

TAMIL NADU ADMINISTRATIVE TRIBUNAL (SALARIES AND ALLOWANCES AND CONDITIONS OF SERVICE OF CHAIRMAN, VICE-CHAIRMAN AND MEM)

REGISTERED NO. D. (D.N.) Che Gazette of \*dia No. 366] EXTRAORDINARY PART U—Sectfon 3— Sub-section (I) 'PUBLISHED BY AUTHORITY 29, 1988/vtqrg S, 1910 NEW DELHI, WEDNESDAY, JUNE 29, 1988/ASADHA g, 1910 Separate Paging is this Pari in order duat it may be fikd a gepeeate ccunpihiti0D (70 19 .frT. 13) 35 (2) 19 \*fqäëf t; fä#i Éi. •jT ( 198) 25) 1988 (1965 i 3) t; 1743 GI /88 (8) 1885 THE GAZETTE OF INDIA (7) 'trt" qfqh t; 29 (1) (2) vrt 2, (e) "Qü«q" (2) fifi füäi qit qa it frÄT ÉtiTT, 'FFi'r fifmët f\*ff I EXTRAORDINARY [PART 1i—SEc. 3(i)] qz f\*Tf f?" qqq it Fit fä:qt (5) (4) f#Nfi 15 (i) t; (ii) TT t; (iii) 25 50 it zrjgiir filü azt Gfët ( frm-q 4 ii fifE. kiYb 22\*J N: - h2.E (9) JL±hR.U.h2h kh-tk 1.b&J Juz (z) 4 THE GAZETTE OF INT)LA : EXTRAORDINARY [PART 5) 15 G (3) frprq (1) it frfÉ (5) f+tff&i 13. \$t i 4. \$;pgz:— 15. Qii (2) Äqt föa fr 11 (8) 17. 30 Ft 30 frä IS. gftfifdtt 1) 30 fit qt 19. gw vr?x 20. • 21. 32. aFfi.--( 1) Ake -run A1—pz '4 .h4j±tUi 6 3. THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—sec. 3(i)] (xi)Ät ?äft tfi, firtq-cr<i (xii) fög 30. fiifäfrz i 31

**32. Orc; (ii) fä-q : 1985 1 9 : v.( e lh b 'p 1Äh) : Jb'.kJ (a) [(1)fi s THE GAZETTE OF : EXTRAORDINARY u—syc. 12. 1. 2. hit : 13. 1. frt.. fifi t l. zit 9 %vi-3 25 (2) .1197 .19. , (2) (3) (6) ( 7) qfä I .. (GRX Äfrrzqt 4. fifq .. (f<fr Rr ... (Ftrq) Tr 2. 50 1793 GI/88—2 10 THE GAZETTE OF INDIA . EXTRAORDINARY [PART 11—2Sec. 3(i)) MLNiSTRY OF PERSONNEL, PUBLIC GRI- VANCES & PENSfONS (Department of Personnel & Training) NOTIFICATIONS New Delhi, the 29th June, 1988 G.S.R. 755(E).—In exercise of the powers confer- red by sub-scetion (I) read with clauses (d), (e), and (f) of sub-section (2) of section 35 of the Adminis- trative Tribunals Act, 1985 (13 of 1985), the Cen- tral Government hereby makes the following rules, namely 1. Short title and These rules may be called the Tamil Ämini;träive Tribunal (Procedure) Rules, 1988. (2) They shall come into force on the date of their publication in the official gazette**

**2. Definitions.**—In these rules, unless the context otherwise requires (a) "Act" means the Administrative Tribunals Act, 1985 (13 of 1985) ; (b) "Agent" means a person duly authorised by a party to present an application or a writ- ten reply on its behalf before the Tribunal (c) "Applicant" means a person making an application to the Tribunal under section 19; (d) "Form" means a form annexed to these rules (e) "Legal Practitioner" shall have the same meaning as is assigned in the Advocates Act, 1961 (25 of 1961) ; (f) "Legal representative" means a person who in law represents the estate of the deceased; (g) "Registrar" means the Registrar of the Tribunal and includes any officer to whom the powers and functions of the Registrar may be delegated under clauses (2) and (3) of rule 28 ; (h) "Registry" means the Registry of the Tribunal or of the Bench of the Tribunal, as the case may be (i) "Section" means a section of the Act ; (j) "Transferred application" means the suit or other proceeding which has been transferred to the Tribunal under sub-section (1) or sub-section (2) of section 29 (k) "Tribunal" means the Tamil Nadu Administrative Tribunal established under sub-section (2) of section (4) • (l) The words and expressions used and not defined in these rules but defined in the Act shall have the same meanings respectively assigned to them in the Act. 3, Language of the Tribunal shall be English Provided that the parties to a proceeding before the Tribunal may file documents drawn up in Tamil, if they so desire Provided further that (a) a Bench may, in its discretion, permit the use of Tamil in the proceedings. However, the final order in English (b) The Bench, hearing the matter, may in its discretion, direct English translation of pleadings and documents to be filed. (4) Procedure for filing applications.— (1) An application to the Tribunal shall be presented in



