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14 JUL 1977

To

All Collectors in Bombay Division.

Subjects - Action against temporary Government servants
against whom prosecution is pending for mis-
appropriation -

Government contemplates the following action against the
temporary Government servants against whom prosecution is pending for
misappropriation.

Action to be taken.

- (1) Temporary Government servants (Clerks, Talatids) enlisted and have signed the undertaking that the services are purely temporary etc. To terminate appointment without giving reasons (R.D.No.5007/51 dt. 16-11-54).
- (2) As above but who have not signed the undertaking. To be reverted as a candidate on grounds of unsuitability. No reasons should be given (R.D.No.5007/51 dt. 16-11-54).
- (3) Temporary Government Servants against whom - prosecution is pending for misappropriation but directly taken without enlistment. Services to be terminated without assigning reasons (G.M.R.D.Confl.No. 5007/51/S dt. 6-9-52 and G.G.M.P. & S.D. Confl.No.1581/52 dt. 27-11-51).

The above gist is given for guidance in order to avoid unnecessary suspension for which Government has subsequently to incur expenditure for payment of suspension allowance. Proper steps either for termination or reversion should be taken at the initial stage only. Once a suspension order is passed in a case where the prosecution is pending, there will be no use to subsequently terminate the services because such subsequent order of termination or reversion will be prejudicial and will come within the cognizance of the court. So in such cases suspension will have to be continued till the decision of the court. To avoid this, proper action as stated above is necessary at the initial stage only. It should be noted that in such cases no reasons for termination or reversion are given. No appeals on such orders of termination or reversion are to be entertained.

[Signature]
For Commissioner Bombay Dn.,
Bombay.