

No.A-12023/04/2013-Ad.IV
Government of India
Ministry of Corporate Affairs

'A' Wing, 5th floor,
Shastri Bhawan,
New Delhi-110001
Dated, the 10th August, 2015.

To

1. Registrar Generals of All High Courts.
2. Secretaries to Government of India, All Ministries/Departments of the Government of India
2. All Chief Secretaries to the State Governments/Union Territories.
3. All RDs/ROCs/OLs in the Ministry of Corporate Affairs.
4. Secretary, Company Law Board, BIFR and AAIFR.
6. Registrar, Competition Appellate Tribunal.

Sub: Filling up of 02 (Two) posts of Technical Member in the National Company Law Appellate Tribunal (NCLAT) - Inviting applications for.

Sir,

I am directed to state that applications are invited in the format given in Annexure-I for two posts of Technical Member, National Company Law Appellate Tribunal to be constituted under Section 410 of the Companies Act, 2013. Both posts are Unreserved. The selected candidates will be required to serve at NCLAT Benches to be established anywhere in the country and the appointment carries All India Transfer liability.

2. **Qualifications:** The qualifications for the post as per provisions of Section 411(3) of the Companies Act, 2013 read with judgment dated 14th May, 2015 of Supreme Court in WP (C) No. 1072/2013, is as under:-

"A Technical Member shall be a person of proven ability, integrity and standing having special knowledge and professional experience, of not less than twenty-five years, in industrial finance, industrial management, industrial reconstruction, investment and accountancy."

3. A person shall not be eligible for appointment as Technical Member, NCLAT unless he/she has completed the age of 50 (fifty years) [Section 413(4) of Companies Act, 2013] as on the last date for receipt of applications.

4. **Terms of Appointment:** The Member(s) will draw pay in the pay scale of Rs. 80,000/- (fixed) plus other allowances as admissible. The pay scale and other service conditions are subject to revision in the event uniform pay scales and other service conditions for Appellate Tribunals etc. are laid down by the Central Government.

5. Every Member shall hold office for a period of five years from the date on which he/she enters upon his/her office, but shall be eligible for re-appointment for another term of 5 years. The term of appointment is, however, subject to the maximum age limit of sixty-seven years.

6. Rules relating to service conditions of Members, NCLAT are being notified shortly and the same shall be applicable to the appointed candidates. A copy of the rules shall also be displayed on website of the Ministry of Corporate Affairs.

7. Selected candidates will be required to produce a medical fitness certificate before joining.

8. Applications of persons already in Government Service should be forwarded through proper channel. The forwarding authorities should also certify (in the format given in Annexure-II) that the entries in the application have been verified from the records and found correct, and that no disciplinary/vigilance proceedings are either pending or contemplated against the applicant and that no major/minor penalties have been imposed on the officer during the last ten years. The forwarding authorities should enclose the up-to-date Confidential Report Dossiers of the applicant for the last five years. A person selected, if already in Government Service, may retain his/her lien with his/her parent cadre or Ministry or Department, as the case may be, while holding office as such for a period not exceeding one year.

9. Serving Members of the Company Law Board who are eligible for appointment as Technical Members, NCLAT under the provisions of the Act and interested to be so appointed may apply.

10. Applicants who had applied earlier in response to circular dated 20th December, 2013 need to apply afresh with reference to the eligibility criteria set out in the present advertisement.

11. Applications in the format given in Annexure-I duly completed should reach Shri NavneetChouhan, Director, Ministry of Corporate Affairs, Room No. 530, A' Wing, 5th floor, ShastriBhawan, New Delhi-110001 latest by 1st September, 2015. The application may also be downloaded from the Ministry's website at www.mca.gov.in and Company Law Board's website at www.clb.gov.in

Yours faithfully,



(Ashutosh Anand)

Under Secretary to the Govt. of India
Tele. No. 23389782

Copy to:

1. All officers at the Headquarters of the Ministry of Corporate Affairs, New Delhi.
2. E governance Cell, Ministry of Corporate Affairs with the request to upload the vacancy circular on the website of the Ministry.

ANNEXURE-I

FORMAT OF APPLICATION FOR THE POST OF TECHNICAL MEMBER, NATIONAL COMPANY LAW APPELLATE TRIBUNAL (NCLAT)

1.	Name in Full (IN BLOCK LETTERS)		Attested copy of passport size photograph to be pasted			
2.	Post applied for:					
3.	Date of Birth					
4.	Father's Name					
5.	Whether SC/ST/OBC (Attested copy of the relevant certificate to be attached)					
6.	i) Correspondence Address ii) Telephone No. - Res./Off./Mobile iii) Fax No. iii) Email Id (mandatory)					
7.	Permanent Address (Including Telephone/Fax Number)					
8.	Present occupation/Profession/Service					
9.	Professional income/emoluments for the last three years (give year-wise details)					
10.	Educational Qualifications in the reverse chronological order: (Attested copies of Degree/Diploma to be attached)					
	Name of University/ Equivalent Institution	Degree	Year of Passing	Percentage of Marks Obtained	Academic Distinction	Subject/ Specialisation
11.	State whether the relevant eligibility criteria satisfied as specified in para 2 and para 3.					
12.	Details of present and previous employment in reverse chronological order in format given below:					
	Name and address of employer	Designation, scale of pay including present pay.	Whether regular/ deputation/ adhoc	Period of service	Nature of duty/ experience	
				From	To	

13.	<p>i) Details of professional career (As applicable)</p> <p>ii) Eligibility under qualifications mentioned in para 2 of the circular:-</p> <p>(a) Number of years of experience, (b) Relevant field of experience, (c) Details of such experience alongwith period, (d) Field of specialization, if any.</p> <p>(Attested copies of relevant supporting documents, along with those establishing eligibility, to be enclosed).</p>	
14.	<p>Any other special qualifications or experience or publication to the applicant's credit including experience in dealing with matters as specified in the qualifications. (Attach separate sheet, if required)</p>	
15.	<p>Period of notice required for joining the post</p>	
16.	<p>Names & Address of two referees in responsible positions (Not being relatives) in case of candidates not in Government Service</p>	

It is certified that the information furnished above is correct and true to the best of my knowledge. In the event of my selection I shall abide by the terms and conditions of services attached to the post as and when framed by the Government.

Place:-

Date:-

(Signature)

Name: _____

Annexure II

(Certificate to be furnished by the Employer/Head of office/Forwarding authority)

Certified that the particulars furnished by ----- are correct and he/she possesses educational qualifications and experience mentioned in vacancy circular. It is also certified that:-

- (i) There is no vigilance or disciplinary case pending/contemplated against Sh. /Smt. -----.
- (ii) His/her integrity is certified.
- (iii) His/her CR/APAR dossier in original is enclosed/photocopies of the ACRs/APAR for the last five years duly attested by an officer of the rank of Under Secretary to the Govt. of India or above, are enclosed.
- (iv) "No major/minor penalty has been imposed on him/her during the last ten years."
- (v) A list of major/minor penalties imposed on him/her last ten years is enclosed.

Signature-----

Name and Designation-----

Tel. No.-----

Office Seal

Place :

Date:

List of enclosures:

- 1.
- 2.
- 3.
- 4.
- 5.

(Strike out which is not applicable)