



RAJASTHAN ADMINISTRATIVE TRIBUNAL

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INTRODUCTION

The **Rajasthan Civil Services Appellate Tribunal** generally known as Rajasthan Administrative Tribunal or RAT is a quasi-judicial administrative organization.

The Rajasthan Civil Services Appellate Tribunal has been established on 1st July, 1976 under the Rajasthan Civil Services (Service Matters Appellate Tribunal) Act, 1976 for the adjudication of disputes and complaints with respect to service matters and matters incidental thereto of Government servants.

It had been established and working even before 42nd CAA, 1976.

BACKGROUND

In 1969, a Committee was set up by the Central Government under the Chairmanship of Mr. Justice Shah of the Supreme Court to make recommendations suggesting ways and means for effective, expeditious and satisfactory disposal of matters relating to service disputes of Government servants as it was found that a sizeable portion of pending litigations related to this category.

As the pendency in the Courts increased, Government's attention was drawn to this aspect concerning delay in justice, huge backlog and prolonged litigation. Ways and means to relieve the Courts of the case load began to engage the attention of the Government.

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The Shah committee recommended the setting up of independent Tribunals to handle only service matters. While this report was still engaging the attention of the Central Government, the Administrative Reforms Commission also took note of the situation and recommended the setting up Civil Services Tribunals to deal with appeals of Government servants. In may 1976, a conference of Chief Secretaries of the States discussed this problem and the State Government decided to enact an Act for this purpose.

In 1976 through 42nd Constitutional Amendment Act the parliament introduced Part XIV-A which included Article 323A and 323B providing for constitution of tribunals dealing with administrative matters and other issues. According to these provisions of the Constitution, tribunals are to be organized and established in such a manner that they do not violate the integrity of the judicial system given in the Constitution which forms the basic structure of the Constitution.

ORGANIZATION

After the constitutional amendment, the Union Govt. established Central Administrative Tribunal in 1985 by an Act.

Many state governments also enacted the state legislations for their state tribunals.

THE RAJASTHAN CIVIL SERVICES (SERVICE MATTERS APPELLATE TRIBUNALS) ACT was enacted in 1976 (President's assent on 7May, 1976).

There is a Chairman (Sr. IAS) and two members(at least one from High Court Judicial Service) in the tribunal. The Tenure is 3 years.

Registrar act as secretary of the tribunal.

FUNCTIONS

It has been expected that the setting up of the Tribunal to deal exclusively with service matters would go a long way in not only reducing the burden of various courts especially the High Court and thereby give more time to deal with other cases expeditiously but would also provide persons covered by the Act speedy relief in respect of their grievances such as pension, pay fixation and promotion etc. The Tribunals have been striving hard to achieve the objective set forth for it in their Acts.

As per the Act the duties of tribunal are-

DUTIES OF THE TRIBUNAL

1. The Rajasthan Civil services Appellate Tribunal shall hear an appeal against the order passed by any officer or authority on any service matter or matters affecting a Government servant in his personal capacity.
2. The Tribunal shall have power to confirm, vary or reverse the order against which the appeal is preferred or to remand the matter for fresh decision in accordance with the directions given by it.
3. The Tribunal shall not ordinarily admit an appeal unless it is satisfied that the appellant had availed of all the remedies available to him under the relevant service rules as to redressal of grievances.

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4. For the purposes of sub-section (1) a person shall be deemed to have availed of all the remedies available to him under the relevant service rules as to redressal of grievances -

(a) if a final order has been made by the Government or other authority or committee or officer or other person competent to pass such order under such rules, rejecting any appeal preferred or representation made by such person in connection with the grievance or

(b) Where no final order has been made by the government or other authority or committee or officer or other person competent to pass such order with regard to the appeal preferred or representation made by such person, if a period of six months from the date on which such appeal was preferred or representation was made has expired.

Explanation:- In this section the expression "service rules as to redressal of grievance"

means the rules, regulation, order or other instruments or arrangements as in force for

the time being with respect to redressal, otherwise than under this Act of any grievances in relation to services.

-- the Tribunal has the powers of a Civil Court.