

CITIZEN'S CHARTER

OFFICE OF ADMINISTRATIVE TRIBUNAL,
PANAJI - GOA.

Preamble:

In order to raise the quality of public services, fulfill the needs & expectations of the citizens and carry out the services effectively being provided by this organization, Citizen's Charter for the Office of the Administrative Tribunal has been prepared.

The Charter seeks to provide a frame work which enables our users to know:

1. Services of the Administrative Tribunal in the field of justice.
2. Redressal of public grievances if any in regards to services of the Administrative Tribunal.

The prime objective behind the Charter is to ensure transparency, public participation and accountability, standard of services, non-discrimination, courtesy easy information choice and Grievances Redressal wherever possible.

Introduction.

The Administrative Tribunal established by Decree no.4627 dated 1.7.1918 and reconstituted under the Goa, Daman and Diu Tribunal Act, 1965, has very important role to play in the field of Judicial services having Jurisdiction for whole state of Goa.

The Administrative Tribunal has been vested with Original/Appellate and Revisional Jurisdiction under the different old and new local Acts and Rules, such as Reforma Administrative Ultramarine, Devasthan Regulation (Regulamento das Mazanias) code of Comunidades (Legislative Diploma No. 2070 dated 15.4.1961), Municipalities Act, Sales Tax Act, Rent Control Act, Mundkar Act etc.etc. (see Annexure)

The Administrative Tribunal functions and discharges the duties entrusted to it by or under these Act and Rules or any other Law for the time being in force. Till 1995, the Administrative Tribunal was constituted of Chairman and members. In 1996 , the Tribunal was reconstituted with a President alone to ensure speedy disposal of cases. Further, by virtue of “The Goa Administrative Tribunal (Amendment) Act, 2001” , it has been provided that the Administrative Tribunal shall consist of a President and Additional President, Class ‘A’ officers, both of whom shall be appointed by the State Government after prior consultation with the High Court

exercising Jurisdiction over the State of Goa. Both the President and Addl. President shall have co-extensive powers and concurrent jurisdiction to deal with the cases filed before the Tribunal. The President of the Administrative Tribunal is also functioning as President of the Cooperative Tribunal and Presiding Officer of Municipalities Appellate Tribunal and College Tribunal the Tribunal shall in exercising its original, appellate or revisional jurisdiction in any application, petition, appeal or other proceedings filed before it, have all the powers which are vested in a Civil Court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

Regarding staff:-

The staff strength of the Administrative Tribunal is of 11 (eleven) members only i.e., the Registrar, Head Clerk, 2-Upper Division Clerks, 2-Lower Division Clerks , Jr. Stenographer , Driver , Bailiff and 2 –Peons. The Working days are 5 (five) days in a week and working hours – 9.30 a.m. to 1.15 p.m. and 2.00 p.m. to 5.45 p.m. (Saturday & Sunday closed)

Location:-

Presently, the Administrative Tribunal is housed in a Private premises of Coelho Pereira Building, Opp. Muslim Musjid , Dada Vaidya Road, Panaji Goa. The Telephone numbers are: 2222680 – President, 2225320 – Registrar, office of the Administrative Tribunal.

Redressal of Public Grievances:-

In case of any difficulty the Litigants/Public in general shall contact .
The Registrar , Administrative Tribunal , Panaji.

1. **General Information about Appeal /Revision/Petition before the Administrative Tribunal:-** Every Appeal/Revision/Petition

against the Judgment /Order challenged, shall be presented in the form of memorandum to the Administrative Tribunal by the affected/aggrieved party/duly authorised agent/pleader and shall be accompanied by original/Certified copy of the order challenged, unless otherwise dispensed with.

2. The Memorandum of Appeal/Revision shall be:-

- (i) In writing;
- (ii) Indicate the name and address of the Appellant/Applicant/Respondent.
- (iii) Specify the Act & the Section under which it is filed;
- (iv) Contain clear statement of facts and specific grounds of Appeal/Revisions;
- (v) State precisely and in brief the relief prayed for;
- (vi) Signed by the Appellant/Applicant/Authorised Agent/Pleader;
- (vii) Be affixed with the prescribed Court fee stamp and be presented within the specified limitation period (as per annexure);
However , Court Fee is exempted when filing is done on behalf of the Government.
- (viii) Copies of Appeals/Revisions be furnished for service on Respondents.
- (ix) All Appeals/Revisions/Petitions are to be filed as per the prescribed procedure provided under the different Acts and Rules unless otherwise specifically dispensed with.
- (x) Should be in conformity with all the provisions of the relevant Act/Rules.
- (xi) Should be within the limitation period as provided in the Act.

