

**रक्षा लेखा महानियंत्रक**  
**Controller General of Defence Accounts**  
उलान बटार रोड, पालम, दिल्ली कैंट 110010  
Ulan Batar Road, Palam, Delhi Cantt- 110010

सं. प्रशा/XIV/19015/सरकारी आदेश/2014

दिनांक: 15.10.2014

No. AN/XIV/19015/Govt. Orders/2014

सेवा मे,

सभी रक्षा लेखा प्रधान नियंत्रक / रक्षा लेखा नियंत्रक  
**All PCsDA/CsDA**

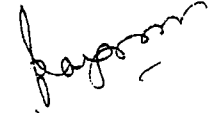
**(Through CGDA Mail Server)**

**Sub: Procedure for booking of air tickets on LTC-Clarification reg.**

उपर्युक्त विषय पर भारत सरकार, कार्मिक, लोक शिकायत एवं पेंशन मंत्रालय (कार्मिक एवं प्रशिक्षण विभाग) के दिनांक 24/09/2014 के कार्यालय ज्ञापन सं० 31011/5/2014-Estt (A-IV) की प्रति सूचना, मार्गदर्शन एवं आवश्यक कार्यवाही हेतु अग्रेषित की जाती है।

A copy of Government of India, Ministry of personnel, Public Grievances and Pensions (Department of Personnel and Training), Office Memorandum No. 31011/5/2014-Estt. (A-IV) dated 24/09/2014 on the above subject is forwarded herewith for your information, guidance and necessary action please.

संलग्नक: यथोपरि।



(उपेन्द्र कुमार)

कृते रक्षा लेखा महानियंत्रक

**प्रतिलिपि :-**

1. प्रशासन-4 (स्थानीय)।
2. लेखा परीक्षा- 1,2,4 (स्थानीय)।
3. लेखा परीक्षा (समन्वय) अनुभाग (स्थानीय)।
4. ई डी पी सेन्टर (स्थानीय) ---- रक्षा लेखा महानियंत्रक वेबसाइट पर अपलोड करने हेतु।
5. प्रशिक्षण एवं संगोष्ठी केन्द्र, बरार स्क्वायर, दिल्ली छावनी।
6. पुस्तकालय अनुभाग (स्थानीय)।
7. मास्टर नोट बुक (प्रशासन-14)।
8. महासचिव, ए.आई.डी.ए.ए. (सी.बी.) पुणे [द्वारा-रक्षा लेखा प्रधान नियंत्रक (अधिकारी) पुणे]।
9. महासचिव, ए.आई.डी.ए.ई.ए. (एच.क्यू) कोलकाता [द्वारा -प्रधान लेखा नियंत्रक (फेक्ट्री) कोलकाता]।



(उपेन्द्र कुमार)

कृते रक्षा लेखा महानियंत्रक

No. 31011/ 5/ 2014-Estt.(A-IV)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

North Block, New Delhi-110 001  
Dated: 24<sup>th</sup> September, 2014

**OFFICE MEMORANDUM**

**Subject- Procedure for booking of air-tickets on LTC- Clarification reg.**

The undersigned is directed to refer to the conditions laid down by this Department's O.M. No. 31011/4/2014-Estt.(A-IV) dated 19<sup>th</sup> June, 2014, as per which the Government employees are required to book the air tickets directly from the airlines (Booking counters, website of airlines) or by utilizing the service of Authorized Travel Agents viz. 'M/s Balmer Lawrie & Company', 'M/s Ashok Travels & Tours' and 'IRCTC' (to the extent IRCTC is authorized as per DoPT O.M. No. 31011/6/2002-Estt.(A) dated 02.12.2009) while undertaking LTC journey(s).

