

कार्यालय, रक्षा लेखा महानियंत्रक

Office of the Controller General of Defence Accounts

उलन बटार मार्ग, पालम, दिल्ली छावनी-110010

Ulan Batar Road, Palam, Delhi Cantt 110010

No. AN/XIII/ 13600/Appeal Case/2017

Dated 16.05.2017

To

All Pr. Controllers/Controllers

(Through CGDA Website)

Subject: Appeal Cases: Submission of appeal along with requisite documents for consideration by Competent Appellate authority.

Reference: Hqrs Office confidential circular No. AN/XIII/13003/2/Vol.II dated 21.01.1984

While reviewing the progress of the disciplinary /appeal cases, it has been observed that processing of appeal cases are delayed for want of requisite basic documents /information from field Offices.

2. In this context, attention is invited to Hqrs Office confidential circular cited under reference wherein the detailed guidelines for forwarding Appeal cases to Hqrs Office have been elaborated. However, the appeal cases are not being forwarded to Hqrs Office as per ibid circular which causes delay in disposal of Appeals.

3. It is reiterated that appeal cases may be forwarded to Hqrs Office for consideration by the Competent Appellate Authority along with following documents.

(i) The appeal/petition addressed to Competent Authority to whom the appeal/petition lies. One copy of the Appeal, if it is addressed to the CGDA (i. e. appeal lies with the CGDA) and two copies of the Appeal, if it is addressed to the FA.(DS), MOD(Fin) /the President.

(ii) Necessary details / data of the case in duly completed Annexure B-1, B-2 and B-3. (enclosed herewith as prescribed vide Hqrs office circular cited under reference)

(iii) A copy of the charge sheet/ memorandum of charges served on the delinquent official.

- (iv) Written statement of defence submitted by the charged official in reply to the charge sheet/memorandum of charges.
- (v) The inquiry report together with enclosures (listed in clauses (xi) to (xiv) of Para 26.4 Chapter XI Vigilance Manual viz.); in consideration of which the penalty (against which the appeal is made) was awarded.
- (vi) A copy of the speaking order(s) of the Disciplinary authority imposing the penalty and a copy of the Part II OO notifying casualty to that effect.
- (vii) Disciplinary File in original/CTC.
- (viii) Comments on each Para of the appeal/petition in tabular form.
- (ix) Recommendations of the PCDA /CDA on the appeal/petition of the appellants inter-alia indicating, whether it is preferred within time or is time barred.
- (x) CR Dossier/ Service Book.
- (xi) Any other records /documents relevant in the case.

Note: While forwarding Appeals to HQrs Office, indication that the case has been seen by the PCDA/CDA be invariably mentioned in memo.

4. It is also requested that Appeal cases should be forwarded within 15 days of receipt of the appeal/petition. The delay in submission thereof beyond the above time-limit should be indicated in the relevant columns of Annexure B-3.

Please acknowledge receipt.


(Kavita Garg)

Sr. Dy. CGDA (Admin)

Encl: As above.

ANNEXURE ' B-1'

(For appeal cases only)

Brief history of the case leading to preference of Appeal in chronological order duly supported with copies of correspondence / documents referred to.

ANNEXURE 'B-2'

(For Appeal cases only)
ANALYSIS OF THE CASE

Article of charge (in the same order as in the charge sheet)	Defence offered by the Charged Official in his Defence Statement in reply to the charge sheet	Inquiry officer's finding on each Article of Charge	Evidence which findings of the inquiry officer are based on	Whether inquiry has been held as per procedure or any flaw/lacuna has been mentioned and if so same and its effect.	Grounds of appeal in respect of each Article charge, separately as contained in the appeal.	PCDA's /CDA's comments on ground of appeal

ANNEXURE ' B-3'
(For appeal cases only)
(Part-I) Statistical Data

SI No	Description	
1	Date of issue of charge sheet.	*
2	Whether charge sheet was delivered to the Charged Official and if so on what date	
3	Date of Defence statement submitted by the Charged Official in reply to the charge sheet and the dated on which it was actually received.	
4	Date on which Inquiry was set up giving inter-alia the names of Inquiry Officer and Presenting Officer appointed for the purpose.	
5	Changes of Inquiry Officer, if any.	
6	Dates on which the Inquiry was held (This should cover all hearings from preliminary to final hearings)	
7	Whether the Charged Official attended the Inquiry or the inquiry was held ex-parte. In latter case give reasons for holding the inquiry ex-parte.	
8	Date on which the Inquiry report was received in PCDA's /CDA,s Office.	
9	Penalty imposed and the date of speaking order imposing the penalty/ Part II O.O. notifying the penalty, with copies thereof.	
10	Date on which speaking order imposing the penalty along with Part II O O notifying the penalty served on the delinquent official.	
11	Date on which the appeal was preferred and the date on which it was actually received.	

ANNEXURE B-3

(For appeal cases only)

Part-II - SERVICE PARTICULARS of the Appellant

Sl	Particulars	
1	Name Grade & Account No (Also mention whether Ty/ Pt)	
2	Date of Birth	
3	Date of Appointment	
4	Designation at the time of Appointment	
5	Present designation	
6	Date of Appointment/ Promotion to the present Grade	
7	Date of Permanency in the present grade	
8	Office /Sub office where serving at present	
9	Station where served with duration of stay on each station	
10	Present Pay with Grade Pay and Pay Band	
11	Date of next increment	
12	Grading in APARs for the last three years	
13	Any Special favorable or adverse points of interest	
14	Whether CR/APAR dossier is enclosed	