

7.6 Voluntary retirement conditions - deletion of obtaining report from the Special Branch, Criminal Investigation Department - Amendment

Personnel and Administrative Reforms (FR.III) Department

Lr. No.77839/FR.III/97-1, dated : 2.6.1998

From
Thiru.G.Prakash,I.A.S.,
Secretary to Government

To
The Principal Commissioner
and Commissioner for Revenue Administration

Ref : 1.G.O.Ms.No.376,P&A.R.Department,dt.1.12.1995.
2. From the Principal Commissioner and Commissioner for Revenue
Administration, Letter No.59066/SR.II (2)/97, dt.12.11.97.

The Government Servants are permitted to go on Voluntary Retirement under FR.56(3) subject to the satisfaction of the following conditions, among others:-

"No prosecution is contemplated or pending in a Court of Law against him."

While incorporating the above condition in the consolidated instructions on Voluntary Retirement, issued in the Government order first cited, it has been laid down that "A report from Special Branch, Criminal Investigation Department, Chennai-4 is necessary."

2. The Principal Commissioner and Commissioner for Revenue Administration in his letter second cited has stated that the Special Branch, Criminal Investigation Department steps in only when specific cases are referred to them for investigation. The Head of Office or the Authority competent are aware of cases referred to the Special Branch, Criminal Investigation Department for investigation and also cases where permission for launching prosecution were granted. Moreover, reference to Special Branch, Criminal Investigation Department for a clearance is likely to end up in delay in furnishing the retirement proposals. The Principal Commissioner and Commissioner for Revenue Administration has therefore suggested to make suitable modification to that effect in the Government order cited.

3.The Government have examined the suggestion of Principal Commissioner and Commissioner for Revenue Administration in para 2 above and decided to accept it. They accordingly direct that it is enough if the Appointing Authority concerned is satisfied that no Criminal case is pending or contemplated against the Government Servant who opts for Voluntary Retirement and it is left to the Appointing Authority to contact the Special Branch, C.I.D. or other concerned organizations for this purpose.

4. The following amendment is issued to G.O.Ms.No.376, Personnel and Administrative Reforms Department, dated 11.12.1995.

AMENDMENT

In the said Government Order in para 2, under F.R.56(3)(e), in the condition (ii), the following expression shall be deleted :-

"A report from Special Branch, C.I.D., Chennai-600 004 is necessary."

for SECRETARY TO GOVERNMENT