3. **Miscellaneous Applications are as follows:-**

- (a) **Application for Condonation of delay:-** When any case is filed beyond the prescribed limitation period, the Application for Condonation of delay can be filed stating therein the sufficient cause for the delay supported by proper affidavit in that respect sworn by the concerned party/Parties.
- (b) **Application for stay of the Order challenged:-** A party can file an application for stay of the order challenged or of any other proceedings before the Lower Court, justifying its stay.
- (c) **Application for Temporary Injunction Ex-party stay:-** Any party apprehending dispossession/interference of the property, can file application for injunction/Ex-party stay to restrain the Respondent from dispossessing the Applicant or from interfering with the property.
- (d) **Application for intervention:-** Any person who is not a party in the order challenged but is affected by the said order, can file an application to intervene.
- (e) **Application for bringing heirs/Legal representatives on records:-** During the pendency of the proceedings, if any party dies, an application can be filed to bring heirs/legal representatives of the deceased on record, as otherwise, the proceedings abates. However, such application, should be supported by a Death Certificate of a deceased or by an affidavit.

- (f) **Application for rent withdrawal:-** A party entitled to withdraw the rent which has been deposited by the tenant in eviction cases, can file an application to withdraw the same accompanied with necessary documents, viz. Pre-receipt duly signed by the claimant, Indemnity bond to the tune of amount claimed, Form G.A.R 61 duly signed in duplicate.
- (g) **Application for Review of the Order:-** If there is any technical mistake or any important point is excluded in the order which is apparent on the face of the record, the affected party can file application for review of the order.
- (h) Any other misc. appln. arising out of the matter/Cases like police protection, Amendment, contempt of Court etc. etc.

All such miscellaneous applications should be filed within the specified limitation period accompanied with other requisite documents, unless otherwise dispensed with under the different Acts and Rules.

Further, for the purpose of any difficulty and as to the limitation period/Court Fee Procedure etc, the same is to be dealt with by following/referring the Civil Procedure Code, Court Fees Act, Limitation Act, 1963, Reforma Administrative Ultramarine and the Administrative Tribunal Act and Rules, 1965.

4. **As Regards to affidavit sworn before the Administrative Tribunal:-** Affidavits and affirmations to be used before the Tribunal may Sworn and affirmed before the Registrar of the Tribunal. In the absence of

Registrar, be sworn and affirmed before the Head Clerk, and in the absence of both, before the seniormost UDC. Court Fee for each affidavit/affirmation is Rs. 2/-.

5. **Copies of documents /Orders:-** any party to a proceeding/case can apply for a certified /Xerox copy of documents/orders in/of the said proceedings/Case , on payment of prescribed charges, by filing an application stating the purpose and duly affixed with specified Court Fee of Rs. 2/-. Copy is to be collected from the office of the Tribunal on the given date.

Any person/Advocate who is not a party to/on record of a case can apply for a Certified copy/Xerox copy of the documents/orders by stating the purpose and duly supported by an affidavit, duly sworn in before Competent Authority.

In normal cases the Certified copy if ready is delivered within 8 days from filing of the application. However in urgent cases same shall be delivered within 24 hours. The same should be collected by the applicant in person or any other person duly authorised by the Applicant..

6. **Protection for acts done under the different Acts and Rules:-**No prosecution or to other legal proceeding shall lie in any court against any Officer/Government Servant of the Tribunal , for anything done in good faith or intended to have done in pursuance of/or under the Acts/Rules.

