

# **The Goa, Daman and Diu Administrative Tribunal (Affidavits) Rules, 1968**

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## **The Goa, Daman and Diu Administrative Tribunal (Affidavits) Rules, 1968**

### **Rule**

### **THE-GOA-DAMAN-AND-DIU-ADMINISTRATIVE-TRIBUNAL-AFFIDAVIT of 1968**

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The Goa, Daman and Diu Administrative Tribunal (Affidavits) Rules, 1968Published vide Notification No. LD/N/14/13/67-68-75, dated 16.1.1969LD/N/14/13/67-68-75. - In exercise of the powers conferred by Section 13 of the Goa, Daman and Diu Administrative Tribunal Act, read with sub-section (1) (i) and (3) of section 7 of the said Act, the Lt. Governor of Goa, Daman and Diu is pleased to make the following rules, namely:-

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

(1)These Rules may be called, "The Goa, Daman and Diu Administrative Tribunal (Affidavits) Rules, 1968".(2)They shall come into force on 15th January, 1969 and shall not apply to proceedings instituted or pending in the Administrative Tribunal (hereinafter called the "Tribunal") before their commencement.

#### **2. Entitling of affidavits.**

- Every affidavit to be filed in the Tribunal shall have the title "In the Administrative Tribunal of Goa, Daman and Diu at Panaji".

#### **3. Entitling of affidavits relating to the proceeding pending in the Tribunal.**

- An affidavit relating to a proceeding pending in the Tribunal shall have the title "In the matter of (state the proceeding and its number)" and shall set out the names and descriptions of the parties.

#### **4. Entitling of affidavits in respect of cause not in the Tribunal.**

- If there be no cause in the Tribunal the affidavit shall have the title "In the matter of the petition of ...".

#### **5. Statements of facts to be divided into paragraphs and numbered.**

- Every affidavit containing any statement of facts shall be divided into paragraphs, and every paragraph shall be numbered consecutively and, as nearly as may be, shall be confined to a distinct part of the subject.

#### **6. Affirmation by declarant from knowledge and belief.**

- The declarant shall state what paragraphs or parts of his affidavit he swears or solemnly affirms to from his own knowledge and what paragraphs or parts he swears or solemnly affirms to on his own belief, stating the grounds of such belief.

#### **7. Affirmation below petition sufficient compliance.**

- When any petition is required to be supported by an affidavit by these rules, a declaration on solemn affirmation by the petitioner below the petition stating that the facts stated in the petition are true to the best of his own knowledge or belief would be sufficient compliance; and no separate affidavit, unless otherwise ordered by the Tribunal, shall be necessary.

#### **8. Officer before whom affidavits and affirmation may be sworn or declared.**

- Affidavits and affirmations to be used before the Tribunal may be sworn and affirmed before the Registrar of the Tribunal ["or any officers empowered by the Tribunal to administer oath in this behalf"] [These words added by (Amendment) Rules, 1996 [Official Gazette, Series I No. 23 (Extraordinary) dated 5-9-1996].].

#### **9. Language if not known, document to be interpreted by the Registrar or other Officer.**

- (i) The Registrar administering the affirmation for the purpose of affidavits shall satisfy himself that the language in which the affidavit is sought to be made is known to the declarant. (ii) If the language is not known or understood by the declarant the Registrar administering the affirmation shall, where the party is represented by an Advocate, require the said Advocate to certify in writing below the affidavit that the contents of the affidavit are interpreted and explained to the declarant in a language known to him and that the declarant has fully understood them. (iii) Where the declarant is not represented by an Advocate, the Registrar administering the affirmation shall himself interpret the contents of the document to the declarant or appoint any fit Officer of the Tribunal for the purpose on the payment of fees as prescribed in Rule 12. The Registrar or other Officer

appointed by him interpreting the document shall certify below the document that its contents have been interpreted to the declarant in a language known to him.(iv)When the Registrar administering the affirmation is satisfied that the language of the document is known or understood by the declarant, or when the Advocate or the Registrar or other Officer acting as translator certified that the contents have been interpreted to the declarant in a language known to him, the affirmation shall be administered and the affidavit completed by the signature of the declarant below the declaration on affirmation in the presence of the Registrar and the certification by the Registrar of the Tribunal.

## **10. Identity of declarant.**

- The Registrar, before administering the affirmation and certifying the affidavit, shall satisfy himself as to the identity of the declarant who shall be either known to the Registrar personally or identified before him by a person whom he personally knows. The manner in which the identification is made shall be certified by the Registrar administering the affirmation.

## **11. Solemn declaration by the party making the affidavit.**

- The declaration by the party making the affidavit shall be in the following form:I,... the Appellant/Respondent, Applicant/Opponent, Petitioner/Opponent above named do solemnly declare that what is stated above in paragraphs ... is true to my own knowledge and that what is stated in the remaining paragraphs is true to the best of my information which I obtained from the following sources:...and I believe the information which I obtained for the following reasons:-Solemnly declare at ... above said this ... day of ... 19 ...(Signature)Solemnly affirmed before me by ..... who is identified before me by ..... whom I personally know.This ... day of ... 19...Registrar Administrative Tribunal

## **12. Fees Payable.**

(1)The following are the fees chargeable on the affidavits under these rules:(a)For each affidavit or affirmation :- fifty paise;(b)For each page interpreted or part thereof :- fifty paise.(2)Such fees shall be paid by means of Court fees adhesive stamps affixed on the respective document under an endorsement and registration or the fees so collected and the due cancellation of the stamps.OrderNo. 610/AT/96/Affidavit. - In exercise of powers conferred by Section 7(3) of the Goa, Daman & Diu Administrative Tribunal Act, 1965 read with Rule 8 of the Goa Administrative Tribunal (Affidavits) (Amendment) Rules, 1996, affidavits and affirmations to be used before the Tribunal shall, in the absence of Registrar, be sworn and affirmed before the Head Clerk, and in the absence of both, before the seniormost UDC.NotificationsLD/21/65. - In exercise of the powers conferred by sub-section (3) of section 1 of the Goa, Daman and Diu Administrative Tribunal Act, 1965, the Government hereby appoints the 21st of April, 1965 as the date on which the provision of the said Act shall come into force in the Union Territory.LD/N/80/66. - In exercise of the powers conferred by clause 2 of the Goa, Daman and Diu (Administration) Removal of Difficulties Order, 1962, I, K. R. Damle, Administrator of Goa, Daman and Diu, hereby direct that notwithstanding anything to the contrary in any other law it shall not be necessary to stamp applications,

memoranda of appeal and other documents presented to the Goa, Daman and Diu Administrative Tribunal, with the Public Assistance stamps (Assistencia Publica).