

6. DISCIPLINARY PROCEEDINGS

6.19 Continuance of suspension of a Government servant against whom any criminal complaint is under investigation

Personnel and Administrative Reforms (N) Department

G.O. (Ms) No. 77

Dated : 09.07.2002

ORDER

As per clause (5) of sub-rule (e) of rule 17 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. Where a Government servant is suspended or is deemed to have been Suspended (whether in connection with any disciplinary proceedings or otherwise), and any other disciplinary proceedings is commenced against him during the continuance of suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing, direct that the Government servant shall continue to be under suspension until the termination of all or any of such proceedings, The said rule 17 (e) (5) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules has not provided for ordering the continuance of suspension of a Government servant against whom any other criminal complaint is under investigation or trial during the course of suspension.

2. The Government after careful examination have decided to make a provision in clause (5) of sub-rule (e) of Rule 17 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules in this regard.

3. The following Notification will be published in the Tamil Nadu Government Gazette:

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the constitution of India the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Civil Services (Discipline and Appeal) Rules (Volume-I of the Tamil Nadu Services Manual, 1987).

2. The amendment hereby made shall come into force from 9th July of 2002.

AMENDMENT

In the said Rules, in rule 17 in sub-rule (e) for clause (5) the following clause shall be substituted,

"(5) Where a Government Servant is suspended or deemed to have been suspended (whether in connection with any disciplinary proceedings or otherwise) and any other disciplinary proceedings are commenced or any other criminal complaint is under investigation or trial against him during the continuance of that suspension, and where the suspension of the Government Servant is necessary in public interest required under clause (1) the authority competent to place under suspension may, for reasons to be recorded by him in writing, direct that the Government servant shall continue to be under suspension until the termination of all or any such proceedings including departmental proceedings taken on the basis of facts which led to the conviction in criminal court"

(By order of the Governor)

for SECRETARY TO GOVERNMENT