

GOVERNMENT OF KERALA
ABSTRACT

PUBLIC SERVICES-STRIKE BY A SECTION OF GOVERNMENT EMPLOYEES FROM 7 TH TO
17TH AUGUST 1985- PERIOD OF SUSPENSION IN THE CASE OF TE EMPLOYEES AGAIST
WHOM CASES WERE CHARGED IN COURTS OF LAW BUT WERE ACQUITTED BY THE
COURTS- TREATMENT OF- ORDERS-ISSUED

GENERAL ADMINISTRATION (SS) DEPARTMENT
G.O.(RT) No. 3732/86 /GAD. Dated, Trivandrum, 13th May 1986.

Read:- 1. Circular Memorandum No. 52718/SS A1/85/Home dated 23-8-1985.
2. Circular Memorandum No. 108973/SS1/85 GAD. dated 9-10-1985.

ORDER

In the context of the strike by a section of Government employees , teaching, etc., from 7th to 17 th August , 1985, criminal cases were charged against certain employees. Employees who were arrested by the Police and against whom cases were charged in connection with the above strike were placed under suspension. All cases registered / taken up against employees under the Kerala Essential Services Maintenance Ordinance or other Acts except those involving intimidation of loyal employees, causing assault or hurt to loyal employees and involving violence were ordered to be dropped or withdrawn vide Circular Memorandum1st cited above. Later on, the employees who were suspended from service and against whom cases were intimated for commitment of offence which did not involve harassment to or abusing of women employees or violence or destruction of public property were also ordered to be readmitted to duty revoking , their suspension vide Circular Memorandum second cited above.Csaes involving intimidation of loyal employees, causing assault or hurt to loyal employees and involving violence were allowed to continue in the Courts of Law. Some of these cases charged against the employees have since been disposed of by the courts of Law acquitting the employees . The Heads of Departments concerned have sought orders of Government as to how the period of suspension respect of these employees has to be treated. The Government have examined the matter and they are pleased to direct as follows.

- (i) Where a Government employee who was placed under suspension during the pendency of a criminal trial is acquitted by the court of Law it is not necessary to consider the nature of the acquittal and entire period of suspension in such cases beyond the date of withdrawal of the strike will be treated as duty for all purposes and full pay and allowance will be paid. The same treatment will be given in respect of cases of withdrawal of prosecution as well as acquittal on the ground that complaint was absent.
- (iii) The period from the date of commencement of unauthorized absence by the employees in connection with the strike up to the date of withdrawal of the strike will be treated as ‘ dies-non.’

By order of the Governor,

C. RAMACHANDRN,
Secretary to Government.

To,

All Heads of Departments and Offices.
All District Collectors.
The registrar, High Court of Kerala , Ernakulam (with C L)
The Secretary , Public Service Commission Trivandrum, (with C L)
The Advocate General , Kerala, Ernakulam (with C L)
The Secretary to the Governor, Raj Bhavan, Trivandrum.
The Accountant General (A&E), Kerala Trivandrum
The Account General (Audit) , Kerala, Trivandrum.
The Director of Public Relations, Trivandrum.
All Commissioners and Secretaries/ Secretaries/ Additional Secretaries/ Joint Secretaries/ Deputy Secretaries/ Under secretaries to Government.
All Departments (all Sections) of the Secretariat including Law, Finance and Legislature.
The Secretaries of Chief Minister.
The Private Secretaries to Deputy Chief Minister and other Ministers.
The Private Secretary to the Leader of Opposition, M.L.A. Hostel, Trivandrum.
The Private Secretary to the Chief Whip m, Trivandrum.
The Under Secretary to Chief Secretary.
The Confidential Assistant to Additional Chief Secretary.