

## Examrace

# Competitive Exams: Political Science Study Material Administrative Tribunals

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## Administrative Tribunals

The 42<sup>nd</sup> Constitutional Amendment Act in 1976 introduced Article 323 A, enabling the setting up of Central and State Administrative Tribunals, to adjudicate cases related to recruitment, promotion, transfer and conditions of service of persons appointed to the public services of the Union and the State Governments. Only the Supreme Court can entertain cases relating to service matters, according to the 42<sup>nd</sup> Amendment Act. The President appoints the Chairman and other members of the CAT and the SATs after consulting the Chief Justice of India. The Chairman must be a Judge of the High Court or one who served for at least two years as the High Court Judge or the Vice-Chairman of Tribunal.

In pursuit of the provision, the Parliament enacted the Administrative Tribunal Act, 1985 to set up Central Administrative Tribunal (CAT) with branches in specified cities. Many States are also provided with the State Administrative Tribunals. By a notification, the service matters related to employees of the Public Sector Undertakings (PSUs) can be brought under the CAT or SATs, as the case may be. The Chairman and the Vice-Chairman of the tribunal enjoys the status of a High Court judge and his/her retirement age is 65 years. The retirement age for other members drawn from the administration is 62 years. The following categories of employees are exempted from the purview of the Administrative Tribunals:

1. Employees of the Supreme Court and the High Courts
  2. Armed Forces personnel
  3. Employees of the Secretariat of the Lok Sabha and the Rajya Sabha
- The Tribunals are meant to relieve the Courts of overload and expedite the process of Justice.

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