

WEST BENGAL ADMINISTRATIVE TRIBUNAL (PROCEDURE) RULES, 1994

-33004/94 REGD. NO. D.L.-33004/94 Che Gazette of *dia EXTRAORDINARY 11—«-« 3—31-08 (i) PART 3—Sub-section (i) PUBLISHED BY AUTHORn Y 1994/wqztqq 30, ft*, 21, No. 5301 NEW DELHI, WEDNESDAY, DECEMBER 21, 1994/AGRAHAYANA 30, 1916 2 1 1 994 S 74 994 MINISTRY OF PERSONNEL. PUBLIC GRIEVANCES AND PENSIONS (Department of Personnel & Training) NOTIFICATION 1994 New Delhi. the 21st Decelnber, G.S.R. 874 (E) .—In exercise of the powers conferred by sub-section (4) of section I of the 2905 (31/94 Administrative Tribunals Act, 1985 (13 ot 985), the Central Government hereby appoints the 21st day of December. 1994 as the date on which the provisions of the Act, in so far as they relate to the West Bengal Administrative Tribunal shall come into force. SMT. SARITA PRASAD, Jt. secy. S 75 (q) (1 9S5Tr (2) 1 94 (1) EXTRAORDINARY 2 THE GAZETTE OF INDIA . (1985 (1985 13) (a) "RT,TTX" (IT) '•qfäTvq" [PART II—SEC. (2) (3) (4) (2) gzéT, 7.30 21) q a: 730 0 • 2 i) f 7500-250-8000 F. 7 5 n 0-2 50-80 0 0 E: . q•TiT (T) frta-*fl Err?TT (2) (2) f*zfrl TT (1) f@fi XIEfiTYT qr ft*r 9. zqi -r 3.50 3(i)] (zrft 0) f-jTä 9 60 • TMT 2 00— 7 500— 5 8000 a-r--äT 13, — () frßTH fT'TT erä-F wä) qfufrzrq, 1954 28) 3 17. 4 16 (äAT4Tä) qfafauq, 1954 (1954 28) (9 56 S. Ffirz - qrä, NOTIFICATION New Delhi, the 21st December, 1994 G.S.R. 875 (E) .—In exercise of the powers conferred by sub-section (1) read with clause (c) of sub-section (2) of section 35 of the Adminis- trative Tribunals Act, 1985 (13 of 1985), the Central Government hereby makes the following rules, namely (1) These 1. Short title and commencement.— rules may be called the West Bengal Administra- tive Tribunal (Salaries and Allowances and Con- itions of Service of Chairman, Vice-Chairman a d Members) Rules, 1994.) They shall come into force on the date their ublication in the Official Gazette. In these rules, unless finitions. the con (a) (b) (c) xt otherwise requires, ct" means the Administrative Tribu- n s Act, 1985 (13 of 1985); "Go ernment" means the Government st Bengal; of "Tribu l" means the West Bengal Adminis ative Tribunal. (2) The words a d expressions used in these rules and not defined, but defined in the Act shall have the meanin respectively assigned to them in the Act

3. Pay.—The Chairma shall receive a pay of rupees eight thousand p s a special pay of rupees five hundred per me sem; a Vice-Chair. man shall receive a pay of ru ees eight thousand and a Member shall receive pa in the scale of Rs. 7300-200-7500-250-8000 p mensem•, Provided that in the case of an Chairman, Vice-Chairman or a pointment as mber or a 4 GAZETTE OF INDIA EX 1 RAORDINARY [PART 11—SEC, 30)] person who has retired as a Judge of High Court or who has retired from service under the C 'liiral Government or a State Government and who IS in receipt of or has received or has become enti- tled to receive any retirement benefits by way employer s of pension and ot gratuity or both, contribution to the Contributory Provident bund or other forms of r tirement benefits, the Ifjre- mentioned pay shall e reduced by the gro,s amount of pension or enswn equivalent of gra- tuity or employer's con • bution to the Con.i!ibu. tory Provident Fund or other form of retire- ment benefits, if any, dr n or to be drawn by him, but excluding pensio equivalent of retire- ment gratuity, drawn or to e drawn by Ilim