**STATEMENT SHOWING JURISDICTION OF ADMINISTRATIVE
TRIBUNAL UNDER VARIOUS ACTS**

| Items No. | Name of Act/Rules |
|-----------|---|
| 1 | Goa, Daman & Diu Agricultural Tenancy Act, 1964 |
| 2 | Goa, Daman & Diu Rent Control Act, 1968. |
| 3 | Goa, Daman & Diu Mundkar Act, 1975. |
| 4 | Goa, Daman & Diu Land Revenue Code 1968. |
| 5 | Goa, Daman & Diu Sales Tax Act, 1964. |
| 6 | Goa, Daman & Diu Administration of Evacuee Property Act, 1964. |
| 7 | Goa, Daman & Diu Municipalities Act, 1968. |
| 8 | Election Disputes u/s 52 Goa Daman and Diu Municipalities Act, 1968. |
| 9 | Goa Tax on Luxuries (Hotels and Lodging Houses) Act, 1988 |
| 10 | Goa, Daman & Diu Public Gambling Act, 1976. |
| 11 & 12 | Appeals under Code of Comunidades 1961 & electoral Appeals under Code of Comunidades. |
| 13 & 14 | Devasthan Regulations 1933 including Electoral Appeal under Devasthan Regulation. |
| 15 | Maharashtra Cooperatives Societies Act. 1960 including Election Disputes u/s . 144 T of |
| 16 | Goa, Daman & Diu Barge Tax Act, 1973. |
| 17 | Goa, Daman & Diu Irrigation Act, 1973. |
| 18 | Goa (Brackish Water) Fish Farming Regulation Act, 1991 |
| 19 | Goa Panchayat Raj Act, 1993. |
| 20 | Goa Right to Information Act, 1997. |
| 21 | AIR (Prevention and Control of Pollution) Act, 1981. |
| 22 | Water (Prevention and Control of Pollution) Act, 1974. |
| 23 | Goa School Education Act, 1984. |
| 24 | The Goa Tax of Entry of Goods Act and Rules 2000. |
| 25 | Goa University Statutes, 1984. |

STATEMENT SHOWING JURISDICTION
OF
ADMINISTRATIVE TRIBUNAL, UNDER VARIOUS ACTS.

(INCLUDING COURT FEE & LIMITATION PERIOD)

(1)

Appeals and Revision under the Goa, Daman & Diu Agricultural Tenancy Act, 1964

Section 49 Appeals:- (1) From every order (including an order passed under chapter II-A) other than an interim order passed by the Mamlatdar (or the Tribunal) under this Act, an appeal shall lie to the collector and the orders of the Collector on such appeal shall be final, subject to revision, if any by (the Administrative Tribunal).

(2) From every original order other than a interim order (...) passed by the Collector (...) an appeal shall lie to the (Administrative Tribunal) and the order of (Administrative Tribunal) on such appeal shall be final.

50.(2) an application for revision may be made to the Administrative Tribunal against any order , other than an interim order of the collector, on the following ground only:-

- (a) That the order of the collector was contrary to Law;
- (b) That the collector has failed to determine some material issue of Law;
- or
- (c) That there was a substantial error in following the procedure provided by this Act, which has resulted in the miscarriage of justice.

(3) On the coming into force of the Goa, Daman and Diu Agricultural Tenancy (Amendment) Act 1968, all revision applications pending with the Government shall stand transferred to the Administrative Tribunal and shall be disposed of by the said Administrative Tribunal as if they had been filed under Sub-section (2)

Court Fee:- Appeal/Revision = Rs. 05/-

Limitation Period: 60 days.

(2)

Appeals and Revision under the Goa, Daman and Diu Building (Lease, Rent & Eviction) Control Act, 1968.

41. **Authorities** – (1) The Administrative may by notification in the official Gazette, constitute for any local area an appellate Board and a Rent Tribunal consisting of one or more persons as may be prescribed for the purpose of this Act.

Provided that the Administrator may, by notification in the official Gazette entrust the powers, functions or duties of an appellate Board to the Administrative Tribunal.

2(a) The Administrator may also; by notification in the official Gazette appoint an authorised officer, a controller and as many Additional Controller as he think fit, for any local area.

2(b) An additional controller shall exercise the same powers and discharge the same duties as controller.

3. The Administrator may by notification in the Official Gazette, define the areas within which an Authorised officer, or a Controller shall perform his functions.

43. Powers of the Controller, the Rent Tribunal and the Appellate Board – The Controller, Rent Tribunal and the Appellate Board shall have the same powers as are vested in a Civil Court under the code of Civil Procedure, 1908, when trying a suit or appeal, in respect of the following matters namely; *Central Act 5 of 1908.*

- (a) Summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents'
- (c) issuing commissions for the examination of witnesses;
- (d) any other mater which may be prescribed'

and any proceeding before the Controller, the Rent Tribunal and the Appellate Board shall be deemed to be a judicial proceeding within the meaning of Section 193, 219 and 228 of the Indian Penal Code, and the Controller, the Rent Tribunal and the appellate Board shall be deemed to be Civil Courts within the meaning of sections 480 and 482 of the code of Criminal Procedure 1898.

