

Citizens' Charter

This charter is a declaration of our mission, goals, values, efforts,
duties and our sincere commitment to deliver quick and
speedy justice by adjudication of disputes in respect
of all service matters of public servants of
the State including
Government Organizations & State Corporations with utmost devotion and expedition.

Chairman
State Public Services Tribunal
Indira Bhawan, Lucknow.

Introduction :

In today's context, just offering a never-before service is only half the objective of any organization. What makes the real difference is the way these services are rendered. We realized this even before we started. The number of cases in the courts pertaining to the employment matters of the Government servants was constantly on the increase. This, besides increasing the work load in the courts, also delayed considerably the disposal of such cases. Such litigation also involved money and time of the Government servants. In these circumstances it was decided to establish Public Service Tribunals to deal with cases pertaining to employment matters of Government servants and also of the employees of the local authorities and Government corporations and companies, so that the employees may get quick and inexpensive justice. It was also decided that after the establishment of the tribunals such suits be barred from being filed in the subordinate courts. Every service that we promise to offer to our litigants comes with strong and clear commitment. To put in simple words, following are some of the ways we serve:

- Fair and speedy judgments of cases,
- Speedy processing and prompt action,
- Efficiency and professionalism,

- Co-operation and transparency,
- Courtesy and understanding.

Constitution of the Tribunal :

The Uttar Pradesh Public Services Tribunal was established on 24th November 1975. This institution was organized to decide the disputes in respect of the matters relating to the employment of all public servants of the state. The Uttar Pradesh Public Services (Tribunal) ordinance 1976 was accordingly promulgated on February 16, 1976. The Act of 1976 was amended time to time. There after this Tribunal was reorganized by the U.P. Act No.7 of 1992, which was enforced with effect from 31.03.1993.

As soon as may be after the commencement of the Uttar Pradesh Public Services (Tribunals) (amendment) Act, 1992, the state Government shall by notification establish a Tribunal to be called the State Public Services Tribunal. Thus the services matters against U.P. Government are being looked after by State Public Service Tribunal. The tribunal is situated at Indira Bhawan, Lucknow and headed by the Chairman.

The public servant of State Government can file a petition on service matter against the department or organization of the government or authority, corporation, a body owned or controlled by the U.P. State Government.

Administrative Structure and Departmental Chart :

1. The Tribunal consists of a Chairman, two Vice Chairmen and such number of other Judicial and Administrative Members not less than five in each category, as may be determined by the State Government.

2. A person shall not be qualified for appointment as Chairman unless he-

- (a) has been a Judge of a High Court, or
- (b) has for at least two years held the post of Vice Chairman, or
- (c) has been a member of the Indian Administrative Services who has held the post of Secretary to the Government of India or any other post under the Central or the State Government equivalent thereto, and has adequate experience in dispensation of justice.

3. A person shall not be qualified for appointment as Vice Chairman unless he-

- (a) has held the post of District Judge or any other post equivalent thereto for at least five years; or
- (b) has, for at least two years held the post of a Judicial or as Administrative member ;or
- (c) has been, a member of the Indian Administrative Service who has held the post of Additional Secretary to Government of India or any other post under the Central or the State Government equivalent thereto and has adequate experience in dispensation of justice.

4. A person shall not be qualified for appointment as a Judicial Member, unless he has held the post of District Judge, or any other post equivalent there to.

5. A person shall not be qualified for appointment as an Administrative Member, unless he has been an officer of the Indian Administrative Service or an Officer of the Provincial Civil Service (Executive Branch) in the pay scale of Rs.

18400-22400 or above and has adequate experience in dispensation of justice.

6. The Chairman, Vice Chairman and every other member shall be appointed by the state Government:

Provided that no person shall assume the office of Chairman, Vice Chairman or other member, as the case may be, the Judgeship of the High Court, or the Indian Administrative Service or the Uttar Pradesh Higher Judicial Service or any other service in which he was serving except the service as Vice Chairman or member.

7. The Chairman, Vice Chairman or other member shall hold office as such for a term of five years from his office but shall be eligible for re-appointment for another term of five years;

Provided that no Chairman, Vice Chairman or other member shall held office as such after he has attained.

