

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
AUDIT BRANCH

No.9266-F(P)

Dated, the 16.11.2012

MEMORANDUM

Note 2(iii)(a) below rule 71(4) of the West Bengal Service Rules, Part-I provides for a review of the subsistence allowance granted to an employee under suspension as well as the substantive question of suspension within three months from the date of suspension or deemed to have been placed under suspension. It has come to the notice of the government that though the subsistence allowance granted to an employee under suspension is reviewed by the competent authority within three months from the date of suspension as a matter of course, the substantive question of suspension remains un-reviewed.

2. After careful consideration of the matter in all its aspects the Governor has been pleased to constitute the following Review Committees comprising the following members to review the subsistence allowance granted to the government employees while under suspension as well as to review the substantive question of suspension :

A. Review Committee in cases of considering suspension of Government employees whose appointing authority is the Governor.

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| i) Chief Secretary, Government of West Bengal | - Chairman |
| ii) Departmental Secretary (Cadre Controlling Authority) | - Member Secretary |
| iii) Controlling Authority/ Disciplinary Authority (Other than Cadre Controlling Authority) of the suspended Government employee | - Member |

Or

An Officer not below the rank of Joint Secretary to be nominated by the Cadre Controlling Authority.

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| iv) A nominee of P&AR Department | - To be co-opted as not below the rank of Joint Secretary. Member |
| v) A nominee of Finance Deptt. not below the rank of Joint Secretary | - Member |

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B. Review Committee in cases of considering suspension of the government employees whose appointing authority is sub-ordinate to the Governor.

- i) Principal Secretary/Secretary/Cadre Controlling Authority - Chairman.
- ii) Controlling Authority/Disciplinary Authority of the suspended Government employee - Member Secretary.
- iii) Deputy Secretary/Deputy Director of the concerned department/directorate, where the suspended Government employee last posted. - Member
- iv) A nominee of Finance Department. - Member

3. The Governor has further been pleased to lay down the following functions and procedure to be followed by the Review Committee so constituted.

A. Functions

- (i) The Review Committee shall review the cases of Officers/employees under suspension in order to determine whether there are sufficient grounds for continuation of suspension.
- (ii) In every case the review shall be done within 90 (ninety) days from the date of order of suspension or deemed to have been placed under suspension. In a case where the period of suspension has been found to be prolonged, the next review shall be done within 180 (One hundred eighty) days from the date of last review.

B. Procedure

- (i) The Review Committee, while assessing the justification for further continuation of any suspension, shall look into the progress of inquiry/investigation against the officer by obtaining relevant information from the authority inquiring /investigating into the charges.
- (ii) The Review Committee, while examining a case, shall consider the possibility of tampering with the evidence and or influencing the process of inquiry or investigation by the officer/employee under suspension.

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(iii) The Review Committee shall submit a detailed report clearly stating its recommendations including variation of the amount of subsistence allowance in terms of proviso to rule 71(1)(a) of W.B.S.R. Part-I and the reasons for arriving at such recommendations to the appointing authority concerned for considering further course of action.

4. Necessary amendments in the West Bengal Service Rules, Part-I and the West Bengal Services (Classification, Control and Appeal) Rules, 1971 shall be made in due course.

By order of the Governor,
Sd/- H. K. Dwivedi
Secretary to the
Government of West Bengal.

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No.9266/1(500)-F(P)

Dated, the 16.11.2012

Copy forwarded for information and necessary action to :

- 01) The Principal Accountant General (A&E) West Bengal,
Treasury Buildings, Kolkata- 700001.
- 02) The Director of Treasuries & Accounts, West Bengal,
New India Assurance Buildings, 4, Lyons Range,
Kolkata – 700001.
- 03) The Pay & Accounts Officer, Kolkata Pay & Accounts
Office-I, 81/2/2, Phears Lane, Kolkata- 700012.
- 04) The Pay & Accounts Officer, Kolkata Pay &
Accounts Office-II, P-1, Hyde Lane, Kolkata – 700 073.
- 05) The Pay & Accounts Officer, Kolkata Pay &
Accounts Office-III, Salt Lake, Sector-III, JB Market,
Kolkata-700106.
- 06) The Assistant Secretary & D.D.O., Finance Department.
Writers' Bldgs., Kolkata-700001.
- 07) The Assistant Secretary & D.D.O., Finance Department,
Bikash Bhavan, Salt Lake, Kolkata-700091
- 08) The District Magistrate/Judge _____

- 09) The Sub-Divisional Officer, _____

- 10) The Treasury Officer, _____

- 11) _____

- _____ Deptt./Dte.
- 12) The Commissioner, _____

- 13) The Principal, Industrial Training Institute _____

- 14) The Superintendent of Police _____

- 15) The Supdt. Engineer/Exe. Engineer, _____

CS 16.11.12
O.S.D. & e.o. Joint Secretary to the
Government of West Bengal
Finance Department