

CAT (PROCEDURE) AMENDMENT RULES, 1991

)-127 REGISTERED NO D (D.N.) 771 No. 77) Che Gazette of *dia EXTRAORDINARY PART 11—Section 3—Sub•secdon (i) BY AUTHORITY 27, 8, 1912 NEW DEINI, WEDNESDAY, FEBRUARY 27, 1991/PHALGUNA 8, 1912 Separate Paging is given to this Part h' order that it ny be filed •s a separate compilation 26 1991 1985 (1985 13) \$rgr-r 35 (2) (3) 36 (T) 1987 ir 1. ft-fir) 1991 2. t 987 546 Gi/9i 3. ii (i) (iv) "(iv) 4. 12 (5) t' 1908 (190S 5) 17 5. 16 (2) (l) 2 THE GAZETRe OF NDIA : EXTRAORDINARY [PART 11—SEC. , 30 f*rr qq*r qr, qtr (Tg qirq 6. 17 fig, fi_ 't 17. Orr I f*qr zrrft\$T q*rr" 7. 29 (X) 90 g.-11019/44/87.RTT. (x. *Tfr.) fä« 6-1-1987 11 q«, 1987 1000 MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (Department of Personnel & Training) NOTIFICATION New DeIN, the 26th FebruaO', 1991 G.S.R. 99 exercise of the powers conferred by clauses (d). (e) and (f) of sub-section (2) of section 35 and clause (c) of section 36 of Administrative Tribunals Act, 1985 (13 of 1985), the Central Government hereby makes the following further to amend the Central Administrative Tribunal (Procedure) Rules, 1987, namely . (1) These rules may be called the Central Adminis- trative Tribunal (Procedure) Amendment Rules, 1991. (2) They shall come into force on the date of their publication in he Official Gazette

2. In ru.le S of the Central Administrative Tribunal (Procedure) Rules, 1987 (hereinafter referred to as the said rules).— i in sub-rule (4), clause (b) shall be omitted • (ii) sub-rule (5) shau be omitted

3. In rule 11 of the said rules, in sub-rule (1), for clatse (iv), the following clause shall be subtitled, namely • (iv) the concerned head of Office of the same Depaamr•nt." 4. In rule 12 of the said rules, after sub-rule (5), the following sub-rule be added, namely . 5, ing (6) Tribunal may permit the parties to amend the pleadings in the same manner as provided under Order 6, Rule 17 of the Code of Civil Procedure, 1908 (5 of 1908)". In rule 16 the nid for sub-rule (2), tfr follow- sub-rule shall be substituted, namely "(2) Where an application has been heard ex-parte against a respondent or respondents, such respon- dent or respondents may apply within 30 days from the date of the order to the Tribunal for an order to set it aside and if such respondent or respondents satisfy the Tribunal that the notice was not duly served, or that he or they were prevented by any suficient cause from appearing when applica- tion was called for hearing the Tribunal may make an order setting aside the ex-parte order as agaiMt him or them upon such terms as it thinks fit, and shall appoint a day for proceeding with the appli- cation Provided that where the eparte ord. r of the applica- tion is of such natre that it cannot be set aside as agaiTBt one respondent only, it may be sei aside as again# all or any of the other respondents also : Provided that in cases covered by sub-rule (8) of rule 11, the Tribunal shall not set aside ex- pane order of an application merely on ground it was not served upon a respmldent or res- 6. For rule 17 of the said rules, following rule shall substituted, namely "17. Application for review C) No petition for review shall be entertained unless it is filed within thirty days from the date of receipt and copy Of the order of the review was sought. C) No peütion for review shall entertained unless it is supported by a duly sworn affdavit indicating therein the source of knowledge—personal or otherwise and also those which are swom on the basis of the legal advice. The counter amdavit in Revzw Petition will also be a duly sworn affdavit wherever any aVerment of fact is disputed. 3 (3) Unless ordered otherwise by the Bench concerned a review petition shall be diQOused by circula- tion wt*re the Bench may either reject petition or direct notice to be issued to the opposite 7. In rule 29 of said rules, for clause (x), the follow- ing chug shall be substituted, namely ' '(x) To receive applicatims within ninety days from the date of death for substitution of legal represen- tatives of the deceased parties during the pendency of the application." [No. A-11019/44/87-AT] S. M. SAHARIAR, Officer (AT). •—The rules were published vide Notifica- NOTE . tion G.S.R. No. 17 (E), dated 6-1-1987 and subsequently amended vide Notification G.S.R. No. 1000 (E), dated October, 1987. Printed by the Govt. OE ndiä" Pra, Ring Road, New Delhi-110064 and Published by the Contronor Publiations, Delhi-110054, 1991