

## GOVERNMENT OF KERALA

### PERSONNEL & ADMINISTRATIVE REFORMS (AR-XII) DEPARTMENT

Government have decided to establish an Administrative Tribunal in the State to deal with cases relating to service matters, on the lines of the Central Administrative Tribunal under the Administrative Tribunals Act, 1985 (Central Act, 13 of 1985) and have issued orders for the establishment of a Bench of the Kerala Administrative Tribunal at Thiruvananthapuram having one Administrative Member besides the Chairman vide G.O.(Ms)No.20/2010/P&ARD dated 15-06-2010. Government have subsequently decided to constitute two more benches (one in Thiruvananthapuram and another at Ernakulam) of the Kerala Administrative Tribunal.

Applications are invited from suitable eligible officers for the vacancy of three Administrative Members and two Judicial members in the Kerala Administrative Tribunal, at Thiruvananthapuram and Ernakulam.

**2. Qualification for appointment as a Judicial Member, Kerala Administrative Tribunal.** (The Administrative Tribunals (Amendment) Act, 2006).

A person shall not be qualified for appointment;-

As a judicial Member, unless he is or qualified to be a Judge of a High Court or he has for at least two years held the post of a Secretary to the Government of India in the Department of Legal Affairs or the Legislative Department including Member Secretary, Law Commission of India or held a post of Additional Secretary to the Government of India in the Department of Legal Affairs and Legislative Department at least for a period of five years.

3. As per sub-sections (2) and (3) of section 8 of the Administrative Tribunals Act, 1985 as amended by the Administrative Tribunals (Amendment) Act, 2006 (Central Act, 1 of 2007).

"(2) A Member shall hold office as such for a term of five years from the date on which he enters upon his office extendable by one more term of five years:

Provided that no Member shall hold office as such after he has attained the age of sixty-five years.

(3) The conditions of service of Chairman and Members shall be the same as applicable to Judges of the High Court."

4. The eligibility conditions for appointment as an Administrative Member as per sub-section 2(a) of section 6 of the Administrative Tribunals Act, 1985 as amended by the Administrative Tribunals (Amendment) Act, 2006 provides that-

"(2) A person shall not be qualified for appointment,-

(a) as an Administrative Member, unless he has held for at least two years the post of Secretary to the Government of India or any other post under the Central or State Government and carrying, the scale of pay which is not less than that of a Secretary to the Government of India for at least two years or  
(b) held a post of Additional Secretary to the Government of India for at least five years or any other post under the Central or State Government carrying the scale of pay which is not less than that of Additional Secretary to the Government of India at least for a period of five years:

Provided that the officers belonging to All-India services who were or are on Central Deputation to a lower post shall be deemed to have held the post of Secretary or Additional Secretary, as the case may be, from the date such officers were granted proforma promotion or actual promotion whichever is earlier to the level of Secretary or Additional Secretary, as the case may be, and the period spent on Central deputation after such date shall count for qualifying service for the purposes of this clause;"

5. For the Administrative Members already working in CAT/SATs who want to apply afresh, Section 10A of the Administrative Tribunals Act, 1985 as inserted by the Administrative Tribunals (Amendment) Act, 2006 provides that-

"10A. The Chairman and Member of a Tribunal appointed before the commencement of the Administrative Tribunals (Amendment) Act, 2006 shall continue to be governed by the provisions of the Act, and the rules made there-under as if the Administrative Tribunals (amendment) Act, 2006 had not come into force:

Provided that, however, such Chairman and the Members appointed before the coming into force of Administrative Tribunals (Amendment) Act, 2006, may on

completion of their term or attainment of the age of 65 or 62 years, as the case may be, whichever is earlier may, if eligible in terms of Section 8 as amended by the Administrative Tribunals (Amendment) Act, 2006 be considered for a fresh appointment in accordance with the selection procedure laid down for such appointments subject to the condition that the total term in office of the Chairman shall not exceed five years and that of the Members, ten years."

Current Members, who are finishing their term between 1<sup>st</sup> July and 31<sup>st</sup> December, 2010, would be eligible to apply if fulfilling the other conditions.

The candidature of eligible Members of the CAT/SATs willing to be considered for a fresh appointment may accordingly be recommended by the Chairman, CAT/ SATs.

6. Eligible officers who are willing to be considered for the post of Administrative Member in the Kerala Administrative Tribunal may forward their applications in the prescribed proforma (attached). While forwarding the applications, the following points may be kept in mind:-

- (i) Quasi judicial experience with knowledge and experience in dealing with service matters and laws would be essential.
- (ii) It should be clearly stated that the officer(s) is/ are clear from vigilance angle. In case any penalty had been imposed in the past against any officer under the relevant Service Rules, the details of the same may also be furnished.
- (iii) Original CR dossiers, failing which certified copies of Confidential Reports of candidates for the last ten years may also be sent along with applications. If the stipulations cannot be complied with, the reasons thereof may be stated.
- (iv) Interested officers may also send advance copies of their applications. However, advance copies of the applications would be considered only if the actual applications are later received with all the above necessary requirements from the cadre controlling authorities.