2. The matter has further been reviewed and it is clarified that the web-portal of authorized travel agents, namely M/s Balmer Lawrie & Company Ltd., M/s Ashok Travels & Tours and IRCTC will also be treated as an acceptable mode for purchase of air tickets on LTC. However, booking of air tickets through web-portals of these authorized agents would also be governed by the provisions of Department of Expenditure's O.M. No. 19024/1/2012-E-IV dated 5<sup>th</sup> September, 2014 which are as under:

- (i) No fee/ service charges (by whatever nomenclature), which are not included in the 'tariff' charged by Air-India/airlines, are required to be paid to the aforementioned authorised travel agents.
- (ii) As far as possible, air tickets on Government account may be obtained directly from the Air India/ Airlines (booking counters/ offices/ websites) and if obtaining tickets directly from Air India/Airlines is not possible, should the services of authorised travel agents be availed of.

3. All Ministries/ Departments are advised to bring these guidelines to the notice of all their employees.

*10/sep*  
(B. Bandyopadhyay)  
Under Secretary to the Govt. of India  
Ph. (011) 23040341

To

All Ministries/ Departments of the Government of India.

Contd...

रक्षा लेखा महानियंत्रक

Controller General of Defence Accounts

उलान बटार रोड, पालम, दिल्ली कैंट 110010

Ulan Batar Road, Palam, Delhi Cantt- 110010

सं. प्रशा/XIV/19015/सरकारी आदेश/2014  
No. AN/XIV/19015/Govt. Orders/2014

दिनांक: 16.10.2014

सेवा मे,

सभी रक्षा लेखा प्रधान नियंत्रक / रक्षा लेखा नियंत्रक

All PCsDA/CsDA

(Through CGDA Mail Server)

**Sub: Frequently Asked Questions (FAQs) on LTC entitlements of a Fresh Recruit.**

A copy of FAQs on LTC entitlement of Fresh Recruits circulated by the Department of Personnel and Training, Establishment (A-IV) vide No. 31011/7/2013-Estt.(A-IV) dated 26.09.2014 is forwarded herewith for your information, guidance and necessary action please.

संलग्नक: यथोपरि ।




(उपेन्द्र कुमार)

कृते रक्षा लेखा महानियंत्रक

**प्रतिलिपि :-**

1. प्रशासन-4 (स्थानीय)।
2. लेखा परीक्षा- 1,2,4 (स्थानीय)।
3. लेखा परीक्षा (समन्वय) अनुभाग (स्थानीय)।
4. ई डी पी सेन्टर (स्थानीय) ---- रक्षा लेखा महानियंत्रक वेबसाइट पर अपलोड करने हेतु।
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6. पुस्तकालय अनुभाग (स्थानीय)।
7. मास्टर नोट बुक (प्रशासन-14)।
8. महासचिव, ए.आई.डी.ए.ए. (सी.बी.) पुणे [द्वारा-रक्षा लेखा प्रधान नियंत्रक (अधिकारी) पुणे]।
9. महासचिव, ए.आई.डी.ए.ई.ए. (एच.क्यू) कोलकाता [द्वारा -प्रधान लेखा नियंत्रक (फेक्ट्री) कोलकाता]।



(उपेन्द्र कुमार)

कृते रक्षा लेखा महानियंत्रक



13

No. 31011/7/2013-Estt.(A-IV)  
Department of Personnel and Training  
Establishment (A-IV)

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Dated: 26<sup>th</sup> September, 2014  
North Block, New Delhi

**Frequently Asked Questions (FAQs) on LTC entitlements of a Fresh Recruit**

The 6<sup>th</sup> CPC had recommended that "Fresh Recruits" to the Central Government may be allowed to travel to their Home Town along with their families on three occasions in a block of four years and to any place in India on the fourth occasion. This was accepted by the Government and orders were issued vide DoPT O.M. No. 31011/4/2008-Estt.(A) dated 23<sup>rd</sup> September, 2008.

2. This Department receives a number of references seeking clarifications from various Ministry/ Departments about the year wise LTC entitlements of Fresh Recruits. Based on the same, a set of frequently asked questions have been answered as under:

**Question 1. What are the LTC entitlements of a Fresh Recruit?**

**Answer:** Fresh recruits to the Central Government are allowed to travel to their home town along with their families on three occasions in a block of four years and to any place in India on the fourth occasion. This facility shall be available to the fresh recruits only for the first two blocks of four years applicable after joining the Government for the first time.

