

Annual Report
From 01.01.2016 to 31.12.2016
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THE ADMINISTRATIVE APPEALS TRIBUNAL
ANNUAL REPORT
From 01.01.2016 to 31.12.2016

1. INTRODUCTION

The Administrative Appeals Tribunal was established under the Administrative Appeals Tribunal Act No. 4 of 2002, in pursuance of Article 59(1) amended by 17th amendment to the Constitution.

2. VISION

To be an accessible and expert organization that delivers administrative justice.

3. MISSION

To undertake high quality and independent review of an order or a decision made by the Public Service Commission and Police Commission in the exercise of its powers under Chapter IX of the Constitution in respect of a Public Officer or a Police Officer and deliver administrative justice.

4. APPOINTMENTS OF THE ADMINISTRATIVE APPEALS TRIBUNAL

A. Acting in terms of the Section (2) of said act, the Judicial Service Commission appoints three members to it, including its Chairman.

B. The panel of the Tribunal as follows ;

Justice S.I. Imam	-	Chairman
Mr. A. Gnanathan, P.C.	-	Member
Mr. G.P. Abeykeerthi, Retd. SLAS	-	Member

5. THE POWERS & FUNCTIONS

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 or National Police Commission.

6. 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.

7. 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).

8. 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)

9. 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.

10. WORK PLAN

After receipt of an appeal steps are taken in the following manner.

i.	Registering, sending notices, fixing dates for calling	3 weeks
ii.	To call for of the PSC observations on an appeal	4 weeks
iii.	To receive counter observations of the appelland	4 weeks
iv.	Hearing	8 weeks
v.	For written submissions	8 weeks
vi.	Final disposal within	4 weeks
	Maximum time period taken to hear and decide an appeal	<u>31 weeks</u>

11. CONTENTS OF THE APPEALS PREFERRED TO :

Appeals on the following areas have been received as yet.

- i. Promotions
- ii. Vacation of Posts / Re-instatement of Posts
- iii. Disciplinary orders
- iv. Transfers
- v. Retirements and related matters
- vi. Seniority related matters

12. STATISTICS ON APPEALS PREFERRED TO : 2016

Pending appeals as at 31.12.2015	672
Received appeals in the year of 2016	243
Total	<u>915</u>
Number of appeals disposed of in the year of 2016	175
Re-called appeals in the year of 2016	06
Number of pending appeals as at 31.12.2016	<u><u>746</u></u>

13. PROBLEMS FACED IN PRONOUNCING DECISIONS/ORDERS

The Section 7 of the said Act says that an appeal should be disposed of within two months. But it is impossible to do so practically, because the appeals are called in open court and the Tribunal is compelled to grant dates to the parties such as PSC's and NPC's officers, appellants as well as the Attorneys appearing for appellants considering their reasonable applications.

However, every steps have been taken to be disposed of the appeals within minimum period as stated in the Work Plan.

14. FINANCIAL PROVISION

The information in terms of para 2.4.2 of the Public Finance Circular No. 402, dated 12.09.2002.

I.

Nature of Expenditure	Total Estimated Annual Allocation	The net allocation after all adjustments	Actual Expenditure as at 31.12.2015
Personal emoluments	11,000,000	9,950,000	9,289,366
Other recurrent	11,200,000	12,250,000	11,902,828
Plant machinery and equipment	800,000	800,000	665,851
Other capital assets	50,000	50,000	--
Total	23,050,000	23,050,000	21,858,045

II. The prescribed limit of actual estimate, in case of advance account "B" – year 2016.

	Expenditure maximum	Credits-Minimum	Balance of Debit minimum
Estimated allocation	1,000,000	300,000	2,500,000
Actual Value	968,505	864,760	1,474,420

15. 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	11	01
(iv) Primary Level	<u>06*</u>	<u>06</u>	<u>-</u>
Total	<u>20</u>	<u>19</u>	<u>01</u>

Approved Cadre – As per the letter of Director General of Management Services bearing Number DMS/1024 dated 25.08.2016.

16. OFFICE OF THE TRIBUNAL

The office of the Administrative Appeals Tribunal (AAT) is situated at No. 35, Silva Lane, Rajagiriya at present. Its telephone numbers are 011-2877685.