Central Act 45 of 1860

Central Act 5 of 1898

Section 45. Appeals. (1) from every order, other than an interim order, passed by the Rent Tribunal, an appeal shall lie to the Appellate Board.

(2) From every order, other than an interim order, passed by the Authorised Officer under Section 31, or by the Controller an Appeal shall lie to the Administrative Tribunal.

(3) An appeal under this Section shall be preferred within thirty days from the date of the order appealed against:

Provided that the Appellate Board or, as the case may be the Administrative Tribunal, may entertain the Appeal after the expiry of the said period or thirty days, if it is satisfied that the Applicant was prevented by sufficient cause from the appeal in time.

Section 46. Revision (1) The Administrative Tribunal may, in exception circumstances, on the application of any party, call for and examine the records relating to any order passed under this Act by the Authorised Officer, the controller, the Rent Tribunal, or the Appellate Board for the purpose of Satisfying itself as to the Correctness, legality, or propriety of such order and may pass such order thereon as it thinks fit:

Provided that no such record shall be called for after the expiry of ninety days from the date of order.

(2) The cost of such proceedings shall be in the discretion of the Administrative Tribunal.

| | <u>Court Fee</u> | <u>Limitation</u> |
|---------------|------------------|-------------------|
| Appeal u/s 31 | Rs. 200/- | 30 days. |
| Revision | Rs. 200/- | 60 days. |
| Stay Appln. | | Rs. 50/- |

NOTIFICATION
RD/BLDG/77-69-V

In exercise of the powers conferred by Sub-Section (1) of Section 41 of the Goa, Daman and Diu Buildings (Lease, Rent and Eviction) Control Act, 1968 (Act No. 2 of 1969). The Administrator of Goa, Daman Diu is pleased to constitute every Civil Judge, Senior division, to be the Rent Tribunal, within his respective Local Jurisdiction and the District Judge, Panaji, to be the appellate Board for the purpose of the said Act.

By order in name of the Administrator of Goa, Daman & Diu.

S. Rangunathan, Secretary (Revenue)

Panaji, 30th September, 1969

NOTIFICATION
RD/BLDG/77-69-V

In exercise of the powers conferred by sub-Section (10) of Section 41 of the Goa, Daman and Diu Building (lease, Rent and Eviction) Control Act, 1968 (Act No. 2 of 1969) and in partial modification of the Government Notification No.RD/BLDG/77/69-v dtd. 30/9/1969 published in the official Gazette Series I No. 26 dated 30.9.1969, The Administrator of Goa, Daman and Diu hereby constitutes Appellate Board consisting of the District Judges of Panaji and Margao for the Local areas comprised within their respective jurisdiction, for the purpose of the said Act.

By order in name of the Administrator of Goa, Daman & Diu.

L.J. Menezes Pais, Under Secretary (Revenue I)

Panaji, 1st November, 1982.

(Published in the Official Gazette Series I No.33 dated 11-11-1982.)

(3)

Appeals and Revision under the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975.

Section 24. Appeal: From every original order, other than an interim order, passed by the Mamlatdar or the Collector under this Act, an appeal shall lie to the Collector or the Administrative Tribunal respectively, and the order of the Collector or the Administrative Tribunal, as the case may be, shall subject to revision if any, under Section 25 of this Act, be final.

Section 25. Revision: (1) From every order, other than an interim order, passed in appeal under Section 24 or under sub-section (2) , a revision shall lie to the Administrative Tribunal or the Government, respectively and the order of the Administrative Tribunal or the Government, as the case may be, on such revision shall be final.

Court Fee Limitation

AppealRs. 02/- 60 days.

Revision.....Rs. 02/- 60 days.

(4)

Appeals and Section Appeals under the Goa, Daman and Diu Land Revenue Code, 1968

Section 188. Appeals: (1) Save as otherwise expressly provided, an appeals shall lie from every original order, other than an interim order passed under this code.-

- (a) If such an order is passed by an Officer subordinate to the Sub-Divisional officer, to the Collector;
 - (b) If such an order is passed by the Sub-Divisional officer, to the Collector.
 - (c) If such an order is passed by the Collector, to the Tribunal .
- (2) A second appeal shall lie against any order passed in first Appeal.