4. Dearness Allowance.—T Chairman, a Vice-Chairman and a Member s all receive clear• ir pay at 'the ness allowance appropriate to t cers of the rates admissible to Group "A" Central Government drawing pay in the scale of Rs. 7300-200-7500-250-8000 and a e Chair- 5. City Compensatory Allowance.— man, a Vice-Chairman and a Member •hall re- ceive City Compensatory Allowance app priate to their pay at the rates admissible to Grou "A" Officers of the Central Government drawine pay in the scale of Rs. 7300-200-7500-250-8000 or above

6. Retirement from parent service on appoint ment as The Chairman.a Vice- Chairman cr a Member who, on the date of his appointment to the Tribunal, was in service under the Central Government or a State Govern- ment, shall seek retirement from such service before his appointment to the Tribunal and, in the case of a sitting Judge of a High Court, who is appointed as Chairman or Vice-Chairman, his service in the Tribunal shall be treated as actual service within the meaning (Jf paragraph 11 (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 Member— (i) shall be entitled to receive pension and with the gratuity in accordance retirement rules applicable to him; (ii) shall not be allcnsec! to carry foru ard his earned leave but shall be entitled to cash equivalent to leave receive or Member, shall be entitled to leave as follows . (ii) (iii) (iv) earned leave at the rate of 15 days for every completed calendar year of ser- vice; half-pay

leave on medical certificate or on private affairs at the rate of 20 days in respect of each completed Year of service and the leave salary for half-pay leave shall be equivalent to half of the leave salary admissible during the earned leave; leave on half-pay can be commuted to full pay leave at the discretion of the Chairman or the Vice-Chairman or the Member concerned, provided it is taken on medical grounds and is supported by a medical certificate from the competent medical authority, extraordinary leave without pay and allowances upto a maximum period of 180 days in one term of office. salary. if any, In the rules applicable his retirement

7. Leave.—(1) A person, the Tribunal as the Chairman accordance with to him prior to on appointment in or Vice-Chairman (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 unenjoyed period of vacation to the leave account. Explanation.—For the purpose of this sub-rule "Vacation" means the vacation of 30 days in each calendar year observed by the Tribunal. (3) On the expiry of his term of office in the the Chairman, a Vice-Chairman or a Tribunal, 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) of rule 6 shall not in any case exceed 24 days, (4) The Chairman or a Vice-Chairman and Member shall be entitled to receive the dearness allowance as admissible on the leave salary under sub-rule () at the rates in force on the date of the relinquishment of the Office in the Tribunal; all not be entitled for the Provided that he city compensatory allowance or any other allowance on such leave salary

8. Leave sanctioning authority.—The Chairman shall be the authority competent to sanction leave to a Vice-Chairman and to a Member and the Governor shall be the authority competent to sanction leave to the Chairman. 30] **9. Pension.**—(1) the Tribunal as the or a Member shall Provided that (i) if he has service with Every person Chairman, a be entitled to such pension appointed to Vice-Chairman pension . shall be payable in less than two years of his the Tribunal ; or removed from an office (ii) if he has been in the Tribunal under sub-section (2) of section 90 of the Act. shall be (2) Pension under sub-rule (1) calculated at the rate of Rs. 10 per annum for each completed year of service and irrespective of the number of years of service the maximum amount of pension shall not exceed Rs. 3,500 per annum . Provided that the aggregate amount of pension payable under this rule together with amount of any pension including commuted portion 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 a High Court

10. Provident Fund.—The Chairman. a Vice-Chairman or a Member shall be entitled to subscribe to the Provident Fund at his option and, in the case of his so opting, shall be governed by the provisions of the General Provident Fund 1960 (Central Services) Rules. Provided that if the Chairman or a Vice-Chairman or a Member was the Judge of a High Court or was a Member of an All-India Service immediately before his joining the Tribunal, he shall be governed by the rules which were applicable to him immediately before joining the Tribunal

11. Travelling allowance.—The Chairman. a 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 with the Tribunal to proceed to his home town) shall be entitled to the travelling allowance, daily allowance, transportation of personal effects and other similar matters at the same scales and at the same rates as are prescribed in the High Court Judges (Travelling Allowance) Rules, 1956. **12. Leave Travel Concession.**—The Chairman, a Vice-Chairman or a Member shall be entitled to the leave travel concession at the same rates and at the same scales and on the same conditions as are applicable to Group "A" Officers of the Central Government drawing pay in the scale of Rs. 7300-200-7500-250-8000 or above

