

CAT (PROCEDURE) AMENDMENT RULES, 1988

('li.'F').r127 Ctge Q;czette Qi. 5341 No. 5341 EXI R AOR R Y PART (i) PUBLISHED BY AU 11, 1 '3rlfiq;T DELHI, TUESDAY, 11, 19ft8/nsv1NA 19, 19 (0 Tiu! fifi Scpargtc Pnging Is gi!cn to thi'i i" order conq. ilati011 ff141T ii i I 1988 qr . . f.l. L OOO () 1985 (1085 1 3) 35 (2) ag 411, 1987 ii (T,pi) fir Rill 2576 GI /88 THE GAZETTE OF : NXTRAORDINAR\ (T) (2) f,äg, ii fizi (ii) it ii (q) (5) Ffi (3) it, i qrxwr, : Étar 5. fwilii G 'JIT, ö.ir ii ærWTFT•r. Fl fñJii ii (2 'Ili, qfitq;vr tw; tT7 9. fhqzii 17 "17. fqtt qrgqr, fT 30 fq;r Tre (ii) zufwvr t, fi;, qrär q,-rvii arÜ (iii) grqr qrqq, Tar (iv) filtrtr ft, xrrü f.TUii 18 (l) it, 't30 f«" •rarqrqtrr fhtreii fttirä'-rr '(r it,rtr ö.ir Q; 12. fifßii 22 "22. ur TTÄ•üüi 7i/(fTT fr,l/r fi>rr "22. ft-art - frvrr narif tqtii Zi via f tair fur fäqr 13. vii f;rqrr 28 il, (J) frdq 'tr arr.r, yrff.vii Tir i" f.' (Jii 29 (Viii) • : titai 3i.F I 15. 'IT," ii bT'vt-.l) r.i.'jr t; 31 .iFT qwr 4 3. 5, G. THE GAZETTE OF INDIA EXTRAORDINARY EiiqrJtr qtT Ill i! Efir, qrrr, qar, qur, qæi GTFIC 1985 (qdi• . iivvii an (21Ü,t ii, ii a)' ii 3(i)] (qaaFfi;r srTifkT q-,r 10. qfä 11. it % tifi•rät : 12. : 2. 3. 5, friq«ft tlqft iia MINISTRY OF PERSONNEL, PUBLIC GRIEVAN- ANI.) PENSIONS (Dpartlnc.nl of Personnel & 'lr;lininp.) NO ION New Delhi, exercise. of powers coli" G.S.R. 100003) (e) und (i) 01' sub-section Terred by clauses (d), (2) of section 3.5 and clause (c) 01' section of the Adrninistrative 'J.ribunals Act, 198.5 (13 of | 98.5), ihe Central Govc.rnnuent hereby 1110 kes follow:ing rules; 'Fribt)'lâ'l (P to ntncnd the Central Ad'" inist rative cedure) Rules, 1987, narnely Adlilministrative Arncli(tlncnt Rules, 1988. (2) 'i'hcy shall coine into October, 2. In section 2 of the Cena•al Adlilillistvative 'l fi- bunal (Proccdure) Rules, 1987 (hereinafter telern•d to us the snid rules), (o) for clause (b), the following clause shall. bc ntunely substituted, pet duly aut110t iscd '(b) by a parly to ten reply, reioindct• ot 011}' 'other (locun)L'11t On its behajli belk)t-c the 'Fl ill(tnai'; qrq) (fit (b) for clause (f), t substituted, '(f) 'Legal reprcsentative" shall who in law lepresnts the estate of the. and includes n person or (leccascd person to IL'.ccvpc persons pensionary, relit entent, hcnclits QI' fatuily pension vests'. (a) for sub- 1'Lllc (2) the following sub.,luh•. shotl be substituted, "(2) 'Tlle application under sub-I ule (i) shall be csented in triplicate in the following two counpulations— iVi(lt the iBlI)tlglICd if 110191.14187-kr.ér.J (ii) coin pila lion (Ioctnnents a lid ill sub-I Ille that nt Lnsf in OF INDIA .. EXTRAORDINAIO joins such an application" shall be added the end. IPARI ll- 4

