

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

UNSTARRED QUESTION NO:1915
ANSWERED ON:05.12.2012
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), Principal Bench has recently emphasized the need for doing away with the power of the High Courts to review order of the Tribunals;
- (b) if so, the details thereof;
- (c) whether the Government has considered that ruling of the Hon`ble Supreme Court in L. Chandra Kumar case in 1997 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 proposes to bring an appropriate bill before the Parliament for doing away with the powers of the High Courts to review order of the CAT; and
- (f) if not, the reasons therefor?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(SHRIV. NARAYANASAMY)

(a) & (b): Yes, Madam. The Chairman, CAT vide his letter dated 07.3.2012 has endorsed the view of Report No. 215 of the Law Commission of India that suitable steps may be taken, so that orders passed by CAT are amenable to appeal only before the Supreme Court.

(c) to (f): Yes, Madam. The Orders of the Hon'ble Supreme Court were examined to see whether a review can 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.