

No.2(14)/2010-Pers.I (Vol.II)

Government of India

Ministry of Communications and Information Technology
Department of Electronics and Information Technology
6, CGO Complex, New Delhi-110003.

श्री ३

Dated: 26.12.2013

To Registrar General,
Gauhati High Court,
Mahatma Gandhi Road
Guwahati - 781001

Subject: Filling up of the post of Chairperson in Cyber Appellate Tribunal (CAT) at New Delhi

Sir

The Information Technology (IT) Act, 2000 was enacted, with a view to providing, inter-alia, legal recognition for transactions carried out by electronic data interchange and other means of electronic communication. As per Section 48 of Chapter X of the IT Act, the Central Government established a Tribunal known as Cyber Regulations Appellate Tribunal at New Delhi. The IT Act, 2000 was further amended vide The Information Technology (Amendment) Act, 2008 dated 05.02.2009 and the said Tribunal has been renamed as Cyber Appellate Tribunal (CAT). Under provision of Section 49 of IT(Amendment) Act, 2008, the Cyber Appellate Tribunal consists of a Chairperson and such number of other Members, as the Central Government may, by notification in the Official Gazette, appoint. It is proposed to fill up the post of the Chairperson, CAT as per provisions of The Information Technology Act, 2000 as amended till date.

2. In this connection, an advertisement was published in the news papers on 16.02.2011, inviting applications for the post of the Chairperson, CAT. However, it has been decided to invite fresh applications for the said post. The eligible candidates who had applied earlier against the previous advertisement dated 16.02.2011 need not apply again.

3. The eligibility term of office, salary and allowances and other conditions of service etc. for the post of Chairperson, CAT are given below:

Eligibility:

A person shall not be qualified for appointment as a Chairperson of the Cyber Appellate Tribunal unless he is, or has been, or is qualified to be, judge of a High Court.

A person on his selection as the Chairperson of the Cyber Appellate Tribunal shall have to retire from service before joining as such Chairperson.

Term of Office:

The Chairperson of the Cyber Appellate Tribunal shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of 65, whichever is earlier.

Salary & Allowance and other conditions of service:

The Chairperson shall be paid such salary and allowances, as are admissible to a Secretary to the Government of India, including all the benefits that a Secretary is entitled to.

In the case of appointment of a person as the Chairperson, who has retired as a Judge of the Supreme Court or a High Court and who is in receipt of, or has become entitled to receive any retirement benefits by way of pension, gratuity, employer's contribution to Contributory Provident Fund or other forms of retirement

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benefits, the pay of such Chairperson shall be reduced by the gross amount of pension or employer's contribution to the Contributory Provident Fund or any other form of retirement benefit, if any, drawn or to be drawn by him:

Provided that in case a retired Judge of a Supreme Court or a High Court is appointed as the Chairperson, the terms and conditions of service of such Chairperson shall be in accordance with the instructions issued by the Ministry of Finance in respect of appointment of Judges to various Tribunals and in consultation with that Ministry.

Leave, Travelling Allowances, Leave Travel Concession etc. would be admissible from time to time.

House Rent Allowance:

The Chairperson of Cyber Appellate Tribunal shall be entitled to house rent allowance at the same rate as are, for the time being, admissible to Group 'A' officers of the Central Government drawing equivalent pay and grade pay.

Medical Facilities:

The Chairperson shall be entitled to medical treatment and hospital facilities, as provided in the Central Government Health Scheme Rules, 1954 and in places where the Central Government Health Scheme is not in operation, the said Chairperson shall be entitled to the facilities as provided in the Central Services (Medical Attendance) Rules, 1944.

4. The eligible and interested persons may forward their applications in the prescribed format (Annexure) to Joint Director (Pers.), Department of Electronics and Information Technology, Electronics Niketan, 6, CGO Complex, New Delhi-110003, through Speed Post or Registered Post or by hand, to be received not later than 15th January, 2014. The envelope containing the application may be superscribed as "Application for the post of Chairperson, Cyber Appellate Tribunal". Those who are in service may send their application through proper channel along with photocopies of the ACRs of the last five years duly attested by an officer not below the rank of Under Secretary or equivalent. While forwarding the application, it may be verified and certified that no disciplinary proceedings or vigilance case is either pending or contemplated against the applicant. The integrity of the officer may also be certified along with a certificate that no minor / major penalty has been imposed on him.

