




केंद्रीय विद्यालय संगठन Kendriya Vidyalaya Sangathan
18, संस्थानिक क्षेत्र / 18, Institutional Area
शहीद जीत सिंह मार्ग / Shaheed Jeet Singh Marg
नई दिल्ली-16 / New Delhi - 16

F.No.110239/51/Cir./2016/KVS (Budget) 18/2

Dated: 05.05.2016

The following orders issued by Government of India are uploaded on the KVS Website for information and necessary action.

1. G.I.,M.U.D., O.M.No.F.No.18012/1/2016-Pol.III, dated 26-2-2016 regarding licence Fee to be recovered from the allottee of the Government accommodation, who own house(s) at the place of his duties.
2. G.I.,CGEWCC Circular No.CGEWCC/Kol./11/2015-16/313, dated 11-2-2016 regarding appointment of Private Registered Medical Practitioner as AMA for the Central Government Employees and Members of their families under CS(MA)Rules, 1944 and orders issued thereunder.
3. G.I.,M.H. & F.W.,O.M.No.S.14021/15/2015-MS, dated 22/23-2-2016 regarding recognition of Popular Medicare Limited, Kakarmatta, Varanasi for treatment of Central Government employees under CS(MA) Rules,1944.
4. G.I., Dept. of Per. & Trg., O.M.No.18/03/2015-Estt.(Pay-1), dated 2-3-2016 regarding recovery of wrongful/excess payments made to Government servants.
5. G.I.,Dept. of Per. & Trg., O.M.No.25013/1/2016-Estt.A-IV, dated 11-3-2016 regarding strengthening of Administration by Periodical Review under FR 56(j) - Autonomous Institutions.
6. G.I.,Dept. of Per. & Trg., O.M.No.F.No.1/34/2013-IR, dated 16-3-2016 and Corrgn.No.1/34/2013-IR, dated 22-3-2016 regarding report of the Committee set up under the Chairmanship of Dr.Devesh Chaturvedi, Joint Secretary,DoP&T to examine the recommendations of the Committee of Experts on suo motu disclosure under Section 4 of the RTI Act,2005.
7. G.I.,Dept. of Per. & Trg., O.M.No.F.No.28027/1/2016-Estt.A-III, dated 16-3-2016 regarding court orders against Government of India instructions on service matters - Consultation with Ministry of Law and Department of Personnel and Training on question of filling appeals.


(S.Muthusivam)
Deputy.Commissioner(Fin.)
Tel. 011-26523070

Distribution:

1. The Deputy Commissioner, KVS, All ROs.
2. The Finance Officer, KVS, All ROs.
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4. Principal, KV, Kathmandu, Moscow/Tehran.
5. The General Secretary, All Recognized Associations.
6. The Director, ZIET Gwalior, Mumbai, Mysore, Chandigarh & Bhubaneswar.
- ✓ 7. The Deputy Commissioner, (EDP), KVS (HQ.) with the request to upload the above circulars on the KVS Web site.
8. RTI Cell KVS (HQ.)
9. Guard file.

Licence Fee to be recovered from the allottee of the Government accommodation, who own house(s) at the place of his duties.

The undersigned is directed to refer to this Directorate's O.M.No.12035/11/99-Pol.II, dated 24-7-2003 on the above-mentioned subject and to say that as per the provisions of SR-317-B-3(2) of the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, an allottee, owning a house at the time of allotment either in his own name or in the name of any members of his family at the place of posting or in an adjoining municipality, shall notify the fact to the Directorate of Estates within a period of one month from the date of the house is let out. As per the provisions of SR-317-B-3(3) *ibid*, when after a Government accommodation has been allotted, the allottee or any member of his family become owner of a house at the place of his duty or in an adjoining municipality, shall notify the fact to the Directorate of Estates within a period of one month from the date of house is let out.

2. However, it is noticed from the records received from concerned administrative divisions of Ministries/Departments that declaration of house owning is received only at the time of application for allotment of accommodation, whereas, the same under the provisions of SR-317-B-3(3) received is very negligible as compared to allotment made. In order to streamline the already laid down procedure, it is requested that the administrative authority of the concerned Ministries / Departments, etc. to ensure that the provisions SR-317-B-3(2) as well as 3(3) are followed strictly. In this regard, it is pertinent to mention here that from 1-3-2015 onwards, concerned Ministries / Departments of the applicant for GPRA are advised to ensure that the particulars/details furnished by the applicant in the online DE-2 Form and the Acceptance Form are true and correct. It is thus requested now that the administrative authority of the concerned Ministries/Departments should ensure that the entries made by the applicant in DE-2 Form as well as the Acceptance Form with regard to owning of house, at the time of forwarding the same to this Directorate is as per the latest Immovable Property Return (IPR) filed by the applicant.

