

Dismissal, Removal & Suspension of Govt. Employee

- The detailed procedure for dismissal, removal and suspension of a Govt. employee is described in the post: [West Bengal Services \(Classification, Control and Appeal\) Rules](#):
- The disciplinary authority issue a final order dismissing the charged officer from service.
- Dismissal or removal or suspension is effective from the date of the order of competent authority. Any kind of leave may not be granted while under suspension.
- The regular pay and allowances of the employee who is terminated from service is stopped from the date of order. Instead a subsistence allowance is granted.
- The amount of subsistence grant is equal to the leave salary of the employee which he/ she would have drawn if he/ she had been on half pay.
- Dearness allowance, medical allowance or other compensatory allowances may be admissible on this subsistence pay (i.e. half pay) subject to the fulfillment of the conditions as laid down by the suspending authority.
- Suspending authority may vary the subsistence grant if the suspension period exceeds three months.
May increase up to a maximum of 50% of subsistence allowance.
May decrease up to a maximum of 50% of subsistence allowance.
- To draw these allowances during suspension the employee shall have to furnish certificate that he/ she is not engaged in any other employment, business, profession or vocation.
- If the employee takes another employment or do not furnish the certificate he/ she will be paid a reduced amount which is less by the earning of the employee from that other employment. If the earning is equal or greater than the amount admissible then nothing is credited to the employee.
- Following recoveries from subsistence allowance is permissible:
Any Govt. dues e.g. income tax, professional tax, house rent, super tax, charge for electricity, water, furniture etc.
Contribution towards Group Insurance.
Loans and advances taken from Govt.
Any Overpayment by the Govt.
Loss to Govt. for which the employee is responsible.
- The recoveries made in last three cases should not exceed one third of the subsistence allowance. With the written consent of the employee recoveries towards subscription in G.P.F. account may also be made.
- When the employee is reinstated by reinstatement order issued by competent authority, the order should be specific regarding the following:
- Pay and Allowances to be paid to the employee during the period of absence of duty including period of suspension preceding his/ her dismissal, removal or compulsory retirement as the case may be.
Whether the employee is fully exonerated or not.
- If the employee is fully exonerated then the period of absence from duty is considered as on duty. Accordingly the employee is paid a full pay and allowances admissible
- If not, then the said period is converted into Earned Leave/ Leave of any kind. Also the employee is served with a notice mentioning the reduced pay structure during the period.
- In case of Work Charged employee these rules apply.