

6.3 Persons overlooked in Panel for promotion / Recruitment - Appeal - Fixing 6 months time limit to dispose off appeal

Personnel and Administrative Reforms Department

G.O. (Ms) No. 247

Dated : 8.07.1993

ORDER

While disposing of T.A filed by a Government servant against the order of a District Collector, for non-inclusion his name in the panel for promotion to higher post, the Tamil Nadu Administrative Tribunal, has among others, observed that:

"If the appeals are kept pending for a long time without a final decision, there is likelihood of grave injustice, due to the time lag. If the applicant's claims are found to be valid, since the consequent benefit is denied to him for an extended period which is not compensated by retrospective effect because the higher post has been denied for the period. On the other hand, a person who may await his turn if the applicant's case is considered would be getting the undue benefit of the higher post as a consequence of a slackness and delay in dealing with the appeal which would be another fact of the injustice involved. such cases should be dealt within six months of the representation. The Administrative Tribunal Act contemplates that if no orders are passed within 5 months the concerned individual can file an application before the Tribunal, which in effect indicates the time limit, for action expected from the Departmental authorities, the Government will ensure that such delays do not occur".

2. The Government have carefully examined the matter and decided to fix a time limit to dispose of the appeal petitions received from aggrieved Government Servants against non-inclusion of their name in the panel for promotion/ recruitment by transfer to higher posts. The Government accordingly direct that such appeal / Revision petition preferred by Government employees against non-inclusion of their names in the list of approved candidates for appointment by promotion or recruitment by transfer be disposed of by the competent authority within six months from the date of receipt of the appeal / revision petitions.

(By order of the Governor)

T.V.VENKATARAMAN
CHIEF SECRETARY TO GOVERNMENT