

राजस्व मण्डल के एकल सदस्य तथा पीठ
द्वारा क्षेत्राधिकार के प्रयोग से संबंधित
नियम

(धारा 9 के अधीन निर्मित)

अधिसूचना क्रमांक 1968,
30--59--Estt.—दिनांक 17.10.1959 जो
कि अधिसूचना 25.09.1984 द्वारा संशोधित

**RULES REGARDING EXERCISE OF JURISDICTION
BY SINGLE MEMBERS AND BENCHES**

(Under Section 9)

[Notification No. 1968, 30-59-ES-TT., dated 17-10-1969 as amended subsequently by No. 1148-25-84-Estt. dated 29-5-84, Published in M.P. Raj-patra, pt. 4(Ga), dated 14-9-1984, p. 159].

1. In these rules unless there is anything repugnant in the subject or context,—

(a) "President" means the President of the Board;

(b) "Member" means a Member of the Board.

¹[2.(i) The President shall from time to time, decide the allocation of work distribution of cases among himself and the members.

(ii) Save as hereinafter provided, all appeals and applications for revision or for review and other applications shall be disposed of by a member sitting alone, according to the work distribution allocated to him, from time to time, by the President".

3. (i) The President may, by an order in writing, decide that any proceeding or class of cases shall be heard and disposed of by a bench of more than one member (hereinafter referred to as Division or Full Bench).

(ii) Member sitting alone may refer any proceeding pending before him to the President with a recommendation that it be placed before a bench when it involves a complicated or important question of law or of practice and procedure pertaining to revenue or settlement matters.

(iii) In making the reference under sub-rule (2), the Member may state the question or questions for decision or may, ask that the entire proceeding be decided by the Bench to which it is referred. In the former case, he shall dispose of the proceedings in accordance with the decision of the Bench on the question or questions referred to it."]

4. (1) A member sitting alone shall refer may proceeding pending before him to the President with a recommendation that it be placed before a Division Bench, if he considers that the decision which he proposes to take in the proceedings involves substantial departure from an earlier decision of a Member sitting alone, till then regarded as of a binding nature.

(2) In making the reference under sub-rule (1), the Member shall state the question or questions involved and shall dispose of the proceedings in accordance with the decision of the Division Bench on the question or questions referred to it.

5. (1) If a Member sitting alone or a Division Bench feels that the decision of the proceeding pending before him or it involves, re-consideration of an earlier decision of a Division Bench of the Board or the former Revenue Tribunal the Member or the Bench may refer the matter to the President with a recommendation that the proceeding be placed before a Full Bench consisting of not less than three members.

¹ Rules 2 & 3 subs. by Notfn. dated 29.5.84.

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(2) In making the reference under sub-rule (1), the Member or the Division Bench may state the question or question for decision or may ask that the entire proceeding be decided by the Full Bench to which it is referred. In the former case the Member or the Division Bench shall dispose of the proceeding in accordance with the decision of the Full Bench on the question or questions referred to it.

6. In the event of a difference of opinion between the Members constituting a Division Bench, the opinions of both shall be submitted to a third Member nominated by the President who shall dispose of the matter finally.

7. An application for review of an order shall be decided by the Member who or the Bench which passed the order of which review is sought. Where the Member is not available or the Bench, for any reason, cannot be reconstituted, the application shall be decided by the Member of the Bench nominated ad hoc by the President.
