

**A. SHANKAR NARAYANA
REGISTRAR (VIGILANCE)**



**HYDERABAD,
DT: 08.08.2013.**

ROC.NO. 4885/2013-B.SPL.

Sir/Madam,

SUB: FOREIGNERS (TRIBUNAL) - DISTRICT JUDGES – Filling up of the 64 posts of Members in Foreigners Tribunals in different districts in Assam State - Willingness from eligible District Judges/Additional District Judges on deputation basis – Called for – Regarding.

REF: Letter No.11012/13/2013-NE-IV, dated 01.08.2013 from the Deputy Secretary (North East), Ministry of Home Affairs, North Block, New Delhi - 110001.

I am to state that the Deputy Secretary (North East), Ministry of Home Affairs, North Block, New Delhi, in his letter referred to above has stated that the applications of eligible willing officers for appointment of 64 posts of Members in Foreigners Tribunals in different districts in Assam State on deputation basis. The said letter of Deputy Secretary (North East), along with order and office memorandum are placed in the High Court Web site i.e., <http://hc.ap.nic.in>.

I am, therefore, directed to request you to circulate the letter of Deputy Secretary (North East), Ministry of Home Affairs, North Block, New Delhi along with its enclosures, with a request to circulate among the District Judges and Addl. District Judges working in their District/Unit including Presiding Officers of Tribunals and Labour Courts and District and Sessions Judges on Other Duty working in your Districts/Units and who are willing, may download the copy of letter along with office memorandum from the High Court Web Site and submit their applications, directly to the High Court so as to reach the same on or before 20.08.2013 by FAX and SPEED POST.

Yours faithfully,

A. Shankar Narayana
REGISTRAR (VIGILANCE)

To

1. The Chief Judge, City Civil Court, Hyderabad
2. The Metropolitan Sessions Judge, Hyderabad
3. The Chief Judge, City Small Causes Court, Hyderabad
4. THE PRL. DISTRICT AND SESSIONS JUDGES:
Adilabad, Anantapur, Chittoor, Cuddapah, East Godavari at Rajahmundry, Guntur, Karimnagar, Khammam, Krishna at Machilipatnam, Kurnool, Mahabubnagar, Medak at Sangareddy, Nalgonda, Nellore, Nizamabad, Prakasam at Ongole, Rangareddy District, Srikakulam, Visakhapatnam, Vizianagaram, Warangal and West Godavari at Eluru.
5. All the Presiding Officers of Tribunals and Labour Courts in the City of Hyderabad.
6. The District and Sessions Judges working on Other Duty in the State of A.P.

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By Speed Post

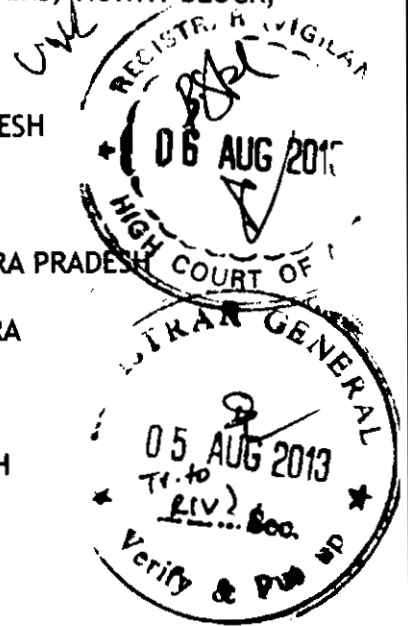
MOST IMMEDIATE

FAX MESSAGE

FROM: DEPUTY SECRETARY (NORTH EAST), MINISTRY OF HOME AFFAIRS, NORTH BLOCK,
NEW DELHI 110 001

TO:

1. THE REGISTRAR, ALLAHABAD HIGH COURT, ALLAHABAD, UTTAR PRADESH
2. THE REGISTRAR, ORRISA HIGH COURT, CUTTACK, ORISSA
2. THE REGISTRAR, ANDHRA PRADESH HIGH COURT, HYDERABAD, ANDHRA PRADESH
4. THE REGISTRAR, BOMBAY HIGH COURT, FORT, MUMBAI, MAHARASHTRA
5. THE REGISTRAR, CALCUTTA HIGH COURT, KOLKATA, WEST BENGAL
6. THE REGISTRAR, CHATTISGARH HIGH COURT, BILASPUR, CHATTISGARH
7. THE REGISTRAR, GUJARAT HIGH COURT, AHMEDABAD, GUJARAT
8. THE REGISTRAR, GAUHATI HIGH COURT, DISPUR, GUWAHATI, ASSAM
9. THE REGISTRAR, HIMACHAL PRADESH HIGH COURT, SIMLA, HIMACHAL PRADESH
10. THE REGISTRAR, JAMMU & KASHMIR HIGH COURT, JAMMU & KASHMIR
11. THE REGISTRAR, JHARKHAND HIGH COURT, RANCHI, JHARKHAND
12. THE REGISTRAR, KERALA HIGH COURT, THIRUANANTPURAM, KERALA
13. THE REGISTRAR, KARNATAKA HIGH COURT, BANGALUR, KARNATAKA
14. THE REGISTRAR, MADRAS HIGH COURT, CHENNAI, TAMIL NADU
15. THE REGISTRAR, MADHYA PRADESH HIGH COURT, JABALPUR, MADHYA PRADESH
16. THE REGISTRAR, PATNA HIGH COURT, PATNA, BIHAR
17. THE REGISTRAR, RAJASTHAN HIGH COURT, PRINCIPAL SECRETARIAT, JODHPUR
18. THE REGISTRAR, PUNJAB, HARYANA AND CHANDIGARH HIGH COURT, CHANDIGARH