Form I by the applicant in person or by an agent or by a duly authorised legal practitioner to the Registrar or any other officer authorised in writing by the Registrar to receive the same or be sent by registered post with acknowledgement due addressed to the Registrar. (2) The application under sub-rule (1) shall be presented in triplicate in a paper-book form along with one unused file size envelope bearing full address of the respondent. (3) Where the number of respondent is more than one, as many extra copies of the application in paper-book form as there are respondents together with unused file size envelope bearing the full address of each respondent shall be furnished by the applicant; Provided that where the number of respondents is more than five, the Registrar may permit the applicant to file the extra copies of the application at the time of issue of notice to the respondents. (4) The applicant may attach to and present with his application a receipt slip in Form 11 which shall be signed by the Registrar or the officer receiving the application on behalf of the Registrar in acknowledgement of the receipt of the application. (5) (a) Notwithstanding anything contained in sub-rules (1) to (3), the Tribunal may permit more than one person to join together and file a single application if it is satisfied, having regard to the cause of action and the nature of relief prayed for, that they have a common interest in the matter. (b) Such permission may also be granted to an association representing the persons desirous of joining in a single application Provided, however, that the application shall disclose the names of persons on whose behalf it has been filed

**5. Presentation and scrutiny of applications,—**(1) The Registrar, or the officer authorised by him under rule 4, shall endorse on every application the date on which it is presented or deemed to have been presented under that rule and shall sign the endorsement. (2) If, on scrutiny, the application is found to be in order, it shall be duly registered and given a serial number, 11-4% 3(i)] (3) If the application, on scrutiny, is found to be defective and the defect noticed is formal in nature, the Registrar may allow the party to rectify the same in his presence, and if the said defect is not formal in nature, the Registrar may allow the applicant such time to rectify the defect as he may deem fit. (4) If the applicant fails to rectify the defect within the time allowed under sub-rule (3), the Registrar may, by order and for reasons to be recorded in writing, decline to register the application and inform the applicant accordingly. (5) An appeal against the order of the Registrar under sub-rule (4) may be preferred by the person aggrieved within fifteen days from the date of such order of the Tribunal whose decision thereon shall be final. (6) Place of filing applications.—The application shall ordinarily be filed by the applicant with the Registrar of the Bench within whose jurisdiction.—(i) the applicant is posted for the time being, or (ii) the cause of action has arisen, or (iii) the respondent or any of the respondents against whom relief is sought, ordinarily resides Provided that the application may be filed with the Registrar of the Principal Bench and, subject to section 25 of the Act, such application may be transmitted, to be heard and disposed of by a Bench which has jurisdiction over the matter

**7. Application fee.—**Every application filed with the Registrar shall be accompanied by a fee of rupees fifty to be remitted either in the form of crossed demand draft on a nationalised bank in favour of the Registrar, payable at the main Branch of that Bank at the station where the Tribunal is situated; or remitted through a crossed Indian Postal Order drawn in favour of the Registrar payable at the post office of the station where the Tribunal is situated. Provided that where the Tribunal permits a single application to be filed, either by more than one person or by an Association, the fee payable shall be rupees fifty. Provided further that where the Tribunal is satisfied that an applicant is unable to pay the prescribed fee on ground of indigence, it may exempt such an applicant from the payment of fee