(a) in the case of Chairman, the age of sixty-seven years and

(b) in the case of Vice Chairman or member, the age of sixty-five years.

8. The Chairman, Vice Chairman or any other member may be notice in writing under his hand addressed to the Governor resign his office;

Provided that the Chairman, Vice Chairman or other member shall unless he is permitted by the Governor to relinquish his offices sooner, continue to hold office until the expiration of three months from the date of receipt of notice or until a person duly appointed as his successor enters upon office or until the expiration of his term of office whichever is the earliest.

9. The Chairman, Vice Chairman or any other member shall not be removed from his office except by an order made by the Governor on the ground of proved misbehaviour or incapacity after such inquiry made in the prescribed manner, in which such Chairman, Vice Chairman or other member as the case may be, has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

*The Uttar Pradesh Public Services (Tribunal) (AMENDMENT) ACT, 2007.

10. On ceasing to hold office, the Chairman, Vice Chairman or other member shall be ineligible for further employment under the State Government, or any local or other authority under the control of the State Government, or any corporation or society owned or controlled by the state Government; Provided that, subject to other provision of this act, a Vice -Chairman and any other member shall be eligible for appointment as Vice Chairman or Chairman.

11. On ceasing to hold office, the Chairman, Vice Chairman or other member shall not appear, act or plead before the Tribunal on behalf of any person.

12. The salaries and allowances payable to the Chairman, Vice-Chairman and other member and other conditions of their service shall be such as may be determined by the State Government from time to time.

13. Where the Chairman is unable to discharge his functions owing to absence, illness or any other cause, or where any vacancy occurs in the office of the Chairman by reason of his death, resignation or otherwise, the Vice Chairman and where the Vice Chairman is likewise unable to discharge his function or the office of the Vice-Chairman also is vacant, such other member as the state Government may by special or general order specify shall discharge the functions of the Chairman until the Chairman resume his duties or as the case may be, a Chairman appointed in accordance with the provisions of this act assume charge of his office.

Registrar:

Registrar will be of Higher Judicial Service (H.J.S.). Registrar is the head of office and D.D.O. of the State Public Services Tribunal. The Registrar shall have the custody of the records of the Tribunal and shall exercise such other functions as are assigned to him under these rules or by the Chairman by separate order. The Registrar may, with the approval of the Chairman delegate to the Joint Registrar (J) or Joint Registrar (E) or any other officer any function or power required by these rules to be performed or exercised by the Registrar. The Official seal shall be kept in the custody of the Registrar. Subject to any general or special direction by the Chairman, the seal of the Tribunal shall not be affixed to any order, summons or other process save under the authority in writing of the Registrar. The seal of the Tribunal shall not be affixed to any certified copy issued by the Tribunal save under the authority in writing of the Registrar.

Joint Registrar (J):

Joint Registrar (J) will be of Provincial Judicial Service in status of Civil Judge Senior division. He shall exercise functions as are assigned by Chairman and the work delegated by the registrar. He will supervise and manage the functions of the following sections.

1. Reporting Section
2. Cause List Section
3. Writ Section
4. Contempt Section

Joint Registrar (E):

Joint Registrar (E) will be of Provincial Civil Service (Executive). He shall exercise functions as are assigned by Chairman and the work delegated by the registrar. He will supervise and manage the functions of the following sections.

1. Library
2. Copying Section
3. Central Record Room
4. Enquiry Section
5. General Administration ---
Maintenance of the office, sanitation, Telephone & Intercom
6. Purchase, distribution and storage of stationary.
7. Disposal of complaints related to Audit.
8. Inspection and discipline in the office.

