

ANDHRA PRADESH ADMINISTRATIVE TRIBUNAL (PROCEDURE) RULES, 1989

(i .q-7.)-127 RÉGISTERED NO. D (D.N.) 127 No. 563] MINiSTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS P:-rscnnel and Training) (Depak NOTIFICATIONS Che Gazette of *diac EXTRAORDINARY PART n—Secüon 3—Sub-section (i) PUBLISHED BY AUTHORITY 26, 4, 1911 NEW DELHI, THERSDAY, OCiOBER 26, 1989/KARTIKA 4, 1911 Separate Paging is given to this Part in order that it may be filed as a separate compilation 2 6 1 989 1985 (1985 13) Efi 4 1 1989 3051 GI/89 New Dejhi, the 26th October, 1989 In exercise of the pawers conferred by G.S.R. 928 sub-section (2) of section 4 of the Tribunals Act, 1985 (13 of 1985), the Central Government on receipt a request in this behalf from the Government of Andhra Pradesh hereby establishes the Andhra Pradesh Administrative Tribunal with affect from the 1st day of November, 1989 which shall be the :appointed day' within the meaning of clause (c) of y:ction 3 of the Act. [ND. (i)-AT] 2 THE GAZETTE OF INDIA EXTRAORDINARY [PART 11-SEC. 37füfiz:rq, 1985 (1985 13) 35 (2) 6) 67, (1) (fiitfr) a-rtE (1985 13) (T) 19 1961 (1961 25) g-fr#" 28 (2) (3) (ST) '3Fa-f« 29 (1) (z) (3) "üfiTOT" 4 Tfr- yr-fr•s-a• ft-a-r q• q-a-r ii)] qrgtrr (3) (4) qlf« äET, 15 q•rq 3 (iii) 25 50 f%qr (3) 19 - Ill I a-fi 4 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 30] fq-•qr (iii) J ft-fix (3) äTXT "«TFß7TKT" i 10. 1 1. *f-e--g (1) äTq (ii) QTZ (iii) (4) (1) f*ir (ii) (i) *rfz-€ (ii) q•TK 1 2. EITT GTFTT [RII 3(i)] a-T-ä 1908 5) äTx•r tr, Qtr 13. 14. : _ ZTXT I q•zfir 1975 (ii) (iii) 5 1956 (1956 73) qf0TFF«q, 16. 17. *7TT I 41 18. _ 6 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 307)) fitrr fi--€r 19. 30 30 20. 1) 30 31fr 21. ft4T 4Tä 22. qTöt (i) OTT (ii) 23. f*--ü 24. Tr srfaq tt ft-ü t, ft---ät fi, TütTr 26. 3(i)] (1) frtr fifi\$' I (6) ft-fff ft-ü 28. 9. 30 ft-Rr 10.30 1.30* 2 30 5 . O 7 30. :- (1) Rü- er *iff2Tr 7:TXT 33. 8 1. 2. 4