13. Accommodation.—(1) Every person appointed to the Tribunal as Chairman. Vice-Chairman or a Member shall be entitled to the use of an official residence of appropriate type, subject to availability, on 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 allowance of an amount equal to fifteen per cent of his pay. (3) Where the Chairman, a Vice-Chairman or a Member occupies an official 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 eviction in accordance with the rules of the Government, **14. Facility of**

conveyance.—The Chairman, a Vice-Chairman and a Member shall be entitled to the facility of staff car in accordance with the Staff Car Rules of the Government

15. Facilities for Medical Treatment.—The Chairman, a Vice-Chairman and a Member shall be entitled to Medical treatment and hospital facilities as are admissible to an officer of the corresponding status in the Government. i 6. 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 is appointed as the Chairman or a Vice-Chairman of the Tribunal, the service conditions as contained in the High Court Judges (Conditions of Service) Act, 1954 (28 of 1954) and provisions of Service Act, made thereunder shall apply to him the rules 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 his tenure as Chairman or Vice-Chairman, as the case may be

17. Notwithstanding anything contained in the conditions of rules 4 to 16 of these rules. service and other perquisites available to the Chairman and a Vice-Chairman shall be the same as admissible to a sitting Judge of a High Court as contained in the High Court (Conditions of Service) Act, 1954 (28 of 1954) and High Court Judges (Traveling Allowance) Rules, 1956.

18. Residuary provision.—The conditions of service of the Chairman, a Vice Chairman or a Member for which no express provision is available in these rules shall be determined by the rules and orders for the time being applicable to officers of corresponding pay levels belonging to the Indian Administrative Service. 6 THE GAZETTE OF INDIA : EXTRAORDINARY [PART II—SEC. 3(i)] 19. Powers to relax rules.—The Central Government to relax the provisions shall have the respect of any classifications of any of these rules or category of persons to whom these rules apply. [No. A-1101417/93-AT] SMT. SARITA PRASAD, Jt. secy. a-i 21 k 994 (1985 13) ft 35 (2) 1985 (f.i.a.) 1994 I (1985 13) "qfufft" 25) fizza (q) 19 19 (6) qfrq*r 'fifa' (1961 25) q*f8fiv, 1961 "tfr*" 27 29 (1) (2) ffr *favi f*i4f (2) Éire-TT far (3) ufz fiz_ If—ü 3(i)] 50 (3) 19 19 9. qTt-- (ii) (iii) , (3) thTfr ft•zrr 10. OTT 7 . trt (ii) 2. (3) 2, 48t (ii) (Fi) 8 THE GAZETTE OF INDIA . EXTRAORDINARY 21. [PART II—SEC. 12. {T q 1.3. Tfz [WM 11--68 3(i)] 10. 30 4.00 26. (1.30 2.30 27. 9 (ii) (iv) (v) (vi) (vii) (viii) (ix) (x) (xi) (xii) 30. ———mfizrfä, fäzf THE GAZETTE or • EXTRAORDINARY 1 985 19 2. 3 5 (iv) f+frzzri• : (iii) q Iq•rrr -7T 1985 21 ir 3ifa-q 10. fi;rq-q r5T\$fi fäqq q.-äT g Bat 7, 4--(äT 12 q7T 1

4. EXTRAORDINARY THE GAZETTE OF INDIA : 2 24 [PART II—SEC. 12.] (ii) (vii) ftTf?Ä Q'TFTT fr*fä NOTIFICATION New Delhi, the 21st December, 1994 GSR 876(E) .—In exercise of the powers conferred by sub-section (1) read with clauses (d), (e) and (f) of 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 commencement. These rules may be called the West Bengal Administrative Tribunal (Procedure) Rules, 1994. (2) They shall come into force on the day 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) "advocate" means an advocate entered in any roll under the provisions of the Advocates Act, 1961 (25 of 1961); (c) "agent" means a person duly authorised by a party to present an application or reply on its behalf before the Tribunal. (d) "applicant" means a person making an application to the Tribunal under section 19; (e) "application" means an application made to the Tribunal under Section 19; (f) "Form" means form Annexed to these rules; (g) "Government" means the Government of West Bengal; (h) "Legal Practitioner" shall have the same meaning as is assigned to it in the Advocates Act, 1961 (25 of 1961); (i) "Legal representative" means a person who in law represents the estate of the deceased; (j) "Registry" means the Registry of the Tribunal or of the Bench of the Tribunal as the case may be (k) "Registrar" means the Registrar of the Tribunal and includes any officer to whom the powers and functions of the Registrar may be delegated under sub-rule (2) of rule 27; (l) "section" means a section of the Act; (m) "Transferred application" means the suit or other proceedings which stand transferred to the Tribunal under sub-section (1) or sub-section (2) of Section 29; (n) (o) "Tribunal" means the West Bengal Administrative Tribunal established under sub-section (2) of Section 4: 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. Language of the Tribunal.—The language of the Tribunal shall be English. Provided that the parties to a proceeding before the Tribunal may file documents drawn up in Bengali, if they so desire; Provided further that a Bench may, in Its discretion permit the use of Bengali in the proceedings but the final order shall be in English



