

## **CENTRAL ADMINISTRATIVE TRIBUNAL (FINANCIAL AND ADMINISTRATIVE -POWERS) RULES, 1985**

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## **CENTRAL ADMINISTRATIVE TRIBUNAL (FINANCIAL AND ADMINISTRATIVE -POWERS) RULES, 1985**

<sup>1</sup>1. Published in the Gazette of India. Extraordinary, Pt. II, Sec. 3 (i), dated 20th November, 1985. G.S.R.854 (E).-In exercise of the powers conferred by Sec. 12, Cl. (f) of Section 35 and Cl. (a) of Sec. 36 of the Administrative Tribunals Act, 1985 (13 of 1985), the Central Government hereby makes the following rules, namely:

### **1. Short title and commencement :-**

(1) These rules may be called the Central Administrative Tribunal (Financial and Administrative Powers) Rules, 1985.

(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) "Chairman" means the Chairman of the Tribunal;

(c) "Tribunal" means the Central Administrative Tribunal.

### **3. Sitting of an Additional Bench at place other than the place where it shall ordinarily sit :-**

If at any time the Vice-Chairman of any Additional Bench is satisfied that circumstances exist which render it necessary to have

sitting of the said Bench at any place falling within its territorial jurisdiction, other than the place or places at which it ordinarily sits, he may with the previous consent of the Chairman direct that the Additional Bench shall hold its sittings at any such appropriate place.

#### **4. Powers of Chairman :-**

The Chairman shall have the same powers as are conferred on a Department of the Central Government In respect of the delegation of Financial Powers Rules, 1978, the General Financial Rules, 1963, the Fundamental and Supplementary Rules, the Central Civil Services (Leave) Rules, 1972, the Central Civil Services (Joining Time) Rules, 1979, the Central Civil Services (Conduct) Rules, 1964, the Central Civil Services (Classification, Control and Appeal) Rules, 1965 and the General Provident Fund (Central Services) Rules, 1960: Provide that the exercise of the financial powers shall be subject to any procedural or other instructions issued from time to time by the Government and after obtaining the advice of the Financial Adviser and Chief Accounts Officer of the Tribunal: Provided further that in respect of matters not within the competence of the Chairman, concurrence of the Ministry of Finance of any other authority shall be obtained by the Chairman through the Department of Personnel and Training.]

#### **SCHEDULE 1**

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\* \ \ \ \ APPENDIX The Administrative Tribunals (Amendment) Act, 1986 (19 of 1986) An Act to amend the Administrative Tribunals Act, 1985 Be. it enacted by Parliament in the Thirty-seventh year of the Republic of India as follows: 1. Short title and commencement.-(1) This Act may be called the Administrative Tribunals (Amendment) Act, 1986. (2) Save as otherwise provided in this Act, it shall be deemed to have come into force on the 22nd day of January, 1986. 24. Provisions as to existing Members of Central Administrative Tribunal.-Every person holding office as Chairman, Vice-Chairman or other Member of the Central Administrative Tribunal immediately before the commencement of this Act shall- (a) if he possesses any of the qualifications specified for appointment as a Judicial Member under the principal Act, as amended by this Act, be deemed, on and from such commencement, to have been appointed as a Judicial Member of such Tribunal; and (b) in any other case, be deemed, on and from such commencement to have been appointed as an Administrative Member of such Tribunal. 25. Validation.-Anything done or any action taken (including any application admitted or orders passed by the Central Administrative Tribunal or any of its Bench or Benches immediately before the commencement of this Act in the exercise or purported exercise of its jurisdiction, powers and authority conferred by or under the principal Act, shall be deemed to have been validly done, or taken as if the provisions of the principal Act, as amended by this Act, had been in force at all material

times and, accordingly, anything done or any action taken by the said Tribunal or any of its Bench or Benches shall not be called in question merely on the ground that- (a) the Bench or Benches of such Tribunal had not been properly constituted, or (b) the said Tribunal had no jurisdiction to adjudicate or try any dispute or complaint or to hear any appeals in relation to such dispute or complaint. 26. Repeal and Saving.- (1) The Administrative Tribunal (Amendment) Ordinance, 1986 (I of 1986), is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.