6. THE GAZETTE OF INDIA EXTRAORDINARY qfrfræ ö-.%rå tff#- 1 1985 19 [PART II—SEC. 32 1. ftfrfzqi• — (iii) (ii) (iii) 9 (ii) 985 2 i , rTF 3iäf*æ f*-aft .T--ffi 12. G OF IN-nn : F .—in exercise of the powers c-unfeL- G.S.R. 929(E) red bv (1,) read vyilh clauses (e) und section 35 0! the Administ- (f) of sub-section (2) rative Tribunals Act, 1985 (13 of 1985 hereby r-aakes the ly:— (I Short title and commencement. (l) may be called the det,h Administrutne- their in the cflieial (2) Definitions.—In these rule' 'dluess otherwise requires;— (a) ••Act" meaps the Adnlntstrativ Act. 1985 (13 of 1985); the Central l'.ij± uamc- (P EOCedi.le) uazette. the context Tribunals ten t-e»lv Inean,, an appiicatiell writ* under n,ceified in A1)DtndL1 me anine "Registrar" • the Bench and Benches . and include means in relation to tha ed , Tribu- appointed to the Principtfl m rvuation to each of the other Tribuna} shall rneafi the Re-parucufrr Ben eh anv .officer to whom the powers 12 (h) THE GAZETTE or : EXTRAORDINARY and functions o? the Registrar be dele- gated f 2 i "Registry" rneens the Registry of the Tri- hun,i! or of '.12., bcnc.h of the case may be . (i) "Section" a r--,cctron ot lhe .\ct: -rransi'e.crcd Ineas the suit at other proceedm•2 which has been trun:ter- under (t) 0? sub-section (2) of Section (k) ' 'Tribunal" .m:ans the Andhra Prade>h Ad- minis e bub- (I) the yo.rds and used net detin- ed rules but defined in the Act shall have same meanings respectively assigned to ft; am in Ehe Act. Language of the ia_iüauage ot the Shal! be EL121ish Provided that the to a before the Tribunal Iny. file documents drawn up in •relied" they so desire, Provided further th' a;, a Bench n'av in cretion permit the use o? '[elegu in the proceedings. However, the final order shall be in Engiish (b) The Bench. h sub-tufts (1) .üllt one Dezson {o i.ogetfit:r file 3 single fied, having tc. cause of aeuon and the natin•e interest in matter. also representatinz a 'Yie appiication (2) (4) per •Otis -I he RC2istrar Ci the officer authoriy:d by him under 4. shall endorse on every application the date on which il present- or deemed to har.e been un«er Sha}; the If, on scn.itinv. tne appiicüti01t fu,illid to be in order. ir duly and Dive-n a serial number. sccutl_nv. is f0i.ilid to be detective lhe defect noticed is for- mad in nature. Registrar may allow the party rectiij the spme in his pre: ence, aüd if ehe defect rJ.o: formal in na- cretion. direct translation of pleadings document?) to be filed

4. Procedure for filing an application by the applicant in person or by a legal practitioner to the Registrar or other authorised person, and by the applicant as he may deem fit. The Registrar or other authorised person shall address the application to the Registrar of the concerned. The application shall be presented in triplicate in a plain paper-book form along with one unused file envelope containing the full address of the applicant. (3) Where the number of respondents is more than one, as many extra copies of the application in triplicate as there are respondents with unused file envelopes containing the full address of each respondent shall be furnished by the applicant. That when the number of respondents is more than one, the Registrar shall file the extra copies of the application at the time of the receipt of the application. (4) The applicant may attach to and with his application a receipt slip in



Form 11 which be signed by the Registrar or the Cfi;cei. • ieceiving the application n 'f jn. acknowledgement If the applicant to .pectil'y the defect within the iinye allovred uncler stib-rule (3), the Recistfāl rmay, bv oraer and for rea- sons to be recorded in writing, deciiine to applicauon the applicant accordiü'-•lv. the sub-rule raay be reterred by {lie ver- son ägurit•ved wiihin. fifteen days from the case oi' Principal Bench and the Vice• Chairman cc.nccrn_ed, in the case o, any other Bench and such appeal mey be dealt with and disposed in Chairman or lhe Vice-Chai:mar- concerned or in their anv authorised by the Chairnian by special or genecal or- der, whose decision thereon shan be final