- (a) If the first appeal was filed under clause (a) of sub-section(I) to the Collector;
- (b) If the first appeal was filed under clause (b) of sub- Section (I), to the Tribunal.
- (c) N. A.

Section 2(3)”Tribunal” means the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act 1965, or any other Tribunal constituted by the Government.

Court Fee Rs. 50/-

Limitation Period 60 days.

(5)

Goa, Daman and Diu Sales Tax Act 1964.

Appeal and Second Appeals and Reference under the Goa, Daman and Diu Sales Tax Act.

Section 27 (2A) (a). In the case of an order passed in appeal by the Appellate Authority under Sub-Section (2), a second appeal shall lie to the Tribunal within sixty days of the date of passing of the order.

Section 27 (2C) in disposing of an appeal, the Tribunal shall have same powers as that of the Appellate authority under sub-section (2)

Rule 32 To whom appeal should be made . An appeal against an order of assessment or reassessment passed by Appropriate Assessing shall lie to Assistant Commissioner(hereinafter referred to as Appellate authority) and a **Second Appeal** against an order passed in appeal shall lie to **Tribunal**.

Court Fee:- Rs. 60/-

Limitation Period 60 days.

[Notification No. Fin(Rev)/2-36/PART/1310/70dtd.

17.7.1970.

The Tribunal is Administrative Tribunal

Constituted under the Goa Administrative Tribunal

Act, 1965.]

(6)

Goa Administration of Evacuee Property Act 1964

Appeals

Section 22. Appeals – Any person aggrieved by an order made under Section 5, clause (ii) of sub-Section 18, Section 31, or Section 39, by the Custodian may prefer an appeal; in such manner, and within such time, as may be prescribed, to the Tribunal constituted under Section 22 and the decision of the Tribunal shall be final.

Rule 25- (1) All appeals under the Act shall be filed within sixty days of the date of any order to the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965 and the decision of said Tribunal shall be final.

Court Fee:- Rs. 50/-

Limitation Period 60 days.

(7)

Municipalities Act, 1968.

Section 184(13) Any person aggrieved by an order of the **Chief Officer** made under sub-section (8) may prefer an appeal against the order to the Appellate Tribunal **within the period specified in the order** for the demolition of the Construction or work to which it relates.

(8)

Disqualification of Councilor During his term of office.

Section 46(4) Any Person aggrieved by the decision of the Director may within a period of fifteen days from the date of receipt of the decision of Director by him; appeal to the Administrative Tribunal and the orders passed by the Administrative Tribunal shall be final.

Section 52(5)

r/w Rule 10 Any dispute regarding election of the (Chairperson) or (Vice Chairperson) shall be referred to the Administrative Tribunal, whose decision in that behalf shall be final.

Consequences of absence of (Chairperson) or (Vice- Chairperson) without leave.

Section 57(4) Any person aggrieved by the decision of the Director may within a period of fifteen days from the date of Communication of such decision, appeal to the Administrative Tribunal and the decision of the Administrative Tribunal on such appeal shall be final.

The “The Chairpersons” and Vice-Chairperson” have been substituted for the words “President” and Vice-President” by (Amendment) Act, 1993 (Act 13 of 1994) w.f. May 30, 1994.

Rule 10. Dispute regarding Elections.

10(1) Any dispute regarding the election of President or vice President may be referred to the Administrative Tribunal for decision by any councilor feeling aggrieved from result declared under Rule 7.

Rule 10 has been inserted by amendment to the Goa, Daman and Diu Municipalities rule 1969 vide Notification No.3-97-70LS. 6. PUBLISHED IN Govt.Gaz. No. 10, I Series dtd 3.6.1971.

Court Fee :- Rs. 50/-

(9)

**The Goa Tax on Luxuries (HOTELS AND LODGING HOUSES) Act 1988 and
rules 1988.**

Section.33 Appeal, revision and Review- (1) Any Hotelier may in the Prescribed manner appeal to the authority as may be prescribed, against any assessment or reassessment within sixty days from the date of communication of the order appealed against.

Section 33(3) (a) In the case of an order passed in appeal by the
r/w rules 30 appellate authority under Sub section (2) a Second
& 43 appeal shall lie to the Tribunal within sixty days of
the date of passing of the order.