**8. Contents of application.**—(1) Every application filed under rule 4 shall set forth concisely under distinct heads the grounds for such application. Such grounds shall be numbered consecutively. Every application, including any miscellaneous application shall be typed by double space on one side on thick paper of good quality. (2) It shall not be necessary to present a separate application to seek an interim order for direction if in original application the same is prayed for. (3) An applicant may, subsequent to the filing of an application under section 19 of the Act, apply for an interim order or direction. Such an application shall, as far as possible, be in



form III

**9. Documents to accompany the application.**— (1) Every application shall be accompanied by a paper book containing (i) an attested true copy of the order against which the application is filed (ii) Copies of the documents relied upon by the applicant and referred to in the application; (iii) an index of the documents. (2) The documents referred to in sub-rule (1) may be attested by a legal practitioner or by a Cazetted Officer belonging to Group 'A' or Group 'B' under the Government and each document shall be marked serially as Annexure A1, A2, A 3 and so on. (3) Where an application is filed by an agent, documents authorising him to act as such agent shall also be appended to the application : Provided that where an application is filed by a legal practitioner, it shall be accompanied by a duly executed 'Vakalatnama'

**10. Plural remedies.**—An application shall be , based upon a single cause of action and may seek one or more reliefs provided that they are consequential to one another

**11. Service of notices and processes issues by the Tribunal.**— (1) Any notice or process to be issued by the Tribunal may be served by any of the following modes : directed by the Tribunal (i) service by the party himself ; (ii) by hand delivery (Dasti) through a process Server (iii) by registered post with acknowledgement due; or (iv) through the head of the Department concerned by any one of the above modes. (2) Where notice issued by the Tribunal is served by the party himself by 'hand delivery' (Dasti), he shall file with the Registry of the Tribunal, the acknowledgement, together with an affidavit of service. (3) Notwithstanding anything contained in sub-rule (1) the Tribunal may, taking into account the number of respondents and their places of residence or work and other circumstances, direct that notice of the application shall be served upon the respondents in any other manner, including any manner of substituted service, as it appears to the Tribunal just and convenient. (4) Notwithstanding anything done under sub-rule (1), the Tribunal may in its discretion, having regard to the nature and urgency of the case, direct the service of the notice on the Standing Counsels appointed as such by the State Government or any Department State Government. 12 THE GAZETTE OF INDIA : EXTRAORDINARY [PART II—SW. 30)) (5) Every notice issued by the Tribunal shall, unless otherwise ordered, be accompanied by a copy of the application alongwith a copy of the paper-book. (6) Every applicant shall pay a fee for the service or execution of processes, in respect of an application where the number of respondents exceeds five, as under (i) a sum of rupees five for each respondent in excess of five respondents; or (ii) Where the service is in such a manner as the Tribunal may direct under sub-rule (3) such a sum, not exceeding the actual charges incurred in effecting the service as may be determined by the Tribunal. (7) The fee for the service or execution of processes under sub-rule (3) shall be remitted in the manner prescribed in rule 7 within one week of the date of the order determining the fee or within such extended time as the Registrar may permit. (8) Notwithstanding anything contained in sub-rule (1) to (4), if the Tribunal is satisfied that it is not reasonably practicable to serve notice of application upon all the respondents, it may, for reasons to be recorded in writing, direct that the application shall be heard that some of the respondents have not been served with notice of the application Provided that no application shall be heard unless,— (i) notice of the application has been served on the State Government, if such Government is a respondent (ii) notice of the application has been served on the authority which passed the order against which the application has been filed; and (iii) the Tribunal is satisfied that the interests of the respondents on whom notice of the application has not been served are adequately and sufficiently represented by the respondents on whom notice of the application has been served

**12. Filing of reply and other documents by the respondents.**— (1) 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 with the Registry within one month of the service of notice of the application on him. (2) In the reply filed under sub-rule the respondent shall specifically admit, deny or explain the facts stated by the applicant in his application and may also state such additional facts as may be found necessary for the just decision of the case. It shall be signed and verified as a written statement by the respondent or any other person duly authorised by him in writing in the same manner as provided for in order VI, rule 15 (3) (4) (5) of the Code of Civil Procedure, 1908 (5 of 1908). The documents referred to in sub-rule (1) shall also be filed as along with the reply' and the same shall be marked as R1: R2, R3 and go on. The respondent shall also serve a copy of the reply alongwith documents as mentioned in sub-rule (1) on the

applicant or his legal practitioner, if any, and file proof of such service in the Registry. The Tribunal may allow filing of the reply after the expiry of the prescribed period. i 3. Date and place of hearing to be notified.—The Tribunal shall notify to the parties the date and the place hearing of the application in such manner as the Chairman may by general or special order direct

