

SUPREME COURT OF INDIA

State of U.P.

Vs.

Shyam Sunder

(K.T.Thomas and D.P.Mohapatra JJ.)

24.02.1999

ORDER

The Text below is only a summarized version of the order pronounced

Disciplinary proceedings were initiated against an Income Tax Officer for misconduct and misbehavior. Question arose as to what should be the test for launching disciplinary proceedings on a public servant. The Supreme Court held that they do not intent to lay down in what cases disciplinary proceedings would lie and in what cases they do not lie as it is difficult to draw a line without taking into account the concrete facts and circumstances of the case. However, if there is some degree of culpability in a large sense, disciplinary proceedings can be taken.