Staff of the Tribunal:

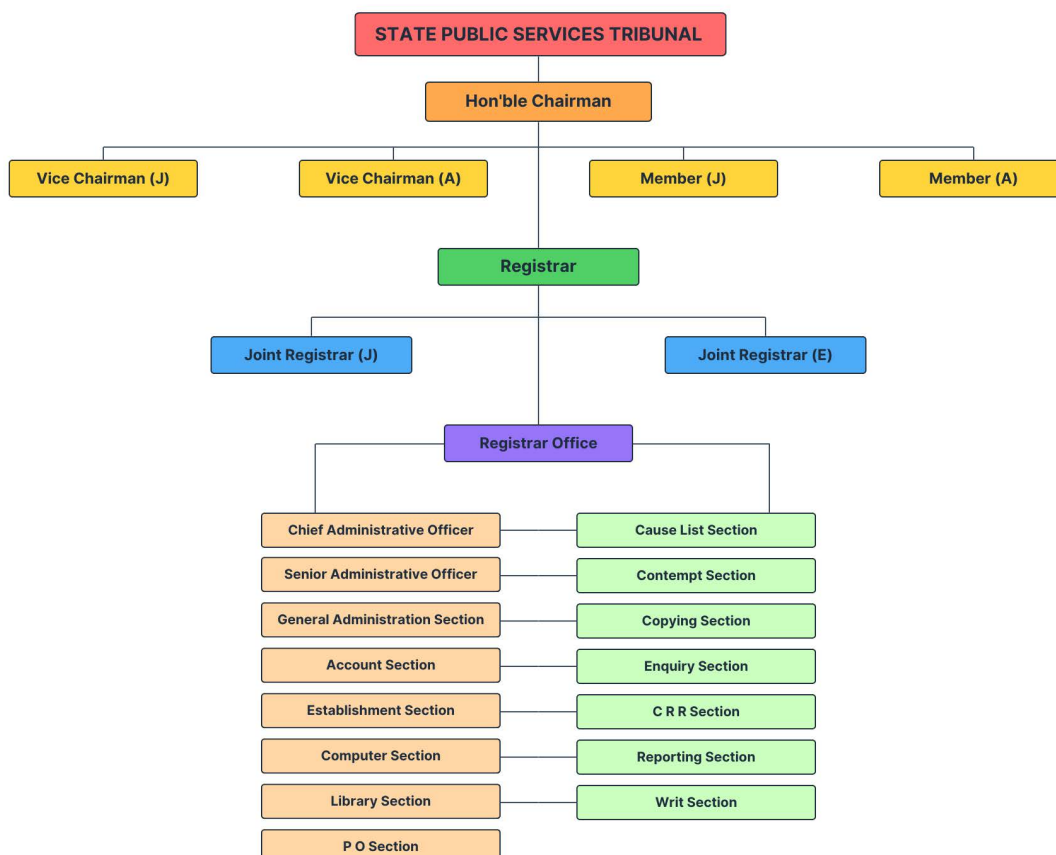
1. The State Government shall determine the nature and Categories of the officers and other employees required to assist the Tribunal in the discharge of its functions and provide the Tribunal with such officers and Other employees as it may think fit.
2. The officers and other employees of the Tribunal shall discharge their functions under the general superintendence of the Chairman.
3. The salaries and allowances and conditions of service of the officer's and other employees of the tribunal shall be such as may be prescribed."

Presenting Officer:

Government may appoint a public servant or a legal practitioner, to be known as the presenting officer, to present its cases before the tribunal. Presently there are thirteen presenting officers including in-charge presenting officer.

Bar Association:

There is a association of advocates practicing in tribunal which is called **State Public Services Tribunal Bar Association**, established in 1976 and situated in room No.-213-215 on 2nd floor of office building. There are about more than 400 members in the bar association.



Constitution of Bench/ Hearing of reference by the Tribunal

Chairman may from time to time constitute Benches consisting of a single member or two members, for the disposal of such references of claims and other matters as may be specified by him. It shall be lawful for the Chairman to nominate himself as a member of any such Bench. A

Mainly there are two type of petitions-

- (a) Claim Petition
- (b) Contempt Petition

1.1.1 Claim Petition :

If any person who is or has been a public servant claims that in any matter related to employment as such public servant his employer has dealt with him in a manner, which is not in conformity with any contract, can file claim petition.

1.1.2 Contempt Petition :

On the basis of disobedience/ non-compliance of the order of the court or a part of the order of the court, applicant can file a contempt petition. In contempt petition respondent should be mentioned by name.

