

KARNATAKA ADMINISTRATIVE TRIBUNAL (SALARIES AND ALLOWANCES AND CONDITIONS OF SERVICE OF CHAIRMAN, VICE-CHAIRMAN AND MEMB

No. D. Che Gazette of *dig 436] EXTRAORDINARY PART 3--Sub-seMion (i) BY AUTHORITY 17, 26, NEW DELHI, WEDNESDAY, SEPTEMBER 17, 19861BHADRA 26, 1908 No. 436) ig to thia Part tn order that tt may be Aled sepe eomplkdoa 17 1986 1985 (1985 13) 35 1986 I qfrvrq-lli (1985 t; 814 GI/g6 *trzrQi, 1985 THE GAZETTE OF INDIA : EXTRAORDINARY [PART IT—SEC. (q) 11 (T) (i) OTT, *FIT 6. (1) it ft-tr OIT (ii) « (iii) (2) (ii) ft-ft Rrq (ii) 9 (2) üz•rzrt t qlTFfr 1955 QT qrxtru:r GT q-t 10. .•-- srsqw, Jqx (*) 1956 11. 417t -.—trnw, 12. 13. 14. 15. it qTkTT | 954 QTä 16. QTä, rr 17. ffr 11 — 11019/22/86-g. a,] MINISTRY OF PERSONNEL. PUBLIC GRIEVANCES AND PENSIONS (Department of Personnel & Training) New Delhi, the 17th September, 1986 NOTIFICATION G.S.R. 1092 (E) .—Tn exercise of the powers conferred by clause (c) of sub-section (2) of section 3S of the Adminis- trative Tribunals Act, 1985 (13 of 1983), the Central Gov- ernment hereby makes the following roles, namely 1. Short title and commencement.—(1) These rules may be called the Karnataka Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Chnirmnn and Members) Rules, 1986. (2) They shall come into force on the date of their cation in the Official Gazette

2. Definitions.—In these rules, unless the context wise requires (a) "Act" means the Administrative Tribunals 1985 (13 of 1985); Vice- publi- other- Act, (b) "Government" means the Government of Ktuna- taka; (c) "Tribunal" means the Karnataka bunnli; (d) the words and expressiong used not defined, but defined in the meanings respectively nsgib- ed to Administrative Tri- in Lhese rules and Act shall have the them in the Act. 3 3, The Chairman shall receive a pay of rupees three thousand five hundred plus H special pay of rupees two hundred fifty per mensem. A Vice-Chairman shall re- ceive a pav of rupees three thousand five hundred per men- sem. A Member receive a pay of rupees three thousand per mensem : Provided (hat in the case of an appointment as Chairman. a Vice-Chairman or a Mcrnber Cif a person who has retired us a judge of a High Court or who has retired from service under the Central Government or a State Government and who is in receipt of or has received or has bcome entitled to receive any retirement benefits by way of either pension or gratuity or both or empfoyer's contribution to (he (Tontri- butory Provident Fund or other forrns 01' retirement benefits, the aforernentjoned pay shall be reduced by -the gross amount of pension and Pensir.:ll equivalent of gratuity or employer's conlribution to (he (_*onll'ibulory Provident Fund or- any other form oi- retircrnerlt if uny, draiyn or to be benefits, by him. allowance and city compensatory allowance

4. Dearness The Chairman, a Vice-Chairma9 and -a Memhcr shall re- ceive dearness allowance and Cltv compensatory allowance admissible to the officers of the Central Government getting the same rates of pay.5, Retirement from parent service on appointment ns 1) The Chairman, a Vice-Chairman or a Member who, on the date of his appointment to the Tribunal, wag in service under Lhe Central Government or a State Govern- ment shall seek retirment from such service before his ap- poinlment to the Tribunal. In the case of sitting Judge of a High Court who is appointed as Chairman or a Vice-Chairman. his service in the Tribunal shall be treated ag actual service within the meaning of para ll(b)(i) of part 'D' of the Second Schedule to the Constitution. (2) On such retirement H8 is provided for in sub- rule (1), the Chkirman. a Vice-C,hairman or a Member (i) shall be entitled to receive pension and gratuity in accordance with the rules relating to the retirement benents applicable to him. (ii) shall not be allowed to carry form-Ird earned leave but shall be entitled to receive cash _ equivalent of if any, in accordance with the rules leave salary applicable to him prior to his retirement

6. Leave.—(1) A person _ on appointment Io the Tribunal as Chairman, a Vice-Chairman or a Member shall be en- titled to leave as follows : (i') earned leave at the rate fifteen days for ever Y completed year of service ot R part thereof ; (ii) Half pay leave on medical certficole on private affairs at the rnnte of twenty days in respect of each completed year of service. The leave salary for half pay leave shall be equivalent to half of lhe leave salary admissible during the em leave ; (iii) leave •n half pay can be commuted to full pay leave at the discretion of the individual provided it is taken on medical groundR and is supported by a medical cerLificatc from the competent medical authority. (iv) extra-ordinary leave without pay and allowances upto a maximum period of one hundred eighty days in one term of office. (2) If the ChHirman, a Vice-Chairnman or Member is unable to enjoy full vacation on account of his occupation with the

