

The Central Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairmen and Members) Rules, 1985

UNION OF INDIA

India

The Central Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairmen and Members) Rules, 1985

Rule

THE-CENTRAL-ADMINISTRATIVE-TRIBUNAL-SALARIES-AND-ALLOWANCES-RULES-1985

- Published on 10 August 1985
- Commenced on 10 August 1985
- [This is the version of this document from 10 August 1985.]
- [Note: The original publication document is not available and this content could not be verified.]

The Central Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairmen and Members) Rules, 1985 Published vide Notification No. G.S.R. 644(E), dated 10th August, 1985 Last Updated 1st September, 2018 G.S.R. 644(E). - In exercise of the powers conferred by clause (c) of sub-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.

(1) These rules may be called the Central Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairmen and Members) 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 Tribunal Act, 1985 (13 of 1985); (b) "Tribunal" means the Central Administrative Tribunal.

3. Pay.

- The Chairman shall be entitled to a pay of rupees thirty thousand per mensem; a Vice-Chairman shall be entitled to a pay of rupees twenty six thousand per mensem and a Member shall be entitled to a pay in the scale of Rs.22,400-600-26000/- per mensem. Provided that in the case of appointment as a Chairman, Vice-Chairman or a Member of a person who has retired as a Judge of 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 or gratuity employer's contribution to the Contributory Provident Fund or other forms of retirement benefits, the pay shall be reduced by the gross amount of pension or pension equivalent to service gratuity or employer's contribution to Contributory Provident Fund or any other form of retirement benefits, if any, but excluding pension equivalent to retirement gratuity, drawn or to be drawn by him.

4. & Dearness Allowance.

- The Chairman, Vice-Chairman and a Member shall be entitled to dearness 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.22,400-600-26,000/- or above.

4A. + City Compensatory Allowance.

- The Chairman, a Vice-Chairman and a Member shall be entitled to City Compensatory Allowance appropriate to their pay at the rates drawing a pay admissible to Group 'A' officers of the Central Government in the scale of Rs.22,400-600-26000/- or above. The Chairman, a Vice-Chairman and a Member shall be entitled to City Compensatory Allowance appropriate to their pay at the rates drawing a pay admissible to Group 'A' officers of the Central Government in the scale of Rs.22,400-600-26000/- or above.

5. Retirement from parent service on appointment as Member.

(1) 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 and in the case of a sitting Judge of a High Court who is appointed as Chairman, Vice-Chairman, his service in the Tribunal shall be treated as Actual service within the meaning of para 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, Vice-Chairman and Member : (i) shall be entitled to receive pension and gratuity in accordance with the retirement rules applicable to him; (ii) Shall not be allowed to carry forward his 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.

(1) A person, on appointment in the Tribunal as a Chairman, Vice-Chairman or a Member shall be entitled to leave as follows : (i) earned leave at the rate of fifteen days for every completed calendar year of service. (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 and 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 Member, provided it is taken on Medical grounds and is supported by a medical certificate from the competent medical authority. (iv) extra ordinary leave without pay and allowances upto a maximum period of 180 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 unenjoyed period of vacation to the leave account. Explanation. - For the purpose of this sub-rule "vacation" means vacation of 30 days in each calendar year observed by the Tribunal. (3) On the expiry of the term of his office in the Tribunal, the Chairman, the 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 subject, to the conditions that the maximum of leave encashed under this sub-rule or sub-rule (2) of rule 5 or at the time of retirement from previous service, as the case may be, or taken together shall not in any case exceed 300 days: Provided that in respect of the Chairman, Vice-Chairman and the Members holding office on the date of commencement of the Central Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairman and Members) Amendment Rule, 1992, this sub-rule shall be applied as it stood before such commencement. (4) The Chairman, the Vice-Chairman or other Members shall be entitled to receive the dearness allowance as admissible on the leave salary under sub-rule (2) at the rates in force on the date of the relinquishment of the office in the Tribunal.

7. Leave sanctioning authority.

- The Chairman shall be the authority competent to sanctioning leave to the Vice-Chairman and to a Member and the President shall be the authority competent to sanction leave to the - Chairman.

8. Pension.

(1) Every person appointed to the Tribunal as the Chairman, a Vice-Chairman or a Member shall be entitled to pension provided that no such pension shall be payable. (i) if he has put in less than two years of service; or (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 (1) shall be calculated at the rate of [rupees forty thousand eight hundred and thirty six per annum] [Substituted 'rupees fourteen thousand five hundred and thirty two per annum' by Notification No. G.S.R. 822, dated 30.8.2018 (w.e.f. 10.8.1985).] for each completed year of service: Provided that the aggregate amount of pension payable under this rule together with 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 High Court.

9. Provident Fund.

- The Chairman, a Vice-Chairman or a Member shall be entitled to subscribe to the General Provident Fund at his option and in case of his so opting shall be governed by the provisions of the Central Provident Fund (Central Services) Rules: Provided that if the Chairman, a Vice-Chairman or a Member was 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.

10. Travelling Allowance.

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

11. Leave Travel Concession.

- The Chairman, a Vice-Chairman and 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 admissible to Group 'A' officer of the Central Government drawing a pay in the scale of Rs.22,400-600-26,000/- or above.

12. Accommodation.

(1) Every person appointed to the Tribunal as a Chairman, a Vice-Chairman or a Member shall be entitled to the use of an official residence from the general pool accommodation of the type admissible to an officer of the rank of a Secretary to the Government of India stationed at Delhi on the payment of the licence fee at the rates prescribed by the Central Government from time to time. (2) When a Chairman, a Vice-chairman or a Member is not provided with or does not avail himself of the general pool accommodation referred to in sub-rule(1) he may be paid every month an allowance of an amount equal to thirty percent 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 applicable to Secretary to the Government of India belonging to the Indian Administrative Service.

13. Facility of conveyance.

- The Chairman, Vice-Chairman and a Member shall be entitled to the facility of staff car for journeys for official and private purposes in accordance with the Staff Car Rules of the Government of India.

14. Facilities for Medical Treatment.

- The Chairman, Vice-Chairman or other Member shall be entitled to medical treatment and hospital facilities as provided in the Contributory Health Service Scheme Rules, 1954 and in places where the Central Health Services Scheme is not in operation, the Chairman, Vice-Chairman and Members shall be entitled to the facilities as provided in the Central Services Medical Attendance Rules.

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 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 and the rules made thereunder shall apply to him.

15A.

Notwithstanding anything contained in rule 4 to 15 of the said rules, the conditions of service and other perquisites available to the Chairman and Vice-Chairman of the Central Administrative Tribunal shall be the same as admissible to a serving Judge of a High Court as contained in the High Court Judges (Conditions of Service) Act, 1954 and High Court Judges (Travelling Allowances) Rules, 1956.

16. Residuary provision.

- The conditions of service of the Chairman, Vice-Chairman or other 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 a Secretary to the Government of India belonging to the Indian Administrative Service.

17. Powers to relax rules.

- The Central Government shall have power to relax the provisions of any of these rules in respect of any class or categories of persons.