

मुकुल सिंहल

आई.ए.एस.

अपर मुख्य सचिव

आवास एवं शहरी नियोजन विभाग



150/8-3-18-65 विविध/2016 T.C.II
अर्द्धशा0प0स0/ए.सी.एस.एच./2018

324, 325, बापू भवन

उ.प्र. सचिवालय, लखनऊ

फोन : 0522-2237161

फैक्स : 0522-2237210

दिनांक : 02.02.2018

प्रिय महोदय,

अवगत कराना है कि उ0प्र0 रियल स्टेट अपील अधिकरण के अध्यक्ष पद पर भू-सम्पदा (विनियमन एवं विकास) अधिनियम, 2016 में निहित प्राविधानों के अनुसार नियुक्ति की जानी है। भू-सम्पदा (विनियमन एवं विकास) अधिनियम, 2016 की धारा-43(1) में निम्न प्राविधान है :-

"43.(1) The appropriate Government shall, within a period of one year from the date of coming into force of this Act, by notification, establish an Appellate Tribunal to be known as the—(name of the State/Union territory) Real Estate Appellate Tribunal."

2- उक्त अधिनियम, 2016 में अपील अधिकरण के कम्पोजीशन की निम्न व्यवस्था है :-

"45. The Appellate Tribunal shall consist of a Chairperson and not less than two whole time Members of which one shall be a Judicial member and other shall be a Technical or Administrative Member, to be appointed by the appropriate Government."

3- अपील अधिकरण के अध्यक्ष की अर्हता एवं नियुक्ति के संबंध में अधिनियम की धारा-46 में निम्नवत् प्राविधान है :-

"46. (1) A person shall not be qualified for appointment as the Chairperson or a Member of the Appellate Tribunal unless he,-

(a) in the case of Chairperson, is or has been a judge of a High court;

.....

(2) The Chairperson of the Appellate Tribunal shall be appointed by the appropriate Government in consultation with the Chief Justice of High Court or his nominee.

4- इस संबंध में अनुरोध है कि कृपया उ0प्र0 रियल स्टेट अपील अधिकरण के अध्यक्ष पद हेतु इच्छुक मा0 न्यायधीशों के आवेदन पत्र प्राप्त कर दिनांक 28.02.2018 तक उ0प्र0 शासन को उपलब्ध कराने का कष्ट करें।

सिद्ध

भवदीय,

02.02.18

(मुकुल सिंहल)

1. महानिबन्धक(नाम सै),
मा0 उच्चतम न्यायालय,
नई दिल्ली।

2. समस्त महानिबन्धक(नाम सै),
मा0 उच्च न्यायालय,
भारत गणराज्य क्षेत्र।
गुवाहाटी, असम।

Mukul Singhal,
I.A.S.
Additional Chief Secretary



D.O. no. 150/8-3-18-65 vividh/2016 T.C.II
Housing and Urban Planning Department,
Government of U.P.
324, 325, Bapu Bhawan,
U.P. Secretariat.
Lucknow: Dated: 02.02.2018

Dear Sir/Ma'am .

This is to inform you that Chairperson of U.P. Real Estate Appellate Tribunal has to be appointment according to the provisions of Real Estate (Regulation and Development) Act, 2016. Section 43(1) of the said Act has the following provision :-

"43.(1) The appropriate Government shall, within a period of one year from the date of coming into force of this Act, by notification, establish an Appellate Tribunal to be known as the—(name of the State/Union territory) Real Estate Appellate Tribunal."

2- The said Act, 2016 has the following provision for the composition of the Appellate Tribunal :-

"45. The Appellate Tribunal shall consist of a Chairperson and not less than two whole time Members of which one shall be a Judicial member and other shall be a Technical or Administrative Member, to be appointed by the appropriate Government."

3- Appointment and eligibility of the Chairperson of the Appellate Tribunal is mentioned in section-46 of the Act as follows :-

"46. (1) A person shall not be qualified for appointment as the Chairperson or a Member of the Appellate Tribunal unless he,-

(a) in the case of Chairperson, is or has been a judge of a High court;

(2) The Chairperson of the Appellate Tribunal shall be appointed by the appropriate Government in consultation with the Chief Justice of High Court or his nominee."

4- You are requested to kindly invite the applications from the Hon'ble Judges who are keen for the post of Chairperson, U.P. Real Estate Appellate Tribunal and send it to the Housing and Urban Planning Department. Government of U.P. by 28.02.2018 positively.

Your's Sincerely

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(Mukul Singhal)

1. Registrar General,
Hon'ble Supreme Court,
New Delhi.
2. Registrar General,
Hon'ble High Court,