Form III. 9. _Docui1E.' _nt.s -j ine (2) (3) Registry ef the Iii.bunai, ment, tovether with an o? service. Notwithstanding a contained in Qilb-nde (l) Tribunal mav. t;) into account the number (h esponcients and Eheir p!aces of residence or cucum.stances. direct app}ication shall be served pondellts anv other .or substituted anv manner appears to the -rribunal iu.fi an vthiü-' regard to the case. direct the on the Ceuil.seß by the State Gove.rnme work and other upon includire it and such or anv Demut- Every be book containing:— (i) an attested brue ef the (ii) copies of th l?.licd applica_ at p.nd referred tion (iii) an index of the documents. ment Df the State notice uciess ordeced. be accompanied application along with a azainst the copy of the paper-Iwo' every applicant sers,nce or executi{, an a sum of rup;--, in respect re,pon- (2) The documen!s to sub-rule (1) mav be attested by a legal practitioner or by a gazetted officer and each shah be marked seriallv as Annexure A1, A2 A 3 and SD on. (3) Where an application is fled by an at.zent. documents ilim to act as such agent shall also to t! Provided that M-vhere an appiieution -is filed by a leual practitioner, It be accompanied by duly cx- ceuted ft). Plural — An application shall ed upon a single cause ot action and may seek one or more previd, th•A4 + dent in excess of file ; or (i') where the service i!} a manner as (7) (8) the Tribunal mas.' uncler (3) such ü stun. the actual charges incurred in the as mav be determined th;. Tri'sznl. The fee for under sub-rule {3 i Sha!! in the Qiannei• prescribe:g in rule 7 one week of th?• mitijng the extended as the Reaistrar m-3*,•• n} It. Notwithstandint2 anything contained in sub- rules (l) (e (4), if the is satisfied that it is not -irk it mav, for reasons be recorded in 14 THE GAZETTE OF INDIA : EXTRAOR writh;g, direct that the applicæivn shall be heard notwithstanding that son)' of ro- pondents have not been *erved with ot lhe applicacion Provided that no application shall be heard (i) notice of the application has bec-ii on Central Government Govern-nent, if such Goy :rnment pondent ; (ii) notice of the application has been on the authority v. hich against which the applicztti0?_ tiled ; and notice serve :PEC'I ided that Benches the I SibunuJ 1 -.1LCh pluc. •s as Stale Government notification, -specify . PLU'üded thul If at time. ei the Tribunal is satisfied that circumstances exist v, hich render it necessary to hzBe sittines of the said Bench at any place falling within its territoriu! iuyisdietiu. _ It erdinarifi uthel' than the place places at the Chaiyman nuv direct ti•at the Bench Shall held its sittings unv >uch such peliod as may be specified, 15. Bench. ef anv numbec pct less than and the may be mined by a Fuli Bench, namt\ v (iii) the Tribunal is satisfied that the intere ot the respondents on notice of the application has not been served ad-:- quately and sufficiently represented by the respondents on whoa} notice of the a-ppli- cation has been served

12. Filing of reply and other documents by the respondents :— i) Each respondent intending to contest the application, shall file in triplicate the reply to the application and the documents relied upon in paper book



form v.,iti! the within one Inonth of the serviee of 110t1ce ot the application on him. In the reply tiled under yhul_l specificallr..- admit. respondent explain the facts stated 'ov thc in his appctication also stato- additional facts as may be found nece,,ary for the just decision ot: t:ae casc. be signed and verified as a state- ment bv the respondent or anv other duly authorised by him in riting in as provided for in Order VI rule 15 of the Code c.f Civi} Pceedure. 1908 (5 of 1908). (3) The documents referred to in sub-rule (2) re.Plv and the same shall be mark:-d as RI, R? and so on. (4) The respondent Shal] also serve a cc-pv of the aiong with mentioned in sub-rule (1) on the applicant if anv and file proof of lezal practitioner, such service in the Registry, filin;2 of the replv (5) The Tribunal mav allog,• after the expiry of the prescribed period. to be notified

13. Date and place ot: hearifi" The •Tribunal the parties the date and (iii) (2) (3) mattcEs invoke tnt of -Andhya of the provision-i ct the Public Employazsnt (O! zaniS2tic•2 ot Local Cadres Ri. •zulations Direct ment) Ordte, 1975 et any order made under ; all matters arising out of the anv serviceb the State equent on thc Drovzions of the States Recæanisation Act, 1956 (37 of 1956) ; anv other inutter which referred to. it, Provided that in cusc OL' cases wheye the Chairman. to the natl!tc et the involved. of the that it by a Full Bench of 2e be so bv as deem fit, tae htannté eL transfe•ed as pué3ibie heat and according to calendar, application ±hafl Even decided. far as possible. and. a: six months from the date of its The Tribunal shall have the power tu dec- line an adicurnnyent a!3: _!_ time for eral arguments. the place as the C}l.ttirman direct

