

2016
IN THE HIGH COURT AT CALCUTTA
APPELLATE SIDE

No. 293 - A

Dated, Calcutta, the 20th January, 2016

**From : Shri Subhasis Dasgupta,
Registrar (Judicial Service),
High Court, Appellate Side,
Calcutta.**

To :

- 1) The District Judge of all Districts
Including Andaman & Nicobar Islands,**
- 2) The Chief Judge, City Civil Court, Calcutta,**
- 3) The Chief Judge, City Sessions Court, Calcutta,**
- 4) The Chief Judge, Presidency Small Causes Court, Calcutta,**
- 5) The Secretary, Judicial Department, Govt. of West Bengal,**
- 6) Members of the Registry, The Hon'ble High Court,**
- 7) Director, West Bengal Judicial Academy.**

Sub. : Filling up the post of Chairperson in the Airport Appellate Tribunal under Ministry of Civil Aviation, Government of India.

Sir,

With reference to the subject captioned above, I am directed to inform that a Vacancy circular bearing no. AV-24012/19/2015-AAI, dated 13.11.2015 as received from the Ministry of Civil Aviation, Government of India, has been **uploaded** in the website of the Hon'ble Court for information of all the Judicial Officers fulfilling the requisite eligibility criteria for the Post of Chairperson in Airport Appellate Tribunal.

In this connection, it is to be mentioned that the post is likely to be vacant w.e.f. 16.06.2016.

I am to request you to inform the eligible and willing officers to visit the website and download the contents and to forward the filled in application (in prescribed format) along with requisites, sought for, so as to reach this court on or before **28th January, 2016.**

Yours faithfully,

Sd/-

Registrar (Judicial Service)

V A C A N C Y C I R C U L A R

In terms of sub-section (1) and (2) of section 28 I of the Airport Authority of India Act, 1994, the Central Government had by notification in the official Gazette established a Tribunal known as the Airport Appellate Tribunal w.e.f. 25th March, 2010. The Tribunal consists of Chairperson and it adjudicates disputes arising out of eviction unauthorized occupation at airport premises.

2. The qualification for the post of Chairperson as prescribed clause 5 of the Sub-Section (1) of Section 28-I of the Airports Authority of India [Amendment Act], 2003 is as under:

“A person shall not be qualified for appointment as Chairperson of the Tribunal unless he is, or has been, or is qualified to be, a Judge of a High court”.

3. The post carries a pay of Rs. 80, 000/- p.m. (fixed) and the service conditions are governed by the Airport Appellate Tribunal (salary allowances of other terms and conditions of service of Chairperson) Rules 2004.

4. The Chairperson of the Tribunal shall hold office as such for a term of three years from the date on which he enters upon his office or until he attained the age of 62 years, whichever is earlier.

5. Particulars of the candidates recommended may be sent along with CR dossier and Vigilance Clearance in the attached proforma latest by the 31st December, 2015 to Shri K.V. Unnikrishnan, Under Secretary, Ministry of Civil Aviation, 'B' Block, Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi – 110 003. Ministries/Departments Central/State Governments, Union Territory Administrations may also recommend suitable candidates serving in the PSUs/Corporations etc.

6. This vacancy circular, application form are also placed on the Ministry's website: www.civilaviation.gov.in for easy accessibility.

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Application format for the post of Chairperson in the Airport Appellate Tribunal.

i.	Name of the Post applied for	:	
ii.	Name of the Applicant	:	
iii.	Father's Name	:	
iv.	Date of Birth	:	
v.	Age as on 01.06.2015	:	
vi.	Address for communication	:	
vii.	Telephone No. i) Landline with STD Code ii) Mobile	:	
viii.	E-mail Address	:	
ix.	Educational/Professional Qualification	:	
x.	Experience	:	
xi.	Full employment record in chronological order	:	

Declaration:

The Information furnished above is true and correct to the best of my knowledge and belief.

(Signature of Applicant)

NOTIFICATION

New Delhi, the 11th October, 2004

S.O. 1126(E).—In exercise of the powers conferred by Clause (gvi) of sub-section (2) of Section 41 of the Airports Authority of India Act, 1994 (55 of 1994), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Airport Appellate Tribunal (Salaries, Allowances and other terms and conditions of service of Chairperson) Rules, 2004.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires, -

- (a) "Act" means the Airports Authority of India Act, 1994 (55 of 1994);
- (b) "Chairperson" means a person appointed as Chairperson of the Tribunal under sub-section (4) of section 28-1 of the Act;
- (c) "Tribunal" means the Airport Appellate Tribunal established under sub-section (1) of section 28-1 of the Act;
- (d) all other words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Salary.— The Chairperson shall be paid such salary as admissible to serving Judge of a High Court:

Provided that in the case of an appointment of a person as a Chairperson, who has retired as a Judge of a High Court who is in receipt of or has received or has become entitled to receive any retirement benefit by way of pension, gratuity, employer's contribution to the Contributory Provident Fund or other forms of retirement benefits, the pay of such Chairperson shall be reduced by the gross amount of pension or employer's contribution to the Contributory Provident fund or any other form of retirement benefit, if any, drawn or to be drawn by him.