3. Further, they should also instruct all allottees in their Ministry/ Department to intimate the Directorate of Estates regarding rental income, if any, from the house owned at the time of allotment/acquired after the allotment of Government accommodation either in his own name or in the name of any members of his family at the place of posting or in an adjoining municipality, and whenever any change in rental income, which affect the rate of prescribed licence-fee as per O.M. No. 12035/11/99-Pol.II, dated 24-7-2003, so as to levy the prescribed rate of licence fee in this regard, to avoid any loss to Government exchequer. In case the details of rental income furnished by any allottee is found false at any later stage, the licence fee of the particular accommodation will be enhanced to the maximum as per OM, dated 24-7-2003 with effect from the date of increase, by the Directorate of Estates *suo motu*.

G.I., CGEWCC Circular No. CGEWCC/Kol./11/2015-16/313,
dated 11-2-2016

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**Appointment of Private Registered Medical Practitioner as AMA
for the Central Government Employees and Members of their
families under CS (MA) Rules, 1944 and orders issued thereunder**

In terms of Rule 2 (A) (iv) of CS Medical Attendance Rules, 1944, the following Private Registered Medical Practitioners have been appointed as AMA in respect of the Central Government Employees and Members of their families residing at the stations mentioned against the name of the AMA, and within a radius of 16 kilometers thereof for Medical treatment during normal working hours for the period mentioned below:-

Sl. No.	Name and address of the AMA	Station	Period	Telephone
1.	Dr. Ananda Gopal Basu, M.B.B.S., 20/5, Ramcharan Sett Road, Santragachi, Howrah - 711 104.	Howrah	11-2-2016 to 31-7-2016	9830376003

**Recognition of Popular Medicare Limited, Kakarmatta,
Varanasi for treatment of Central Government employees
under CS (MA) Rules, 1944**

The undersigned is directed to say that the proposal received for recognition of Popular Medicare Limited, Kakarmatta, Varanasi for treatment of Central Government Employees and their family members under Central Services (Medical Attendance) Rules, 1944 has been examined in this Ministry and found to be in order. It has been decided to grant recognition to the Popular Medicare Limited, Kakarmatta, Varanasi under CS (MA) Rules, 1944.

2. The Schedule of charges for the treatment of Central Government Employees and the members of their family under CS (MA) Rules, 1944, will be the rates fixed for CGHS, Allahabad. The approved rates are available on the website of CGHS (<http://msotransparent.nic.in/cghisnew/index.asp>) and may be downloaded/printed.

3. The undersigned is further directed to clarify as under:-

(a) "Package Rate" shall mean and include the total cost of in-patient treatment and care diagnostic procedure for which a CS (MA) beneficiary has been permitted by the Competent Authority or for treatment under emergency from the time of admission to the time of discharge, including (but not limited to)-(i) Registration charges, (ii) Admission charges, (iii) Accommodation charges including patient's diet, (iv) Operation charges, (v) Injection charges, (vi) Dressing charges, (vii) Doctor/consultant visit charges, (viii) ICU/ICCU charges, (ix) Monitoring charges, (x) Transfusion charges, (xi) Anaesthesia charges, (xii) Operation theatre charges, (xiii) Procedural charges / Surgeon's fee, (xiv) Cost of surgical disposables and all sundries used during hospitalization, (xv) Cost of medicines, (xvi) Related routine and essential investigations, (xvii) Physiotherapy charges, etc. (xviii) Nursing care and charges for its services.

(b) Cost of Implants is reimbursable in addition to package rates as per CGHS ceiling rates for implants.

(c) Treatment charges for new born baby are separately reimbursable in addition to delivery charges for mother.

(d) Popular Medicare Limited, Kakarmatta, Varanasi shall not charge more than the package rates fixed for CGHS, Allahabad.

(e) Expenses on toiletries, cosmetics, telephone bills, etc., are not reimbursable and are not included in package rates.