Notification

No.5/9/88/Fin(R&C)

In exercise of the powers conferred by sub-Section (10)of Section 4 of the Goa Tax on Luxuries (Hotels and Lodging House) Act, 1988(Goa Act 17 of 1988(hereinafter called the 'said Act'). The Government of Goa hereby confers on the Administrative Tribunal of Goa, Daman & Diu Constituted under the Goa, Daman & Diu Administrative Tribunal Act 1965 (Act 6 of 1965). The Powers conferred on Tribunal by or under the said Act.

By order and in the name of the Governor of Goa.
Prabha Chandran, Under Secretary (Finance Exp)
Panaji, 17th December, 1991.
Govt. Gazette No.39 Sr. II dtd.26.12.1991.

(10)

The Goa Public Gambling Act, 1976.

Section 7 (1)- If an applicant/Licensee is aggrieved by the decision **of the Government, an** appeal shall lie to the Appellate Authority Within a period of 30 days from the receipt of order thereof.

Section 1 (iii) “Appellate Authority” means the Administrative Tribunal Constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965 (Act 6 of 1965)

Court Fee:-..... Rs.50/-

(11)

Appeals under the Code of Communitade 1961.

Article 582 --- Appeal may be lodged to the Administrative Tribunal against every order and decree of the Administrator in the incident of the contestation against the current accounts.

Art. 44 Within 8 days.

Art. 44(1) Regarding Court fee.

(12)

Electoral Appeals under Code of Comunidade 1961.**Article 49**

In case of irregularities in the election, any component of the Comunidade with right of voting may appeal to the Administrative Tribunal within 5 days, it being allowed the use of ordinary paper for all proceedings.

Only the Administrative Tribunal shall decide the Appeal within 8 days, and, in case the election is annulled, the Comunidade shall convene once again according to formalities contained in Art 47, in order to arrange for the new election in accordance with the Judgment of the Tribunal.

Article 397

The Appeals against the decision of the Comunidade or their managing bodies which are within the powers of the Administrators to judge, for with a special procedure has not been fixed in these bye-laws, will be submitted within ten days from the date on which they become known if the appealing party has taken part in the decision in if of it he is notified and in other cases within fifteen days of the decision.

Article 582

Appeal may be lodged to the Administrative Tribunal against every order and decree of the Administrator in the incident of the contestation against the current accounts.

Article 9

**Read/w Art.154(3)
and Art. 349**

The Comunidades should not file any civil suit without the consent of the Administrative Tribunal, except when the suit filed is of preservatory or extinction of the right or any guaranty, in such cases the approval of the Administrator shall suffice.

Article 126

The decisions of the administrator are subject to appeals appointed by law.

(13)

Appeal under Devasthan Regulation 1933.

Article: 248- Against all the deliberations of the Managing Committee it shall be allowed to appeal to the body of members (mazania); against the latter’s Resolution to the Administrator ; and against the latter’s orders, to the **Administrative, Fiscal and Audit –Tribunal**, except the special cases prescribed under the regulations.

[r/w Art. 685 of the Reforma Administrative Ultramarina]

Court Fee :..... Rs. 50/-

Limitation Period:- 90 days.

(14)

Article 30(5)- It shall be of the competence of a body of members (mazanias)

(5) To elect every three years the members of the Managing Committee, in the terms prescribed under this Regulation and respective bye-laws.

Para Against the irregularities and nullities of election, appeal may be filed to the Administrative, Fiscal and Audit – Tribunal within the time limit of 10 days from the act of elections .

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Permission to file suit

Article 7
R/w Art 182 The institution of law, suits, the transaction, confession or desistence from the request, before the Courts of justice shall require the authorization of the Administrative, Fiscal & Audit Tribunal.

Article 182 When the body of members (mazania) deliberates to institute before a court any legal proceedings, its attorney should state the grounds of its right, in petition with valid reasons, supported by the documents and addressed to the Administrative Fiscal and Audit Tribunal, through and with remarks of the Administrator.

(15)

Maharastra cooperative Societies Act, 1960.

G.D.D. specified Coop. Societies Election to Committee Rules 1978.

Goa Specified Coop. Societies Elections to Committee(First Amendment) Rules, 1995.

Section 97- Appeal against decision of Registrar or his nominee or board of nominees. Any party aggrieved by any decision of the Registrar or his nominee or board of nominees under the last preceding section, or an order passed under section 95, may within two months from the date of the decision or order, appeal to the Tribunal.

