

# **APPEALS, REVISIONS,REVIEWS**

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No appeal against:

Order of the Central Government

Interlocutory nature

Order of an inquiry officer during the course of an enquiry

## Appeal against :

-order of suspension/deemed suspension

-order imposing penalties

-order enhancing penalties

-order which affects his pay,allowances,pensions

-order stopping the employee at the EB, reverting him to a lower grade/post while officiating in higher grade/post otherwise than as a penalty

-reducing/withholding pension

-Order regarding subsistence allowance

-Determining the pay and allowances for the period between CR, removal and dismissal and reinstatement

-Order regarding treatment of such period as duty for any purpose

## Who are appellate authorities?

- In the case of an order made by an authority subordinate to the appointing authority, the appointing authority
- By any other authority to the authority to which he is immediately subordinate
- When the DA becomes AA, his immediate superior

Period of limitation:

45 days from the date on which a copy of the order is delivered

For sufficient cause, the AA may entertain after the expiry of the period



## Form and Contents:

1. Every person shall appeal separately and in his own name
2. Appeal to be submitted to the AA with copy to the DA
3. DA to forward the copy with comments to the AA without waiting for directions

## Consideration of Appeal:

1. In case of suspension whether the order is justified or not and confirm/revoke the order
2. In case of appeal against penalty whether
  - procedure has been followed
  - findings are supported by evidence
  - penalty is adequate, inadequate or severe

## Action after appeal:

- confirm, enhance, reduce or set aside
- remit the case

In case of enhancing to major penalty from minor penalty Rule 10 should be followed. If Rule 10 already been followed reasonable opportunity to be given to make representation

## Revisionary Authorities:

- Central Government
- Central Board
- CPFC
- Appellate Authority with in 6 months of date of order
- Any other specified authority

## Action on Revision:

- Confirm, modify or set aside
- Confirm ,reduce, enhance or set aside the penalty order or impose penalty where none imposed
- Remit the case to the DA
- Reasonable opportunity to be given to the employee in case of enhancing

## How to be considered?

- in the same manner as if it were an appeal
- no revision unless expiry of period of limitation for appeal or the disposal of appeal where it is preferred

## REVIEW:

- Central Govt is the reviewing authority
- can review any order
- only when new material/evidence is found  
(which can change the case)
- action similar to appeal/revision

# THANK YOU

