



MAHARASHTRA STATE ELECTRICITY DIST. CO. LTD.

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No.GAD/DAC/Revocation/

Date : 27-05-2008

ADMINISTRATIVE CIRCULAR No.154.

Sub: Revocation of suspension exceeding six months in case of employees placed under suspension for the reasons other than ACB/Criminal cases.

As per the provision in S.R.88(a)(ii)(a) the Competent Authority who ordered suspension of an employee can revoke the suspension if preliminary enquiries instituted against him are completed and also disciplinary action completed within a period of six months. Further, as per S.R.88(a)(ii)(b) where the preliminary enquiries are completed and disciplinary action is yet to start and suspension of such employee is continued beyond six months then the next higher authority of Suspending Authority has been delegated powers to decide as to whether the suspension is to be continued or revoked.

A question has arisen in one of the case where disciplinary action is completed but period of suspension is exceeding six months (for acts of misconduct and not for ACB/Criminal case) that as to which authority has to decide the revocation of suspension.

Therefore, the matter was taken up with the Chief Legal Adviser (CLA) for legal opinion. The CLA has opined that if no ACB/Criminal case is pending against the suspended employee the revocation of suspension even after the period of six months is concerned it can be done by the Competent Authority itself and it is not required to be referred to the next higher authority, where disciplinary action is completed.

In view of the above it is clarified that where the disciplinary action is completed and final decision is taken then the Competent Authority itself may revoke the suspension (ordered for acts of misconduct but not in ACB/Criminal case) even though the period of suspension exceeds six months without referring to the next higher authority.


Chief General Manager(P)

To
As per Mailing List upto Divisional Level