

**Assam Administrative Tribunal (Amendment) Act, 2008**

**04 of 2008**

**[03 April 2008]**

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PREAMBLE

An

Act

further to amend the Assam Administrative Tribunal Act, 1977.

Whereas it is expedient further to amend the Assam Administrative Tribunal Act, 1977 (Assam Act VIII of 1977), hereinafter referred to as the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Fifty-ninth Year of the Republic of India as follows :-

**1. Short title, extent and commencement :-**

- (1) This Act may be called the Assam Administrative Tribunal (Amendment) Act, 2008.
- (2) It extends to whole of Assam.
- (3) It shall come into force at once.

**2. Amendment of section 3 :-**

In the principal Act, in section 3, for sub-section (5), the following shall be substituted, namely :-

"(5) No person shall be retained as a member of the Tribunal after he has attained the age of sixty five years or after completion of a period of 5 years from the date of his re-employment, whichever is earlier :

Provided that, -

- (a) any Government servant appointed as a member of the Tribunal shall retire as such member on attaining the age of 60 years as usual applicable to a servant of the State Government ;
- (b) if such a member, who was a servant of the State Government, retired at the age of 60 years as such member of the Tribunal is reemployed as a member of the Tribunal, he shall retire on attaining the age of 65 years or shall continue for a period of 5 years from the date of his re-employment, whichever is earlier ;
- (c) the provisions of clauses (a) and (b) shall not be applicable in the case of the Chairman of the Tribunal who shall retire on attaining the age of superannuation as per condition of service governed by the respective Service Rules of his service cadre."