14. Sittings of ordinarily held its the in such i nay the Tribunal—The Tribunal - •hall at Hvdcrabad 17. Action on application for applicant's default : (1) Where on the date tix-ed [or hearing of th3 application or on any other date to which such hearing may be adjourned. the cant does not apear when the npplication is called for hearing, the Tribunal may. in its discretion, either dismiv; the application fer default or hear and decide it rat!it. (2) Where an application has been dismissed for default and the applicant files an appli- cation within thirtv davs from the date of dismissal and satisfies the Tribunal there was sufficient cause for his non-appear- ance when the application was called for hea_ring. the Tribunal shall mukre an order aside the order üpph• Provided, however, where the case disposed on merits the decision shall be responded except by way oi review. was not 1S- Ex-Parte hearing and disposal of application :— (1) or. the date fixed for hearing the application or on any other date to Thich such hearing may he adjourned, the appli- cant apiears and the respondent does not appear when the application called for discretion hearing, the Tribunal may, in its adjourn the hearing or hear and decide the application ex-partö. (2) Where an application has been heard ex- parte against a respondent or respondents. such respondent. or respondents tmay apply to the Tribunal for an order to set il aside and if such respondent or respondents, satisfv the Tribunal that the notice was not duly served, or that he or they were pre- vented by any sufficient cause from appear- ing when the application was called for hearing the Tribunal may make an order setting aside the ex-parte hearing acain;t him or (Ilem upon such term; es it think; fit. ar,d shaii. appoifit a dav fo: procedins tite anp icatit.n Prateided that Where the ex__partc i; of such nature that it aside as against ;- spondCfit it aside as against ar any cf the othet resp.-,ndenfr Provided further that in casc-c. covered by sub-rule (8) of rule 11. the Tribunal Shali net set aside. ex- parte heariEi2 of an application 011 the ground that it was not served upon fi respor:dent ot respon- dents

19. Review of application to be filed withn thirtv davs.—xo application for review shall be ?ntertained unless it is filc.-l within thirty days from the dafe cf the of which the review is 20. Substitution of legal representative; Tn the ca;e, of death. of a parts th' he\$vre. pendencv of the proceedinzs: Tribunal. the legal representativ,-s of the deceased partv mav wilhin (l'iirtv ef the date of such death for brought on record as necessary part?es. (2) no application rec.?ived the legal representatives within the perioä ..neci- fied in the proceedxzs c:.ai.3ii the -rtr- Shali •Provided fihat on coed anc. mav ret asiäe o: anatement ana Gib;titude the tegai rcpt-.qentatives

21. Adicurnrnt oi hearing —The Tribunal n-tav if sufficient cause is shown at anv of proceedings erant time to the parties or anv of them. and the hearing cf the aoplicatir•n The T Tibuaal make such order a; it think; fit cost:-, the adiotrnrnt 15 22. Order to be signed and dated shali be in (i) Every order of the Tribunat writing and shall be signed by the Menlbet or Members constituting the Bench, which pronounced the order. (ii) The orders shait be pronounced open court 23. Publication of orders.—Any order of the Tri- bunal deemed fit fer publication in any authoritative report or the press may be released

for such publication on such terms and conditions as the Chairman or the Vice-Chairman concerned may specify by general or special order

24. Communication of orders to parties .a) (2) Every interim order granting or refusing or modifying interim relief and final order passed on any application shall be communicated to the applicant and to the respondent concerned either by hand delivery or by registered post free of cost. If the applicant or the respondent to any proceeding requires a copy of any document or proceeding the same shall be supplied to him on such terms and conditions on payment of such fees as may be fixed by the Chairman by general or special order

25. Inspection of the records .(2) The parties to any case or their Counsel may be allowed to inspect the record of the case on making an application in writing to the Registrar. Subject to such terms and condition; may be prescribed by the Chairman by a general or special order a person who is not a party to the proceeding. may also be allowed to inspect the proceedings after obtaining the permission of the Registrar in writing

