

Contents

ADMINISTRATIVE TRIBUNALS ACT, 1985

PAGE

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement *1*

2. Act not to apply to certain persons *2*

3. Definitions *3*

CHAPTER II

ESTABLISHMENT OF TRIBUNALS AND BENCHES THEREOF

4. Establishment of Administrative Tribunals *6*

5. Composition of Tribunals and Benches thereof *7*

6. Qualifications for appointment as Chairman, Vice-Chairman or other Members *9*

7. Vice-Chairman to act as Chairman or to discharge his functions in certain circumstances *12*

8. Term of office *12*

9. Resignation and removal *13*

10. Salaries and allowances and other terms and conditions of service of Chairman and other Members *13*

10A. Saving terms and conditions of service of Vice-Chairman *14*

10B. Qualifications, terms and conditions of service of Chairman and Member *14*

PAGE

11. Provision as to the holding of offices by Chairman, etc., on ceasing to be such Chairman, etc. *14*

12. Financial and administrative powers of the Chairman *15*

13. Staff of the Tribunal *16*

CHAPTER III

JURISDICTION, POWERS AND AUTHORITY OF TRIBUNALS

14. Jurisdiction, powers and authority of the Central Administrative Tribunal *16*

15. Jurisdiction, powers and authority of State Administrative Tribunals *20*

16. Jurisdiction, powers and authority of a Joint Administrative Tribunal *22*

17. Power to punish for contempt *22*

18. Distribution of business amongst the Benches *24*

CHAPTER IV

PROCEDURE

19. Applications to Tribunals *24*

20. Applications not to be admitted unless other remedies exhausted *26*

21. Limitation *27*

22. Procedure and powers of Tribunals *28*

23. Right to applicant to take assistance of legal practitioner and of Government, etc. to appoint presenting officers *30*

24. Conditions as to making of interim orders *31*

25. Power of Chairman to transfer cases from one Bench to another *32*

26. Decision to be by majority *33*

27. Execution of orders of a Tribunal *34*

CHAPTER V

MISCELLANEOUS

28. Exclusion of jurisdiction of courts except the Supreme Court under article 136 of the Constitution *35*

29. Transfer of pending cases *35*

29A. Provisions for filing of certain appeals *37*

30. Proceedings before a Tribunal to be judicial proceedings *37*

31. Members and staff of Tribunal to be public servants *38*

PAGE

32. Protection of action taken in good faith *38*
33. Act to have overriding effect *38*
34. Power to remove difficulties *38*
35. Power of the Central Government to make rules *39*
36. Power of the appropriate Government to make rules *39*
36A. Power to make rules retrospectively *40*
37. Laying of rules *40*
SUBJECT INDEX *41*

CENTRAL ADMINISTRATIVE TRIBUNAL (PROCEDURE) RULES, 1987

1. Short title and commencement *45*
2. Definitions *45*
3. Language of the Tribunal *46*
4. Procedure for filing applications *46*
5. Presentation and scrutiny of applications *47*
6. Place of filing application *48*
7. Application fee *49*
8. Contents of application *49*
9. Documents to accompany the application *49*
10. Plural remedies *50*
11. Service of notice and processes issued by the Tribunal *50*
12. Filing of reply and other documents by the respondents *51*
13. Date and place of hearing to be notified *52*
14. Calendar of cases *52*
15. Action on application for applicant's default *52*
16. *Ex parte* hearing and disposal of application *52*
17. Application for review *53*
18. Substitution of legal representatives *54*
19. Adjournment of hearing *54*
20. Order to be signed and dated *54*
21. Publication of orders *54*
22. Communication of orders to the parties *55*

PAGE

23. Inspection of the records *55*
24. Order and directions in certain cases *55*
25. Registration of legal practitioner's clerks *55*
26. Working hours of the Tribunal *56*
27. Sitting hours of the Tribunal *56*
28. Powers and functions of the Registrar *56*
29. Additional powers and duties of Registrar *57*
30. Additional powers of the Registrar of the Principal Bench *57*
31. Seal and emblem *58*
32. Dress of the members and staff of the Tribunal *58*
33. Dress of the parties *58*
Form I: Application under section 19 of the Administrative Tribunals Act, 1985 *58*
Form II: Receipt Slip *60*
Form III: In the Central Administrative Tribunal *60*
Form IV: Application For the Registration of a Clerk *61*

