



The Himachal Pradesh Departmental Enquiries (Powers) Act, 1973

Act 25 of 1973

Keyword(s):
Departmental Inquiry

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**THE HIMACHAL PRADESH DEPARTMENTAL ENQUIRIES
(POWERS) ACT, 1973**

(ACT No. 25 OF 1973)¹

ARRANGEMENT OF SECTIONS

SECTIONS :

1. Short title, extent and commencement.
2. Definition.
3. Summoning of witnesses and production of documents.
4. Repeal and savings.

(Received the assent of the Governor on the 12th December, 1973 and was published in R.H.P. Extra., dated the 27th December, 1973 at p. 1865—1867).

An Act to provide for the enforcement of attendance of witnesses and production of documents in departmental inquiries and for matters connected therewith, or incidental thereto.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-fourth Year of the Republic of India as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Himachal Pradesh Departmental Enquiries (Powers) Act, 1973.

(2) It shall extend to the whole of Himachal Pradesh.

(3) It shall come into force at once.

2. Definition.—For the purposes of this Act, “departmental inquiry” means an inquiry held under and in accordance with—

(i) any law or any rule made thereunder, or

(ii) any rule made under the proviso to Article 309, or continued under Article 313, of the Constitution of India.

3. Summoning of witnesses and production of documents.—For the purposes of a departmental inquiry in Himachal Pradesh, the officer conducting such an enquiry shall be competent to exercise the same powers for the summoning of witnesses and for compelling the production of documents as are exercisable by a Commissioner appointed for an enquiry under the Public Servants (Inquiries) Act, 1850 (37 of 1850), and all persons disobeying any process issued by such officer in this behalf shall be liable to the same penalties as if the same had issued from a Court.

4. Repeal and savings.—The Punjab Departmental Enquiries (Powers) Act, 1955, as in force in the areas added to Himachal Pradesh, under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966), is hereby repealed :

Provided that anything done or any action taken under the said Act shall be deemed to have been done or taken under this Act.

¹ For Statement of Objects and Reasons, see R. H. P. Extra., dated the 18th October, 1975, p. 1573, and for its Authoritative Hindi text see R.H.P. Extra., dated 30-7-1986, p. 1269.