

Dated 4/11/2014.

O R D E R

Subject:- Constitution of Suspension Review Committee for Work Charged Employees.

WHEREAS Work Charged employees are being engaged by the Public Works and Electricity Departments in the UT Administration of Daman & Diu as per the relevant provisions of CPWD Manual.

2. AND WHEREAS such a Work Charged employee can be placed under suspension by the appointing authority or any authority to which it is subordinate or could be deemed to have been placed under suspension with effect from the date of detention in custody, whether on a criminal charge or otherwise, for a period exceeding 48 hours.

3. AND WHEREAS the Central Civil Services (Classification, Control and Appeal) Rules, 1965, have been amended in 2003 to provide for review of cases of suspension on the recommendation of a Review Committee to be constituted for the purpose.

4. AND WHEREAS the Administrator, U.T. of Daman and Diu considers it necessary in the interest of the Work Charged employees to constitute similar Review Committee to review periodically the cases of suspension/deemed suspension of such employees, even though they are not explicitly governed by the provisions of Central Civil Services (Classification, Control and Appeal) Rules, 1965.

5. NOW, therefore, the Administrator, U.T. of Daman & Diu is pleased to order as follows :-

(i) An order of suspension made or deemed to have been made to the Work Charged Employees of Public Works/Electricity Department in the U.T. Administration of Daman and Diu shall be reviewed by the authority which is competent to modify or revoke the suspension before expiry of 90 days from the date of order of suspension on the recommendation of the Suspension Review Committee constituted for the purpose and pass orders either extending or revoking the suspension. Subsequent reviews shall be made before expiry of the extended period of suspension. Extension of suspension shall not be for a period exceeding 180 days at a time.

(ii) An order of suspension made or deemed to have been made shall not be valid after a period 90 days unless it is extended after review for a further period before expiry of 90 days.

(iii) The Suspension Review Committee shall consist of following officers to review the cases of suspension of Work Charged Employees of Administration of Daman and Diu.

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| 1. Development Commissioner | - Chairman |
| 2. Superintending Engineer, PWD, Daman & Diu | - Member |
| 3. Executive Engineer, PWD/Electricity, Daman
(as the case may be) | - Member |
| 4. Deputy Secretary(Vigilance) | - Member Secretary |

(iv) The Review Committee may take a view regarding revocation/continuation of the suspension keeping in view of the facts and circumstances of the case and also taking into account that unduly long suspension, while putting the employee concerned to undue hardship involves payment of subsistence allowance without the employee performing any useful service to the Government.

(v) Without prejudice to the foregoing, if the officer has been under suspension for one year without any charges being filed in a court of law or no charge-memo has been issued in a departmental inquiry, he shall ordinarily be reinstated in service without prejudice to the case against him. However, in case the official is in police/judicial custody or is accused of a serious crime or a matter involving national security, the Review Committee may recommend the continuation of the suspension of the official concerned.

6. The suspension Review Committee while dealing with the suspension review cases shall follow: the procedure laid down in the Central Civil Services (Classification, Control and Appeal) Rules, 1965 without quoting any reference to these rules.

7. This issues with the approval of Administrator of Daman & Diu vide Diary No.7901 dated 12/11/2014.

By order and in the name of the
Administrator of Daman & Diu
and Dadra & Nagar Haveli.


(Asha Chaudhary)
Deputy Secretary(Pers)

Copy to:

1. The Staff Officer to the Administrator, Secretariat, Daman.
2. The Development Commissioner, Secretariat, Daman.
3. The Finance Secretary, Secretariat, Daman.
4. The Inspector General of Police, Daman & Diu and Dadra & Nagar Haveli, Daman.
5. The Special Secretary(Pers), Secretariat, Daman
6. The Secretary (Education), Secretariat, Daman.
7. The Collector, Daman/Diu/DNH.
8. The Deputy Collector, Diu for circulation amongst all Heads of Office stationed at Diu.
9. The Concerned Offices/Departments.
10. The S.I.O., NIC, Daman for uploading in the Website.
11. The Director of Accounts, Daman
12. The Asstt. Accounts Officer, Diu
13. The Deputy Director (OL), Secretariat, Daman for translation into Hindi.
14. The Government Printing Press, Daman for publication in the Official Gazette.
15. Office copy/Guard file.