5. Applications which are incomplete and not in the prescribed form or not accompanied with the details as explained above, will not be entertained and would be summarily rejected without any further correspondence in this regard. An application received after the due date i.e. 15th January, 2014 is unlikely to be entertained. A candidate once selected will not be allowed to withdraw his / her name.

6. You are requested to circulate the above amongst the eligible retiring/retired judges and the concerned Bar Association.

Yours faithfully,


(Girish Sahai)

Joint Director (Pers.)

Tele: 24301246

Copy To:

1. PS to Minister(C&IT), PS to MoS(C&IT)(D)/ PS to MoS(C&IT)(K)
2. PPS to Secretary/ PPS to AS(e-Gov)/ PPS to JS&FA/PPS to JS(Pers.)/PPS to JS(AK)/PPS to JS(E-Gov.)
3. Office of Mission Director (e-Gov.), DeitY/Member (Tech.), CAT
4. All GCs/DG(ICERT)/CCA/DG (NIC)/DG (STQC)
5. Intra-DeitY

Proforma for the post of Chairperson, Cyber Appellate Tribunal

CURRICULUM VITAE

1. Name and Address :
(in block letters)
2. Date of Birth :
(in Christian era)
3. Whether presently serving or retired :
(if retired, the date of Retirement)
4. Educational Qualifications :
5. Whether Educational and other Qualifications :
required for the post are satisfied.
(if any qualification has been treated as
Equivalent to the one prescribed in the Rules,
state the authority for the same)

Qualification / Experience
Required

Qualification / experience
possessed by the applicant

- (1)
- (2)
- (3)

6. Experience with specific reference to the area :
of IT and Cyber Laws
7. Please state clearly whether in the light :
of entries made by you above, you meet
the requirement of the post
8. Details of employment in chronological order :
(Enclose a separate sheet duly authenticated
by your signature, if the space below is
insufficient)

Office / Institution	Post Held	From	To	Scale of pay and basic pay	Nature of duties (in detail)

9. Nature of the present employment i.e. :
Ad-hoc or Temporary or Quasi-permanent or
Permanent (with designation and pay scale)
10. In case the present employment is held on :
deputation / contract basis, please state
a) The date of initial appointment
b) Period of appointment on deputation / contract

c) Name of the present Office / Organization to which you belong

11. Additional details, if any, about present employment:

12. Please state whether presently working under (indicate the name of your employer against The relevant column)

- a) Central Government
- b) State Government
- c) Autonomous Organization
- d) Government Undertaking
- e) Universities
- f) Others

13. Are you in Revised Scale of Pay? If yes, give the date from which the revision took place and also indicate the pre-revised scale :

14. Total emoluments per month now drawn :

15. Additional information, if any, which you would like to mention in support of your suitability for the post (this among other things may provide information with regard to

- (i) Additional Academic Qualifications,
- (ii) Professional training and
- (iii) Work experience over and above prescribed in the vacancy circular / Advertisement)

(Note : Enclose a separate sheet, if the space is insufficient)

16. Achievement in the career which may support your candidature :

17. Whether belongs to SC/ST/OBC

18. Remarks (the candidate may indicate information with regard to) :

- (i) Publications and reports and special projects
- (ii) Awards / Scholarships/Official appreciation
- (iii) Affiliation with the professional bodies / institutions / societies and
- (iv) any other information

[Note: Enclose a separate sheet if the space is insufficient]

19. Contract No. (Off.) _____ (Res.) _____ (Mobile) _____

I have carefully gone through the vacancy circular / advertisement and I am well aware that the Curriculum Vitae fully support by documents submitted by me will also be assessed by the Selection Committee at the time of selection for the post.

Date:

(Signature of the Candidate & Address)

Countersigned

(Employer with seal)