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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 28th December, 1987/Pausa 7, 1909 (Saka)

The following Act of Parliament received the assent of the President on the 22nd December, 1987, and is hereby published for general information:—

THE ADMINISTRATIVE TRIBUNALS (AMENDMENT) ACT, 1987

No. 51 OF 1987

[22nd December, 1987.]

An Act further to amend the Administrative Tribunals Act, 1985.

BE it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Administrative Tribunals (Amendment) Act, 1987. Short title.

13 of 1985.

2. In section 2 of the Administrative Tribunals Act, 1985 (hereinafter referred to as the principal Act), in clause (c), after the words "any High Court", the words "or courts subordinate thereto" shall be inserted. Amendment of section 2.

3. In section 6 of the principal Act,— Amendment of section 6.

(a) in sub-section (1), the word "or" occurring at the end of clause (b) and clause (c) shall be omitted;

(*b*) in sub-section (*2*), for clause (*a*), the following clause shall be substituted, namely:—

"(*a*) is, or has been, or is qualified to be, a Judge of a High Court; or";

(*c*) for sub-section (7), the following sub-section shall be substituted, namely:—

"(7) No appointment of a person possessing the qualifications specified in this section as the Chairman, a Vice-Chairman or a Member shall be made except after consultation with the Chief Justice of India.".

Substitution of new section for section 8.

4. For section 8 of the principal Act, the following section shall be substituted, namely:—

Term of office.

"8. The Chairman, Vice-Chairman or other Member shall hold office as such for a term of five years from the date on which he enters upon his office, but shall be eligible for re-appointment for another term of five years:

Provided that no Chairman, Vice-Chairman or other Member shall hold office as such after he has attained,—

(*a*) in the case of the Chairman or Vice-Chairman, the age of sixty-five years, and

(*b*) in the case of any other Member, the age of sixty-two years.".

Amendment of section 29.

5. In section 29 of the principal Act, after sub-section (5), the following sub-sections shall be inserted, namely:—

"(6) Every case pending before a Tribunal immediately before the commencement of the Administrative Tribunals (Amendment) Act, 1987, being a case the cause of action whereon it is based is such that it would have been, if it had arisen after such commencement, within the jurisdiction of any court, shall, together with the records thereof, stand transferred on such commencement to such court.

(7) Where any case stands transferred to a court under sub-section (6), that court may proceed to deal with such case from the stage which was reached before it stood so transferred.".

Insertion of new section 36A.

6. After section 36 of the principal Act, the following section shall be inserted, namely:—

Power to make rules retrospectively.

"36A. The power to make rules under clause (c) of sub-section (2) of section 35 or clause (b) of section 36 shall include the power to make such rules or any of them retrospectively from a date not earlier than the date on which this Act received the assent of the President, but no such retrospective effect shall be given to any such rule so as to prejudicially affect the interests of any person to whom such rule may be applicable.".

C. RAMAN MENON,
Additional Secy. to the Govt. of India.

IndiaCode

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