

**GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:2979
ANSWERED ON:11.08.2010
CENTRAL ADMINISTRATIVE TRIBUNAL
Aaron Rashid Shri J.M.

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) whether the Chairman of the Central Administrative Tribunal (CAT) has recently emphasized the need for doing away with the powers of the High Courts to review the orders of the Tribunals;
- (b) if so, the details thereof;
- (c) whether the Government has considered the ruling of the Hon`ble Supreme Court in L. Chandra Kumar case in 1997 which had defeated the very purpose for which the Administrative Tribunal Act was brought into force;
- (d) if so, the reaction of the Central Government thereto;
- (e) whether the Government considering the fact that Central Administrative Tribunal Act was enacted to provide inexpensive and speedy justice to Central Government employees, consider to bring an appropriate bill before the Parliament for doing away with the powers of the High Court to review order of the Central Administrative Tribunal; and
- (f) if not, the reasons thereof?

Answer

MINISTER OF THE STATE (Independent Charge) IN THE MINISTRY OF SCIENCE and TECHNOLOGY; MINISTER OF THE STATE (Independent Charge) IN THE MINISTRY OF EARTH SCIENCE; MINISTER OF THE STATE IN THE PRIME'S MINISTER OFFICE; MINISTER OF THE STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS;AND MINISTER OF THE STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PRITHVIRAJ CHAVAN)

(a) & (b): Yes, Sir. Chairman CAT vide his letter dated 14.09.2009 has endorsed the views of the Law Commission of India given in its Report No. 215 on the subject.

(c) to (f): Yes, Sir. The Orders of the Hon'ble Supreme Court were examined to see whether a review be filed or an amendment be made in the Constitution to restore the position as it existed prior to the judgment in L. Chandra Kumar's case. However, this was not found to be legally tenable.