The Secretary to the Chief Minister,
All Secretaries to Government,
*The Prothonotary and Senior Master, High Court, Bombay,
*The Registrar, High Court, Appellate Side, Bombay,
All Heads of Departments and Heads of Offices under the several Departments of the Secretariat,
All Departments of the Secretariat,
Registry, General Administration Department (2 copies).

* By letter.

No. _____ of 1974

Copy forwarded for information and guidance to —

2. Government is also pleased to direct that if the investigations cannot be completed within a period of six months or the extension of time if any granted by the Chief Secretary, the order placing the Government servant under suspension should be revoked and he should be permitted to resume duties, by posting him to a different post and/or transferring him to a different place wherever possible. All cases in which the Government servants have already been under suspension should be reviewed in the light of these instructions and action taken to complete the investigations as early as possible and to reinstate the Government servants who have been under suspension for over six months.

By order and in the name of the Governor of Maharashtra,

M. K. GÜPTE,
Under Secretary to Government.

G.C., G.A.D., No. CDR-1174/9072/D-I, dated 18th September 1974.

To

The Secretary to the Governor,
The Secretary to the Chief Minister,
All Secretaries to Government,
*The Prothonotary and Senior Master, High Court, Bombay,
*The Registrar, High Court, Appellate Side, Bombay,
All Heads of Departments and Heads of Offices under the several Departments of the Secretariat,
All Departments of the Secretariat,
Registry, General Administration Department (2 copies).

* By letter.

No. _____ of 1974

Copy forwarded for information and guidance to —