4. Dearness allowance and city compensatory allowance.—The Chairperson shall be entitled to draw dearness allowance and city compensatory allowance at the rate admissible to a Judge of a High Court.

5. Leave.—A person, on appointment as the Chairperson shall be entitled to leave as follows, namely:—

- (i) earned leave at the rate of thirty days for every completed calendar year of service of a part thereof:

Provided that the leave account shall be credited with earned leave, in advance, in two installments of fifteen days each on the first day of January and July of every calendar year:

Provided further that the leave account shall be credited with the close of previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus credit for the half year do not exceed the maximum limit of one hundred and eighty days;

(ii) half pay leave on medical certificate or on private affairs at the rate of twenty days in respect of each completed year of service and the leave salary for half pay leave shall be equivalent to half of the leave salary admissible during the earned leave;

(iii) leave on half pay may be commuted to full pay leave at the discretion of the President of India. Provided it is taken on medical grounds and is supported by a medical certificate by a competent medical authority;

(iv) extraordinary leave without pay and allowances up to a maximum period of one hundred and eighty days in one term of office.

6. Leave sanctioning authority.- The President of India shall be the authority competent to sanction leave to the Chairperson.

7. Pension/Provident Fund.- In case a serving Judge is holding the post of Chairperson shall count for pension to be drawn in accordance with the rules of the service to which he belongs. He shall also be governed by the provisions of the General Provident Fund (Central Services) Rules, 1960. In all other cases, a person shall be entitled to Contributory Provident Fund (India) Rules, 1962.

8. Traveling Allowances.-The Chairperson while on tour or on transfer (including the journey undertaken to join the Tribunal or on the expiry of his term with the Tribunal to proceed to his home town) shall be entitled to the traveling allowances, daily allowances, transportation of personal effects and other similar matters at the same scales and at the same rates as are applicable to a judge of High Court under the provision of the High Court Judge (Traveling Allowances) Rules, 1956.

9. Leave Travel Concession.- The Chairperson shall be entitled to leave travel concession at the same rates and at the same scale as are applicable to a Judge of a High Court.

10. Facility of conveyance.- The Chairperson shall be entitled to a staff car and one hundred and fifty litres of petrol every month or actual consumption of petrol per month, whichever is less.

11. Accommodation.- (1) Every person appointed as the Chairperson shall be eligible subject to availability to the use of official residence from the general pool accommodation of the type admissible to a Group 'A' officer of the Central Government, who is working at the place where such tribunal is located and drawing an equivalent pay on payment of the licence fee at the rates specified by the Central Government from time to time.

(2) Where the Chairperson occupies an official residence beyond permissible period, he shall be liable to pay additional licence fee or penal rent, as the case may be, and he shall be liable to eviction in accordance with the rules applicable to Central Government servants.

(3) Where the Chairperson does not avail of facility of official residence under sub-rule (1), he shall be entitled to House Rent Allowance as admissible to Group 'A' officers of the Central Government, drawing equivalent pay.

12. Facilities for medical treatment.- The Chairperson shall be entitled to medical treatment and hospital facilities as provided in the Contributory Health Services Scheme Rules, 1954 and in places where the Central Health Services Scheme is not in operation, the said Chairperson shall be entitled to the facilities as provided in the Central Services medical Attendance Rules, 1944.

13. Residuary provision.- Matters relating to the conditions of services of the Chairperson with respect to which no express provision has been made in these rules shall be referred in each case to the Central Government for its decision and the decision of the Central Government thereon shall be binding on the said Chairperson.

14. Power to relax.- The Central Government shall have power to relax the provisions of any of these rules in respect of any class or categories of persons.

[No. AV-20036/102/2003-AA1]

Dr. NASIM ZAIDI, Jt. Secy.

अधिसूचना

नई दिल्ली, 11 अक्टूबर, 2004

का०आ० 1127(अ).—केन्द्रीय सरकार, भारतीय विमानपत्तन प्राधिकरण अधिनियम, 1994 (1994 का 55) की धारा-28अ की उप-धारा (3) के साथ पठित धारा 41 की उप-धारा (2) के खण्ड (छ vi) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात्:—

1. संक्षिप्त नाम और प्रारंभ (1):- इन नियमों का संक्षिप्त नाम विमानपत्तन अपील अधिकरण (अध्यक्ष के कदाचार अथवा उनकी अक्षमता के अन्वेषण के लिए प्रक्रिया) नियम, 2004 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं:- इन नियमों में, जब तक संदर्भ से अन्यथा अपेक्षित न हो:

(क) **अधिनियम** से भारतीय विमानपत्तन प्राधिकरण अधिनियम, 1994 (1994 का 15) अभिप्रेत है,

(ख) **अध्यक्ष** से अभिप्रेत है अधिनियम की धारा 28 झ की उपधारा (4) के अधीन अधिकरण के अध्यक्ष के रूप में नियुक्त व्यक्ति;

(ग) **अधिकरण** से अभिप्रेत है अधिनियम की धारा 28झ के उपधारा (1) के अधीन विमानपत्तन अपील अधिकरण;