26. Orders and directions in certain cases.—The Tribunal may make such orders or give such directions as may be necessary or expedient to give effect to its orders or to prevent abuse of its process or to secure the ends of justice



let-'9! nractitioner desirous of re•listering his clerk shall make an applieation to the in Fortn I V. (On such application being allowed by the Rezistrar, his name shall Fe entered in the Register of Clerks. 16 (3) (4) Tribnnoi After rc2i<-ration of shall the hilli which he prod [Iced request by an offFcc•r clerk, the Registrar the an identity eari.i to n: '-n-transfcrabli_', holder upon olhec employees ef or the Tribunal authori*c.d in this behalf. identit•v' card shall be issueci under the sie- nature thc Benen cane-crned. A register 01' all the res-'istered sub-ruie (2) shall be nkaintained in office the Registr;-n• each Bench. A lezal practitioner Shall}

have at a time than two ce-2istered clerks unieess not Recisirar hv general or speeial order Whenes-ei. a
leal prilict;tlonet• ceases to c. re-2istered clerk, ho shall employ the fact once to the Registrar bv means of
a Jett-er therewith the identity card iss•neu his clerk bv the registry and on Cif se.ch letter the name o? the
said re±istered clerk ire struck of} the ante 29. Sittinu- o! the hoors the Cha 11 aril v p.m. to n.m. subjeer
orcie-r IMü•de bv lhe Chüi!nali. macie Etnerai ot spec:th with the prior approv31 Functions of h such
ether functions se rules or _lee-Chaianat-: the Chairman toe custodv a ad sh@ll Rise assikrned to {urn
Chai(tnan Rench cc.ncerned aPPl-•ovei of V; ' -!-Chairnran 31. seal and and official seal such as the State
crni)lcm of the ribunal shall Govecnment specify. .-2. Dc•es.s of tha Members and staff of the Tri-
bunal.—The dress for the _:Me.imbers of the Tribunal (jnefudinZ Chaireya'i and Vice-Chairman) and
Mem- bers oi the as the snal_i b? specify. . Dress of the parties.—A practitioner or, as the case may be, a
presentin•z oflieer shall appear before the Tribunal in his professional dress. if any ond if there is no suh
dress . if a male, in a closed collared coat and trousers or in a lounge suit: female, in a saree or any other
cus- (iuzss ot sober colour. !NO. A-11019 APPENDIX A FORM

FORM 1 (See rule 4) APPLICATION UNDER SECTION 19 OF TRIBUNALS ACT, 1985 JINDF.IX of upon 3 . c? the apt. • uicanl For use in Tribunal s (he Chairman or of the Bench concerned legate to the Deputy Registrat any funet! 01i or power required rules to be nerfnrmed or exercised by the the functier; q Regi Dare ot' ipt 'ty post by Cl;aiti lE'Tl. the seal shall b? gilixed to at]V or special direction of the Tribunal o f(ier. sunnme;-i.s (he Deput\ QIQIi Regisiraz •. Sigoaiure for Registtac. PRADESH ADMINISTRATIVE BENCH APPL ICANT \PPLICATION : anp\icon! 17 (iv) (v) (vi) 3(i)] Designation and particulars of office (name and station) in which employedlor was last employed before ceasing to be in service. Office address Address for service of notices 2. Particulars of the respondent (i) (ii) (iii) (iv) (vi) Name of the respondent : Name Of FatherlHusband Age of the respondent Designation and particulars of omce (name and station) in which employed Office address Address for service of notices

9. Relief(s) sought In view of the facts mentioned in para 6 above the applicant prays for the following relief(s) : (Specify below the relief(s) sought explaining the prev. • sions ground for relief(s) and the iega (if any) relied upon)

10. Interim order, if any prayed for : Pending final decision on the application, the appli- cant seeks issue of the following interim order (Give here {he nature of the interim order prayed for with reasons) application -being sent by 11.In the event of Registered Post, it may be stated whether the appli- cant desires to have oral hearing at the admission stage and if so he shall attach a self-addressed Ppst Cardilnland Letter at which intimation regarding the date of hearing could be sent to him

12. Particulars of Bank Draft}Postal Order in res- pect of the Application Fee

3. Particulars of the order against which application is made.The application is against the following order . (i) Order No. with reference to Annexure (ii) Date (iii) Passed by (iv) SUBject in brief 4. Jurisdiction of the Tribunal The apphcant declares that the subject matter or the order against which he wants redressal is within the jurisdiction of the Tribunal