**14. Calendar of Each Bench shall draw up a calendar for the hearing of transferred cases and as far as possible, hear and decided the cases according to the Calendar.**(2) Every application shall be heard and decided, as far as possible, within six months from the date of its registration. (3) The Tribunal shall have the power to decline an adjournment and also to limit the time for oral arguments

**15. Action on application for applicant's default.**— (1) (2) Where on the date fixed for hearing of the application or on any other date to which such hearing may be adjourned, the applicant does not appear when the application is called for hearing, the Tribunal may, in its discretion either the application for default or hear and decide it on merit. Where an application has been dismissed for default and the applicant files an application within thirty days from the date of dismissal and satisfied the Tribunal that there was sufficient cause for his non-appearance when the application was called for hearing, the Tribunal shall make an setting aside the order dismissing the application and restore the same. Provided, however, where the case was disposed of on merits the decision shall not be reopened except by way of review. 16. Ex-Parte hearing and disposal of application.— (1) Where on the date fixed for hearing the application or on any other date to which such hearing may be adjourned, the applicant appears and the respondent does not appear when the application is called for hearing the Tribunal may, in its discretion adjourn the hearing or hear and decide the application ex-parte. (2) Where an application has been heard ex-parte against a respondent or respondents, such respondents or respondent may apply 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 sufficient cause from appearing when the application was called for hearing the Tribunal may make an order setting aside the ex-parte hearing as against him or them upon such terms as it thinks fit. and shall appoint a day for proceeding with the application : Provided [that where the ex-parte hearing of the application is of such nature ;that it cannot be set aside as against one respondent only, it may be set aside as against all or any on the other respondents also. Provided further that in cases covered by sub-rule (8) or rule 11, Tribunal shall not set aside ex-parte hearing of an application merely on the ground that it was not served upon a respondent or respondents

**17. Review of to be filed within thirty shall be entered days.**—No application for review unless it is filed within thirty days from the date of the order of which the review is sought

**18. Substitution of legal In the case of death of party during the pendency of the proceedings before the Tribunal.**the legal representatives of the deceased party may apply within thirty days of the date of such death for being brought on record as necessary parties. (2) Where no application is received from the legal representatives, within the period specified in sub-rule (1), the proceedings against the deceased party shall abate . Provided that on good and sufficient reasons the Tribunal, on an application, may set aside the order of abatement and substitute the legal representatives 19. Adjournment of hearing.—The Tribunal may if sufficient cause is shown at any stage of proceedings grant time to the parties or any of them, to adjourn the hearing of the application. The Tribunal may make such order as it thinks fit with respect to the costs occasioned by the adjournment

**20. Order to be signed and date.**—(i) Every order of the Tribunal shall be in writing and shall be signed and dated by the Member or Members constituting the Bench, which pronounced the order. (ii) The orders shall be pronounced in open court

**21. Publication of orders.**—Any order of the Tribunal deemed fit for publication in any authoritative report or the press be released for such publication on such terms and conditions as they Chairman or the Vice-Chairman may specify by general or special order

**22. Communication of orders to ) Every interim order granting or refusing or modifying interim relief and final order passed on any application shall be to applicant and to the respondent concerned either by hand delivery or registered post free of cost.**(2) 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 of payment of such fees as may be fixed by the Chairman by general or special order

**23. Inspection of the** 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.(2) Subject: to such terms and conditions as 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

**24. 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



**25. Registration of legal practitioner's clerks.** No clerk employed by a legal practitioner shall act as such in the Tribunal or be permitted to have access to the records and obtain copies of the orders of the Bench of the Tribunal in which the legal practitioner ordinarily practises unless his name is entered in the Registrar of clerks maintained by the Tribunal. Such clerk shall be known as a "Registered clerk". (2) A legal practitioner desirous of registering his clerk shall make an application to the Registrar in



