

No.A-12015/2/92-AT
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
DEPARTMENT OF PERSONNEL & TRAINING

NEW DELHI, Dated 27 May, 1986

OFFICE MEMORANDUM

Subject: Presentation of cases before the Central Administrative Tribunal through the Central Government Counsels/ authorised departmental representatives.

The undersigned is directed to say that Section 23(2) of the Administrative Tribunals Act, 1985, as amended from time to time, inter-alia, empowers the Government to authorise any of its officers to present its cases before the Tribunal with respect to any application filed before it. The above provision of the Act was also brought to the notice of various Ministries/ Departments vide this Department's Office Memoranda No.11019/58/85-AT dated 25.6.1986 and 25.8.1988. It is observed that the success rate of the cases which were presented by the Departmental Officers is quite encouraging.

2. In view of the above, it is reiterated that whenever an application is filed before a Bench of the Central Administrative Tribunal and a Central Government Ministry/Department or one of the officers under its control is made a respondent, having regard to the importance of the case concerned, the concerned Ministry/ Department may exercise its option to present its case before the Bench of the Tribunal through one of its officers by duly authorising him in this behalf. The officer so authorised should either be a Group 'A' officer or a Desk Officer in respect of a Ministry/Department of the Government of India. In respect of a non-secretariat office of the Government of India, he should be a Group 'A' officer only. It is also reiterated that in cases where the Ministries/Departments decide to present the case before the Bench of the Tribunal directly through one of its officers, they may write to the Registrar of the Bench of the Tribunal about authorising a particular officer to present the case on behalf of the Government. Officers who are not so authorised are not entitled to appear and represent the Government before the Tribunal.

4. All the Ministries/Departments are requested to bring the contents of this O.M. to the notice of their attached and subordinate offices.



(C.L. Sharma)

Under Secretary to the Government of India
T.No.3017338

Copy to:

1. All Ministries/Departments of the Government of India.