Section 152(2) (2) an appeal against the order or decision under Sections 79,85 and 88, and any order passed by the Registrar for paying compensation to a society , and any other order for which an appeal to the Tribunal has been provided under this Act, shall lie to the Tribunal.

Revision**Section 149(9)**

The Tribunal may call for and examine the record of any proceeding in which an appeal lies to it, for the purpose of satisfying itself as to legality or property of any decision or order passed. If in any case, it appears to the Tribunal that any such decision or order should be modified, annulled or reversed, the Tribunal may pass such order thereon as it may deem just.

Election Dispute under Maharastra Coop. Societies Act; 1960 as applied to Goa.**Section 144 T(1) (2)****89 & 91**

Disputes relating to elections to be referred to The Administrative Tribunal (1) Notwithstanding anything contained in Section 91 or any other provision of this Act, any dispute relating to an election shall be referred to the Administrative Tribunal.

Rules 89 of 1995.

The Petitioner shall enclose with the petition a Government Treasury receipts showing that deposit of Rupees one thousand or such lesser amount as the Administrative Tribunal may direct has been made by him either in a Government Treasury or in the State Bank of India in favour of the Administrative Tribunal as security for the cost of petition.

Rules 75

Presentation of election petitions:- (1) An election petition calling in question any election may be presented by any candidate or any voter within two months from the date of declaration of the result of the election .

Section 149(2).

The Tribunal shall consist of a President who shall be a person appointed as the President of the Administrative Tribunal under Section 3 of Goa Administrative Tribunal Act, 1965 (Act 6 of 1965)

Court fee: Appeals u/s 97 & 152(2) Rs.50/-
Revision Rs.25/-

(16)

The Goa, Daman and Diu Barge Tax Act 1973 & Rules 1974

Section 14 Appeal – (1) Any person who is aggrieved by any order direction of the Taxation Authority or any other officer or authority under this Act may file an appeal before the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965, in such manner, within such time and on payment of such fees as may be prescribed.

Court fee = Rs.20/-

Limitation 60 days.

(17)

The Goa, Daman and Diu Irrigation Act 1973 & Rules 1975**Section 30 Appeal –**

Any person aggrieved by the order of the Collector under section 28 or section 29, may ninety days from the date of communication of the order, prefer an appeal to the Administrative Tribunal established under the Goa, Daman & Diu Administrative Tribunal Act 2965 (6 of 1965).

(18)

Goa (Brackish Water) Fish Farming Regulation Act , 1991**Section 15, Appeal -**

Any applicant whose application has been rejected or allowed in respect of then whole or any part of the area to which it relates, may, within 60 days of the date or order rejecting or allowing the application, as the case may be , prefer an appeal to the Tribunal under section 6 of the Act.

(19)

The Goa Panchayat Raj Act – 1994 (Election Petition)**Section 16 ---**

(1) No election to fill a seat in a Panchayat shall be called in question except by an election petition prescribed on one or more of the ground specified in sub-Section (1) of Section 20 and section 21 to Such authority as may be prescribed, by any candidate at such election or by any voter qualified to vote at such election together with a deposit of two thousand rupees as security for costs, within thirty days from, but not earlier than the date of declaration of the result of the election of the returned candidate at the election , and if the date of declaration results of their election are different, the last of these dates.

Rule 3 - - - -

Election Petition Authority ----- The President of the Goa Administrative Tribunal shall be the authority to hear the election petition and to decide the same after conducting trial as per the procedure laid down under sections 16 to 25 of the Act

(20)

Goa Right to Information Act – 1997.

Section 6.-

Appeal – (1) Any person aggrieved by any order of the competent Authority or any person who not received any order from the Competent Authority within thirty working days may appeal to the Administrative Tribunal constituted under the Goa Administrative Tribunal Act 1965 (6 of 1965)

Court Fee Rs. 50/-

(21)

The Goa “AIR” (Prevention and Control of Pollution) Appeal Rules 1997

Rule 3-

Appeal to be filed by aggrieved persons (1) Every appeal against an order passed by the State Board under Section 21 of the Act shall be filed by the aggrieved persons in Form ‘A’ if it relates to a mater covered by sub-Section (4) and (6) of Section 21

NOTIFICATION

5-4-88-STE

In exercise of the powers conferred by sub-Section (1) and (2) of Section 31 of the Air (Prevention and Control Pollution) Act 1981) Central Act 14 of 1981) (hereinafter called the said Act) The Government of Goa hereby constitutes an

Appellate Authority consisting of the President of Administrative Tribunal , Goa ,
for the purpose of the said Act with immediate effect.