Form IV. On such application being allowed by the Registrar, his name shall be entered in the Registrar of Clerks. (3) After registration of the clerk, the Registrar shall direct the issue of an identity card to him which shall be non-transferable and shall be produced by the holder upon request by an officer or other employee of the Tribunal authorised in this behalf. The identity card shall be issued under the signature of the Deputy Registrar of the Tribunal. (4) A register of all the clerks registered under sub-rule (2) shall be maintained in the office of the Registrar. (5) A legal practitioner shall have at a time not more than ten clerks unless the Registrar by general or special order otherwise permits. THE GAZETTE OF INDIA : EXTRAORDINARY [PART 30]) (6) Wherever a legal practitioner ceases to employ a registered clerk, he shall notify the fact at once to the Registrar by means of a letter enclosing therewith the identity card issued to his clerk by the registry, and on receipt of such letter the name of the said registered clerk shall be struck off from the register

**26. Working hours of the Tribunal.**—Except on Saturdays, Sundays and other public holidays, the office of the Tribunal shall, subject to any order made by the Chairman, remain open from 9.30 A.M. to 6.00 P.M.

**27. Sitting hours of the Tribunal.**—The hours of the Tribunal (including a vacation Bench) shall ordinarily be from 10.30 A.M. to 1.30 P.M. and 2.30 P.M. to 5.00 P.M. subject to any general or special order made by the Chairman, or by Vice-Chairman concerned with the prior approval of the Chairman

**28. Powers and functions of the Registrar.**—The Registrar shall have the custody of the records of the Tribunal and shall exercise such other functions as are assigned to him under these rules or by the Chairman or the Vice-Chairman of the Tribunal by separate order. (2) The Registrar may, with the approval of the Chairman or the Vice-Chairman delegate to the Deputy Registrar any function or power required by these rules to be performed or exercised by the Registrar. (3) In the absence of the Registrar, the Deputy Registrar may exercise all the powers and functions of the Registrar. (4) The official seal shall be kept in the custody of the Registrar. (5) Subject to any general or special direction by the Chairman, the seal of the Tribunal shall not be affixed to any order, summons or other process save under the authority in writing of the Registrar or the Deputy Registrar. (6) The seal of the Tribunal shall not be affixed to any certified copy issued by the Tribunal save under the authority in writing of the Registrar or the Deputy Registrar

**29. Additional powers and duties of Registrar.**—In addition to the powers conferred elsewhere in these rules; the Registrar shall have the following powers and duties subject to any general or special order of the Chairman or the Vice-Chairman of the Tribunal, namely (i) to receive all applications and other documents including transferred applications; (ii) to decide all questions arising out of the scrutiny of the applications before they are registered; (iii) to require any application presented to the Tribunal to be amended in accordance with the Act and the rules; (iv) subject to the direction of the Tribunal to fix the date of first hearing of the applications or other proceedings and issue notices thereof; (v) to direct any formal amendment of records; (vi) to order grant of copies of documents to parties to the proceedings; (vii) to grant leave to inspect the records of the Tribunal; (viii) to dispose of all matters relating to the (ix) (x) (xi) (iii) service of notices or other processes, applications for the issue of fresh notices and for extending the time for filing such applications and to grant time not exceeding 15 days for filing a reply or rejoinder if any, and to place the matter before the Bench for appropriate orders after the expiry of the aforesaid period; to requisition records from the custody of any court or other authority; to receive applications within thirty days from the date of death for substitution of legal representatives of the deceased parties during the pendency of the application; receive and dispose of applications for substitution, except where the substitution would involve setting aside an order of abatement. to receive and dispose of applications by parties for return of documents

**30. Seal and emblem.**—The official seal and emblem of the Tribunal shall be such as the State Government may specify

**31. Dress of the Members and staff of the Tribunal.**—The dress for the Members of the Tribunal (including Chairman and Vice-Chairman) and Members of the staff of the Tribunal shall be such as the Chairman may specify

**32. Dress of the parties.**—A legal practitioner or, as the case may be, a presenting officer shall appear before the Tribunal in his professional dress, if any and if there is no such dress:— (i) if a male; in a closed collared coat and trousers or in lounge suit; (ii) if a female, in a saree or any other customary dress of a sober colour. 1.5 IN THE TAMIL NADU ADMINISTRATIVE TRIBUNAL, MADRAS APPENDIX—A  
FCRM



FORM-I (See rule 4) APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985 Title of the Case : Su No. 1. 2. 3. 4. 5. 6. c INDEX Description of documents relied upon .Application Page No Signature of the applicant For use in Tribunal's Office Date of filing: or Date of Receipt : by post Registration No Signature for Registrar. IN THE TAMIL NADU ADMINISTRATIVE TRIBUNALS MADRAS .1 BETWEEN AND BENCH APPLICANT .