**Question 2. How are the two blocks of four years applied to the Fresh Recruit?**

**Answer:** The first two blocks of four years shall apply with reference to the initial date of joining the Government service even though the Govt. servant may change the job within the Government subsequently. However, as per Rule 7 of CCS (LTC) Rules, 1988, the LTC entitlement of a fresh recruit will be calculated calendar year wise with effect from the date of completion of one year of regular service.

**Question 3. Are the LTC blocks of four years in respect of Fresh Recruits same as the regular blocks like 2010-13, 2014-17?**

**Answer:** No. The first two blocks of four years of fresh recruits will be personal to them. On completion of eight years of LTC, they will be treated at par with other regular LTC beneficiaries as per the prescribed blocks like 2014-17, 2018-21 etc.

**Question 4. If a fresh recruit does not avail LTC facility in a particular year, can he/ she avail it in the next year?**

**Answer:** No. Carryover of LTC to the next year is not allowed in case of a fresh recruit as he is already entitled to every year LTC. Hence, if a fresh recruit does not avail of the LTC facility in any year, his LTC will deem to have lapsed with the end of that year.

From pre-page:

**Question 5. How will the LTC entitlements of a Fresh Recruit be exercised after the completion of eight years of service?**

**Answer:** (a) After the completion of eight years of service, when the next LTC cycle of fresh recruit coincides with the beginning of the second two year block (eg. 2016-17) of the running four year block (2014-17), he will be eligible only for 'Home Town' LTC if he/she has availed 'Any Place in India' LTC in the eighth year. Cases, where the new LTC cycle of fresh recruit coincides with the second year of the running two year block (ex. 2017 of 2016-2017), he will not be eligible for LTC in that year. Refer illustrations 1 & 3 for further explanation.

(b) At the end of the eighth year of LTC, when the new LTC cycle of a fresh recruit coincides with the beginning of a regular four year block, his entitlement in the regular block will be exercised as per the usual LTC Rules. Refer illustration 2.

**Question 6. How will the LTC entitlement computed in case of a fresh recruit joining the service on 31<sup>st</sup> December of any year?**

**Answer:** A fresh recruit who joins the Government service on 31<sup>st</sup> December of any year, will be eligible for LTC w.e.f. 31<sup>st</sup> December of next year. Since, 31<sup>st</sup> December is the last date of a calendar year, his first occasion of LTC ends with that year. Hence, he may avail his first Home Town LTC on the last day of that year. From next year onwards he would be eligible for the remaining seven LTCs. Refer illustration 3.

**Question 7. How will the entitlements of a fresh recruit be computed who has joined the Govt. service before 01.09.2008?**

**Answer:** A fresh recruit who has joined Government service before 01.09.2008 (i.e before the introduction of this scheme) and has not completed his first eight years of service as on 01.09.2008 will be eligible for this concession for the remaining time-period till the completion of first eight years of his/ her service. Refer illustration 4.

**Question 8. Can a fresh recruit whose Home Town and Headquarters are same, avail LTC to Home Town?**

**Answer:** No. A fresh recruit whose Home Town and Headquarters are same, cannot avail LTC to Home Town. He may avail LTC to any place in India on the fourth and eighth occasion only. As per Rule 8 of CCS (LTC) Rules, 1988, LTC to Home Town shall be admissible irrespective of the distance between the Headquarters of the Govt. servant and his Home Town which implies that Headquarters and Home Town should be at different places.

