



**TO THE**

**SESSION ON**

**STANDARD OF PROOF REQUIRED IN A**

**DEPARTMENTAL INQUIRY**

**1. THE STANDARD OF PROOF REQUIRED IN A DEPARTMENTAL INQUIRY IS LIGHTER THAN IN CRIMINAL CASE.**

**STATE OF ANDHRA PRADESH V/S S.SHRI  
RAMA RAO**

2.THE DEGREE OF PROOF WHICH IS NECESSARY TO RECORD AN ORDER OF CONVICTION IS DIFFERENT FROM THE DEGREE OF PROOF WHICH IS NECESSARY TO RECORD THE COMMISSION OF DELINQUENCY.

(M.C.VAGHELA V/S S.D.MEHTA)

**3. IN A DISCIPLINARY PROCEEDING THE TECHNICALITIES OF CRIMINAL LAW CAN NOT BE INVOKED AND STRICT MODE OF PROOF PRESCRIBED BY THE EVIDENCE ACT MAY NOT BE APPLIED WITH EQUAL VIGOUR, BUT EVEN IN DISCIPLINARY PROCEEDINGS, THE CHARGE FRAMED AGAINST THE PUBLIC SERVANT MUST BE HELD TO BE PROVED BEFORE ANY PUNISHMENT CAN BE IMPOSED. (STATE OF MADRAS V/S A. R. SHRINIVASAN)**

**4. IN A DEPARTMENTAL ENQUIRY THE RULES OF NATURAL JUSTICE ARE COMPLIED WITH IF PREVIOUS STATEMENTS OF WITNESSES ARE READ OVER TO THEM AND MARKED DURING THE DEPARTMENTAL ENQUIRY.**

**(STATE OF MYSORE V/S S.MAKAPUR)**

- **5. IN A DEPARTMENTAL ENQUIRY THE STRICT AND SOPHISTICATED RULES UNDER THE EVIDENCE ACT MAY NOT APPLY. ALL MATERIALS WHICH ARE LOGICALLY PROBATIVE FOR A PRUDENT MIND ARE PERMISSIBLE. THERE IS NO ALLERGY TO HEAR SAY EVIDENCE PROVIDED IT HAS REASONABLE NEXUS AND CREDIBILITY**

**STATE OF HARYANA V/S RATAN SINGH**

- **6. IN A DISCIPLINARY PROCEEDING THE STANDARD OF PROOF REQUIRED IS THAT OF PREPONDERANCE OF PROBABILITY AND NOT PROOF BEYOND REASONABLE DOUBT.  
(UNION OF INDIA V/S SARDAR BAHADUR)**

- **7. MERE SUSPICION SHOULD NOT BE ALLOWED TO TAKE THE PLACE OF PROOF EVEN IN DOMESTIC ENQUIRY.**

**-UNION OF INDIA V/S H.C.GOEL**

- **8. CHARGE CAN NOT BE SUSTAINED ON MERE CONJECTURES IN THE ABSENCE OF EVIDENCE**

**- STATE OF ASSAM V/S M.C.KALITA)**



- **9. THERE CAN NOT BE NORMALLY A DIRECT EVIDENCE AS REGARDS THE RECEIPT OF ILLEGAL GRATIFICATION- IT SHOULD ONLY INFERENTIAL FACT DEDUCED FROM THE PROVED FACTS AND OTHER CIRCUMSTANCES.  
(S. SREE RAMA MURTHY V/S C.W.C.)**

*ANY QUESTION ?*

THANK YOU VERY MUCH

**SHRAVAN KUMAR  
A.D.(INTERPOL)  
C.B.I.**