RESPONDENT DETAILS OF APPLICATION : 1. Particulars of the applicant (i) (iii) (iv) (v) (vi) 2. Name of the applicant Name of Father/Husband Age of the applicant Designation and particulars of office (Name and Station) in which employed/or was last employed before ceasing to be in service. Office address Address for service of Notices Particulars of respondent (i) Name of the respondent (ii) Name of Father/Husband (iii) Age of the respondent 16 TEL' GAZETTE OF INDIA : EXTRAORDINARY (iv) Designation and particulars of office (Name and station) in which employed (v) Office address (vi) Address for service 3. Particulars of the orders against which application is made [PART I—sec. •The application is against the following order (i) Order No. (ii) Date (iii) Passed by (iv) Subject in brief 4. Jurisdiction of the Tribunal with reference to annexure The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal

**5. Limitation** .The applicant further declares that the application is within the limitation prescribed in section 21 of the Administrative Tribunal's Act, 1985

**6. Facts of the case** .The facts of the case 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 service rules, etc. (Give here chronologically the details of representations made and the outcome of such representations with reference to the Annexure 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 application has been made, before any Court of law or any Other authority or any other Bench of 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

**9. Relief(s) sought** In view of the facts mentioned in para 6 above, the applicant prays for the following relief (Specify below the relief(s) sought explaining the ground for relief(s) and the legal provisions (if any) relied upon.) 10. Interim order, if any prayed for : Pending final decision on the application, the applicant seeks issue of the following interim order:— (Give here the nature of the interim order prayed for with reasons)

**11. In the event of application being sent by Registered post, it may be stated whether the applicant desires to have oral hearing at the admission stage and if so, he shall attach a self-addressed Post-Card/Inland Letter at- which intimation regarding the date of hearing could be sent to him.**

**1. Name of the Bank on which drawn** 2. Demand Draft No, Or I. Number of Indian Postal Order(s) 2. Name of the issuing Post Office 3. Date of Issue of Postal Order(s) 4. Post Office at which payable 13. List of enclosures : 1. 2. 3. 4

**5. FORM-11 [See Rule 4(4)] RECEIPT SLIP** Receipt of the application filed in the Tamil Nadu Administrative Tribunal..... Bench by Shri/Kum./Smt..... working as Department/Office of. .... residing Date of filing—see 3(i)] 12. Particulars of Bank Draft/Postal Order in respect of the Application Fee : at. .... Misc. Application No.. ... ..in the ..is hereby acknowledged. For Registrar Tamil Nadu Administrative Tribunal, Madras. IN THE TAMIL NADU ADMINISTRATIVE TRIBUNAL MADRAS Original Transferred xxx vs. FORM-III [See rule ... ..of . in Application No. ... Applicant ....of ....19.... & Brief facts leading to the application : Relies on Prayer . Verification . 1,..... of... . . ....to..... Place : Date 1743 GI/88 (Applicant/Respondent) . Respondent (Respondent/Applicant) .. (Name of the applicant) SIC, D/O, W/O.. ..age..... ..in the Office of. 1.. working as . .. ..resident ..do hereby verify that the contents per. , ..... are true on legal advice and that I have not suppressed any material fact. Signature of the applicant Signature of the Advocate THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—sec. 3(i) 18 FORM-IV [See rule 25 (2)) APPLICATION FOR THE REGISTRATION OF A CLERK 1

**2. Name of legal practitioner.** on whose behalf the clerk is to be registered. Particulars of the clerk to be registered. (1) Full name . (in Capital) (2) Father's name (3) Age and Date of Birth (4) Place of Birth (5) Nationality (6) Educational Qualifications (7) Particulars of previous employment, if any Attested passport size photograph to be pasted 1,..... relating to me given above are true. ... (Clerk above named) do hereby affirm that the particulars Signature of Clerk 3