CENTRAL ADMINISTRATIVE TRIBUNAL RULES OF PRACTICE, 1993

CHAPTER I

PRELIMINARY

1. Short title *62*
2. Commencement *62*

CHAPTER II

DEFINITIONS

3. Definitions *62*

CHAPTER III

PREPARATION AND PRESENTATION OF PLEADINGS AND OTHER PAPERS

4. Preparation of pleadings and other papers *63*
5. Date and signature *63*
6. Attestation *63*

PAGE

7. Production of authorisation for and on behalf of an association *64*
8. Procedure on production of defaced, torn or damaged documents *64*
9. Receipt of papers *64*
10. Date stamping of papers and maintenance of Inward Register *64*

CHAPTER IV

SCRUTINY, REGISTRATION, NUMBER AND POSTING FOR ADMISSION/ORDERS

11. Scrutiny of application/petition/other pleadings and papers *64*
12. Maintenance of order sheet *65*
13. Classification of papers *65*
14. Submission of case files to Registrar *66*
15. Registration and Numbering *66*
16. Maintenance of IPOs/DDs register *66*
17. Rectification of defects *66*
18. Posting of cases for admission/orders before the Bench *67*
19. Posting of urgent cases *67*
20. Matters to be attended to prior to commencement of sitting *67*
21. Maintenance of court diary *68*
22. Statutes/Citations for reference *68*
23. Calling of cases in court *68*
24. Regulation of court work *68*

CHAPTER V

SERVICE OF NOTICE

25. Issue of notice *68*
26. Steps for issue of fresh notice *69*
27. Consequence of failure to take steps for issue of fresh notice *69*
28. Service of notice, etc. on legal practitioners *69*
29. Form of notice *69*
30. Entries regarding service of notice/process *69*

CHAPTER VI

FILING OF REPLY STATEMENT/REJOINDER

31. Case deemed to be ready on failure to file reply in time *69*
32. Filing of rejoinder *69*

PAGE

33. Papers not to form part of the records *70*

34. Incorporation of amendments, filing of additional reply, etc. *70*

CHAPTER VII

PROCEEDINGS BEFORE REGISTRAR'S COURT

35. Matters to be listed before the Registrar's court *70*

36. Cause list for Registrar's court *70*

37. Recording of proceedings *70*

38. Inclusion of cases in the ready list when pleadings are complete *71*

CHAPTER VIII

PREPARATION OF READY LIST, WARNING LIST, DAILY CAUSE LIST AND POSTING OF CASES

39. Maintenance of ready list *71*

40. Preparation of warning list *71*

41. Publication of warning list *71*

42. Preparation and publication of daily cause list *71*

43. Carry forward of cause list and adjournment of cases on account of non-sitting of a Bench *72*

44. Supply of cause list *72*

45. Request for adjournments *73*

46. Maintenance of Stage Register and Posting Register *73*

47. Early hearing of cases *73*

48. Vacation Bench sittings and posting of cases *73*

CHAPTER IX

POSTING OF REVIEW APPLICATIONS

49. Posting of review applications *73*

CHAPTER X

FULL BENCH MATTERS

50. Preparation and filing of paper books on reference to the Full Bench *74*

51. Circulation of order of reference to other Benches *74*

52. Seeking orders of Chairman for constitution of Full Bench and fixing date of hearing *74*

53. Conveyance of the orders of the Chairman *74*

PAGE

54. Notification regarding Full Bench hearing *74*
55. Circulation of Full Bench decision/opinion *75*

CHAPTER XI

INSPECTION OF RECORDS

56. Grant of inspection *75*
57. Application for grant of inspection *75*
58. Fee payable for inspection *75*
59. Mode of inspection *75*
60. Maintenance of register of inspection *76*

CHAPTER XII

LEGAL PRACTITIONERS BEFORE THE TRIBUNAL

61. Appearance of legal practitioners *76*
62. Appearance on behalf of Government, etc. *76*
63. Nomination or engagement of another legal practitioner *76*
64. Consent for engaging another legal practitioner *76*
65. Restrictions on appearance *76*
66. Access to information *77*
67. Form and execution of *vakalatnama* *77*
68. Restriction on party's right to be heard *77*
69. Professional dress for the advocate *77*

