

West Bengal Administrative Tribunal (Salaries And Allowances And Conditions Of Service Of Chairman, Vice-Chairman And Members) Amendment Rules, 2010

[29 March 2010]

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G.S.R.226 (E):- In exercise of the powers conferred by sub-section (1) read with clause (c) of sub-section (2) of Section 35 and Section 36A of the Administrative Tribunals Act, 1985 (13 of 1985), the Central Government hereby makes the following rules further to amend the West Bengal Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairman and Members) Rules, 1994, namely:-

1. Section 1 :-

(1) These rules may be called the West Bengal Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairman and Members) Amendment Rules, 2010. (2) They shall be applicable to the Chairman, Vice-Chairman and Members of the West Bengal Administrative Tribunal appointed before the 19th February, 2007. (3) They shall be deemed to have come into force on the 21st December, 1994.

2. Section 2 :-

In the West Bengal Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairman and Members) Rules, 1994, in rule 8, after sub-rule (2),-the following sub-rule shall be inserted, namely:- "(3) Gratuity.-- The Members who have completed five years of service in the Tribunal shall be entitled for a retirement gratuity equal to one fourth of the

emoluments for each completed period of six months of service subject to a maximum of sixteen and half time of the emoluments: Provided that the total amount of gratuity payable to a Member under this clause and the amount of gratuity drawn by him in respect of services rendered in an organisation or department before joining West Bengal Administrative Tribunal shall not exceed the maximum amount of gratuity specified by the Central Government for officers of All India Service at the time of his retirement from Government service.". [No.A-11014/8/2009-AT] Rajeev Kapoor, Jt. Secy. Explanatory Memorandum The Central Government has decided to grant retirement gratuity to the Members of the West Bengal Administrative Tribunal who were appointed before 19th February, 2007 for the service rendered by them in the West Bengal Administrative Tribunal and accordingly, the West Bengal Administrative Tribunal (Salaries and Allowance and Conditions of Service of Chairman, Vice-Chairman and Members) Rules, 1994 are being amended with retrospective effect.

2. It is certified that no Chairman, Vice-Chairman and Member of the West Bengal Administrative Tribunal is likely to be affected adversely by the proposed amendment being given retrospective effect. Foot Note:- The principal rules were published vide notification No. G.S.R. 875(E), dated the 21st December, 1994 and subsequently amended vide notification No:- 1. G.S.R. 587(E), dated the 5th July, 2000; 2. G.S.R. 673(E), dated the 18th October, 2007; 3. G.S.R 882(E), dated the 9th December, 2009.