4. Package rates envisage duration of indoor treatment as follows:

- Up to 12 days : for Specialized (Super Specialities) treatment
- Up to 7 days : for other Major Surgeries
- Up to 3 days : for Laparoscopic Surgeries/normal Surgeries
- 1 day : for day care/Minor (OPD) Surgeries

No additional charge on account of extended period shall be allowed if that extension is due to infection on the completion of medical procedure or due to any improper procedure and

In case, there are no CGHS prescribed rates for any test/procedure, then AIIMS rates are applicable. If there are no AIIMS rates, then reimbursement is to be arrived at by calculating admissible amount item-wise (e.g. room rent, investigations, cost of medicines, procedure charges, etc.) as per approved rates/actually, in case of investigations.

5. (a) CS (MA) beneficiaries are entitled to facilities of private, semi-private or general ward depending on their basic pay. The entitlement is as follows:-

Sl. No.	Pay drawn in Pay Band	Ward Entitlement
1.	Up to ₹ 13,950	General Ward
2.	₹ 13,960 to 19,530	Semi-Private Ward
3.	₹ 19,540 and above	Private Ward

(b) The package rates given in rate list of CGHS are for semi-private ward.

(c) The package rates prescribed are for semi-private ward. If the beneficiary is entitled for general ward, there will be a decrease of 10% in the rates; for private ward entitlement, there will be an increase of 15%. However, the rates shall be same for investigation irrespective of entitlement, whether the patient is admitted or not and the test, *per se*, does not require admission.

6. The hospital shall charge from the beneficiary as per the CGHS prescribed rates or its own rate list, whichever is lower. The hospital shall charge CGHS Non-NABH, Allahabad rates.

7. (a) The maximum room rent admissible for different categories would be:-

General ward	₹ 1,000 per day
Semi-private ward	₹ 2,000 per day
Private ward	₹ 3,000 per day
Day care (6 to 8 Hrs.)	₹ 500 (same for all categories)

(b) Room rent mentioned above at (a) above is applicable only for treatment procedures for which there is no CGHS prescribed package rate.

Room rent will include charges for occupation of bed, diet for the patient, charges for water and electricity supply, linen charges, nursing charges and routine upkeeping.

(c) During the treatment in ICCU/ICU, no separate room rent will be admissible.

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Private ward is defined as a hospital room where single patient is accommodated and which has an attached toilet (lavatory and bath). The room should have furnishings like wardrobe, dressing table, bedside table, chair, etc. as well as a bed for attendant. The room has to be carpeted.

Semi-Private ward is defined as a hospital room where two to three patients are accommodated and which has attached toilet facilities and some furnishings.

General ward is defined as hall that accommodates four to ten patients.

Normally, the treatment in higher category of accommodation than the entitled category is not permissible. However, in case of an emergency when the entitled category accommodation is not available, admission in the immediate higher category may be allowed till the entitled category accommodation becomes available. However, if a particular hospital does not have the ward as per entitlement of beneficiary, then the hospital can only bill as per entitlement of the beneficiary even though the treatment was given in higher type of ward.

If, on the request of the beneficiary, treatment is provided in a higher category of ward, then the expenditure over and above entitlement will have to be borne by the beneficiary.

8. In case of non-emergencies, the beneficiary shall have the option of availing specific treatment/investigation from any of the empanelled hospitals of his/her choice (provided the hospital is recognized for that treatment procedure/test), after the specific treatment/investigation has been advised by Authorized Medical Attendant and on production of valid ID card and permission letter from his/her concerned Ministry/Department.

9. The hospital shall honour permission letter issued by Competent Authority and provide treatment/investigation facilities as specified in the permission letter.

10. The hospital shall also provide treatment/investigation facilities to the CGHS beneficiaries and their eligible dependent family members at its own rates or rates approved under CS (MA) Rules, whichever is lower. The hospital shall provide treatment to pensioner CGHS beneficiaries after authentication through verification of valid CGHS Cards.

11. However, pensioner CGHS beneficiaries would make payment for the medical treatment at approved rates as mentioned above and submit the medical reimbursement claim to the Additional Director, CGHS through the CMO in charge of the CGHS Wellness Centre, where the CGHS Card of the beneficiary is registered.

12. In case of emergencies, the beneficiary shall have the option of availing specific treatment/investigation from any of the empanelled hospitals of his/her choice (provided the hospital is recognized for that treatment procedure/test), on production of valid ID card, issued by Competent Authority. 6

13. During the in-patient treatment of the CS (MA) beneficiary, the hospital will not ask the beneficiary or his attendant to purchase separately the medicines/sundries/equipment or accessories from outside and will provide the treatment within the package rate, fixed by the CGHS which includes the cost of all the items.

