

Himachal Pradesh Administrative Tribunal (Salaries And Allowances And Conditions Of Service Of Chairman, Vice-Chairmen And Members) Amendment Rules, 2007

[18 October 2007]

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Himachal Pradesh Administrative Tribunal (Salaries And Allowances And Conditions Of Service Of Chairman, Vice-Chairmen And Members) Amendment Rules, 2007

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G.S.R.674(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 Himachal Pradesh Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairmen and Members) Rules, 1986, namely:-

1. Section 1 :-

- (1) These rules may be called the Himachal Pradesh Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairmen and Members) Amendment Rules, 2007.
- (2) They shall be deemed to have come into force on the 1st day of April, 2004.

2. Section 2 :-

In the Himachal Pradesh Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairmen and Members) Rules, 1986, in rule 8 for sub-rule (2), the following sub-rule shall be substituted namely:--

"2. Pension under sub-rule (1) shall be calculated at the rate of rupees seven thousand seventy four per annum (rupees four

thousand seven hundred and sixteen as Pension plus rupees«two thousand three hundred and fifty eight as Dearness Pension) for each completed year of service.":

Provided that "the aggregate amount of pension payable under this rule together with the amount of any pension including commuted portion of pension, if any, drawn or entitled to be drawn while holding office in the Tribunal shall not exceed the maximum amount of pension prescribed for a judge of a High Court."

EXPLANATORY MEMORANDUM

The Central Government has decided to revise the pension of Members of the Himachal Pradesh Administrative Tribunal with effect from the 1st April, 2004. Accordingly the Himachal Pradesh Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairmen and Members) Rules, 1986 are being amended retrospectively, that is with effect from the 1st April, 2004.

2. In the case of members who retired up to 31-3-2004, Dearness Relief equal to 50 per cent of the present pension i.e. 50 per cent of Rs. 4716 will be merged with pension and shown distinctly as Dearness Pension and would be deducted from the existing rate of Dearness Relief. In the case of members retiring with effect from 1-4-2004, they will be entitled to a pension of Rs. 7074 plus Dearness Relief as may be announced by the Central Government and there will be no separate element of Dearness Pension.

4 . It is certified that no Member of the Himachal Pradesh Administrative Tribunal is likely to be affected adversely by the proposed amendment being given retrospective effect.

[F. No. A-11014/8/2007-AT]

Dr. S.K. SARKAR,

Jt. Secy.

Foot Note:--The principal rules were published vide notification No. G.S.R. 1015 (E), dated the 22nd August, 1986 and the subsequently amended vide notifications No.:

1. G.S.R. 424(E) dated the 4th April, 1988
2. G.S.R. 1046(E) dated the 13th December, 1989
3. G.S.R. 729(E) dated the 19th August, 1992
4. G.S.R. 45(E) dated the 31st January, 1994
5. G.S.R. 207(E) dated the 22nd March, 2001