

No. 504-IGSI-73/7866

From

The Chief Secretary to Govt., Haryana

To

1. All Heads of Departments; Commissioners, Ambala and Hissar Divisions; All Deputy Commissioners; and All Sub-Divisional Officers in Haryana.
2. The Registrar, Punjab and Haryana High Court; and All District and Session Judges, Haryana.

Dated, Chandigarh, the 27th March, 1973.

Subject : The Punjab Departmental Enquiries (Powers) Act, 1955

Sir,

I am directed to say that it has come to the notice of Government that departmental enquiries conducted by Enquiry Officers appointed under the Punjab Civil Services (Punishment & Appeal) Rules, 1952, or any other similar rules applicable to other services, are quite often delayed inordinately on account of the failure of the witnesses to appear before the Enquiry Officers despite the issue of repeated summons. One reason appears to be that the provisions of section 2 of the Punjab Departmental Enquiries (Powers) Act, 1955 (copy enclosed) which empower Enquiry Officers to compel the attendance of witnesses and the production of documents are not within their notices or are not availed of by them in appropriate cases.

2. I am to point out that Government attach great importance to the expeditious completion of departmental enquiries and there can be no justification for the aforementioned provisions not being utilised when necessary. You are, therefore, requested to take due note of these provisions for appropriate use and also to bring them to the notice of all officers/officials working under you for use when they are appointed Enquiry Officers so that there is no avoidable delay in departmental enquiries on account of failure of witnesses to appear or because of non-production of documents.

3. It is requested that the receipt of this communication may please be acknowledged.

Yours faithfully,

Sd/-

Deputy Secretary Political & Services,
for Chief Secretary to Government, Haryana.

A copy each is forwarded to the Financial Commissioner Revenue, and all Administrative Secretaries to Government, Haryana, for information and necessary action.

Extracts of Section 2 of Punjab Departmental Enquiries (Powers) Act, 1955.

2. For the purposes of an enquiry under the Punjab Civil Services (Punishment and Appeal) Rules, for the time being in force, the officer conducting such an enquiry shall be competent to exercise the same powers for the summoning of witnesses, and for compelling the production of documents as are exercisable by a commission appointed for an enquiry under the Public Servants (Inquiries) Act, 1850 (Act XXXVII of 1850), and all persons disobeying any process issued by such officer in this behalf shall be liable to the same penalties as if the same had issued from a Court.

Summoning of Witnesses and production of documents