THE NATIONAL HIGHWAYS TRIBUNAL (FINANCIAL AND ADMINISTRATIVE POWERS) RULES, 2004[1]

Whereas the draft of the National Highways Tribunal (Financial and Administrative Powers) Rules, 2003, was published as required by sub-section (1) read with clause (e) of sub-section (2) of Section 50 of the Control of National Highways (Land and Traffic) Act, 2002 (13 of 2003) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 5th January, 2004 with the notification of the Government of India in the Ministry of Road Transport and Highways number G.S.R. 9(E), dated the 5th January, 2004, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of thirty days from the date on which the copies of said notification, as published in Gazette of India, are made available to the public;

And, Whereas, copies of the gazette containing the said notification were made available to the public on the 5th January, 2004;

And, Whereas, no objections or suggestions had been received from any person with respect to the said draft rules within the expiry of the period abovesaid;

Now, therefore, in exercise of the powers conferred by sub-section (1) read with clause (e) of sub-section (2) of Section 50 of the Control of National Highways (Land and Traffic) Act, 2002 (13 of 2003), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called by the National Highways Tribunal (Financial and Administrative Powers) Rules, 2004.

(2) They shall come into force on the date on which the Act come into force.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Control of National Highways (Land and Traffic) Act, 2002 (13 of 2003).

(b) "Tribunal" means the National Highways Tribunal established under sub-section (1) of Section 5 of the Act.

(c) "Presiding Officer" means a person appointed as Presiding Officer of the Tribunal under sub-section (1) of Section 6 of the Act;

(d) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act;

3. Powers of the Presiding Officer.—The Presiding Officer shall have the same powers as are conferred on a Head of Department in respect of the General Financial Rules 1963, the Delegation of the Financial Powers Rules 1978, the Fundamental Rules, the Supplementary Rules, the Central Civil Services (Leave) Rules, 1972 the Central Civil Services (Joining Time) Rules, 1979, the Central

1. *Vide* G.S.R. 313 (E) dated 13th May, 2004, published in the Gazette of India, Pt. II, Sec. 3(i) dated 13th May, 2004.

Services (Pension) Rules, 1972, 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:

Provided that the exercise of powers by the Presiding Officer under these rules these shall be subject to such instructions as may be issued from time to time by the Central Government.

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