14. In case of treatment taken in emergency in any non-recognized private hospitals, reimbursement shall be considered by Competent Authority at CGHS prescribed Package/rates only.

15. If one or more minor procedures form part of a major treatment procedure, then package charges would be permissible for major procedure and only 50% of charges for minor procedure.

16. Further, Popular Medicare Limited, Kakarmatta, Varanasi shall undertake the pre-investigations/diagnostic tests/consultations/examinations as a service provider for conducting the Annual Medical Examination of the Civil Services Group 'A' Officers of above 40 years of age as per the prescribed protocol for Annual Medical Examination, as per Annexure (not printed).

17. The hospital will not charge the Central Government Employees for Annual Medical Examination more than ₹ 2,000 for conducting the prescribed medical examinations of the male officers and ₹ 2,200 for female officers, who come to the hospital with the requisite permission letter from their Department/Ministry concerned. The above rates for Annual Medical Examination are valid until such time when the above rates are revised by the Central Government.

18. Any legal liability arising out of such services shall be the sole responsibility and shall be dealt with by the concerned empanelled hospital. Services will be provided by the Hospital as per the terms given above.

19. Ministry of Health and Family Welfare reserves the right to withdraw/cancel the above recognition without assigning any reason.

20. The order takes effect from the date of issue of the O.M.

21. The authorities of Popular Medicare Limited, Kakarmatta, Varanasi will have to enter into an agreement with the Government of India to the effect that the Hospital will charge from the Central Government employees at the rates fixed by the Government and they will have to sign a Memorandum of Understanding (MoU) within a period of 3 months

from the date of issue of the above-mentioned order, which the Hospital will be derecognized (two original copies of MoU duly signed by the Hospital to be sent for acceptance). Subject to the above, the Hospital can start treating Central Government employees covered under CS (MA) Rules, 1944.

22. A communication in acceptance of the terms 21 above may be sent to the undersigned within a week from the receipt of this Office Memorandum.

**Recovery of wrongful / excess payments made to
Government servants**

The undersigned is directed to refer to this Department's O.M. No.18/26/2011-Estt. (Pay-1), dated the 6th February, 2014 wherein certain instructions have been issued to deal with the issue of recovery of wrongful/excess payments made to Government servants in view of the law declared by Courts, particularly, in the case of Chandi Prasad Uniyal and others V.State of Uttarakhand and others [2012 AIR SCW 4742],[2012]8SCC 417]. Para.3 (iv) of the OM inter alia provides that recovery should be made in all cases of overpayment barring few exceptions of extreme hardships.

2. The issue has subsequently come up for consideration before the Hon'ble Supreme Court in the case of *State of Punjab and others v. Rafiq Masih (White Washer), etc.* in C.A. No. 11527 of 2014 (Arising out of S.L.P.(C) No. 11684 of 2012), wherein Hon'ble Court on 18-12-2014 decided a bunch of cases in which monetary benefits were given to employees in excess of their entitlement due to unintentional mistakes committed by the concerned Competent Authorities, in determining the emoluments payable to them, and the employees were not guilty of furnishing any incorrect information / misrepresentation / fraud, which had led the concerned Competent Authorities to commit the mistake of

making the higher payment to the employees. Employees were as innocent as their employers in the wrongful determination of their inflated emoluments. The Hon'ble Supreme Court in its judgment, dated the 18th December, 2014 *ibid* has, *inter alia*, observed as follows:-

"7. Having examined a number of cases considered by this Court, we are of the view, that orders issued by the employer seeking recovery of monetary benefits wrongly extended to employees, can only be interfered with in cases where such recovery would result in a hardship on the employee, which would far outweigh the equitable balance of the employer's right to recover. In other words, interference would be called for, only in such cases where, it would be iniquitous to require the payment made. In order to ascertain the parameters of the above consideration, and the test to be applied, reference needs to be made to situations when this Court exempted employees from such recovery, even in exercise of its jurisdiction under Article 142 of the Constitution of India. Repeated exercise of such power, "for doing complete justice in any cause" would establish that the recovery being effected was iniquitous, and therefore, arbitrary. And accordingly, the interference at the hands of this Court."

