

**GOVERNMENT OF KERALA
ABSTRACT**

PUBLIC SERVICES - Suspension during pendency of criminal trial- Guide lines for determining whether suspension was wholly unjustified or not- prescribed.

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Public (S.S) Department

G.O.MS. 407/72/PD

Trivandrum dt. 27-10-72

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ORDER

The Following guide –lines are prescribed for the information of all Officers:-

When a Government official is kept under suspension during the pendency of a criminal trial and the official concerned is acquitted by the Court the competent authority will consider the nature of the acquittal and decide whether or not the suspension was wholly unjustified . In a case where the official has been exonerated completely the full pay and allowances should be paid. When the acquittal is based on benefit of doubt, want of proper sanction or on such other technical grounds the acquittal is not to be deemed as complete exoneration. Withdrawal of prosecution will be treated as treated as complete exoneration.

2. The orders issued in Para 1 of the Circular Memorandum No. 7975/72 PD dated 10-2-1972 are hereby cancelled . The Heads of Departments concerned will decide as to how the period of suspension of the employees should be treated in the following types of cases which arose in the context of the Government employees strike in February 1971 in the light of the guide-lines laid down in Para 1 above.

- i) where the employees were formally placed under suspension and charged in court but the cases against them were withdrawn with the permission of the court.
- ii) where the employees were formally placed under suspension and charged in court but the cases against them were acquitted by the court being found not guilty.

(by order of the Governor)

C. Bhaskaran Nair,
Spl. Secretary to Government.

Endt. On F.Dis. B2. 50032/72 dt. 4-12-72.

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Sd/-
For chief Conservator of Forests.