

# **Punishment of Office-Holders and Servants of Religious Institutions (Other than Maths and Specific Endowments Attached Thereto) Rules**

TAMILNADU

India

## **Punishment of Office-Holders and Servants of Religious Institutions (Other than Maths and Specific Endowments Attached Thereto) Rules**

### **Act 584 of 1960**

- Published on 5 November 1960
- Commenced on 5 November 1960
- [This is the version of this document from 5 November 1960.]
- [Note: The original publication document is not available and this content could not be verified.]

Punishment of Office-Holders and Servants of Religious Institutions (Other than Maths and Specific Endowments Attached Thereto) Rules Published vide Notification No. G. O. Ms. NO. 4524, Revenue, dated 5th November, 1960 - SRO No. A-584 of 1960 Published in Part V of the Fort St. George Gazette, dated 30th November 1960 (Page 525) G. O. Ms. NO. 4524, Revenue, dated 5th November, 1960 - SRO No. A-584 of 1960. - In exercise of the powers conferred by section 56 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959), the Governor of Tamil Nadu hereby makes the following rules, namely:-

#### **1.**

These rules may be called the Punishment of Office-holders and Servants of Religious Institutions (Other than Maths and Specific Endowments Attached thereto) Rules.

#### **2.**

(a) No order imposing any punishment other than a fine under sub-section (1) of section 56 (other than an order based on facts which have led to his conviction by a Criminal Court) shall be made against any office-holder or servant unless he has been informed, in writing, of the grounds on which it is proposed to take action and has been afforded an adequate opportunity of defending himself. The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges which shall be communicated to the person charged, together with statement of the allegations on which each charge is based and of any other circumstances which it is proposed to

take into consideration in passing orders in the case. He shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires an oral enquiry or only to be heard in person. An oral enquiry shall be held if such an enquiry is desired by the person charged or is decided upon by the trustee. At that enquiry, oral evidence shall be heard as to such of the allegations as are not admitted, and the person concerned shall be entitled to cross-examine witnesses, to give evidence in person and to have such witnesses called as he may wish, provided that the trustee may, for special and sufficient reason to be recorded in writing, refuse to call witness or require the delinquent to bear the expenses of such witnesses. After the enquiry has been completed, the person charged shall be entitled to put in, if he so desires, any further written statement of his defence. If no oral enquiry is held and if he had desired to be heard in person, a personal hearing shall be given to him. The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof. Every order of suspension, removal or dismissal shall state the charges, the explanation and the finding on each charge with the reasons therefor.(b)In every case, where it is proposed to impose fine on the office-holder or servant, he shall be given a reasonable opportunity of showing cause against the action proposed to be taken against him.

### **3.**

The requirements of rule 2 shall not apply where the person concerned has absconded, or where it is for other reasons impracticable to communicate with him. All or any of the provisions of rule 2 may, in exceptional cases for special and sufficient reasons to be recorded in writing, be waived by the trustee, where there is difficulty in observing exactly the requirements of the rule and those requirements can be waived without injustice to the person charged.

### **4.**

Pending the disposal of the grave charges against the office-holder or servant, the trustee may place him under suspension when such suspension is necessary in the interest of public service.

### **5.**

Every order of punishment under sub-section (1) of section 56 shall be communicated in writing to the person against whom it is passed.