4. Procedure for filing application to the Tribunal shall be presented in



Form I by the applicant in person or by an agent or by a duly authorised advocate to the Registrar or any other officer authorised in writing by the Registrar to receive applications or be sent by registered post with acknowledgement due addressed to the Registrar.(2) "The application under sub-rule (1) shall be presented in three complete sets in a paper-book form along with one empty file size envelope bearing full address of the respondent (3) Where the number of respondents is more than one, as many extra copies of the application in paper-book form as the number of respondents together with the required number of empty file size envelopes 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 - n acknowledgement of the receipt of the application. (5) Notwithstanding anything contained in sub-rules (1) to the Tribunal may permit:— (b) more than one person to join, together and file a single application.ii 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. An association representing persons desirous of joining in a single application to file such application, provided that the THE GAZETTE OF INDIA, A application shall disclose the class, grade or categories of all the persons on whose behalf the application is 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 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 number. (3) If the application, on scrutiny, is found to be defective that 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) shall be made within 15 days of such order to the Tribunal whose decision thereon shall be final. 6. Place of filing applications shall be filed with the Registrar

7. Application fee.—Every application filed with the Registrar shall be accompanied by a fee of Rs. 50 (Rupees fifty) which shall be paid in court-fee stamps fixed on the application. 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

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 in double space. (2) It shall not be necessary to present a separate application to seek an interim order or direction if the application contains a prayer for an interim order or direction pending final disposal of the application. (3) An applicant may, subsequent to the filing of an application under section 19, apply for an interim order or direction. Such an application shall, as far as possible, be in the same form as is prescribed for an application under section 19 and shall be accompanied by a fee of Rs. 2 (Rupees EXTRAORDINARY [PART LI—SEC. 30]) two) which shall be payable in court fee stamps affixed on such application, to accompany the application. 9. Paper book, (1) Every application shall be accompanied by a book containing:— (i) a true copy of the order against which the application has been filed; (ii) copies of the documents relied upon by the applicant and referred to in the application; and (iii) an index of the documents. (2) The documents referred to in sub-rule (1) may be attested by an advocate or by a Gazetted Officer or by a Group 'A' Officer of the Government. (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 an advocate, 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 issued by A copy of the application in the Tribunal. the paper-book form shall ordinarily be served on each of the respondents by the Registrar in one of the following manners:— (i) by hand delivery (Dasti) through the applicant or through a process server; or (ii) by registered post 'with acknowledgement due'; (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 Registrar 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) Every applicant shall pay a fee for the service or execution of processes in respect of an respondent's application. Where the number of respondents exceeds five (i) a sum of Rs. 5 (Rupees five) for each respondent in excess of five respondents; or (ii) where the service is in such a manner as the Registrar 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 Registrar. (5) The fee for the service or execution of processes under sub-rule (4) shall be remitted by the applicant in the form of court-fee stamps. (6) Notwithstanding anything contained in sub-rules (1) to (5), 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 notwithstanding that some of the respondents have not been served with notice of the application. Provided that no application shall be heard. Provided that if, at any time, the Chairman of the Tribunal is satisfied that circumstances exist which render it necessary for him to hold the sittings of the Tribunal at any place than Calcutta, he may hold the sittings at any such place. f. Decision upon applications.— (1) The Tribunal shall draw up a calendar for the hearing of transferred cases and shall, as far as possible, hear and decide 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 presentation. (3) For purposes of sub-rules (1) the Tribunal shall have the power to refuse an adjournment of hearing and to limit the time for oral arguments.

16. Action on application for applicant's unless, (ii) (iii) notice of the application has been served on the Government if such Government is a respondent notice of the application has been served on the authority which passed the order against which the application has been filed and 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. (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 dismiss the application for default or hear and decide it on merit. Where an application has been dismissed for default and the applicant appears afterwards, the Tribunal shall, if it is satisfied that there was sufficient cause for his non-appearance when the application was called for hearing, make an order setting aside the order dismissing the application and restore the same.

