

No. Per (AP-II) A(3)-1/79-Pt.
Government of Himachal Pradesh
Department of Personnel
Appointment-II

From

The Pr. Secretary (Pers.) to the
Government of Himachal Pradesh.

To

1. All Administrative Secretaries to the
Government of Himachal Pradesh.
2. All Heads of Department in HP.
3. All Deputy Commissioners in HP.

Dated Shimla-2, 27 Feb., 2005.

Subject: Delay in the settlement of disciplinary cases of
suspended employees and in processing/finalization
of the disciplinary proceedings - prescription of time
schedule.

Sir,

I am directed to invite your attention to this
Department letter No. Per(AP-II)A(3)-1/74-III dated 30.03.1993
(Annexure 29.11 of Hand Book on Personnel Matters-Vol.-III,
Second Edition) and also to this Department letter of even No.
dated 18.07.2001 on the subject cited above and to say that it
has come to the notice of the Govt. that the instructions contained
therein are not being adhered to in letter and spirit by the
Departments.

Olate it is observed that a large number of cases of
suspended employees remain pending for disposal in various Govt.
Departments, which causes loss to the Government as well as to
the employees concerned as it deprives the Government of the
services of such employees and causes financial loss to the Govt.
apart from the humiliation and harassment to the suspended
employees. It is desirable to finalize such cases of suspension
within a maximum period of six months. Similarly, some
Departments take a very long time in the processing of
disciplinary cases from the date of issue of the charge sheets.

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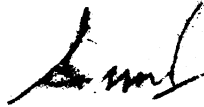
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Accordingly, it is requested that the cases of suspension be reviewed from time to time in order to assess whether continued suspension is essential or needs to be revoked. The Inquiry Officers may also be directed to finalize the departmental inquiries expeditiously, not later than six months failing which an adverse reflection may be made in their ACRs.

It is again emphasized that the cases of officers/officials under suspension may be reviewed quarterly so that no official remain suspended unnecessarily.

These instructions may kindly be brought to the notice of all concerned working under your control for scrupulous compliance and cases of non-compliance will be viewed seriously.

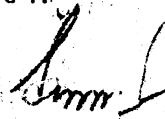
Yours faithfully,



Deputy Secy.(Pers.) to the
Govt.of Himachal Pradesh.

Endst.No.: Per(AP-III(A)(3)-1/79-Pt. Dated Shimla-25 Feb., 2005

Copy for information to the Secretary-cum-Director (Vig) to the Government of Himachal Pradesh w.r.t. his letter No.Home(Vig)A(4)-4/2004, dated 30.12.2004.



Deputy Secy.(Pers.) to the
Govt.of Himachal Pradesh.

Copy of HP Govt. Department of Personnel letter No: PER (AP-II)A(3)-1/74-III dated 30-3-1993 addressed to all Secretaries, Heads of Departments & Deputy Commissioners.

(Referred to in HP Govt. decision
No. 3 below para 29.5)

Subject:- Delay in the settlement of disciplinary cases of suspended employees-prescription of time schedule.

I am directed to say that it has come to the notice of the Government that a large number of officers/officials still continue to be under suspension for quite a long period, though instructions were earlier issued to finalise such disciplinary cases of suspended employees within a maximum period of six months. Continued suspension of a Government servant for a long period is not a desirable state of affairs as it deprives the Govt. of the services of such persons and causes financial loss to the Government apart from humiliation and harassment to the suspended employee. Accordingly it is desirable that the cases of suspension should be reviewed from time to time in order to assess whether continued suspension is essential or need to be revoked. In this context it has also been decided that while reviewing the cases of suspended Government servants it should be considered whether the presence of the Government servant on the same post/station from which he was suspended is detrimental to the collection of evidence or whether he is likely to tamper with the evidence and if so, the question of his posting on another post/station where he may not be at all in a position to tamper with or destroy collection of evidence may also be considered while reviewing the suspension cases.

2. Accordingly it has been decided by the Government that cases of Government servants under suspension for more than six months should be reviewed quarterly by a review committee, the constitution of which shall be as under:

Cases of All India /State Service Officers

1. Chief Secretary/Additional Chief Secretary..... Chairman
2. FC to be nominated by CS/ACS Member
3. FC/Secy. (Per.) in case of IAS & HAS!
- Secy (Home) for IPS & HPPS.....! Member
- Secy. (Forests) for IFS and HPFS!

Cases of other Class I and II Officers.

1. Seniormost Financial Commissioner
(Other than the one whose Departmental cases are to be considered)..... Chairman
2. Secretary/Special Secretary of the
Department concerned..... Member

3. Heads of the Department..... Member

Cases of class III and IV

1. Secretary of the Department concerned..... Chairman

2. Heads of Department. Member

3. Addl./Joint/Dy./Under Secretary of the
concerned Department..... Member

The above instruction may kindly be brought to the notice of all concerned for strict compliance and the first review of cases be completed by 30th April, 1993.

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