(B. Bandyopadhyay)

Under Secretary to the Govt. of India

Ph. (011) 23040341



## Illustrations

### Illustration 1:

An employee joins the Government service on 1<sup>st</sup> September, 2008. As per the CCS (LTC) Rules, he will become eligible for LTC with effect from 1<sup>st</sup> September, 2009 (i.e. after the completion of one year of regular service). His entitlement for Home Town / All India would be as under:

Year of LTC	Type of LTC	LTC Occasion
01.09.2008 – 31.08.2009	Nil	--
01.09.2009 – 31.12.2009	Home Town	1 <sup>st</sup>
01.01.2010 – 31.12.2010	Home Town	2 <sup>nd</sup>
01.01.2011 – 31.12.2011	Home Town	3 <sup>rd</sup>
01.01.2012 – 31.12.2012	Any Place in India	4 <sup>th</sup>
01.01.2013 – 31.12.2013	Home Town	5 <sup>th</sup>
01.01.2014 – 31.12.2014	Home Town	6 <sup>th</sup>
01.01.2015 – 31.12.2015	Home Town	7 <sup>th</sup>
01.01.2016 – 31.12.2016	Any Place in India	8 <sup>th</sup>
01.01.2017 – 31.12.2017	Nil	--
01.01.2018 – 31.12.2021	New LTC Block	

} First block of 4 yrs

} Second block of 4 yrs

} Running Block

### Explanations:

- (i) After the completion of the first eight years, when the fresh recruit gets into the middle of the running regular block of four calendar years (ex. 2014-2017) where the new LTC cycle of fresh recruit coincides with the second year of the running two year block (ex. 2017 of 2016-2017), he will not be eligible for LTC in that year (i.e. 2017).
- (ii) It can be seen from above that LTC entitlement for a fresh recruit is calculated calendar year wise with effect from the date of completion of one year of regular service.

From pre-page:

**Illustration 2:**

An employee joins the Government service on 1<sup>st</sup> January, 2009. As per the CCS (LTC) Rules, he will become eligible for LTC with effect from 1<sup>st</sup> January, 2010 (i.e. after the completion of one year of regular service). His entitlement for Home Town / All India LTC would be as under:

Year of LTC	Type of LTC	LTC Occasion
01.01.2009 – 31.12.2009	Nil	--
01.01.2010 – 31.12.2010	Home Town	1 <sup>st</sup>
01.01.2011 – 31.12.2011	Home Town	2 <sup>nd</sup>
01.01.2012 – 31.12.2012	Home Town	3 <sup>rd</sup>
01.01.2013 – 31.12.2013	Any Place in India	4 <sup>th</sup>
01.01.2014 – 31.12.2014	Home Town	5 <sup>th</sup>
01.01.2015 – 31.12.2015	Home Town	6 <sup>th</sup>
01.01.2016 – 31.12.2016	Home Town	7 <sup>th</sup>
01.01.2017 – 31.12.2017	Any Place in India	8 <sup>th</sup>
01.01.2018 – 31.12.2021	New LTC Block	--

**Explanations:**

- (i) At the end of the eighth year of LTC, when the new LTC cycle of a fresh recruit coincides with the beginning of a regular four year block, his entitlement in the regular block will be exercised as per the usual LTC Rules.

From pre-page:

**Illustration 3:**

An employee joins the Government service on 31<sup>st</sup> December, 2011. As per the CCS (LTC) Rules, he will become eligible for LTC with effect from 31<sup>st</sup> December, 2012 (i.e. after completion of one year of regular service). His entitlement for Home Town / All India LTC would be as under:

Year of LTC	Type of LTC	LTC Occasion
31.01.2011 - 30.12.2012	Nil	--
31.12.2012	Home Town	1 <sup>st</sup>
01.01.2013 - 31.12.2013	Home Town	2 <sup>nd</sup>
01.01.2014 - 31.12.2014	Home Town	3 <sup>rd</sup>
01.01.2015 - 31.12.2015	Any Place in India	4 <sup>th</sup>
01.01.2016 - 31.12.2016	Home Town	5 <sup>th</sup>
01.01.2017 - 31.12.2017	Home Town	6 <sup>th</sup>
01.01.2018 - 31.12.2018	Home Town	7 <sup>th</sup>
01.01.2019 - 31.12.2019	Any Place in India	8 <sup>th</sup>
01.01.2020 - 31.12.2021	Home Town	--
01.01.2022 - 31.12.2025	New LTC Block	--

