

Government of West Bengal
Panchayats & Rural Development Department
63, N.S. Road, Jessop Building, Kolkata 700 001

Memo. No.3791/PN/O/III/2E-75/12

Dated: 05.07.2012

ORDER

Whereas the Apex Court/Hon'ble High Court has observed in various departmental/service matter cases that there is no point in keeping an employee under suspension for indefinite period.

And whereas, the criminal charges do not have official nexus and the employee is not in a position to interfere in the judicial process through misuse of his official position.

And whereas, there is a drain on public exchequer as the incumbent continues to receive subsistence allowance without giving any service in return to the employer.

And whereas, there is no scope to initiate D.P. against an employee for charges not related to his official position.

And whereas, the employee is released on bail against criminal charges.

And whereas, placement of the employee under suspension for indefinite period has an adverse bearing on the livelihood of the family of the employee.

And whereas, the convicted employee can be dismissed or terminated from service after the criminal case has reached its finality without initiation of D.P. if charges pertain to extra official matters.

Now, after careful consideration of all aspects, the undersigned is directed by order of the Governor to say that suspension order of P.R. employees under aforesaid circumstances can be revoked and be allowed to join. The decision on period spent on suspension and consequential benefits will depend on the outcome of the criminal case.

All concerned being informed.

By Order of the Governor



OSD & Ex-Officio Deputy Secretary
to the Govt. of West Bengal

Copy forwarded for information & necessary action to:-

- 1) The Commissioner, Panchayats & Rural Development Department.
- 2) The District Magistrate & Executive Officer, Zilla Parishad
(All)/Siliguri Mahakuma Parishad.
- 3) The Joint Secretary, Policy Cell, Panchayats & Rural Development Department.
- 4) The Joint Secretary, Law Cell, Panchayats & Rural Development Department.
- 5) The District Panchayats & Rural Development Officer, (All).
He is requested to circulate to copy of this order to the BDOs.
- 6) The Block Development Officer, (All).
- 7) The PA to Principal Secretary, Panchayats & Rural Development Department.

Sumit

OSD & Ex-Officio Deputy Secretary
to the Govt. of West Bengal