

Rajasthan Disciplinary Proceedings (Summoning of Witnesses & Production of Documents) Act, 1959

RAJASTHAN

India

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Act 28 of 1959

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Rajasthan Disciplinary Proceedings (Summoning of Witnesses & Production of Documents) Act, 1959(Act No. 28 of 1959)RJ62[Received the assent of the Governor on the 24th day of May 1959].An Act to make provisions for compelling the attendance of witnesses and the production of documents in disciplinary proceedings against persons appointed to public services and posts in connection with the affairs of the State of Rajasthan.Be it enacted by the Rajasthan State Legislature in the Tenth Years of the Republic of India as follows:-

1. Short title extent and commencement

(1)This Act may be called the Rajasthan Disciplinary Proceedings (Summoning of Witnesses and Production of Documents) Act, 1959.(2)It extends to the whole of the State of Rajasthan.(3)It shall come into force at once.

2. Application of Act

- This Act shall apply to all departmental inquiries against persons appointed to public services and posts in connection with the affairs of the State.

3. Definitions

- In this Act, unless the subject or context otherwise require.(a)"Departmental inquiry" means an inquiry held against a person under and in accordance with any law or rule made under article 309 or any rule continued under article 313 of the constitution of India; and(b)"inquiring authority" means an officer or authority appointed by the State Government or by an officer or authority subordinate to the State Government to hold a departmental inquiry into the conduct of a person

and includes any officer or authority otherwise entitled as such to hold the inquiry.

4. Powers of inquiring authority to enforce attendance of witnesses and compel production of documents

(1)An inquiring authority shall have the same powers as are vested in a Civil Court under the Code of Civil procedure, 1908 (Central Act V of 1908), while trying a suit, for summoning witnesses and enforcing their attendance and for compelling the production of documents.(2)All processes issued by such inquiring authority to cause the attendance of witnesses or to compel the production of documents shall be served and executed through the District Judge [or the Collector] within whose jurisdiction the witness or other person on whom the process is to be served or executed resides [or carries on business or works for gain].

5. Power to make rules

- The State Government may make rules for the purposes of giving effect to the provisions of this Act.