} Running Block (2018-2021)

**Explanations:**

- (i) A fresh recruit who joins on 31<sup>st</sup> December of any year, will be eligible for LTC w.e.f. 31<sup>st</sup> December of next year. Since, 31<sup>st</sup> December is the last date of that calendar year, his first occasion of LTC ends with that year. Hence, he may avail his first home town LTC on that day only (eg. 31<sup>st</sup> December, 2012). From next year onwards he will be eligible for the remaining seven LTCs.
- (ii) After the completion of eight years of service, when the next LTC cycle of fresh recruit coincides with the beginning of the second two year block (eg. 2020-21) of the running four year block (2018-21); he will be eligible only for the 'Home Town' LTC in that block if he has availed of 'Any Place in India' LTC in the eighth year. In case, the fresh recruit forgoes his eighth year LTC, then he has a choice to avail either 'Any Place in India' or 'Home Town' LTC in the following two year block (i.e. in 2020-21).



From pre-page:

**Illustration 3:**

An employee joins the Government service on 31<sup>st</sup> December, 2011. As per the CCS (LTC) Rules, he will become eligible for LTC with effect from 31<sup>st</sup> December, 2012 (i.e. after completion of one year of regular service). His entitlement for Home Town / All India LTC would be as under:

Year of LTC	Type of LTC	LTC Occasion
31.01.2011 - 30.12.2012	Nil	--
31.12.2012	Home Town	1 <sup>st</sup>
01.01.2013 - 31.12.2013	Home Town	2 <sup>nd</sup>
01.01.2014 - 31.12.2014	Home Town	3 <sup>rd</sup>
01.01.2015 - 31.12.2015	Any Place in India	4 <sup>th</sup>
01.01.2016 - 31.12.2016	Home Town	5 <sup>th</sup>
01.01.2017 - 31.12.2017	Home Town	6 <sup>th</sup>
01.01.2018 - 31.12.2018	Home Town	7 <sup>th</sup>
01.01.2019 - 31.12.2019	Any Place in India	8 <sup>th</sup>
01.01.2020 - 31.12.2021	Home Town	--
01.01.2022 - 31.12.2025	New LTC Block	--

Running Block  
(2018-2021)

**Explanations:**

- (i) A fresh recruit who joins on 31<sup>st</sup> December of any year, will be eligible for LTC w.e.f. 31<sup>st</sup> December of next year. Since, 31<sup>st</sup> December is the last date of that calendar year, his first occasion of LTC ends with that year. Hence, he may avail his first home town LTC on that day only (eg. 31<sup>st</sup> December, 2012). From next year onwards he will be eligible for the remaining seven LTCs.
- (ii) After the completion of eight years of service, when the next LTC cycle of fresh recruit coincides with the beginning of the second two year block (eg. 2020-21) of the running four year block (2018-21); he will be eligible only for the 'Home Town' LTC in that block if he has availed of 'Any Place in India' LTC in the eighth year. In case, the fresh recruit forgoes his eighth year LTC, then he has a choice to avail either 'Any Place in India' or 'Home Town' LTC in the following two year block (i.e. in 2020-21).

From pre-page:

**Illustration 4:**

An employee joins the Government service on 10<sup>th</sup> May, 2006. As per the CCS (LTC) Rules, he will become eligible for LTC with effect from 10<sup>th</sup> May, 2007 (i.e. after the completion of one year of regular service). His entitlement for Home Town / All India LTC would be as under:

