

# Annual Report

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**ANNUAL REPORT OF THE ADMINISTRATIVE APPEALS TRIBUNAL  
FOR THE PERIOD 01.01.2012 TO 31.12.2012**

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**1. INTRODUCTION**

The Administrative Appeals Tribunal was established under the Administrative Appeals Tribunal Act No. 4 of 2002, in pursuance of Article 59(1) and 59(3) of 17<sup>th</sup> amendment to the Constitution.

**2. APPOINTMENTS OF THE ADMINISTRATIVE APPEALS TRIBUNAL**

Acting in terms of the Section 9(1) of said act, the Judicial Service Commission appoints three members to it, including its Chairman.

**3. THE POWERS**

The Tribunal shall have the power to hear and determine any appeal preferred to it by the aggrieved Public or Police Officer against the order made by the Public Service Commission.

**4. PROCEDURE FOR PREFERRING AN APPEAL**

The procedure to prefer an appeal is laid down in Section 4(1) and 4(2) of the Administrative Appeals Tribunal Act No. 4 of 2002.

**5. STEPS TAKEN AFTER THE RECEIPT OF APPEAL**

Upon receipt of an appeal under Section 4, the Tribunal shall take steps as stipulated in Section 5(1) and 5(2) and proceedings will be taken place as laid down in Section 6 (a), (b), (c) and (d).

**6. TIME PERIOD**

The Tribunal shall hear and dispose of any appeal preferred to it within a period of two months. (Section 7 of the said Act)

Though the Act says so, due to various reasons and unavoidable circumstances, it is practically impossible to do so.

**7. DECISION OF THE TRIBUNAL**

A decision made by the Tribunal shall be final and conclusive and shall not be called in question in any suit or proceedings in a court of law, under sections 8(1) and 8(2) of said act.

**08. NON ENFORCEMENT OF THE DECISIONS**

In the event of non enforcement of the decisions of the AAT, by the relevant authorities, no machinery has been provided to enforce its own decisions, in the Act, and this appears to be a lacuna.

## 09. THE OFFICE OF THE ADMINISTRATIVE APPEALS TRIBUNAL

The office of the Administrative Appeals Tribunal (AAT) is situated at No. 39/1, Horton Place, Colombo 7 at present. It's telephone numbers are 011-2674467 and 011-2699486.

## 10. MISCELLANEOUS PETITIONS

A considerable number of petitions outside the purview of the provisions of the AAT Act are received by the AAT. Steps are taken to reply them explaining the reasons for not accepting those miscellaneous petitions.

## 11. THE STATISTICS ON APPEALS

Pending appeals as at 01.01.2012	76
Received appeals in the year of 2012	256
Total	<u>332</u>
Numbers of appeals disposed in the year of 2012	141
Numbers of pending appeals as at 31.12.2012	<u><u>191</u></u>

128 miscellaneous petitions received by the AAT were not adjudicated as the AAT has no jurisdiction to do so.

## 12. FINANCIAL PROVISION

The information in terms of para 2.4.2 of the Public Finance Circular No. 402.

Nature of Expenditure	Total Estimated Annual Allocation	The net allocation after all adjustments	Actual Expenditure as at 31.12.2012
Personal emoluments	7,850,000	7,602,100	6,820,948
Other recurrent	4,705,000	4,952,900	4,883,659
Plant machinery and equipment	100,000	100,000	8,661
Other capital assets	50,000	50,000	43,228
<b>Total</b>	<b>12,705,000</b>	<b>12,705,000</b>	<b>11,756,496</b>

The prescribed limit of actual estimate, in case of advance account "B" – year 2012.

	Expenditure maximum	Credits-Minimum	Balance of Debit minimum
Estimated allocation	1,000,000	200,000	3,400,000
Actual Value	622,165	337,218	1,219,236

**13. OFFICE STAFF**

<u>Category</u>	<u>Approved Cadre</u>	<u>Actual Cadre</u>	<u>Vacant Cadre</u>
(i) Senior Level	02	02	-
(ii) Tertiary Level	-	-	-
(iii) Secondary Level	12	09	03
(iv) Primary Level	<u>04</u>	<u>04</u>	<u>--</u>
<b>Total</b>	<b><u>18</u></b>	<b><u>15</u></b>	<b><u>03</u></b>

A request has been made to the Management Services Dept. to get a post of Book Binder approved, and presently corresponding with them in this regard.

