

NOTICE

I am directed to enclose herewith the letter no. 11012/13/2013-NE.IV dated 01.08.2013 of Sri Ajay Kanoujia, Secretary (NE), Ministry of Home Affairs, North Block, New Delhi alongwith Office Memorandum No. PLB.163/2010/181 dated 25.05.2011 issued by Commissioner & Secretary to the Government of Assam, Home and Political Department inviting options/willingness for the post of Member in Foreigners Tribunal, Assam from retired Addl. District & Sessions Judge and District Judge (in duplicate). The application/consent may be send in such manner so as to reach the undersigned latest by **20.08.2013.**

Encl: as above

Date : 14.08.2013

**Joint Registrar (Services)
High Court, Allahabad**

MOST IMMEDIATE

FAX MESSAGE

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

TO: THE REGISTRAR, ALLAHABAD HIGH COURT, ALLAHABAD, UTTAR PRADESH

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 OF 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 MEMBERS 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 SHAILESH, PRINCIPAL SECRETARY, GOVERNMENT OF ASSAM, ASSAM SECRETARIAT, DISPUR, GUWAHATI" UNDER INTIMATION TO THIS MINISTRY BY 31.02.2013.

Sd/-

Ajay Kanoujia
Deputy Secretary (NE)
Telefax: 2309 2728

(Amended upto 31-3-1987)

FOREIGNERS (TRIBUNAL) ORDER, 1964

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
ORDER

New Delh, the 23rd September, 1964

G.S.R. 1401 – In exercise of the powers conferred by Section 3 of the Foreigners Act, 1964 (31 of 1946), the Central Government here by 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 withing the meaning of the Foreigner's 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. *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 it 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)

**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 and 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 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 Foreigner's Tribunal shall be governed by the respective rules, notification, order etc. as admissible to Judicial Officers. The retired Judicial Officers serving as Member Foreigner's Tribunal shall be governed by the term and conditions as spelt out above.

**Commissioner & Secretary to the Government of Assam
Hom & Political Department**