In every claim petition, petitioner asks for relief (Prayer). The relief has been categorized in eight types-

Types of Relief (Prayers) As per Schedule:

- a. Appointment
- b. Pay
- c. Major Punishment
- d. Minor Punishment
- e. Retirement
- f. Recovery
- g. Seniority
- h. Other Matters

1.2 Sections of the Tribunal:

There are seven sections in this department other than Accounts, Establishment, Library, Computer, and General Administration---

Reporting Section

Claim (Writ) Section

Contempt Section

Cause List Section

Copying Section

Central Record Room Section

Enquiry Section

1.2.1 Reporting Section :

New petitions are filed in this section along with all the related documents. This section maintains a register called Inward Register

(Form no. 1) with following particulars—

- Diary No. (Serial No.)
- Nature of the application
- Name of the party
- Application fee / additional process fee
- Initial with date of receiving clerk
- Date of transmission to scrutiny branch
- Initial of the receiving clerk of scrutiny branch

The reporting section scrutinizes that petition and if found correct then only petition moves to admission bench on next working day.

If the admission bench admits the case then the bench fix a date for filing CA / WS (Counter affidavit / Written Statement) or objection on Interim Relief (if any) from the respondent.

After getting CA / WS from respondent court fix a date for submission of RA (rejoinder affidavit) from petitioner. After getting RA from petitioner case can be fix for final hearing.

1.2.2 Claim Petition (Writ) Section:

This section maintains all the information of every claim petition on separate registers.

1.2.2.1 Institutional Register (Form - 2):

Different columns of this register are--

- Sl. No
- Application No.
- Date of filing / registration
- Name & address of the applicant
- Name of the advocate for applicant
- Name & address of the respondent (s)
- Name of the advocate of the respondent
- Brief Subject matter / category
- Prayers / Relief in the petition / Application
- Date of admission
- Date & Result of the final disposal

1.2.2.2 Stage Register :

This register has following columns

- Claim petition No.
- Name of the Advocate of Petitioner
- Nature
- Date of next hearing & stage

1.2.2.3 Date wise Claim petition Register :

This register has following columns

- Date of hearing
- Petition No.
- Petitioner Name
- Stage

1.2.2.4 Claim petition wise disposal Register :

Different columns of this register are:

- Sl. No.
- Claim petition No.
- Name of the petitioner
- Date of disposal
- Nature of judgement

1.2.3 Contempt Section :

Function of this section is similar to Claim Section. This section also maintains the same register as maintained in the Claim Section with two following additional entries which are also maintained in their registers.

--Old Claim No.

--Date of the decision of old claim.

1.2.4 Cause List Section :

This section collect the date wise separate ready list for admission / hearing in the court from following sections.

Reporting Section: For new cases for admission.

Claim section: For those claim cases which has been fixed for hearing on that day.

Contempt Section: For those contempt cases which has been fixed for hearing on that day.

Type of Cause Lists:

--Daily Cause List

--Weekly Cause List

--Supplementary List

These causes lists contain following information :--

--Court No. & Room No.

--Name of the Judge (s)

--Date & Time

--Claim / Contempt No.

--Name of the petitioner

--Name of the respondent (s)

--Counsel of the petitioner

--Counsel of the respondent (s)

1.2.5 Copying Section:

The function of this section is to issue certified copies of a final judgment delivered by the court. The file of the decided case again moves from this section to Claim/ Contempt section to maintain the records in specific registers and also maintain disposal register.

U/R – 22:

State Public Services Tribunal Act 1976 and its Procedure Rules 1992 provides Rule- 22 for letigents to issue-

(1). Every interim order, granting or refusing or modifying interim relief and final order shall be communicated to the petitioner and to the concerned respondent or to their counsel, either by hand delivery or by post free of cost:

Provided that unless ordered otherwise by a bench, a copy of the final order need not be sent to any respondent who has not entered appearance:

Provided further that when the petitioner or the respondent is represented by a counsel, under a single Vakalatnama, only one copy shall be supplied to such counsel as named therein.

(2). If the petitioner or the respondent to any proceeding requires a copy of any document or proceeding the same shall be supplied to him on such terms and conditions on payment of such fees as provided in these rules.

1.2.6 Central Record Room Section:

This section only keeps the files and related papers of decided cases month wise and maintains the record in specific register.