**4. Whether the legal practitioner has a clerk already registered in his employ and 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.** ... (Legal Practitioner) Certify that the particulars 1,..... given above are true to the best of my information and belief and that I 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 Card alongwith 2 passport size, photographs of the applicant duly attested by me. (Signature of the legal practitioner) Date : The Registrar, Tamil Nadu Administrative Tribunal, MADRAS.   
 'Y .04 LQ.'EE (C) WBN2 e.h Y-LE.i h-Ph Lh (1)--æhg.'Ek •s 009L-00t-00CL 'EE9E--UÄb. kaus uk 009L-OOÄi0€L u. •Q2 , æny,, (L) (Z) (tl E861)S9G1 61 THE GAZETTE OF INDIA : EXTRAORDINARY [PART SEC alit q-mz-T, (zriTÜ frrg, 1956 nuc-!oc-veoozn "T" crt 12. frT4#i 13. fr',q€i I 14. vri:-- frFii äT(T t, frö 17. frgvä :--tFirq üFkii G.S.R. 756(E) .—In exercise of the powers conferred by sub-section (1) read with clause (c) at sub-section (2) of section 35 of the Administrative- Tribunals Act, 1985 .(13 of 1985), the Central Government hereby makes the following rules, namely 1. Short title and These rules may be called the Tamil Nadu Administrative Tribunal (Salaries and Allowances and conditions of service of Chairman, Vice-Chairman and Members) Rules, 1988. (2) They shall come into force on the date of their publication in the Official Gazette

**2. Definitions.**—In these rules, unless the context otherwise requires.— (a) (b) (c) (d) "Act" means the Administrative Tribunal Act 1985 (13 of 1985) ; "Government" means the Government of Tamil Nadu ; "Tribunal" means the Tamil Nadu Administrative Tribunal ; the words and expressions used in - these rules and not defined, but defined in the Act shall have the meanings respectively assigned to them in the Act

**3. Pay.**—(1) The Chairman shall receive a pay of rupees eight thousand plus a special pay of rupees five hundred per mensem. A Vice-Chairman shall receive a pay of rupees eight thousand per mensem A Member shall receive a pay in the scale of Rs. 7300-100-7600 per mensem ; Provided that in the case of an appointment as Chairman, a Vice-Chairman or a Member of a person who has retired as 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 become entitled to receive any retirement benefits by way of pension and/or gratuity, employer's contribution to the Contributory Provident Fund or other forms of retirement benefits, the aforementioned pay shall be reduced by the gross amount of pension and pension equivalent of gratuity or employer's contribution to the Contributory Provident Fund or any Other form of retirement benefits, if any, drawn or to be drawn by him

**4. Dearness allowance and city compensatory allowance.**—The Chairman, a Vice-Chairman and a Member shall receive dearness allowance and city compensatory allowance appropriate to their pay at the rates admissible to Group 'A' Officers of the Central Government drawing a pay in the scale of Rs. 7300-100-7600 or above

**5. Retirement from service on appointment as Member**—The Chairman, a Vice-Chairman or a Member Who, on the date of his appointment to the Tribunal, was in service under the Central Government or a State Government, shall seek retirement from such service before his appointment to the Tribunal. In the case of a sitting Judge of a High Court who is appointed as Chairman or a Vice-Chairman, his service in the Tribunal shall be treated as actual service within the meaning of para 1 (b) (i) of Part 'D' of the Second Schedule to the Constitution. (2) On such retirement as is provided for in sub-rule (1), the Chairman, a Vice-Chairman or a Member : (i) shall be entitled to receive pension and gratuity in accordance with the rules relating to the retirement benefits applicable to him, (ii) shall not be allowed to carry forward earned leave but shall be , entitled to receive cash equivalent to leave salary, if any. in accordance with the. rules applicable to him prior to his retirement

**6. Leave.** A person, on appointment to the Tribunal as Chairman, a Vice-Chairman or a Member shall be entitled to leave as follows (i) earned leave at the rate of fifteen days for every completed year of service or a part thereof; (ii) half pay leave on medical certificate or on private affairs at the rate of twenty days in respect of each completed year of service. The leave salary for half pay leave shall be equivalent to half of the leave salary admissible during the earned leave (iii) leave on half pay can be commuted to full pay leave at the discretion of the individual provided it is taken on medical grounds and is supported by medical certificate 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 Chairman, a Vice-Chairman or a Member is unable to enjoy full vacation on account of his occupation with the Tribunal, he shall be entitled to add the un-enjoyed period of vacation to the leave account. 21 Explanation.—For the purpose of this sub-rule, "Vacation" means vacation of thirty days in each calendar year observed by the Tribunal. (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 earned leave standing to his credit provided that the quantum of leave encashed under this sub-rule and sub-rule (2) (ii) of rule 5 shall not exceed 240 days. (4) The Chairman, a Vice-Chairman and Member shall be entitled to receive the dearness allowance on the leave salary under sub-rule (3) as admissible at the rates in force on the date of the relinquishment of the office in the Tribunal: Provided that he shall not be entitled for the city compensatory allowance or any other allowance on leave salary