\* \* \* \* \*

## Statistics for the year 2012

### Institutions

January	30
February	23
March	25
April	24
May	14
June	16
July	22
August	22
September	19
October	25
November	15
December	21

Total Number of Institutions from  
January to December 2012 **256**

## **Disposals**

	<b>*PSC</b>	<b>+NPC</b>	<b>Total</b>
January	04	01	05
February	06	01	07
March	09	--	09
April	03	-	03
May	09	-	09
June	09	-	09
July	06		06
August	(2 Laid by)	09	09
September	17	-	17
October	(3 Laid by)	17	17
November	26	-	26
December	24	-	24
Total Number of disposals from January to December 2012	<b>139</b>	<b>02</b>	<b>141</b>

**\* Appeals against decisions of the Public Service Commission**

**+ Appeals against decisions of the National Police Commission**

## MISCELLANEOUS PETITIONS - 2012

January	08
February	11
March	06
April	06
May	08
June	20
July	12
August	12
September	06
October	14
November	11
December	14
	—
<b>Total</b>	<b>128</b>
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## *Monthly return of appeals*

### **January 2012**

Pending appeals as at 31.12.2011	76
Number of appeals instituted in January 2012	30
Total	106
Number of appeals disposed of in January 2012	05
Number of pending appeals as at 31.01.2012	<u>101</u>

### **February 2012**

Pending appeals as at 01.02.2012	101
Number of appeals instituted in February 2012	23
Total	124
Number of appeals disposed of in February 2012	07
Number of pending appeals as at 29.02.2012	<u>117</u>

### **March 2012**

Pending appeals as at 01.03.2012	117
Number of appeals instituted in March 2012	25
Total	142
Number of appeals disposed of in March 2012	09
Number of pending appeals as at 31.03.2012	<u>133</u>

### **April 2012**

Pending appeals as at 01.04.2012	133
Number of appeals instituted in April 2012	24
Total	157
Number of appeals disposed of in April 2012	03
Number of pending appeals as at 30.04.2012	<u>154</u>



**May 2012**

Pending appeals as at 01.05.2012	154
Number of appeals instituted in May 2012	14
Total	168
Number of appeals disposed of in May 2012	09
Number of pending appeals as at 31.05.2012	<u><u>159</u></u>

**June 2012**

Pending appeals as at 01.06.2012	159
Number of appeals instituted in June 2012	16
Total	175
Number of appeals disposed of in June 2012	09
Number of pending appeals as at 30.06.2012	<u><u>166</u></u>

**July 2012**

Pending appeals as at 01.07.2012	166
Number of appeals instituted in July 2012	22
Total	188
Number of appeals disposed of in July 2012	06
Number of pending appeals as at 31.07.2012	<u><u>182</u></u>

**August 2012**

Pending appeals as at 01.08.2012	182
Number of appeals instituted in August 2012	22
Total	204
Number of appeals disposed of in August 2012	09
Number of pending appeals as at 31.08.2012	<u><u>195</u></u>

**September 2012**

Pending appeals as at 01.09.2012	195
Number of appeals instituted in September 2012	19
Total	214
Number of appeals disposed of in September 2012	17
Number of pending appeals as at 30.09.2012	<u><b>197</b></u>

**October 2012**

Pending appeals as at 01.10.2012	197
Number of appeals instituted in October 2012	25
Total	222
Number of appeals disposed of in October 2012	17
Number of pending appeals as at 31.10.2012	<u><b>205</b></u>

**November 2012**

Pending appeals as at 01.11.2012	205
Number of appeals instituted in November 2012	15
Total	220
Number of appeals disposed of in November 2012	26
Number of pending appeals as at 30.11.2012	<u><b>194</b></u>

**December 2012**

Pending appeals as at 01.12.2012	194
Number of appeals instituted in December 2012	21
Total	215
Number of appeals disposed of in December 2012	24
Number of pending appeals as at 31.12.2012	<u><b>191</b></u>