

CIRCULAR

No. ChOE/Gen/294 dt.2/9/2011

Sub:- Amendment to clause 43 of the Manual of Departmental Enquiries.

As per the clause 43 of the Manual of Departmental Enquiries, the Enquiry Officer in his Enquiry Report is giving his findings alongwith recommendations about the quantum of punishment to be imposed upon the delinquent as per the provision of section 83(1) & 83(3) of M.M.C.Act,1888. This practice needs to be discontinued immediately since the competent authority is to consider the report by applying its mind and come to its conclusion about the findings and further action on the enquiry report submitted to him by the Enquiry Officer.

Accordingly the clause 43 of the Manual of Departmental Enquiries stands amended as follows :-

Existing provisions	Amended provisions
(43) If the Enquiry Officer is himself the competent authority he shall take further necessary action. The Enquiry Officer shall, if he is not the competent authority, submit his report containing his findings in the case to the competent authority for further necessary action. He shall also communicate his recommendations as to the quantum of punishment to the competent authority separately.	(43) If the Enquiry Officer is himself the competent authority he shall take further necessary action. The Enquiry Officer shall, if he is not the competent authority, submit his report containing his findings in the case to the competent authority for further necessary action.

Except above, other instructions of the circular under No. Ch.O.E./Gen./190 dt.1/10/2003 about providing copy of the Enquiry Officer's report to the delinquent employee before competent authority passes orders thereon will stand as they are.

All Assistant Commissioners, Heads of Departments and Deans are, therefore, hereby directed to follow these provisions scrupulously.

Sd/-17/8/11  
(R.V.Danane)  
Chief Officer  
(Enquiries)

Sd/-17/8/11  
(Rajendra Vale)  
Dy.Municipal  
Commissioner  
(G.A.)

Sd/-18/8/11  
(Mohan M. Adtani)  
Addl. Municipal  
Commissioner  
(City)

Sd/-27/8/11  
(Subodh kumar)  
Municipal  
Commissioner

Copy to ----- for information and necessary action.

  
J. Chief Officer (Enq.)

NO. 1137 (12)