5. Limitation The applicant that the subject matter of is within the limitation prescribed in section 21 of the Administrative Tribunals Act, 1985 6.Facts of the case • The facts of the cose are given below : (Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue, fact or otherwise)

7. Details of the remedies exhausted • The applicant declares that he has availed of all the remedies available to him under the relevant ser- vice rules, etc.(Give here ch!onologically the details of repre- sentations made and the outcome of q uch representation with refernece to the Anne- xures numbers)

8. Matters not previously filed or pending with any other Court.The applicant further declares that he had not previously filed any application, writ petition or suit regarding the matter in respect of which this appli- cation has been made, before any court of law or any other authority or any other Bench of the Tribunal and nor any such application, writ petition or suit is pending before any of them. In case the applicant had previously filed any application, writ petition or suit, the stage at which it IS pending and if decided the gist of the decision should be given with reference to the Annexure. 3051 Gf/89- 3 1. 2. 1. 2. 3

4. Name of the Bank on which drawn Demand Draft No.Or Number of Indian Postal Order(s) Name of the issuing Post Office Date of Issue of Postal Order(s) Post Office at which payable 13. List of enclosures 2. 3

4. VERIFICATION .(Name of the r. applicant) S!O, D!O, W O. . working as.. age..... in the office of. resident of. . .do hereby verify that the contents of paras..... to are true to my personal knowledge and para. ...to . believed to be true on legal advice and that I have not suppressed any materials fact.
Signature of the applicant Dated Place . To The Registrar. Andhra Pradesh Administrative Tribunal,
HYDERABAD.



FORM 11 (See Rule 4(4) RECEIPT SLIP Receipt of the application filed in the Central Administrative Tribunal THE GAZETTE OF INDIA : EXTRAORDINARY 18 [PART 11—SEC. 3(ii)] Bench by ShriiKum.;Smt... working as.... .. in the Ministry/Department/Office of residing at is hereby acknowledged. for Registrar Andhra Pradesh Administrative Tribunal Date : Seal . IN THE ANDHRA PRADESH ADMINISTRATIVE (v) Nationality (vi) Educational qualifications : (vii) Particulars of previous employment, if any . 1,..... above named) do hereby affirm that the relating to me given above are true. particulars TRIBUNAL (See rule 8(3) Misc. Application No... ..of. Original Transferred xxx vs. YYY in Application No.. Applicant (Applicant/Respondent) Respondent (Respondent Applicant) leading to the Relief or Prayer Verification 1. applicant) So, Do, w.o.. application . Name *ohe working as. . aoe. . the office of of do hereby verify that the contents para . . . are true on legal ...to.. and that have not suppressed any material Statement... of applicant Signature of the Advocate Place . Date . FORM IV (See rule 25(2) APPLICATION FOR THE REGISTRATION OF A CLERK 1. Name of legal practitioner on behalf one clerk is to be registered

2. Particulars of the (i) Full name .(in capital) (ii) Father's Name . (iii) Age and Date of (iv) Place of birth : clerk to be registered. Attested passport size photograph to be pasted Birth . (Signature of Clerk) 3. Whether the legal practitioner has a clerk already registered in him employ and whether the clerk sought to be registered is in lieu of or in addition to the clerk already registered

4. Whether the clerk sought to be registered is already registered as a clerk of any other legal practitioner and if so, the name of such practitioner.1, practitioner) certify_ that the particulars given above are true to the best of my information and belief and that [am not aware of any fact which would render unsuitable the registration of the said.(name) as a clerk. Further, I enclose Postal Order for Rs 2.50 being the cost of Identity the Card alongwith 2 passport size photographs of applicant duly attested by me. Signature of legal practitioner To The Registrar. Andhra Pradesh Administrative Tribunal. HYDERABAD. . 93 ij(ü);_ (1985 GT 13) 1 985 33 (2) 3.üR l) 1985 (1985 13) I 'q-&TOT"