

Punishment for municipal officers and other employees

EXTRACT OF SECTION 95 D.M.C. ACT, 1957

95. (1) Every municipal officer or other municipal employee shall be liable to have his increments or promotion withheld or to be censured, reduced in rank, compulsorily retired, removed or dismissed for any breach of any departmental regulations or of discipline or for carelessness, unfitness, neglect of duty or other misconduct by such authority as may be prescribed by regulations :

Provided that no such officer or other employee as aforesaid shall be reduced in rank, compulsorily retired, removed or dismissed by any authority subordinate to that by which he was appointed :

Provided further that the Corporation may by regulations provide that municipal employees belonging to such classes or categories as may be specified in the regulations shall be liable also to be fined by such authority as may be specified therein.

(2) No such officer or other employee shall be punished under sub-section (1) unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him :

Provided that this sub-section shall not apply:

- (a) Where an officer or other employee is removed or dismissed on the ground of conduct which had led to his conviction on a criminal charge : or
- (b) Where the authority empowered to remove or dismiss such officer or other employee is satisfied that for some reason to be recorded by that authority, it is not reasonably practicable to give that person an opportunity of showing cause.

(3) If any question arises whether it is reasonably practicable to give to any officer or other employee an opportunity of showing cause under sub-section (2), the decision thereon of the authority empowered to remove or dismiss such officer or other employee shall be final.

(4) An officer or other employee upon whom a punishment has been inflicted under this section may appeal to such officer or authority as may be prescribed by regulations.

REPEAL ETC., AND SAVINGS

EXTRACT OF SECTION 516, DMC ACT, 1957

516. (1) As from the date of the establishment of the Corporation :—

- (a) the Delhi Joint Water and Sewage Board Act 1926, and the Delhi Road Transport Authority Act, 1950, shall stand repealed : and
- (b) the enactments specified in the Thirteenth Schedule shall cease to have effect within Delhi.

(2) Notwithstanding the provisions of sub-section (1) of this section or of clause (a) of sub-section (2) of section 286.

- (a) any appointment, notification, order, scheme, rule, form, notice or bye-law made or issued, and any licence or permission granted under any of the Acts or enactments referred to in sub-section (1) of this section or under the Act referred to in clause (a) of sub-section (2) of section 286 and in force immediately before the establishment of the Corporation, shall, in so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been made, issued or granted under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, scheme, rule, form, notice or bye-law made or issued or any licence or permission granted under the said provisions :
- (b) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for any of the bodies or local authorities specified in the Second Schedule before such establishment shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Corporation or the municipal authority concerned :
- (c) all budget estimates, assessments, valuations, measurements or divisions made by any of the aforesaid bodies or local autho-