

TAMILNADU GENERATION AND DISTRIBUTION CORPORATION
Administrative Branch

144, Anna Salai,
Chennai – 600 002.

Memo. (Per.) No.015278/64/G.6/G.62/2019-1, dated 08.05.2020.

Sub : TANGEDCO – Establishment – DV&AC and Criminal Cases – Suspension of employees – Consideration of revocation of Suspension including based on the orders of the Hon'ble Courts - Instructions issued – Reiterated.

- Ref : i) Memo. (Per.) No.10207/A18/A181/2012-1,
Dated 03.09.2012.
- ii) Legal Cell U.O. Note No.33883/C11/2016-1,
dated 20.06.2016. (Communicated to all CEs/SEs
through E-mail on 20.06.2016).
- iii) Memo. (Per.) No.31294/A18/A181/2016-1,
Dated 27.06.2016.
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Instructions have been issued from time to time on the course of action to be taken when an employee seeks revocation of suspension more particularly in respect of issues arise out of criminal cases/ trap and arrest by the DV&AC. Further, the competent authorities to revoke the orders of suspension are prescribed under regulation 9 of the TNEB Employees Discipline and Appeal Regulations (for officers) and the respective Standing Orders (for clerical and workmen). In spite of existence of provisions in the said Regulations/ Standing Orders and also clear instructions issued in the references cited, the cases involving revocation of suspension are repeatedly being referred to the Headquarters, which causes delay.

2) Therefore, all the Chief Engineers and Superintending Engineers and Officers in equivalent rank, while strictly adhering to the Regulations/ Standing Orders and the instructions issued in the references cited, shall also pursue the following scrupulously :-

- i) **In case of a direction from the Hon'ble Court directing revocation/ setting aside of suspension ordered to an employee based on a DV&AC case, an appeal against such order of the Hon'ble Court to be filed before the Appellate Court without any delay and within the limitation period prescribed for appeal.**
- ii) **In case of a direction from the Hon'ble Court directing any competent authority of the TANGEDCO/TANTRANSCO to consider and dispose of the representation of an employee who is under suspension based on a DV&AC case, the official may be informed that the order of revocation of suspension before**

finalisation of the DV&AC case is not feasible of compliance in view of the policy decisions of the Government/ Department issued in Letter (Ms) No.43/N/2015-3, dated 26.04.2016 and communicated to all officers of the TANGEDCO/ TANTRANSCO in Memorandum (Per.) No.31294/A18/A181/2016-1, Secretariat Branch, dated 27.06.2016 and Memorandum (Per.) No.10207/A18/ A181/2012-1, dated Secretariat Branch, dated 03.09.2012.

- iii) To file a detailed counter affidavit in each and every case seeking a direction to quash/ revoke the order of suspension by explaining the policy decisions in Letter (Ms) No.43/N/2015-3, dated 26.04.2016 and communicate to all officers of the TANGEDCO/ TANTRANSCO in Memorandum (Per.) No.31294/A18/A181/2016-1, Secretariat Branch, dated 27.06.2016 and Memorandum (Per.) No.10207/A18/A181/2012-1, Secretariat Branch, dated 03.09.2012 and also by stating the principles discussed in W.P. Nos.12559 & 12560 of 2015 dated 27.04.2015 as extracted in the opinion of the Legal Cell in U.O. Note No.33883/C11/2016-1, dated 20.06.2016.

(BY ORDER OF THE CHAIRMAN-CUM-MANAGING DIRECTOR)

J. KALAISELVI
CHIEF ENGINEER/ PERSONNEL.

To

All Chief Engineers.

All Superintending Engineers.

* The above instructions be circulated among the sub-ordinates.

Copy to:

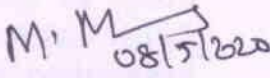
The Secretary/ TANGEDCO/ Secretariat Branch/ Chennai-2.

The Legal Adviser/ Legal Cell/ Chennai-2.

The Chief Financial Controllers/ TANGEDCO & TANTRANSCO/ Chennai-2.

The Chief Internal Audit Officer/ Audit Branch/ Chennai-2.

:TRUE COPY: :FORWARDED BY ORDER:

M. M. 
SUPERINTENDENT.