

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:3405
ANSWERED ON:13.12.2012
ADMINISTRATIVE TRIBUNAL ACT
Dhurve Jyoti

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Law Commission of India has suggested an amendment to the Administrative Tribunal Act to exclude the appellate jurisdiction of High Courts against the decision of Central and State Administrative tribunals and provide for direct appeal to the Supreme Court;
- (b) if so, the details thereof; and
- (c) the reaction of the Government thereto?

Answer

MINISTER OF LAW AND JUSTICE (DR. ASHWANI KUMAR)

- (a) and (b) Yes, Madam. In the 215th Report titled 'L. Chandra Kumar be revisited by Larger Bench of Supreme Court' (December, 2008), the Commission observed that by way of suitable amendment in the Act of 1985, a provision for intra-tribunal appeal can be made and after the decision recorded by an appellate Bench, the matter can be taken to the Supreme Court by way of special leave petition; to exclude the appellate jurisdiction of High Courts to achieve the object of the Act, namely, speedy and less expensive justice.
- (c) The Government has not found it feasible to implement the recommendations made by the Law Commission in its 215 th Report.