7. In rule 9 (It' the s:tid rules. in sub-rule ((? Jor (Ile words 'a paper book containing", following (locunients•• shtill be sutl.stiltl(ed. rule •z, 8. In rule 11 or said the I Ille (a) sub-I tile (l) , be n;unely (l) Notices (o be iv.ued b) the I libunal ruay set ved by any or following 11. In rule 5 the said rules,— (IL) in sub-rule (3), the following shall be added nt the end, "where an application is xceived by registered post, the applicant shall be jnfonned of the (lcfctcs, if any, and he Shull bc re- quired (o rectily the satne within such time as Inay be, stipulated by the Registrar."; (b) *for. sub-rule (4), the following sub•rulc shall be substituted, narnely (a) IL' the applicant fails rectify the (ii) (iii) (ivy service by (he patty itself: by hand delivery (dasli) cess vcr; h' duc by 1 ct.li.qtered [)0ht due'; the the concerned defect within the tilnc ttltvwcd under sub- rule(3), tho.Registrar Illa)', by order and for reasons to bc recorded in writing, declino to register the application and place the jnalter bfore the Bench for appropriate orders. (b) Such jnatter Inay bc dealt with and diFposcd of in chambct." 5. For arulc 6 ot the said rules, lhc [ollowing rule , shall be. substituted, namely . "6. Place. of filing An applia applicant with the Registrar of the Bench within whose jurisdiction— (i) the applicant is posted for the tilne being, or (ii) the cause of action, wholly or in part, has arisen : Provided . that with the Jcave ot the Chainnan the application Inay bc liled with the Registat of the Principal Bench and sub- ject to the orders under section 25, such npplication shall bc heard nnd disposed has jurisdiction Of by the J.)ench which over the Inatter. (2) Notwithstanding anythilig contained in sub- rule (l) persons who have censcd to be in service by reason of relirentcnt, disnlissal or termination of service may at his option lilo with the Registrar or the nn application Bench whose jitiisdictiQJ) such person is ordinarily 'cs•iding at the 01 (iling o! the application"

6. In rule 8 of the said rules, after sub-rule (3) the following• sub-rule shall be inserted, nanicly ' Where the applicant seeks o! delay, ho shall filc a separate application supported by nn omrdavit" lhovided 11101 il the Ilibunul no! ice Ina.)' be sent Ity 1110dc 01' service. and the 'with acknowledgednetl'(due rule (2) or rule 19^ 01')ider V to the Code ot Civil VI ocedure, (5 t 908) shall apply to such mode ot service', lhc following and (5) , (b) lor sub-ruie.s (4) sub-rules shall bc substituted. nante,lv in all) Ahiug conlained 9. sila 11 (5) For be (iii) its in the 'l ribunal sub-rule (t), tnay having

regard (o the nature of discretion, the case, direct the service of the notice to the Stating Counsel, accept the service. for any Department or Organisation or the Central body or an authority, a corporation, (entirely owned or controlled Government. shall by the Rules be issued unless otherwise ordered, be accompanied by) a copy or the application or copy of the impugned order". 17 Of the said Rules. the 'Ninety days' substituted, (i) No preliminary petition. Review, it (inserted) unless; be entered a view shall Order within (the) days of the (date of which review is so directed by the Appellate Bench. by in order. unless; for the purpose of the petition. (the) Bench by any (other) Bench heard (the) Bench by the Bench. on the petition posed of the petition. (the) Bench for review of any Judge. ment or order has been disposed of, no further petition for review (other review shall) be made. 10. In rule 18 of the said rules, in sub-rule (1), the words "ninety days" for the words "thirty days", shall be substituted