By order and in the name of Governor of Goa,
Panaji, 19th March , 1997.

[Published in the official Gazette, Series I No.26 dated 29-9-1997(extraordinary 3)]

(22)

The Goa “AIR” (Prevention and Control of Pollution) Appeal Rules 1997.

Rule 3- Appeal to be filed by aggrieved persons (1) Every appeal against an order passed by the State Board under Section 21 of the Act shall be filed by the aggrieved persons in Form ‘A’ if it relates to a mater covered by Sub-Section (4) and (6) of Section 21.

NOTIFICATION

5-4-88-STE

In exercise of the powers conferred by Sub-Section (1) and (2) of Section 31 of the Air (Prevention and Control Pollution) Act 1981) Central Act 14 of 1981) (hereinafter called the said Act)The Government of Goa hereby constitutes an Appellate Authority consisting of the President of Administrative Tribunal, Goa, for the purpose of the said Act with immediate effect.

By order and in the name of Governor of Goa,
Panaji, 19th March , 1997.

[Published in the official Gazette, Series I No.26 dated 29-9-1997(extraordinary 3)]

(23)

Goa School Education Act 1984.

Section 22 Appeal -(1) Subject to the provisions of Sub-Section (2) an appeal shall lie to the Tribunal from the following orders:-

- (a) refusing to recognize a school under Sub-Section 5.
- (b) Withdrawing the recognition of a school under Sub-Section (3) of Section 5;
- (c) Stopping reducing or suspending aid under Sub-Section (2) of Section 7.
- (d) Refusing to grant permission under sub-Section (34) of section 9;
- (e) Dismissing, removing from service any employee or reducing him in rank or retiring him compulsory or otherwise terminating his services under section (2),(2a), (4) and (4a) as the case may be, of section 11;

(2) Every such Appeal shall be preferred within thirty days from the date of communication of the order.

Section 2 (x) “Tribunal” means the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965.

Court Fee..... Rs.50/-

Limitation..... 30 days.

(24)

The Goa Tax on Entry of Goods Act and Rules 2000.

Section 28. (1) Any person objecting to any order affecting him passed under the provisions of this Act may appeal such authorities as may be prescribed (hereinafter referred to as the “appellate authority)

Section 29. Appeal to the Tribunal – (1) Any officer empowered by the Government in this behalf or any other person objecting to an order passed by the appellate authority under S.28 or an order passed by a Revisional authority under Sub-Section (3) of Section 30 may appeal to the Tribunal within a period of sixty days from the date of which the order was communicated to him.

Section 2(s) “Tribunal” means the tribunal constituted under the Goa Administrative Tribunal Act 1965 (Act 6 of 1965).

(25)

Goa University Statutes

SC – 7 (A) A teacher who is dismissed or removed or whose service are otherwise terminated or who is reduced in rank by Governing Body and who is aggrieved shall have a right of appeal and any appeal against any such order to the Tribunal and the Powers and procedure etc. of the Tribunal shall be as under:-

SC –7 (B) Not withstanding anything contained in any law or contract for the time being in force, any employee (whether teacher or other employee) in any affiliated college or Recognized institution (other than that managed

and maintained by Government or the university), who is dismissed or removed or whose services are otherwise terminated, or who is reduced in rank by the Management and who is aggrieved shall have an right of appeal and any appeal against any such order to the Tribunal constituted under Statute SC-7A.

SC-7 (b)(2) Such appeal shall be made by the employee to the Tribunal within thirty days from the date of receipt by him/her, of the order of dismissal, removal otherwise termination of services, or reduction in rank, as the case may be.

Limitation 30 days.

Court Fee Rs. 50/-

NOTIFICATION

In exercise of the powers conferred by statute 95(a) (SC.7) of the Statute of Goa University and after consultation with the Goa University, the Government of Goa hereby constitutes a college Tribunal consisting of the President of the Administrative Tribunal, Panaji as the Presiding Officer thereof for a period of five years for the whole of state of Goa for the purpose of said statute 95 A(SC 7)

The Notification shall come into force with effect from the date of its publication in official gazette.

dated 5.11.1998.

Published on 26.11.98

By order and in the name of Governor of
Goa.

(Govt. Emblem)

CITIZEN'S CHARTER
ADMINISTRATIVE TRIBUNAL
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