Tribunal, he shall be entitled to add the unenjoyed period of vacation to the leave accolntnt. ' 'vaca lion" meana For the purpose of this sub-rule. vacation of thirty days in each calendar year observed by the Tribunal. 4 THE GAZE*E OF INDIA : EXTRAORDINARY [PART LI—SEC. 3(i)J (3) On the expiry of his term of office in the Tribunal, the Chairman, a Vice-Chairman or a Member shall be entitled to receive cash equivalent of leave salary in respect OF the eurned leave stnnding to his credit provided {hat the uantum of leave enc.Hshed under this Nub-rule and clause ii) of sub-rule (2) of rule 5 shell not exceed 180 days. (4) The Chairman, a Vice-Chairman and Nkmher shall be entitled to receive the dearness allowance on (he leave salary under sub-rule (3) as admiRsible at the rateA in force on the date of the relinquin;öhment of the Tribunal: Pj-ovided that he not be entitled for the city com- anv other allowance on such leave pcnstlory allowance 7. Leave--, sanctioning Chairman Shall be the authoffiy competent to sanction leave to thg Member und the Vice-Chairman. The Governor or Karnatako shall bc the authority competent to sanction leave to the Chair- man. (I) Every person appointed to the Tribunal 8. Pension. as the Chairman, a Vice-Chairman or a Member Shall be entitled to pension provided that no guch pension shall be payable. (i) if he has put in less than two years of service with the Tribunal. or (ii) if he has been removed from nn office in the Tri- bunnl under sub-section (2) ot Section 9 of the Act. (2) Pension under sub-rule (1) shall be calculated at tho rate of rupeeg seven hundred per annum for each ccrnpleta:i year of service or a part thereof and irrespective of the nua- ber of years of service in the tribunal. the maximum amount of pension 8haII not exceed rupeea three thousand Ave hun- dred per annum : Provided that the aggregate amount of pension payable under this rude together with the amount of any pensi0d including commuted porüon of pension, if any, drawn or entitled to be drawn while holding omco in the Trih!fIR1 not exceed the maximum Amount of pension s 'ecir, judge of the High Court

9. Provident Chairman.a Vice-Chairman or n Member shall be entitled to subscribe to the Provident Fund at his option, and in case of his go opting. Bhan be overned by the provisions of the All India Services (Provident Fund) Rules, 3955; Ptovided that if the Chairman, a Vice-Chairman OT a a Judge of a High Court o:- wag a Member ot an All India S-qrvce or was holding a Dost under the Central or n State Government immediately- bc-Forc hip, joining the Tribunal, he shall be governed by the rules which were appli- eqblc [a him immediately before joininc the Tribunal

10. Travelling Allowances.—The Chairman. a Vice-Chair- man or a Member while on tour or on transfer (including •the journey undertnken to join lhe Tribunal or to his horne town on the expiry of his term with the Tribunal shall be entitled to the travell ing allowance, daily allowance, transportation of personal effects and other similar matters nt the saxne scale and at the same rates as are 81*cified in the High Court Judges (Travelling Allowances) Rules, 1956. a Vice- 11, Isave Travel Chairman. Chairman or a Member sball be entitled to the leave travel concession at the same rates and at the scale scales B-nd on the conditions as are applicable to the All India Services drawing pay at. the same rates. 12, Every person appointed to the Tribunal a,) Chairman, a Vice-Chairman or a Nftmber shall be entitled to the use of official residence of appropriate type, subject to availability. on the payment of licence fee at the rates prescribed by Government from time to time. (2) When the Chairmnn, a Vice-C.hairmén or a Member is not provided with or does not avail himself of the omciBI residence referred to in sub-rule (1). he may bo paid every month an allowance equal to fifteen per cent of his pay. (3) Where the Chairman, Vice-Chairmnn or a Member occupies nn omcinl residence beyond the permissible period he shall be liable to pay additional licence fee or penal rent, as the case may be, and liable to evictiÖn in accordance with the rules of the Government

13. Facility of conveyance.—The Chairman, a Vice-chair- man or B Member shall be entitled to the facility of staff car in accordance with the Staff Car Rules ot tho Government. 14, Facilities for Medical Treatment.—The Chairman. a Vice-Chairman and a Member Bhall be entitled to medical treatment and hospital facilities as are admissible to an officer of the corresponding pay level' in the Government

15. Conditions of service of sitting judges of the High Court apm)inted as Chairman or Vice-Chairman.—Notwith- standing anything contained in these rules. where a sitting judge of a High Court is 89 the Chairman or a Vice-Chairman of the Tribunal the service conditions as con- tBined in the High Court Judges (Conditions of Service) Act, 1954 and the rules made thereunder shall apply to him, upto the date of his superannuation as a 8itting judge of the High Court. Thereafter, he shall be governed by thege rules for the remaining period ot his tenure as Chairman Vice-Chairman. as the case may be

16. Residuary provision.—The conditions of aervice of the Chairman, a Vice-Chairman or a Member for which no ex- press provision is nvainble in these rules shall be determined by the rules and orders for the time boing applicable to officers of corresponding pay levels beyonging to the Indian Administrqtive Service

17. Powers to relax rules.—The Central Government may, for rep.son8 to be recorded in writing, relax any of the pro- visions of these rules in respect of any class Or category of persons. [No. A-11019/22/86-AT) P. G. LELE, Direct01 PRINTED BY MANAGER, GOVr. OF PRESS, noAD, NEW DBL.qr-119064 AND BY eONTROLIA er DBLÄ-flOQ54,