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 date of service of the notice of the application on him. (2) The respondent shall serve a copy of the reply along with documents as mentioned in sub-(1) on the applicant or his advocate, if any, and file proof of such service in the Registry. (3) The Tribunal may, upon application by the respondent, allow the filing of the reply after the expiry of the period of one month.

13. Date and place of hearing to be notified. The Registrar shall notify to the parties the date and the place of hearing of the application.

14. Sittings of the Tribunal.—The Tribunal shall ordinarily hold its sittings at Calcutta.

17. Hearing on application ex parte (1) Where, on the date fixed for hearing of the application or on any other date to which such hearing may be adjourned, the applicant appears and the respondent does not appear the application is called for hearing, the Tribunal in its discretion adjourn the hearing or hear and file the application ex-parte.

(2) Where an application has been heard ex parte against a respondent or respondents, such respondent or respondents may apply 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 attending when the application was called for hearing, the Tribunal may make an order setting aside the ex-parte hearing against him or them upon such terms as it thinks fit. and shall THE C, AZFTTF OF INDIA with EXTRAORDINARY [PART IT—SEC 3(i)] a day
 Provided that the ex-parte hearing of the application is of such nature that it cannot be set against one respondent only. it may be set aside against all or any of the other respondents Provided further that the Tribunal shall not set aside ex-parte hearing of an application merely on the ground that there has been an irregularity in the service of notice, if it is satisfied that the respondent has been duly served with the notice of hearing and had sufficient time to appear and answer the applicant's claim. of application.—The Tribunal may, on such terms as it may deem fit and proceeding, adjourn the hearing of the application. I Y, Order to signed and dated.—Every order in writing and shall signed by the

Members constituting Bench. 2(). Publication of orders.—Such of the orders fit for publication by authoritative report or the press, may be to: " terms and conditions Tribunal may lay down. orders to the parties, issued on an affidavit respondent(s). either in person or by registered post, 22. for inspection of records.—No fee shall be charged for inspecting the records of a party and a person thereto 03, () orders and directions in certain The Tribunal may make such orders of such nature as it may deem fit; and may direct to give effect to orders or to prevent of its powers or to secure the ends of justice. 24, Registration legal practitioners of A clerk employed by fit legal practitioner and permitted as such to have access to the records and to obtain copies of the orders of the Tribunal which the practitioner or ordinary registered clerk" organizes, 011, n

(0) A legal practitioner desirous to register his clerk Registration in

Form III prescribed under the Registration Act, 1908. (4) A register of all the registered clerks shall be maintained in the office of the Registrar and 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 any other employee of the Tribunal. (5) The identity card mentioned in sub-rule (4) shall be issued under the signatures (If a Deputy Registrar of the Tribunal. (6) Whenever a legal practitioner ceases to employ registered clerk, he shall notify the [act at once to the Registrar by means of a letter enclosing therewith the identity card issued to such clerk by the Registry, and on receipt of such letter the name of the said registered clerk shall be struck off from the register

25. Working hours of the Tribunal.—Except on Saturday, Sundays and other public holidays, the office of the Tribunal shall, subject to any order made by the Chairman, remain open daily from 10.30 a.m. to 5.30 p.m. but no work, unless it of an urgent nature, shall be admitted after 4.00 p.m. on any working day.

26. Sitting hours of the Tribunal.—The sitting hours of the Tribunal (including a vacation Bench) shall ordinarily be from 11.00 a.m. to 1.30 p.m. and 2.30 p.m. to 4.30 p.m. subject to any general or special order made by the Chairman in this behalf.

27. Powers and functions of the Registrar.— (1) The Registrar shall have the custody of the records of the Tribunal and shall exercise such other functions as may be assigned to him under these rules or by the Chairman. (2) The Registrar may, with the approval of the 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 or any other officer of the Tribunal authorised in writing by the Chairman in this behalf, may exercise and perform all or any of the powers and functions of the Registrar. (4) The Registrar shall keep in his custody the official seal of the Tribunal. (5) The Registrar shall, subject to any general special direction by the Chairman, affix the official seal of the Tribunal on every order, notice or other process. (6) The Registrar shall have the power to authorise in writing the affixing of the seal of the Tribunal on a certified copy of any order of the Tribunal.