Year of LTC	Type of LTC	LTC Occasion
10.05.2006 – 09.05.2007	Nil	--
10.05.2007 – 31.12.2007	Home Town/ Any Place in India	1 <sup>st</sup>
01.01.2008 – 31.12.2008	Home Town	2 <sup>nd</sup>
01.01.2009 – 31.12.2009	Home Town	3 <sup>rd</sup>
01.01.2010 – 31.12.2010	Any Place in India	4 <sup>th</sup>
01.01.2011 – 31.12.2011	Home Town	5 <sup>th</sup>
01.01.2012 – 31.12.2012	Home Town	6 <sup>th</sup>
01.01.2013 – 31.12.2013	Home Town	7 <sup>th</sup>
01.01.2014 – 31.12.2014	Any Place in India	8 <sup>th</sup>
01.01.2015 – 31.12.2015	Nil	--
01.01.2016 – 31.12.2017	Home Town	--

**Explanation**

A fresh recruit who has joined the Government service before 01.09.2008 (i.e before the introduction of this scheme) and has not completed his first eight years of service as on 01.09.2008 will be eligible for this concession for the remaining time-period till the completion of first eight years of his/ her service.



F. No. 7(8)/2012-E-III(A)  
D/o Expenditure  
M/o Finance  
(E-III A Branch)

North Block, New Delhi  
Dated the 16<sup>th</sup> May, 2012

Office Memorandum

**Subject:** Submissions before Courts/Central Administrative Tribunals and handling of Court cases on pay and allowances and service conditions etc.

The Allocation of Business Rules, 1961 forms the basis for transacting business of the Government of India by the different Departments/Ministries. Individual Departments/Ministries are responsible for discharging the business "allocated" to them on behalf of the Government of India and to handle the administrative issues relating to service conditions of the employees under its administrative control. In the context of CAT/Court cases related to pay scales, allowances and other service conditions of Government employees/ employees of autonomous bodies, etc., attention is invited to M/o Finance, D/o Expenditure OM No. 7(32)/E-III/92 dated 24<sup>th</sup> May, 1993 (copy enclosed) stipulating that (i) a common counter reply should be filed before a Court of Law on behalf of the Union of India by the concerned administrative Department/Ministry where the petitioner is serving or has last served and (ii) a unified stand should be adopted instead of bringing out each Department's/Ministry's point of view in the said reply.

2. Of late it has been observed that Ministries/Departments are not following these instructions as a result of which either the Government's stand is weakened in the case or sometimes the Government is put in an embarrassing position. All Ministries/ Departments are therefore, requested to comply with the following while handling cases filed by Government servants or their Associations/Unions on matters related to pay and allowances and other service conditions:

- (i) Court/CAT cases should be handled expeditiously and within the required time frame. Sometimes, references are made to the nodal ministries/departments dealing with policy matters at the eleventh hour, i.e. a few days before the last date fixed by the Court/Tribunal. This does not give sufficient time to these Ministries/Departments to carefully examine the issues involved. It is, therefore, stressed that on receipt of the Notice along with the original Application/Petition, the Administrative Department/ Authority should immediately prepare para-wise comments /counter-affidavit. Wherever necessary, the specific points on which comments of other nodal Departments like Department of Expenditure, Department of Personnel & Training, Department of Pensions and Pensioners' Welfare, etc. are required



may be brought out clearly. Thereupon, reference should be made to the concerned nodal Ministry/Department on priority basis. The matter may thereafter be referred to the Ministry of Law/ Standing Government Counsel engaged in the matter for vetting and filing the same before the Tribunal/Court.