"10. In view of the afore-stated constitutional mandate, equity and good conscience, in the matter of livelihood of the people of this country, has to be the basis of all Governmental actions. An action of the State, ordering a recovery from an employee, would be in order, so long as it is not rendered iniquitous to the extent, that the action of recovery would be more unfair, more wrongful, more improper, and more unwarranted, than the corresponding right of the employer, to recover the amount. Or in other words, till such time as the recovery would have a harsh and arbitrary effect on the employee, it would be permissible in law. Orders passed in given situations repeatedly, even in exercise of the power vested in this Court under Article 142 of the Constitution of India, will disclose the parameters of the realm of an action of recovery (of an excess amount paid to an employee) which would breach the obligations of the State, to citizens of this country, and render the action arbitrary, and therefore, violative of the mandate contained in Article 14 of the Constitution of India."

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The matter was required to be adjudicated by the Hon'ble Supreme Court whether all the private respondents, against whom an order of recovery (of the excess amount) has been made, should be exempted from the reimbursement of the same to the employer. For the applicability of the instant order, and the conclusions recorded by them thereon, the arguments depicted in Paras. 2 and 3 of the judgment are essential and indispensable.

4. The Hon'ble Supreme Court while observing that it is not possible to postulate all situations of hardship which would govern employees on the issue of recovery, where payments have mistakenly been made by the employer, in excess of their entitlement has summarized the following few situations, wherein recoveries by the employers would be impermissible in law:-

- (i) Recovery from employees belonging to Class-III and Class-IV service (or Group 'C' and Group 'D' service).
- (ii) Recovery from retired employees, or employees who are due to retire within one year, of the order of recovery.
- (iii) Recovery from employees, when the excess payment has been made for a period in excess of five years, before the order of recovery is issued.
- (iv) Recovery in cases where an employee has wrongfully been required to discharge duties of a higher post, and has been paid accordingly, even though he should have rightfully been required to work against an inferior post.
- (v) In any other case, where the Court arrives at the conclusion, that recovery if made from the employee, would be iniquitous or harsh or arbitrary to such an extent, as would far outweigh the equitable balance of the employer's right to recover.

5. The matter has, consequently, been examined in consultation with the Department of Expenditure and the Department of Legal Affairs. The Ministries / Departments are advised to deal with the issue of wrongful / excess payments made to Government servants in accordance with above decision of the Hon'ble Supreme Court in C.A. No. 11577 of 2014 (arising out of S.L.P. (C) No. 11684 of 2012) in *State of Punjab and others, etc. v. Rafiq Masih (White Washer), etc.* However, whenever the waiver of recovery in the above-mentioned situations is considered, the same may be allowed with the express approval of Department of Expenditure in terms of this Department's O.M. No. 18/26/2011-Estt.(Pay-I), dated the 18 February, 2014.

6. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders are issued with the concurrence of the Comptroller and Auditor-General of India.

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G.I. Dept. of Per. & Trg., O.M.No.25013/1/2016-Estt.A-IV,
dated 11-3-2016

**Strengthening of Administration by Periodical Review
under FR 56(j) – Autonomous Institutions**

The undersigned is directed to refer to DoP&T's O.M.No.25013/01/2013-Estt.A-IV, dated 11-9-2015 and 1-3-2016 and to say that in so far as Autonomous Institutions are concerned, the following have been decided:

- (i) Where the Autonomous Institutions have adopted the provisions of FR 56(j), Administrative Ministry may ensure that they are strictly followed;
- (ii) Where the autonomous Institutions have similar provisions in their rule books, the Administrative Ministry may ensure that they are followed in letter and spirit; and
- (iii) Where no such provisions exist, the Administrative Ministry may ensure that the action is taken to put in place such rules as may be necessary.

G.I. Dept. of Per. & Trgn., O.M.No.F.No.1/34/2013-IR, dated 16-3-2016 and Corrqn. No.1/34/2013-IR, dated 22-3-2016
Report of the Committee set up under the Chairmanship of Dr.Devesh Chaturvedi, Joint Secretary, DoP&T to examine the recommendations of the Committee of Experts on suo motu disclosure under Section 4 of the RTI Act,2005

A committee of Experts consisting of Shri A.N.Tiwari,Former Chief Information Commissioner and Dr. M.M.Ansari,Information Commissioner of Central Information Commission was constituted to recommend, inter alia, measures to further strengthen implementation of Section 4 of the RTI Act,2005. The Committee submitted its Report which has been accepted by the Government and an OM, dated the 29th June, 2015 was issued to all Public Authorities to follow the recommendations of the Committee. Thereafter, DoP&T has issued instructions to all Public Authorities in this regard vide O.M.No.1/1/2013-IR dated the 9th July, 2015 that the Departments must make an analysis of information which is sought most often from applicants and provide it on their website as suo motu disclosure.