11. For rule 21 of the said rules, the following rule shall be substituted, namely : "21. Publication of orders.—Such of the orders or as are directed for publication in the Tribunal, in any authoritative report or the press, may be released for such publication on such terms and conditions as the Bench may specify by general or special order." 12. For rule 22 of the said rules, the following rule shall be substituted, namely :— "22. Communication of orders to the parties.— (1) Every interim order, granting or refusing or modifying interim relief and final order shall be communicated to the applicant and or to their to the concerned respondent Counsel, either by hand delivery or by post. Provided that unless ordered (otherwise by the Bench, a copy of the final order need not be sent to any respondent who has not entered appearance : Provided further that when the petitioners or the under a respondents is represented by (the) Counsel, single Vakalatnama, only one copy shall be supplied to such Counsel as named therein." 13. In rule 28 of the said rules, for sub-rule (3), the following sub-rule shall be substituted, namely :— "(3) In the absence of the Registrar, the Deputy S. No. 2. 3. 4

5. For C.D. 1(c) Options Relied upon Applicant Signature of the Petitioner No. Applicant use in Tribunal's Office Date of filing or Date of receipt by Registration No. Serial No. for IN THE CENTRAL ADMINISTRATIVE TRIBUNAL BENCH (add description such as son or, of place or employment or last (employed). Applicant vs. (add (the) description of the residential or official place. 14. In (a) 15. In any other order to which the Registrar or powers and functions of the Registrar are delegated by the Chairman or Vice-Chairman, as the case may be, exercise the powers and functions of the Registrar." rule 29 of the said Rules figures word in clause (viii), for the figures and word "30" (day) "15 days", shall be substituted. appendix A to the said Form, namely the following Form shall be substituted, address on which service of notices is to be made the details directed on the respondent or are to be given in a chronological order of each respondent (the) RESPONDENT OF A PETITION directed the order against the application is made. (Particulars of the order giving the details like the number, date and the authority which passed the order, against which (the) application is made) 2. Jurisdiction of the Tribunal : The applicant declares that (he) subject matter the order against which wants it: within the jurisdiction of the Tribunal. APPLICATION UNDER Title of the Case 19 AC No. 1 of 1953. 21. I, the petitioner, do hereby declare that I am the applicant in section 19 of the Act (the limitation period within or the Adversely affected Party Act, 1988) of the : THE GAZETTE OF . (Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact), 5. Grounds for relief with legal provisions

6. Details of the remedies exhausted : The applicant declares that he has availed of all the remedies available to him under the relevant service rules, etc. (Give here chronologically the details or representations made and the outcome of such representations with reference to the number of Annexure to be given in support thereof)

7. Matter 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 application has been made, before any court or any other authority or any other Bench or the Tribunal nor any such application, writ petition or suit is pending before any of them. In case the applicants had previously filed any such the stage at which application, writ petition or suit, it is pending, and if decided, the list of the decisions should be given with reference to the number of Annexure to be given in support thereof

8. Reliefs sought : • 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 grounds for such relief(s) and the legal provisions, if any relied upon)

9. Interim order, if any prayed for : Pending final decision on the application. The applicant seeks the following interim relief : Printed by the Manager, Govt. India by order (Give Of for). 10. In the event of application sent by registered post, it may be stated whether the applicant desires to have oral hearing at the stage and if so, it shall attach a self-addressed post-paid (Post-Office or Inland Letter, at which intimation regarding date of hearing could be sent to him)

11. Particulars of Bank Draft/ Postal filed in respect of the application etc. 12. List of enclosures : 1. 2. (Name of the applicant.) SIO, WIO, DIO working as officer of .. , ... do hereby verify that age .. , resident, or the relationship of parent as.... in the above and paras are true to my personal knowledge believed to be true on legal advice and that have not suppressed any material fact. Date. : Place applicant. Signature of the INO. 11 KRISHNA SINGH, Dothi