- (ii) It has also been observed that at times the Standing Counsels appointed do not attend the Court hearings. In such an event, the matter must be taken up with the Department of Legal Affairs, Ministry of Law for taking action against Counsels who absent themselves from hearings without valid reasons. Further, the Ministry should ensure arrangements for appearance before the Court/Tribunal as and when the matter comes for hearing and for this purpose proper liaison with the Government counsel should always be maintained. In addition, the Counsels must necessarily be briefed thoroughly before they attend Court proceedings.
- (iii) All cases filed in CATs or Courts have to be defended by the Admn. Ministry/Department/Organisation where the Government servant is serving or has last served. In case other Ministries/Departments have been arrayed as respondents, they are to be treated merely as pro-forma parties and the matter has to be dealt with by the Admn. Ministry itself on behalf of the Government of India i.e. on behalf of all the other Ministries/Departments involved. In other words, there has to be only one counter affidavit submitted before the Court on behalf of the Government and it has to be prepared by the Ministry/Department where the applicant is serving / has last served. However, since other Ministries/Departments are also involved, they have to necessarily be consulted at the stage of formulating the draft counter reply.
- (iv) It has further been observed that while handling service matters/cases of the Government servants, the administrative Ministries/Departments in their communications to the Government servants/Associations etc. or even in the affidavits filed/submissions made before the Supreme Court/Tribunal etc. make specific references to a Ministry/Department under whose advice/directives a particular decision has been taken. This gives an impression that the decision is that of the Ministry/ Department which has been consulted and not that of the Government. Such allusions place the Government in an embarrassing position. It is, therefore, stressed that while communicating decision(s) on the representation(s)/complaint(s) etc. submitted by the Government servants or their Associations, etc. the final decision should be in the name of the appropriate authority and in no circumstances, the communication should convey or give an impression that the decision was based on the advice of a particular Ministry/Department which accepted/ rejected the demand(s). Exceptions may be made in respect of the sanctions etc. where according to financial regulations

under rules or other mandatory provisions, it may be obligatory to mention the name of the specific authority with whose concurrence, or in consultation with whom the sanction has been issued.

- (v) Similarly, in case of affidavits filed or oral submissions made before the Courts/CAT, a unified stand should be adopted instead of bringing out each Department's/Ministry's point of view in the said reply. Even in cases where the matter is pending before a Ministry/Department the submissions made should be that the matter is under consideration of the Government and not that of any particular Admn. Ministry/Department. In one such instance, the Admn. Ministry has in its submissions before the Court stated that while it agrees "in principle" to concede to the demands of the petitioners/applicants, it is D/o Expenditure which is not agreeing to the proposal. This position was adopted even as consultations between the two Departments were still underway and the issue at hand was yet to be resolved. A situation like this must be avoided.
  - (vi) In cases where the Court takes a decision against the Government, ~~the Admn. Ministry/Department should take immediate steps to~~ analyse the judgement and arrive at a view in consultation with the nodal Ministry/s concerned as to whether the same should be implemented or filing of an appeal or SLP is called for. The reference to nodal Ministry/s for their advice needs to be made well before the last date for filing Review Application before the CAT itself/an appeal before the High Court/SLP in the Supreme Court. The grounds on which the same are being filed have to necessarily be spelt out in the event of deciding that filing of such a Review application / SLP is necessary.
  - (vii) In case a delay in filing the reply is apprehended, necessary steps to seek extension in time or stay orders should be taken on an urgent basis with the assistance of Standing Counsels.
  - (viii) In certain cases, the Tribunal/Courts may not deliver substantive judgements in the matter and may direct the Government to consider/take a final view in the matter based on certain guidelines etc. The Tribunal/Court may desire final decision by a specific date. In all such cases, it is essential to ensure compliance of the orders within the specified time. In case any delay is expected on this score, extension of time from Tribunal/Court should always be sought. In such cases also, it has to be ensured that the matter is referred to different nodal agencies/Departments well before the last date of taking a final decision
3. In a nutshell, it is primarily the responsibility of the Administrative Ministry to ensure that timely action is taken at each stage a Court case goes through and that a unified stand is adopted on behalf of Government of India



at every such stage. In no case should the litigation be allowed to prolong to the extent that it results in contempt proceedings. For this purpose, a proper mechanism for monitoring of court cases must be put in place by each Ministry/Department. Financial Advisers may ensure that cases requiring a reference to Department of Expenditure are invariably processed in a timely manner and the timelines monitored so that any contempt proceedings do not arise.

4. This issues with approval of Secretary (Expenditure).

*Madhulika P. Sukul*

( Madhulika P. Sukul)  
Joint Secretary (Pers.)

1. Secretaries of all Ministries/Depts.
2. Chief Administrators of all UTs.
3. All Financial Advisers