**7. Leave sanctioning authority.**—The Chairman shall be the authority competent to sanction leave to the Member and the Vice-Chairman. The Governor shall be the authority competent to sanction leave to the Chairman

**8. Every person to the Tribunal as the Chairman or a Member shall be entitled to pension provided that no such pension shall be payable: if he has put in less than two years of (ii) if he has been removed from an office in the Tribunal under sub-section (2) of Section 9 of the Act.** (2) Pension under sub-rule shall be calculated at the rate of rupees seven hundred per annum for each completed year of service or a part thereof and irrespective of the number of years of service in the Tribunal, the maximum amount of pension shall not exceed rupees three thousand and five hundred per annum. Provided that the aggregate amount of pension payable under this rule together with the amount of any pension including commuted portion of pension (if any) drawn or entitled to be drawn while holding office in the Tribunal shall not exceed the maximum amount of pension prescribed for a judge of the Court

**9. Provident Fund.**—The Chairman, a Vice-Chairman or a Member shall be entitled to subscribe the Provident Fund at his option and in case of his so opting shall be governed by the provisions of the All India Services (Provident Fund) Rules: Provided that if the Chairman, a Vice-Chairman or a Member, was a Judge of a High Court or was a Member of an All India Service or was holding a post under the Central or a State Government immediately before his joining the Tribunal, he shall be governed by the rules which were applicable to him immediately before joining the Tribunal. 22 THE GAZETTE OF INDIA: EXTRAORDINARY [PART I—SEC

**10. Travelling Allowances.**—The Chairman, Vice-Chairman or a Member while on tour or on transfer (including the journey undertaken to join the Tribunal or on the expiry of his term with the Tribunal [or proceed to his home town) shall be entitled to the Travelling Allowance, daily allowance, transportation of personal effects and other miscellaneous matters at the same scales and at same rate; as are prescribed in the High Court Judges (Travelling Allowance) Rules, 1956

**11. Leave Travel Concession.**—The Chairman, a Vice-Chairman or a Member shall be entitled to the leave travel concession at the same rates and the same scales and on the same conditions as are applicable to a Group 'A' officer of the Government drawing a pay in the scale of Rs. 7300- 100-7600 or above. Every person appointed to the Tribunal as Chairman, Vice-Chairman or a Member 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 Chairman, Vice-Chairman or a Member is not provided with or does not avail himself of the official residence referred to in sub-rule (1), he may be paid every month an amount equal to fifteen per cent of his pay. (3) Where the Chairman, Vice-Chairman or a Member occupies an official residence beyond the permissible period he shall be liable to pay additional licence fee or panel rent, as the case may be, and liable to eviction in

accordance with the rules of the Government. i 3. Facility of conveyance.—The Chairman, a Vice-Chairman or a Member shall be entitled to the facility of staff car in accordance with Staff Car of the Government. . Facilities for Medical Treatment.—The Vice-Chairman and a Member shall be entitled to medical and hospital facilities admissible to an officer of rank corresponding to the Government

**15. Conditions of service of sitting judges of the High Court appointed as Chairman or Vice-Chairman :** Notwithstanding anything contained in these rules where a sitting judge of a High Court as the Chairman or Vice-Chairman of the Tribunal, the service conditions as contained in 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 sitting judge of the High Court. Thereafter, he shall be governed by these rules for the remaining period of tenure as Chairman as the case may be

**16. Residuary Provision.**—The conditions of service of the Chairman, a Vice-Chairman or a Member which no express provision is available in these rules shall be determined by the orders for the time being applicable to officers of corresponding pay levels to the Indian Administrative Service

**17. Powers to relax rules.**—The Central Government shall have the power to relax the provisions or any of these rules in respect of any class or of SMT. P. V. persons. SALA G. Under secy. Printed by the Manager, Govt. of India Press, Ring Road, New Delhi-110054 and published by the Controller of Publications. Delhi-110054, 1988