1.2.7 Enquiry Section:

Information can be obtained regarding the status of the cases from this section, headed by Munsarim (Enquiry). Any person desiring to ascertain any particulars relating to cases can make a search application, which shall be presented before Munsarim I/C Enquiry in question answer form with a court fee stamp of Rs. 1. Search application can also be sent by post. Munsarim I/C Enquiry shall register such application and obtain the required information and hand over the application with reply.

1.2.8 Senior Administrative Officer:

The main function of the S.A.O., is to supervise the proper functioning of the department, to check the arrival time of the employees, responsible for the correspondence of department with Hon'ble High Court, Govt., etc.

1.2.9 General Administration Section:

The main function of this section is cleaning & maintenance, timely opening and closing of various rooms, sections and courts. The other functions of this section are as under-

- Nazir is responsible for purchasing of different items required in the department, and for maintaining the registers for purchasing and issuing them,
- Care Taker is responsible for purchasing and maintenance of vehicles in the department and maintenance of intercom and hot lines etc,
- Maintaining telephone/ bills, electricity and water supply, etc.

1.2.10 Accounts Section:

The function of this section is to prepare account & budget for the department, to prepare salary & other bills of officers/ employees, responsible for audit of accounts related work, to maintain GPF pass- book and income tax schedule and all other accounts related works.

1.2.11 Library Section:

The function of this section is to maintain the records of the books/ magazines/ papers/ journals/ manuals etc and also to keep separate registers for purchasing and issuing books etc. and to make available books to officers required by them for judicial work.

1.2.12 Computer Section:

The function of this section is to make study for the needs of the computerization of different sections, developing the software as per requirement of the office and preparing cause list, maintaining the records regarding the claim & contempt petitions, etc.

1.2.13 Establishment Section:

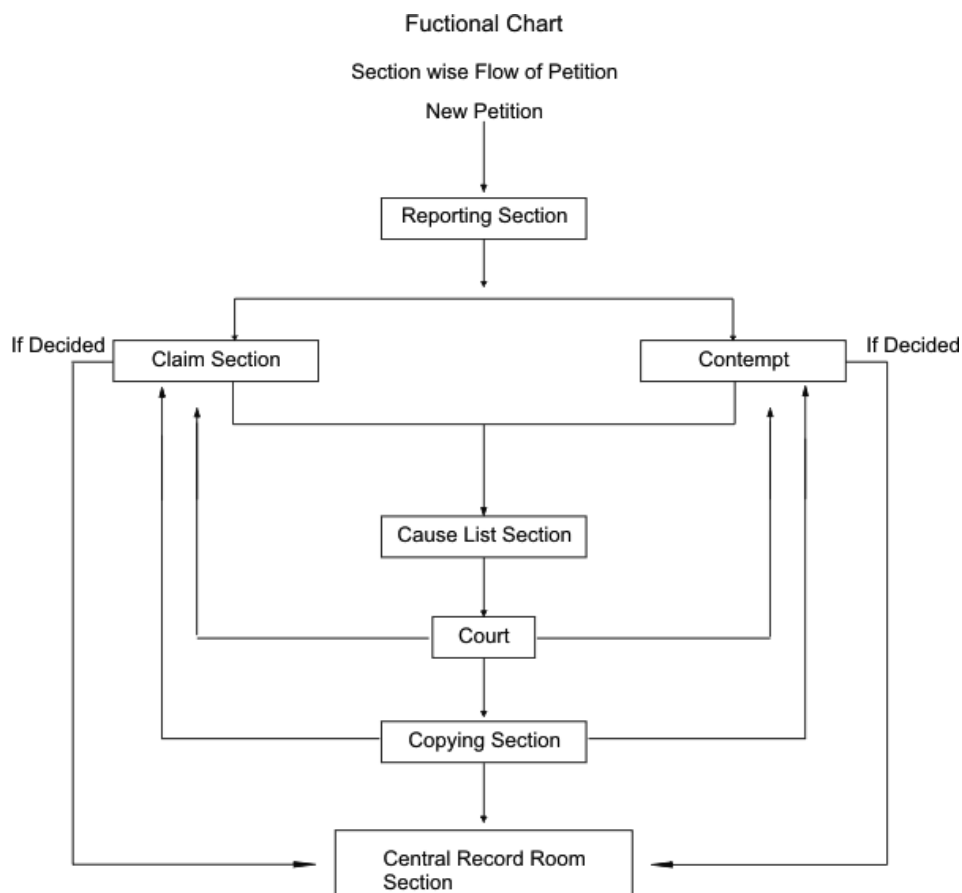
This section maintains the service related matters like joining, relieving, retirements, leaves, service book, etc of the officers/ employees.