CHAPTER XIII

REGISTERED CLERKS OF LEGAL PRACTITIONERS

70. Prohibition of employment of tout *77*
71. Disqualification for registration of clerks *78*
72. Registration of legal practitioner's clerks *78*
73. Cancellation of registration *78*
74. Notifying registration and cancellation *78*
75. Issue of identity card *78*
76. Access to information by registered clerks *78*
77. Carrying out corrections *78*
78. Discharge of duties of an absentee clerk *79*
79. Presentation and return of papers *79*

PAGE

CHAPTER XIV

AFFIDAVITS

80. Title of affidavits *79*
81. Form and contents of the affidavit *79*
82. Corrections/erasures, etc. *79*
83. Persons authorised to attest *79*
84. Affidavits of illiterate, blind, etc. *79*
85. Identification of deponent *80*
86. Annexures to the affidavit *80*

CHAPTER XV

DISCOVERY, PRODUCTION AND RETURN OF DOCUMENTS

87. Application for production of documents, form of summons *80*
88. *Suo motu* summoning of documents *80*
89. Marking of documents *80*
90. Return and transmission of documents *81*

CHAPTER XVI

EXAMINATION OF WITNESSES AND ISSUE OF COMMISSIONS

91. Procedure for examination of witnesses, issue of commissions, etc. *81*
92. Examination in camera *81*
93. Form of oath/affirmation to witness *81*
94. Form of oath/affirmation to interpreter *81*
95. Officer to administer oath *81*
96. Form recording of deposition *81*
97. Numbering of witnesses *81*
98. Grant of discharge certificate *82*
99. Witness bhatta payable *82*
100. Records to be furnished to the Commissioner *82*
101. Taking of specimen handwriting, signature, etc. *82*

CHAPTER XVII

PRONOUNCEMENT OF ORDER

102. Order *82*

PAGE

103. Operative portion of the order *82*
104. Corrections *82*
105. Pronouncement of order *82*
106. Pronouncement of order by any one Member of the Bench *83*
107. Authorising any member to pronounce order *83*
108. Making of entries by court officer *83*
109. Transmission of order by the court officer *83*
110. Format of order *84*
111. Costs *84*
112. Compliance of urgent orders *84*
113. Placing copies/common orders *84*
114. Indexing of case files disposal *84*
115. Transmission of files/records/orders *85*
116. Copies of orders in library *85*

CHAPTER XVIII

GRANT OF CERTIFIED COPIES AND FREE COPIES

117. Form and fee of application *85*
118. Right of the party to obtain certified copy *85*
119. Application for copies by stranger *85*
120. Register of copy application and requisition register *85*
121. Copying fee *86*
122. Scrutiny of copy application, requisitioning of case records and rectification of defects *86*
123. Determination of additional copying fee *86*
124. Remittance of additional copying fee *86*
125. Order of preparation of certified copy *86*
126. Time limit for issue of urgent/ordinary copy *86*
127. Notifying when copies are ready for delivery and consequence of not taking delivery *86*
128. Proper accounting of copying fee received *87*
129. Preparation and comparison of certified copy *87*
130. Re-transmission of case records *87*
131. Mode of delivery of certified copy *87*
132. Request for certified copy by post *88*

PAGE

133. Intimation of rejection *88*
134. Supply of free copy only once *88*
135. Certifying of free copies *88*
136. Time for furnishing free copies *88*
137. Furnishing of free copy in a joint application *88*
138. Furnishing of corrected free copy of order *88*

CHAPTER XIX

APPEALS TO SUPREME COURT

139. Manner of service of order/notice issued by the Supreme Court of India *89*
140. Steps to comply with Supreme Court directions *89*
141. Register of SLPs/appeals *89*
142. Placing of Supreme Court orders before Chairman/Vice-Chairman/Members *89*
143. Circulation of the orders of the Supreme Court *89*
144. Registrar to ensure compliance of Supreme Court orders *89*

CHAPTER XX

RETENTION, PRESERVATION AND DESTRUCTION OF RECORDS

145. Procedure regarding retention, preservation and destruction of records *89*
146. Receipt, scrutiny and custody of records *90*
147. Rectification of defects/securing of missing records *90*
148. Maintenance of Register of Records received in the record room *90*
149. Entry regarding destruction *90*
150. Preservation of records requiring permanent retention *90*
151. Retention of records beyond prescribed period *90*

CHAPTER XXI

MISCELLANEOUS

152. Circuit Benches *90*
153. Use of computers *90*
154. Classification of cases subject-wise/department-wise *91*
155. Weekly and monthly statements—Furnishing of *91*
156. Inspection of Registry *91*