28. 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, 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) to fix, subject to the directions of the Tribunal, dates of hearing of 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 permission for inspection of records of the Tribunal; (viii) to dispose of all matters relating to the service of notices or other processes, applications for the issue of fresh notices or for extending the time therefor; (ix) to requisition records from the custody of any court or other authority; (x) (xi) (xii) to receive applications for the substitution of legal representatives of the deceased parties during the pendency of the application; to receive and dispose of applications for substitution, except where the substitution would involve setting aside an order of abatement; and to receive and dispose of applications by parties for return of documents

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

30. Dress for the Members and Staff of the Tribunal.—The dress for the Members of the Tribunal (including Chairman and Vice-Chairman) and the Officers and other employees of the Tribunal shall be such as the Chairman may specify

31. Dress for the Legal Practitioners and Presenting Officers.—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 or in an open collared coat with white shirt, trousers and a tie; (ii) if a female, in a saree or in any other dress in white or any other light colour. [F. No. A-1101418/93-AT] SMT. SARITA PRASAD, Jt. secy. (AT) FORM - (See Rule 4) APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985 For use in Tribunal's office DATE OF FILING . OR DATE OF RECEIPT BY POST REGISTRATION NO. SIGNATURE REGISTRAR IN THE WEST BENGAL ADMINISTRATIVE TRIBUNAL c 2905 BETWEEN B APPLICANT AND D RESPONDENT EXTRAORDINARY 18 THE GAZETTE OF INDIA [PART II—SEC. 3(i)] DETAILS

OF APPLICATION : 1. Particulars of the applicant: (i) Name of the applicant (ii) Name of Father/Husband (iii) Designation and office in which employed (iv) Office address (v) Address for service of all notices 2. Particulars of the respondent: (i) Name and/or designation of the respondent (ii) Office address of the respondent (iii) Address for service of all notices 3. Particulars of the order against which application is made : The application is against the following order . (i) Order No. (ii) Date (iii) Passed by (iv) Subject in brief 4. Jurisdiction of the Tribunal 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 Tribunals 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. Relief(s) sought: In view of the facts mentioned in paragraph 6 above, the applicant prays for the following relief(s):—[specify below the relief(s) sought, explaining the ground for the relief(s) and the legal provisions (if any) relied upon. S. Interim Order, if prayed for: Pending final decision of the application, the applicant seeks issues of the following interim order:— (Give here the nature of the interim order prayed for with reasons)

9. 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 result of such representations)

10. Matters not filed or pending with any other court etc.The applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any other authority or has not been rejected by any court of law or other authority. 11

12. Details of Index : An index in duplicate, containing the details of the documents to be relied upon is enclosed. List of enclosures. 11 working as.... VERIFICATION (Name of the applicant) S/o, W/o, resident of.. 19 age. do hereby verify that the contents of paragraphs I to 12 are true to my personal knowledge and belief and that have not suppressed any material fact. Place : Date . Signature of the applicant. To The Registrar, West Bengal Administrative Tribunal. Calcutta.



FORM-11 [See rule 4(4)] RECEIPT SLIP Receipt of the application filed in the West Bengal Administrative Tribunal. Calcutta. by in the Department of. residing at..... working as.. is hereby acknowledged. SEAL For Registrar West Bengal Administrative Calcutta. FORM 111 [See rule 24] APPLICATION FOR THE REGISTRATION OF CLERK 1. Name of legal practitioner on whose behalf the clerk is to be registered. ShriiSmt.. Tribunal 2. Particulars of the clerk to be registered. (i) Full Name : (in capital) (ii) Father's Name: (iii) Age and Date of Birth : (iv) Place of birth : (v) Nationality (vi) Educational Qualifications: (vii) Particulars of previous employment, if any : Attested passport size photograph to be pasted . (Clerk above named) do hereby firm that the particulars relating to me given above are true, Signature of Clerk 3. Whether the legal practitioner has a clerk already registered in his employ and whether the clerk sought to be registered is in lieu of or in addition to the clerk already registered. 20 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11 —SEC

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.. (legal practitioner) certify that the particulars given above are true to the best of my 1 information and belief and that [am not aware of any fact which would render the registration of the said. (name) as a clerk liable to cancellation. Signature of the legal practitioner To The Registrar, Central Administrative Tribuna; Branch. Printed by the Manager, Govt- of India Press, Ring Road, Maya Puri, New Delhi-110064 •ad Published by the Controller of Publications, Delhi-110054, 1995

