

**THE PUNJAB DEPARTMENTAL INQUIRIES (POWERS)
ACT, 1958**

(XLV of 1958)

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TEXT

¹THE ²[PUNJAB] DEPARTMENTAL INQUIRIES (POWERS) ACT, 1958

(XLV of 1958)

[23 September 1958]

An

Act

to confer powers for compelling attendance of witnesses and production of documents on officers conducting departmental inquiries against Government servants in the Province of ³[Punjab].

Preamble.— **WHEREAS** it is expedient to confer powers to compel attendance of witnesses and production of documents on officers conducting departmental inquiries against Government servants in the Province of ⁴[Punjab];

It is hereby enacted as follows:—

1. Short title and extent.— (1) This Act may be called the ⁵[Punjab] Departmental Inquiries (Powers) Act, 1958.

⁶[(2) It extends to the whole of the Province of ⁷[Punjab], except the Tribal Areas.]

2. Power to summon witnesses and to compel production of documents.— An officer conducting a departmental inquiry against a Government servant under any rules for the time being in force, may exercise the same powers for compelling the attendance of witnesses ⁸[,] production of documents ⁹[and issuing commissions for the examination of witnesses] as are exercisable by a civil court under the Code of Civil Procedure, 1908¹⁰:

Provided that the process issued by the officer conducting the departmental inquiry shall be served and executed by the civil court having jurisdiction in the place

¹For Statement of Objects and Reasons, see Gazette of West Pakistan 1958 (Extraordinary), p. 1118. This Act was passed by the West Pakistan Assembly on April 25, 1958, assented to by the Governor of West Pakistan on September 20, 1958, published in the Gazette of West Pakistan (Extraordinary), dated September 23, 1958, pp. 1293-1294.

²Substituted for the words "West Pakistan" by the West Pakistan Laws (Adaptation) Order, 1974 (1 of 1974) (w.e.f. 14.8.1973), published in the Punjab Gazette (Extraordinary), dated November 20, 1974, pp. 1425-A-1425-PP, s. 2 read with Schedule, Serial No. 16.

³*Ibid.*

⁴*Ibid.*

⁵*Ibid.*

⁶Substituted by the West Pakistan Laws (Extension to Karachi) Ordinance, 1964 (VII of 1964), published in the Gazette of West Pakistan (Extraordinary), dated May 25, 1964, pp. 1679-1688, s. 2 read with Schedule, Serial No. 14.

⁷Substituted for the words "West Pakistan" by the West Pakistan Laws (Adaptation) Order, 1974 (1 of 1974) (w.e.f. 14.8.1973), published in the Punjab Gazette (Extraordinary), dated November 20, 1974, pp. 1425-A-1425-PP, s. 2 read with Schedule, Serial No. 16.

⁸Substituted for the word "and" by the West Pakistan Departmental Inquiries (Powers) (Amendment) Ordinance, 1961 (XI of 1961), published in the Gazette of West Pakistan (Extraordinary), dated June 17, 1961, pp. 1581-1582, s. 2(i).

⁹Inserted by the Ordinance *ibid.*, s. 2(ii).

¹⁰V of 1908.

where the witness or the person in possession of the document, as the case may be, resides.

3. Penalties.— Any person disobeying a process issued by an officer in exercise of the powers conferred by section 2 shall be liable to the same penalties to which he would have been liable if he had disobeyed a process issued by the civil court.

4. Repeal.— The West Pakistan Departmental Inquiries (Powers) Ordinance, 1958¹, is hereby repealed.

¹XV of 1958, promulgated by the Governor of the West Pakistan under Article 102 of the Constitution, published in the Gazette of West Pakistan (Extraordinary), dated June 3, 1958, pp. 867-868.