PAGE

157. Due compliance with the Act, Rules of Procedure and the Rules of Practice *92*

158. Removal of doubt/difficulty *92*

Form 1: Form of Index *92*

Form 2: Report on the Scrutiny of Application *92*

Form 3: Report of the Scrutiny of Contempt of Court Petition (Civil/ Criminal) *94*

Form 4: Order Sheet *96*

Form 5: Classification of papers *96*

Form 6: Rectification of defects *97*

Form 7: Process Memo *97*

Form 8: Form of notice *98*

Form 9: Form of notice *99*

Form 10: Application for Inspection of Documents/Records *99*

Form 11: Memo of Appearance *100*

Form 12: Form of Vakalatnama *100*

Form 13: Identity Card *101*

Form 14: Affidavit *101*

Form 15: Certification When Deponent is Unacquainted with the Language of the Affidavit or is Blind or Illiterate *102*

Form 16: Summon for production of documents *102*

Form 17: Deposition of PW/RW *103*

Form 18: Certificate of Discharge *104*

Form 19: Format of Order *104*

Form 20: Bill of Costs *105*

Form 21: Index Sheet *105*

Form 22: Application For Grant of Certified Copy *106*

Form 23: Notification of Certified Copies Ready For Delivery *106*

Form 24: Statement Showing Disposal of Cases *107*

Form 25: Statement Showing the Position Regarding Institution, Disposal and Pendency of Cases For the Month *108*

Form of Register No. 1: Inward Register *109*

Form of Register No. 2: Register of original applications transferred applications review applications contempt petitions petitions for transfer miscellaneous applications *110*

Form of Register No. 3: I.P.O./D.D. Register *111*

PAGE

Form of Register No. 4: Court Diary *111*

Form of Register No. 5: Ready List of OAS/RAS/TAS/CPS (Civil/Crl.)/ P.Ts./M.As. *111*

Form of Register No. 6: Stage Register *112*

Form of Register No. 7: Posting Register *112*

Form of Register No. 8: Register of Inspection *112*

Form of Register No. 9: Register of Registered Clerks of Legal Practitioners *113*

Form of Register No. 10: Register of Copy Applications *113*

Form of Register No. 11: Requisition Register *114*

Form of Register No. 12: Despatch Register of Free Copies of Orders *114*

Form of Register No. 13: Register of S.L.Ps/Appeals To Supreme Court *114*

Form of Register No. 14: Register of records *115*

APPENDIX I: Order No. 1/32/87-JA, dated 18-12-1991 *115*

APPENDIX II: Order No. 13/19/91-JA, dated 18-12-1991 *116*

APPENDIX III: Order No. 1/32/87-JA, dated 20-1-1992 *117*

APPENDIX IV: Notification No. 13/19/91-JA, dated 18-2-1992 *118*

APPENDIX V: Central Administrative Tribunal (Destruction of Records) Rules, 1990 *120*

APPENDIX VI: Department-Wise Classification of Cases *128*

APPENDIX VII: Subject-Wise Classification of Cases *130*

APPENDIX VIII: Subject-Wise Classification of Cases *131*

APPENDIX IX: Format For Inspection of Judicial Sections *132*

CONTEMPT OF COURTS (CAT) RULES, 1992

1. Short title and commencement *152*

2. Definitions *152*

3. Form of motion *153*

4. Parties to the proceedings *153*

5. Contempt of the petition *153*

6. Taking cognizance *154*

7. Initiation of proceedings *154*

8. Preliminary hearing and notice *154*

9. Compelling attendance *154*

10. Appearance of the respondent *155*

11. Reply by the respondent *155*

PAGE

12. Right to be defended by an Advocate *155*
13. Hearing of the case and trial *155*
14. Assistance in the conduct of proceedings *156*
15. Procedure for trial *156*
16. Expenses of witnesses *156*
17. Execution of sentence *156*
18. Execution of processes *157*
19. Procedure on forfeiture of the bond *157*
20. Apology at any stage of the proceedings *157*
21. Costs *157*
22. Application of other rules of the Tribunal *157*
23. Application to pending proceedings *157*
Form No. I : Notice to Respondent *158*
Form No. II : Warrant of Arrest *158*
Form No. III: Charge *159*
Form No. IV: Warrant of Commitment to Prison *159*
Form No. V : Warrant For Attachment of Movables *160*
Form No. VI: Warrant of Attachment By District Collector/Deputy Commissioner *161*
NOTIFICATION *162*