1.2.14 P O Section:

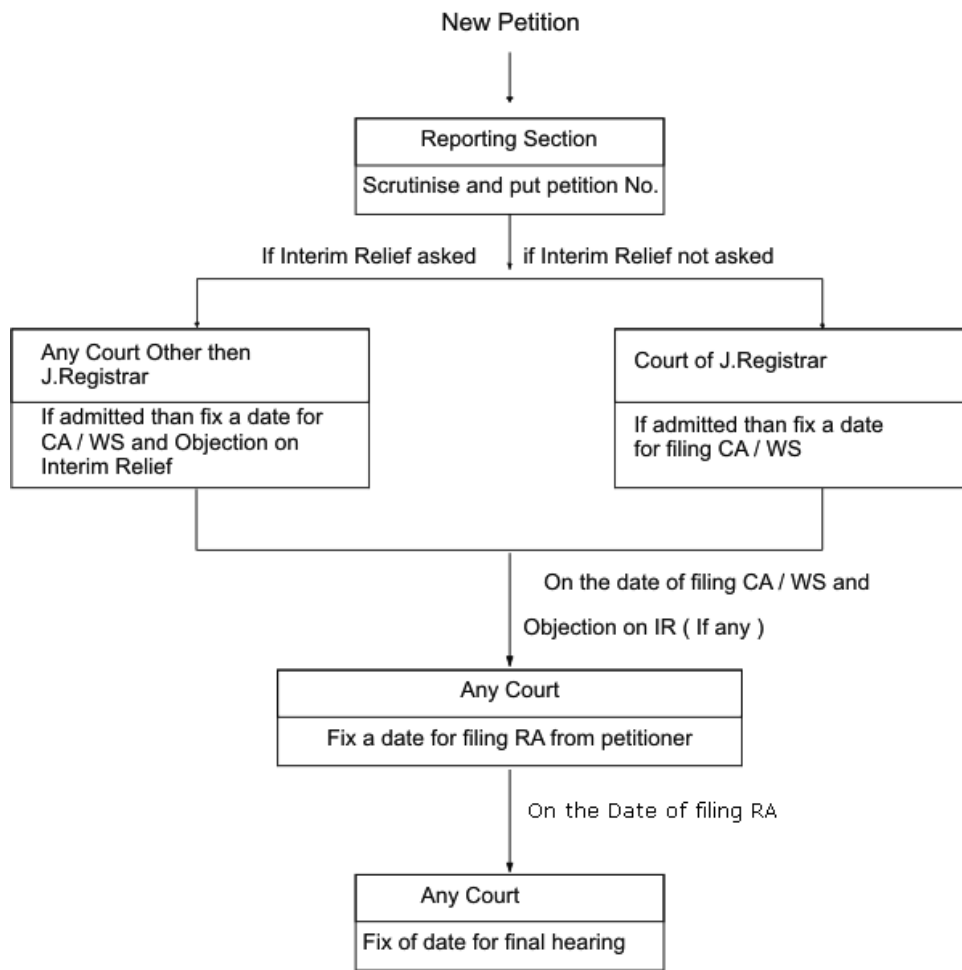
This section maintains the files of claim petitions on behalf of OPs filed against the state government.

Information under RTI Act

Under RTI Act 2005, Hon'ble Chairman has nominated the appellate officer, the public information officer and the assistant public information officer in the department. A person who desires to obtain any information under this act, shall make a request in writing or through a electronic means either in English or in Hindi accompanying IPO/ DD/ Cash of Rs.10/= in favour of Public Information Officer specifying the particulars of the information sought by him/ her.



Court Wise Flow of Claim Petition



Court Wise Flow of Contempt Petition

