

INTRODUCTION

The Central Administrative Tribunal had been established under Article 323 - A of the Constitution for adjudication of disputes and complaints with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or other authorities under the control of the Government. In the statement of object and reasons on the introduction of the Administrative Tribunals Act, 1985 it was mentioned:

“It is expected that the setting up of such Administrative Tribunals to deal exclusively with service matters would go a long way in not only reducing the burden of the various Courts and thereby giving them more time to deal with other cases expeditiously but would also provide to the persons covered by the Administrative Tribunals speedy relief in respect of their grievances.”

There are 17 Benches and 20 Circuit Benches in the Central Administrative Tribunal all over India. In addition to the Ministries and Departments of Central Government, the Government of India has notified about 207 organizations under section 14 (2) of the Administrative Tribunals Act, 1985 to bring them within the jurisdiction of the Central Administrative Tribunal, from time to time. In addition the Central Administrative Tribunal, Principal Bench is dealing with the matters of Govt. of National Capital Territory of Delhi.

The Central Administrative Tribunal is headed by Honøble Chairman Sh. Justice Permod Kohli, former Chief Justice of High Court of Sikkim. There are 66 Honøble Members in various Benches of the Tribunal out of which 33 are Judicial Members, including the Honøble Chairman and 33 are Administrative Members. Subject to other provisions of the Act, a Bench consists of one Judicial Member and one Administrative Member. The Central Administrative Tribunal has been established as a specialist body comprising of Administrative Members and Judicial Members who by virtue of their specialized knowledge are better equipped to dispense speedy and effective justice. The conditions of service of Honøble Chairman and Members are the same as applicable to a Judge of High Court as per the Administrative Tribunals (Amendment) Act, 2006 (1 of 2007), which came into effect on 17.02.2007.

After the establishment of the Tribunal in 1985, it received 13,350 pending cases on transfer from the High Courts and subordinate Courts under section 29 of the Administrative Tribunal Act, 1985. Since its inception in 1985 to 31st March, 2015 about 6,84,465 cases were instituted in the Tribunal. Out of those 6,45,772 cases have already been disposed of. That is a disposal rate of 94.37%. The Administrative Tribunal is distinguishable from the ordinary courts with regard to its jurisdiction and procedure. It exercises jurisdiction only in relation to the service matters of the parties covered by the Act. It is also free from the shackles of many of the technicalities of the ordinary Courts. The procedural simplicity of the Act can be appreciated from the fact that an aggrieved government employee can also appear personally before the Tribunal. An Original Application can be filed by remitting a nominal fee of Rs. 50/- before the Tribunal. A provision has also been made in the Rules 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. Thus, the Tribunal has duly justified its creation through speedy and inexpensive disposal of pending cases.

The Tribunal is guided by the principles of natural justice in deciding cases and is not bound by the procedure, prescribed by the Civil Procedure Code. The Central Administrative Tribunal is empowered to frame its own rules of procedure and practice. Under the said provision of the Act, the Central Administrative Tribunal (Procedure) Rules, 1987 and Central Administrative Tribunal Rules of Practice, 1993 have been notified to ensure smooth functioning of the Tribunal.

Under Section 17 of the Administrative Tribunal Act, 1985, the Tribunal has been conferred with the power to exercise the same jurisdiction and authority in respect of contempt of itself as a High Court.

Initially the decision of the Tribunal could be challenged before Honøble Supreme Court by filing Special Leave Petition. However, after the Supreme Courtø decision in L. Chandra Kumarø case, the orders of Central Administrative Tribunal are now being challenged by way of Writ Petition under Article 226/227 of the Constitution before respective High Court in whose territorial jurisdiction the Bench of the Tribunal is situated.

The employees of the Central Administrative Tribunal are required to discharge their duties under the general superintendence of the Chairman. Salaries and Allowances and Conditions of Service of the officers and other employees of the Tribunal are specified by the Central Government. Pursuant to these provisions, the Central Government has notified the Central Administrative Tribunal Staff (Condition of Service) Rules, 1985. There are 1303 posts classified in 36 categories for assisting the Tribunal in discharging its functions. The Central Administrative Tribunal is a dynamic organization with increasing jurisdiction, responsibilities and work load.

Now the Central Administrative Tribunal has initiated an ambitious Plan Scheme for modernization and computerization of its activities through a new dynamic website, Case Information System, Video Conferencing etc. This project, on completion, will facilitate the litigants, lawyers, researchers and public in general to access the orders and judgments of the Tribunal on real time basis besides efficient maintenance & management of records and speedy disposal of cases.

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