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REPEAT: CHIEF SECRETARIES OF UTTAR PRADESH, ORISSA, ANDHRA PRADESH, MAHARASHTRA, WEST BENGAL, CHATTISGARH, GUJARAT, ASSAM, HIMACHAL PRADESH, JAMMU & KASHMIR, JHARKHAND, KERALA, KARNATAKA, TAMIL NADU, MADHYA PRADESH, BIHAR, RAJASTHAN AND CHANDIGARH

NO.: 11012/13/2013-NE.IV

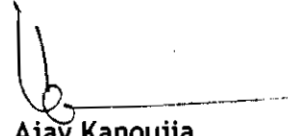
DATED: 01.08.2013

I AM DIRECTED TO STATE THAT SIXTY FOUR ADDITIONAL FOREIGNERS TRIBUNALS ARE BEING SET UP IN VARIOUS DISTRICTS IN ASSAM UNDER THE PROVISIONS OF FOREIGNERS ACT 1946 AND

FOREIGNERS (TRIBUNAL) ORDER 1964 TO ADJUDICATE WHETHER A PERSON IS OR IS NOT AN ILLEGAL MIGRANT/FOREIGNERS.

FOREIGNER TRIBUNAL (FTs) IS HEADED BY RETIRED ADDL. DISTRICT JUDGE/DISTRICT JUDGE AS MEMBER OF THE TRIBUNAL. FOR THIS PURPOSE 64 RETIRED ADJ/DJ ARE REQUIRED FOR APPOINTMENT IN THESE FOREIGNERS TRIBUNALS. TERMS AND CONDITIONS FOR APPOINTMENT OF MEMBER IN FTS ARE ATTACHED. SITTING ADJ/DJ ARE ALSO ELIGIBLE FOR APPOINTMENT ON DEPUTATION BASIS.

IT IS REQUESTED THAT A PANEL OF WILLING RETIRED/SITTING ADJ/DJ MAY KINDLY BE SENT FOR APPOINTMENT AS MEMBER IN FTs TO "SHRI SAILESH, PRINCIPAL SECRETARY, GOVERNMENT OF ASSAM, ASSAM SECRETARIAT, DISPUR, GUWAHATI" UNDER INTIMATION TO THIS MINISTRY BY 31.08.2013.


Ajay Kanoujia
Deputy Secretary (NE)
Telefax: 2309 2728

Copy for information to:

Shri Sailesh, Principal Secretary, Home Deptt., Government of Assam, Dispur, Guwahati

Shri G.D. Tripathi, Home Secretary, Government of Assam, Assam Secretariat, Dispur, Guwahati

(Amended upto 31-3-1987)

FOREIGNERS (TRIBUNAL) ORDER, 1964

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

ORDER

New Delhi, the 23rd September, 1964

G.S.R. 1401.—In exercise of the powers conferred by Section 3 of the Foreigners Act, 1946 (31 of 1946), the Central Government hereby makes the following order, namely:—

1. *Short title.*—This order may be called the *Foreigners (Tribunals) Order, 1964*.

2. *Constitution of Tribunals:*—(1) The Central Government may, by order, refer the question as to whether a person is or is not a foreigner within the meaning of the Foreigners Act, 1946 (31 of 1946) to a Tribunal to be constituted for the purpose, for its opinion.

(1A) The registering authority appointed under sub-rule (1) of rule 16F of the Citizenship Rules, 1956 may also refer to the Tribunal the question whether a person of Indian Origin, complies with any of the requirements under sub-section (3) of Section 6A of the Citizenship Act, 1955 (57 of 1955).

(2) The Tribunal shall consist of such number of persons having judicial experience as the Central Government may think fit to appoint.

(3) Where the Tribunal consists of two or more members, one of them shall be appointed as the Chairman thereof.

3. *Procedure for disposal of questions:*— The Tribunal shall serve on the person, to whom the question relates, a copy of the main grounds on which he is alleged to be a foreigner and give him a reasonable opportunity of making a representation and producing evidence in support of his case and after considering such evidence as may be produced and after hearing such persons as may desire to be heard, the Tribunal shall submit its opinion to the officer or authority specified in this behalf in the order of reference.

