

No. 39/42/70-Ests. (A)
GOVERNMENT OF INDIA
CABINET SECRETARIAT
(DEPARTMENT OF PERSONNEL)

.....
New Delhi-1, the 15th May, 1971
18th Vaisakh, 1893.

OFFICE MEMORANDUM

Subject:- Rule 27 of the C.C.S. (C.C.A.) Rules, 1965 -
question of fixing a time-limit for the
disposal of appeals.

The undersigned is directed to say that in the meeting of the National Council held on the 25th and 26th September, 1970 the suggestion of the Staff Side that provision should be made in the C.C.S. (C.C.A.) Rules, 1965, to make it obligatory on the Appellate Authority to pass orders within a specified time-limit was considered. While the need for expeditious disposal of appeals was appreciated, it was pointed out that instructions already existed in this regard. It was also pointed out that it might be difficult on practical considerations for the appellate authorities to always dispose of appeals within a prescribed time limit. However, it was agreed that the following suggestion might be examined in order to achieve quicker disposal of appeals:

- (a) the need for and the feasibility of appointing additional appellate authorities wherever the present workload of appellate authorities is unduly heavy; and
- (b) the prescribing of a procedure by which the position regarding pending appeals could be reviewed by the higher authorities at periodical intervals so as to take suitable and timely remedial action.

2. The two suggestions mentioned in para 1 have been examined. Although the appellate authorities are expected to give a high priority to the disposal of appeals, there might be cases in which the hands of the appellate authority are too full and it may not be able to devote the time and attention required for the disposal of appeals within a short period. In such case the appellate authority can be relieved of his normal work to such an extent as would be necessary to enable him to devote the required time and attention to the disposal of the appeals pending before him by redistribution of that work amongst other officers. If, however, the number of appeals received or pending with any particular appellate authority is very large, the appellate work itself could be re-distributed as far as possible among a number of officers of equivalent rank and in any case not below the rank of the appellate authority through a general order issued in exercise of the powers under rule 24 of the C.C.S. (C.C.A.) Rule

3. As regards prescribing procedure for review of the

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position regarding pending appeals, it has been decided that, apart from the provisions laid down in the Manual of Office Procedure whereby cases pending disposal for over a month are reviewed by the appropriate higher authorities, a separate detailed statement of appeals pending disposal for over a month should be submitted by the appellate authority to the next higher authority indicating particularly the reasons on account of which the appeals could not be disposed of within a month and the further time likely to be taken for disposal of each such appeal, along with the reasons therefor. This would enable the appropriate higher authority to go into the reasons for the delay in the disposal of appeals pending for more than a month, and take remedial steps wherever necessary to have the pending appeals disposed of without further delay. In cases where the appellate authority is the President under rule 24 of the C.C.S. (C.C.A.) Rules, 1965, the aforesaid statement should be submitted to the Secretary of the Ministry/Department concerned for similar scrutiny.

4. The Ministry of Finance, etc. may please bring the contents of this Office Memorandum to the notice of all concerned for guidance.

S. Krishnan

(S. Krishnan)
Deputy Secretary to the Govt. of India.

To
All Ministries/Departments of the Government of India, etc.
with usual number of spare copies.

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Copy forwarded for information and necessary action to:

1. Comptroller & Auditor General of India, New Delhi.
2. Union Public Service Commission, New Delhi.
3. All Administrative Sections of the Department of Personnel.

S. Krishnan
(S. Krishnan)

Deputy Secretary to the Govt. of India.