

Appeal Rules Under Section 60

MADHYA PRADESH

India

Appeal Rules Under Section 60

Rule APPEAL-RULES-UNDER-SECTION-60 of 1963

- Published on 31 January 1963
- Commenced on 31 January 1963
- [This is the version of this document from 31 January 1963.]
- [Note: The original publication document is not available and this content could not be verified.]

Appeal Rules Under Section 60Published vide Notification No. 7-U-18, dated 31-1-1963, Gazette, Part 2, dated 22-2-1963

1. Definitions.

- In these rules unless, the context otherwise requires,-(a)"Act" means the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956);(b)"Commissioner" means the officer-in-charge of Revenue administration of a division.

2. [Appellate Authority. [Notification No. 585-XVIII-I-79, dated 3-5-1979.]

- An appeal under sub-section (7) of Section 60 of the Act shall lie-(i)in the case of a Municipal Officer or Servant holding post carrying a maximum scale of pay not exceeding four hundred rupees, to Revenue Commissioner of the division concerned, and(ii)in the case of any other Municipal Officer or servant, to the State Government.]

3. Period of limitation for appeals.

- An appeal under sub-section (7) of Section 60 of the Act shall be preferred within forty-five days, of the date on was prevented by sufficient cause from filing the appeal in time.

4. Manner of appeal.

(1)Every appeal to the appellate authority under sub-section (7) of the Act, shall be preferred in the from a memorandum signed by the appellant and filed either personally or by registered post.(2)Every such memorandum shall be accompanied by a copy of the order appealed against and shall contain all material statements and arguments on which the appellant relies and shall be complete in itself.

5. Consideration of appeal.

- The appellate authority may, after giving the appellant an opportunity of being heard, pass such orders on the appeal as it thinks fit.

6. Application of Limitation Act.

- Subject to any express provision contained in the Act and these rules, the provisions of Indian Limitation Act, 1908 shall apply to all appeals under these rules.

7. Transitory Provision.

- All appeals filed by Municipal Officers or servants who are discharged during the period of probation or on whom a penalty is imposed, pending before any other appellate authority immediately before the commencement of these rules, shall on such commencement stand transferred to the appellate authority prescribed by these rules and shall be disposed of by it as if they were appeals entertained by it according to the provisions of these rules.