2. Competent Authority has further directed that:-

(1) The Public Authorities shall constitute Consultative Committees consisting of office bearers of key stakeholder, association on rotational basis to have a systematic and regular interaction between the officials of the Public Authorities to advise what information to be uploaded as suo motu.

(2) 'Information and Facilitation Centres' (IFCs) may be set up in each Public Authority, where public dealing is involved to educate the citizens about the information / documents available on the website of the department concerned and to provide printed publications to the citizens the categories of information that are frequently being sought under the RTI Act and provide copies of information as per RTI Rules, 2012.

3. In each Public Authority, a committee of PIOs and FAAs with rich experience of dealing with RTI applications and appeals is set up to identify the categories of information that are frequently asked by applicants. Such information must be disclosed in the public domain to make it more user friendly and should also be reviewed at regular intervals.

4. Information that is proactively disclosed must be properly categorized and organized in such a manner that it facilitates easy retrieval. Information on the website must be organized in a searchable retrievable database to enable people to access the records. The Nodal Officer of each Public authority be made responsible for this.

5. Website, and other medium and publication of each Public Authority, relating to Section 4 compliance must carry the date (where appropriate for each bit of information) on which the information was added/printed.

6. The task of undertaking transparency audits may be given to the respective Training Institutes under each Ministry/Department/Public Authority and across the States and Union Territories.

G.I. Dept. of Per. & Trg., O.M.No.F.No.280271/2016-Estt.A-III, dated 16-3-2016

Court orders against Government of India instructions on service matters – Consultation with Ministry of Law and Department of Personnel and Training on question of filing appeals

The undersigned is directed to refer to this Department's O.M. NO. 28027/9/99-Estt.(A), dated the 1st May,2000 on the above subject and to say that the Department of Personnel and Training is the nodal Department that formulates policies on service matters and issues instructions from time to time. These instructions are to be followed by the Ministries/Departments of the Central Government scrupulously. All the Court cases filed by employees have to be defended on the basis of the facts available with the Administrative Ministry/Department concerned, keeping in view the instructions issued on the subject by this Department.

2. Reference is also invited to the Cabinet Secretariat's D.O. Letter No. 6/1/1/94-Cab., dated 25-2-1994 and the Department of Expenditure's O.M. No. 7(8)/2012-E-II(A), dated 16-5-2012 *inter alia* provide 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. It further provides that 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.

3. However, it is noticed that the Ministries/Departments are making several references to this Department seeking interpretation of the guidelines without exercising due diligence. The Ministries/Departments are advised not to make any references to this Department unless there are difficulties relating to interpretation/application of these guidelines or any relaxation in Rules/instructions is warranted to mitigate a genuine hardship faced by the Government servant. While seeking advice of this Department, instructions contained in this Department's O.M.No.43011/9/2014-Estt.(D), dated 28.10.2015 may be followed.

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Court cases may be further handled in the following manner:-

Orders of Court	Action to be taken
1. A decision/order has been quashed by Tribunal/Court on the ground that it is violative of the Rules/Government instructions, but Government's policy has not come in for adverse comments.	The Administrative Department may implement the CAT Order/Judgment if it is in consonance with Government policy and the Government case has been lost due to Administrative infirmities.
2. Where the policy of DoP&T has not been quashed, but the judgment/order of the Tribunal/High Court/Supreme Court has gone in favour of Respondents/Applicants.	(a) Where in above, the Administrative Ministry is in favour of implementing the judgment. (b) Where in above, a decision to file Writ Petition / Special Leave Petition (as the case may be) has to be taken.
3. Where the judgment has gone in favour of Applicant / Petitioner / Respondent and a scheme/guideline/OM outlining Government policy has been quashed.	The Administrative Ministry may take necessary consultation with DoP&T and DoLA. The Administrative Department may file Writ Petition / Special Leave Petition (as the case may be) in consultation with Department of Legal Affairs (DoLA) and Department of Public Relations (DoPR).
4. CAT or a Higher Court has upheld Government's stand.	The Administrative Department may file Writ Petition / Special Leave Petition (as the case may be) in consultation with DoP&T and DoLA. The case may be sent to DoPR for examination and report.