

आदेश उप-धारा (5) के उपबंधों के अधीन विधिमान्य रूप से पारित किये हुए समझे जायेंगे और तदनुसार प्रभावी होंगे।”

जी. एस. होरा,

शासन सचिव।

**LAW (LEGISLATIVE DRAFTING) DEPARTMENT
(Group-II)**

NOTIFICATION

Jaipur, March 10, 2005

No. F. 2(3) Vidhi-2/2005.—In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorise the publication in the Rajasthan Gazette of the following translation in the English language of the Rajasthan Civil Seva (Seva Mamlon Ke Liye Appeal Adhikaran) (Sansodhan) Adhinyam, 2005 (Adhinyam Sankhyank 2 of 2005):—

(Authorised English Translation)

**THE RAJASTHAN CIVIL SERVICES (SERVICE
MATTERS APPELLATE TRIBUNALS) (AMENDMENT)
ACT, 2005**

(Act No. 2 of 2005)

[Received the assent of the Governor on the 6th day of March, 2005]

An

Act

further to amend the Rajasthan Civil Services (Service Matters Appellate Tribunals) Act, 1976.

Be it enacted by the Rajasthan State Legislature in the Fifty-Sixth Year of the Republic of India, as follows:—

1. Short title and commencement.—(1) This Act may be called the Rajasthan Civil Services (Service Matters Appel-

late Tribunals) (Amendment) Act, 2005.

(2) It shall come into force at once.

2. Amendment of Section 6, Rajasthan Act No. 34 of 1976.—After the existing sub-section (4) of section 6 of the Rajasthan Civil Services (Service Matters Appellate Tribunals) Act, 1976 (Act No. 34 of 1976), the following new sub-sections shall be added, and shall be deemed always to have been added, namely:—

“(5) The Tribunal may, on its own motion or on the application of any party interested, review its own decision or order and pass in reference thereto such order as it thinks just and proper :

Provided that the Tribunal shall not review its own decision or order unless it is satisfied that there has been discovery of new and important fact or evidence which, after the exercise of due diligence was not within the knowledge of such party or could not be produced by such party at the time when such decision or order was made, or that there has been some mistake or error apparent on the face of the record:

Provided further that no application under this sub-section shall lie to the Tribunal after the expiry of thirty days from the date of the decision or order of which review is being sought :

Provided also that an application may be entertained after the said period of thirty days if the applicant satisfies the Tribunal that he had sufficient cause for not filing the application within such time.

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(6) Notwithstanding anything contained in any judgment, decree, order or direction of any court, the orders of the Tribunal passed before the commencement of the Rajasthan Civil Services (Service Matters Appellate Tribunals) (Amendment) Act, 2005 (Act No. 2 of 2005) in pursuance of its purported powers to review its own decisions shall be deemed to have been passed validly under the provisions of sub-section (5) and shall have effect accordingly."

जी. एस. होरा,

Secretary to the Government,

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