(1A) The Tribunal shall, before giving its opinion on the question referred to in sub-paragraph (1A) of paragraph 2, give the person in respect of whom the opinion is sought, a reasonable opportunity to represent his case.

(2) Subject to the provisions of this Order, the Tribunal shall have power to regulate its own procedure.

4. *Power of Tribunals:*—The Tribunal shall have the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) issuing commissions for the examination of any witness.

(No. 1/1/64-F, III)

Amendment Notifications

No. 1/24/65-F, III. Dated 30-9-1965

No. 14011/35/85-F, III. Dated 15-1-1986

**GOVERNMENT OF ASSAM
POLITICAL (B) DEPARTMENT: DISPUR: GUWAHATI**

No.PLB.163/2010/181

Dated Dispur. the 25th May, 2011

OFFICE MEMORANDUM

Sub : Terms & condition for appointment of Judicial Officer as Member, Foreigners Tribunals, Assam.

Ministry of Home affairs Government of India has issued new terms and condition for appointment of Members in the Foreigners Tribunals vide letter No. 11012/48/2005-NE-IV dated 24-01-2011. Considering the current problem faced due to dearth of eligible Judicial Officers, Government of India have set this new terms and conditions which are as follows:

1. An officer will have to be serving/retired District and Sessions Judge or Additional District Judge:-
2. Maximum age up to which the officer will be allowed to work is 67 years.
3. The initial period of appointment shall be for one year which may extend if necessary subject to the maximum age fixed at 67 years.

Pay and allowance of the Members will be regulated as noted below:

- (a) For serving Judicial Officers:
Pay & allowances as admissible in his/her Grade as recommended by the competent authority applicable to State Judicial Officers.

In addition a deputation allowance @ 15% of his pay subject to maximum Rs. 2000/- P.M. plus a special duty allowance @ 12.5% of the basic pay.

- (b) For re-employed (retired) Judicial Officers:

Last pay drawn or Minimum pay in the revised scale corresponding to the post held at the time of superannuation which ever is higher minus pension plus Dearness Allowances at the rate admissible to State Govt. employees.

In addition, special pay @ 15% of his pay subject to a maximum Rs. 2000/- plus a special duty allowance @ 12.5% of the basic pay.

4. **Medical Facilities:**

Medical facilities will be provided to Member, Foreigners Tribunal (both in-service and retired) as per Judicial Department's Notification No. JDJ(E)-44/2002/Pt/34 Dated 7th March 2007 read with Assam Medical Attendance Rules, 2008 and Notification issued there under from time to time.

5. **Conveyance:**

6. **Transfer grants:**

Member Foreigners Tribunals are entitled to transfer grants as admissible to Judicial Officers of relevant rank.

7. One Orderly Peon will be admissible to each Member, Foreigner's Tribunal with a fixed remuneration of Rs. 4500/- per month except in respect of those Foreigner's Tribunals where Orderly Peon with Grade Pay have already been appointed. The tenure of engagement of Orderly Peon shall be co-terminus with the tenure of the Members.

8. **House Rent allowance:**

(a) For serving Judicial Officers:

HRA as admissible in his/her Grade as recommended by the competent authority applicable to the State Judicial Officers.

(b) For re-employed (retired) Judicial Officers:

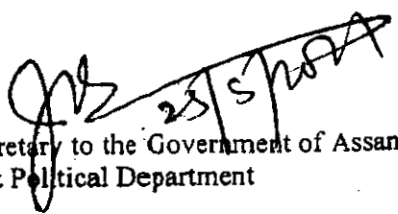
Rs. 4000/- P.M. fixed.

9. **Traveling Allowance/Transfer T.A.**

As per State Government Rules as admissible to Judicial Officers including transportation of personal effects as admissible to State Government. However, officers will be eligible for Air Travel on duty for journeys within and outside the State.

10. As admissible to the in serving Judicial Officers of Assam. A Member may avail of home LTC once in a block period of two years. A Member may avail LTC once in four years as admissible to Member of the corresponding ranks in Assam Judicial Service and this facility will be restricted to his/her spouse and dependent children.

11. For all other purpose the in service officers service as Member Foreigners Tribunal shall be governed by the respective rules, notification, order etc. as admissible to Judicial Officers. The retired Judicial Officers serving as Member Foreigners Tribunal shall be governed by the term and conditions as spelt out above.


Commissioner & Secretary to the Government of Assam
Home & Political Department

Memo No. PLB.163/2010/181-A

Dated Dispur, the 25th May, 2011

Copy to:

The Deputy Secretary to the Government of India, Ministry of Home Affairs,
NE.IV this has a reference to his letter No. 11012/48/2005-NE.IV dated 24-01-2011.