(v) The applications should reach the Secretary, Personnel and Administrative Reforms Department, Secretariat, Thiruvananthapuram on or before 15-11-2010. **It will not be possible to consider applications received after the due date.**

7. Persons selected would have to join within three weeks from the date of issue of appointment order, failing which the appointment would be cancelled.

**Secretary,  
Personnel & Administrative  
Reforms Department**

**ANNEXURE -I**

**PARTICULARS / BIO-DATA FOR THE POST OF ADMINISTRATIVE MEMBER IN KERALA ADMINISTRATIVE TRIBUNAL**

1. NAME (IN BLOCK LETTERS)
2. DATE OF BIRTH
3. EDUCATIONAL QUALIFICATIONS
4. WHETHER THE CANDIDATE IS (\*Strike out whichever is not applicable)
  - (a ) A Member of All - India Service or,
  - (b) A Member of any Central Service or,
  - (c) A Member of Indian Legal Service or,
  - (d) Any other category / service (Please indicate details)
  - (a) In the case of an All India Service please indicate the name of the Service, concerned cadre and the year of allotment.
  - (b) In the case of other Central Services and Indian Legal Service, the name of the service and year of allotment, along with the date from which in Grade 1 or Group A or Class 1 as the case may be.
  - (c) In the case of any State Service, the name of the state, service and the date from which the candidate is in Grade 1 or Group A or Class 1 as the case may be.
5. DATE OF SUPERANNUATION FROM PRESENT SERVICE
6. PRESENT POSTING (ALONG WITH THE DESIGNATION) WITH OFFICE AND RESIDENTIAL ADDRESS AND TELEPHONE NUMBER-OFFICE/RESIDENCE
7. WHETHER QUALIFIED FOR APPOINTMENT AS
  - (a) a person who has, for **at least for two years** held the post of a **Secretary to the Government of India** or its equivalent or,
  - (b) a person who has for **at least for five years**, held the post of an **Additional Secretary to the Government of India** or its equivalent.  
(\* *Strike out whichever is not applicable*)

8. THE DETAILS OF POST (S) HELD SINCE JOINING SERVICE (INCLUDING PROFORMA PROMOTION IF ANY) MAY PLEASE BE INDICATED IN THE DESCENDING ORDER i.e. FROM HIGHER POST TO THE LOWER ONE, IN THE FOLLOWING PROFORMA

S.No.	Post held	Pay scale	Period		Nature of work
			From	To	

9. DETAILS OF EXPERIENCE IN HANDLING SERVICE RELATED MATTERS (PLEASE ELABORATE)
10. DETAILS OF QUASI-JUDICIAL EXPERIENCE (PLEASE ELABORATE)
11. DETAILS OF THE DISCIPLINARY ACTION IF ANY TAKEN AGAINST THE OFFICER.

Place:.....

Date:.....

(SIGNATURE)

**PROFORMA FOR THE POST OF JUDICIAL MEMBERS IN  
KERALA ADMINISTRATIVE TRIBUNAL**

FOR BAR MEMBERS

Name

Age

Date of birth

Educational qualifications

Years of practice

Summary of income statement supported by Income tax returns for last  
3 financial years

Any published works / Articles etc.

Important reported cases in which the candidate appeared

Field of Specialization

FOR MEMBERS OF JUDICIAL SERVICE

1. Name
2. Age
3. Date of birth

4. Date of appointment to judicial service and the post which appointed.
5. Post presently held
6. Service particulars in different grades
7. Any published works
8. Details of the disciplinary action if any, taken against the officer.

Signature

Place:

Date:

**GOVERNMENT OF KERALA**

**PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT**

Applications are invited for the vacancy of three Administrative Members and two Judicial Members in the Kerala Administrative Tribunal at Thiruvananthapuram Benches and Ernakulam Bench.

The details of eligibility conditions and the application form to be filled up may be downloaded from the Information and Public Relations Department's website ([www.prd.kerala.gov.in](http://www.prd.kerala.gov.in)) and High Court website ([www.highcourtofkerala.nic.in](http://www.highcourtofkerala.nic.in)). In case of serving officers of Central / State Government, their applications should be routed through the Cadre Controlling Authorities. Separate application should be submitted for each Post. The last date for receipt of the applications in the Department is 5 pm. on 15-11-2010. Those already applied for the post of Administrative member need not apply. Defective and late applications will not be considered. The applications should be addressed to the Secretary, Personnel & Administrative Reforms Department, Government Secretariat, Thiruvananthapuram-695001. The application envelope should carry the title "Application for the post of Administrative Member/Judicial Member," Kerala Administrative Tribunal, Thiruvananthapuram.

**Secretary,  
Personnel & Administrative  
Reforms Department**