

F. No.03/2/2012-DRT
Government of India
Ministry of Finance
Department of Financial Services

Jeevan Deep Building
10, Parliament Street
New Delhi,
14th May, 2015

To
The Registrars
All DRATs/DRTs

Sir,

I am directed to say that Section 22 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 provides for the procedure and powers of the Tribunal and Appellate Tribunal. As per sub section (1) under section 22 of the Act, "the Tribunal and the Appellate Tribunal shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908), but shall be guided by the principles of natural justice and, subject to the other provisions of this Act and of any rules, the Tribunal and the Appellate Tribunal shall have the powers to regulate their own procedure including the places at which they shall have their sittings".

2. As per the above provision, the Tribunals have the powers to regulate their own procedure. The issue of having a common procedure for all the Debts Recovery Appellate Tribunal (DRATs)/ Debts Recovery Tribunal (DRTs) has been raised in different fora. Keeping in view the demands and also the need to have a uniform procedure for all DRATs/DRTs, a Committee under the Chairmanship of Justice S.N.H Zaidi, then Chairperson, DRAT Delhi, was set up vide this Department's order No.03/02/2012 dated 11th July, 2012 to examine the existing rules/procedures in all the DRTs/DRATs and to suggest model rules/procedures so as to bring about uniformity across the country. The other Members of the Committee were as under :

- (i) Shri K. Ravindra Babu, then Presiding Officer, DRT-III, Chennai
- (ii) Shri P. Govindan, then Presiding Officer, DRT-III, Mumbai
- (iii) Shri B.N. Dash, then Presiding Officer PO, DRT, Allahabad
- (iv) Shri P.K. Gupta, Presiding Officer, DRT Cuttack
- (v) Shri Ashish Kalia, Presiding Officer, DRT-III Delhi

3. The Committee submitted the draft regulations for DRATs and DRTs on 13.03.2014. The draft regulations were sent to the Chairpersons of all DRATs for their comments. The Committee met on 26.04.2015 to consider the comments of the Chairpersons, DRATs. The meeting was attended by Justice S.N.H Zaidi, Chairman, Shri Ashish Kalia, P.K. Gupta, and Shri K. Ravindra Babu, Members. After considering the comments of the Chairpersons, DRATs, the Committee has finalised the model regulations and submitted the final model regulations on 28.04.2015.

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A copy of the model regulations is enclosed. These regulations may be adopted by DRATs/DRTs with the approval of their respective Chairperson/Presiding Officer and may be displayed prominently in the notice boards/website. Model regulations, if any, circulated earlier or being followed by DRATs/DRTs shall stand superseded. It is requested that these regulations may be adopted at the earliest as it is a precursor to the implementation of project for computerization of various functions/ procedures in DRATs/ DRTs which has already been taken up by this Department on priority.

Yours faithfully



(V.V.S Kharayat)

Under Secretary to the Government of India

Tel. 23748769

Encl: As above