

83. (1) Every municipal officer and servant may be <sup>1</sup>[reduced, removed] or dismissed for any breach of departmental rules or discipline or for carelessness, unfitness, neglect of duty or other misconduct, by the authority by whom such officer or servant is appointed :

<sup>10</sup>[Power of suspending, reducing, removing or dismissing and imposing other penalties in whom to vest].

(2) Provided that—

(a) No officer <sup>2</sup>[appointed to a post], <sup>3</sup>[to which the provisions of <sup>4</sup>[sub-section (1) of section 80A] apply shall be dismissed by the Commissioner, without the <sup>5</sup>[previous] approval of the <sup>6</sup>[Standing Committee or in the case of an officer appointed for the purposes of clause (q) of section 61, of the Education Committee];

<sup>7</sup>[(b) any officer appointed by the Corporation under sections 54A, 55, 56A, 74, 75, 76A, 76B, 77, 78A, 78C, 78D or 78E may be suspended by the Commissioner, and every such suspension with the reasons therefor, shall be forthwith reported to the Corporation and such suspension shall come to an end if not confirmed by the Corporation within a period of six months from the date of such suspension;]

<sup>8</sup>[(c) any officer appointed by the Corporation otherwise than under sections 54A, 55, 56A, 74, 75, 76A, 76B, 77, 78A, 78C, 78D or 78E may, for any breach of departmental rules or discipline, or for carelessness, unfitness, neglect of duty or other misconduct, be suspended by the Commissioner, or may, with previous approval of <sup>9</sup>[the Standing Committee, or in the case of an officer appointed for the purposes of clause (q) of section 61, of the Education Committee,] be reduced, removed or dismissed by the Commissioner;]

<sup>1</sup> These words were substituted for the words " fined, reduced, suspended " by Mah. 8 of 1992, s. 5(a).

<sup>2</sup> These words were substituted for the words " whose monthly emoluments exceed rupees four hundred " by Mah. 5 of 1986, s. 2.

<sup>3</sup> These words, figures and letter were substituted for the words " the monthly minimum salary exclusive of allowances of which is rupees one thousand two hundred or more " by Mah. 33 of 1989, s. 8.

<sup>4</sup> These words, brackets, figures and letter were substituted for the words, figures and letter " section 80A " by Mah. 12 of 1990, s. 4.

<sup>5</sup> The word " previous " was inserted by Bom. 19 of 1930, s. 9.

<sup>6</sup> These words were substituted for the words " Mayor-in-Council " by Mah. 27 of 1999, s. 38(a).

<sup>7</sup> Clause (b) was substituted by Mah. 8 of 1992, s. 5(b)(ii).

<sup>8</sup> Clause (c) was substituted, *ibid.*, s. 5 (b)(iii).

<sup>9</sup> These words were substituted for the words " Mayor-in-Council " by Mah. 27 of 1999, s. 38(b).

<sup>10</sup> This marginal note was substituted, by Mah. 8 of 1992, s. 5(d).



[(d) any officer or servant immediately subordinate to the municipal chief auditor and drawing a salary not exceeding rupees two hundred and fifty per month exclusive of allowances may, subject to such conditions and limitations, if any, as the <sup>2</sup>[Standing Committee] may deem fit to prescribe, and subject to a right of appeal to the <sup>2</sup>[Standing Committee] be fined, reduced or suspended for any breach of departmental rules or discipline or for carelessness, unfitness, neglect of duty or other misconduct by the municipal chief auditor.]

<sup>3</sup>[(3) The Municipal Commissioner may, for good and sufficient reasons, impose following penalties on any municipal officer or servant, namely :—

(i) censure ;

(ii) recovery from salary, of the whole or part of any pecuniary loss caused by him to the Corporation by negligence, misconduct, breach of orders or rules ;

(iii) fine ;

(iv) withholding of an increment or increments, for a specified period or with a permanent effect;

(v) withholding of promotion including stoppage at an efficiency bar.]

Leave of  
absence by  
whom to be  
granted.

84. (1) Leave of absence may be granted by the Commissioner, subject to the regulations at the time being in force under section 81, to any municipal officer or servant, the power of appointing whom is vested in him ; and for a period not exceeding one month to any other municipal officer, other than an officer immediately subordinate to the municipal secretary <sup>4</sup>[or the municipal chief auditor].

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(2) Leave of absence may be granted, <sup>6</sup>[subject to the regulations made in that behalf—

(a) to any clerk or servant appointed under section 78; <sup>7</sup>[or to any assistant auditor, clerk or servant appointed under section 78B] :

<sup>8</sup>[Provided that leave of absence for a period not exceeding three months, may be granted to a clerk or servant whose salary, exclusive of allowances, does not exceed rupees two hundred per month—

(i) by the municipal secretary where such clerk or servant has been appointed under section 78 ; or

(ii) by the municipal chief auditor where such clerk or servant has been appointed under section 78B] ;

<sup>1</sup> Clause (d) was added by Bom. 76 of 1948, s. 10.

<sup>2</sup> These words were substituted for the words " Mayor-in-Council " by Mah. 27 of 1999, s. 38(c).

<sup>3</sup> Sub-section (3) was added by Mah. 8 of 1992, s. 5(c).

<sup>4</sup> These words were inserted by Bom. 2 of 1938, s. 6(1).

<sup>5</sup> The words " other than an officer or servant the powers of appointing whom is vested in the Schools Committee " were deleted by Bom. 48 of 1950, s. 50.

<sup>6</sup> These words, were substituted for the words " subject as aforesaid by the Standing Committee " by Mah. 10 of 1998, s.48(a)(i).

<sup>7</sup> These words, figures and letter were inserted by Bom. 2 of 1938, s. 6(2).

<sup>8</sup> This proviso was added by Bom. 76 of 1948, s. 11.