

No.7/1/2017-DRT  
Government of India  
Ministry of Finance  
Department of Financial Services

Jeevan Deep Building,  
Sansad Marg, New Delhi - 110001  
1<sup>st</sup> February, 2017

To,

The Registrars General of  
All High Courts in India

**Subject: Preparation of a panel of candidates for filling up anticipated and unforeseen vacancies of Chairperson in Debts Recovery Appellate Tribunals.**

Sir/Madam,

I am directed to say that it is proposed to prepare a panel of candidates for filling up anticipated and unforeseen vacancies of Chairperson in Debts Recovery Appellate Tribunals at Delhi, Mumbai, Kolkata, Chennai and Allahabad which may arise upto 31.12.2017.

2. The Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (51 of 93), was enacted to provide for establishment of Tribunals for expeditious adjudication and recovery of debts due to banks and financial institutions. Under Section 8 of the Act, 5 Debts Recovery Appellate Tribunals (DRATs) have been established at Delhi, Mumbai, Kolkata, Chennai and Allahabad.

3. The qualifications prescribed for appointment to the post of Chairperson of DRAT are as under: -

- ✓ a) A person who is, or has been, or is qualified to be, a Judge of a High Court; or
- b) A person who has been a member of the Indian Legal Service and has held a post in Grade-I of that Service for at least three years; or
- c) A person who has held office as the Presiding Officer of a Debts Recovery Tribunal for at least three years.

4. The term of office of Chairperson of DRAT is five years or till he attains the age of 70 years, whichever is earlier.

5. The service conditions of the persons selected for the post of Chairperson are regulated in accordance with DRAT (Salaries, Allowances and other terms and conditions of service of Presiding Officer) Rules, 1993 (copy enclosed).

6. It is requested that the names of willing and eligible Judicial Officers and Advocates, who are eligible for appointment as High Court Judges, in the enclosed proforma, may be nominated/forwarded so as to reach Under Secretary (DRT), Department of Financial Services, Ministry of Finance, 3<sup>rd</sup> Floor, Jeevan Deep Building, Sansad Marg, New Delhi-110001, by **16<sup>th</sup> March, 2017**. The vigilance clearance, integrity certificate and attested photocopies of the Annual Confidential Reports for the last five years i.e. 2011-12 to 2015-16 in case of Judicial Officers may also be furnished.

7. The vacancy circular and application proforma are also available on this Ministry's website-[http://financialservices.gov.in/vacancycirculars\\_index.asp](http://financialservices.gov.in/vacancycirculars_index.asp).

Yours faithfully,



(V.V.S. Kharayat)

Under Secretary to the Government of India  
Tel. No: 011-23748769

Encl: As above

**THE DEBTS RECOVERY APPELLATE TRIBUNAL (SALARIES, ALLOWANCES AND OTHER TERMS AND CONDITIONS OF SERVICE OF PRESIDING OFFICER) RULES, 1993**

(Notification No. GSR 63(E), dated 4th February, 1994)

*In exercise of the powers conferred by section 13, read with clause (a) of sub-section (2) of section 36 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (51 of 1993), the Central Government hereby makes the following rules, -namely:-*

**1. Short title and commencement.-** (1) These rules may be called the Debts Recovery Appellate Tribunal (Salaries, Allowances and Other Terms and Conditions of Service of Presiding Officer) Rules, 1993.

(2) They shall come into force on the date of their publication in the Official Gazette.

**2. Definitions.-** In these rules, unless the context otherwise requires,-

(a) 'Act' means the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (51 of 1993);

(b) 'Presiding Officer' means a person appointed as Presiding Officer of an Appellate Tribunal under section 9 of the Act;

(c) 'Rules' means Debts Recovery Appellate Tribunal (Salaries, Allowances and Other Terms and Conditions of Service of Presiding Officer) Rules, 1993;

(d) All other words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

**3. Salary .-**The Presiding Officer of an Appellate Tribunal shall be paid such salary as admissible to serving Judge of a High Court:

Provided that in the case of an appointment of a person as a Presiding Officer, who has retired as a Judge of a High Court or who has retired from service under the Central Government or a State Government and who is in receipt of or has received or has become entitled to receive any retirement benefit by way of pension, gratuity, employer's contribution to the Contributory Provident Fund or other forms of retirement benefits, the pay of such Presiding Officer 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.

**4. Dearness allowance and city compensatory allowance.-**

The Presiding Officer of an Appellate Tribunal shall be entitled to draw dearness allowance and city compensatory allowance at the rate admissible to a Judge of a High Court.

**5. Leave.-** A person, on appointment as a Presiding Officer in an Appellate Tribunal shall be entitled to leave as follows:-

Earned leave at the rate of thirty days for every completed calendar year of service or a part thereof:

Provided that the leave account shall be credit with earned leave, in advance, in two instalments of fifteen days each on the first day of January and July of every calendar year;

Provided that the leave account shall be credited with the close of previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus credit for the half year do not exceed the maximum limit of one hundred and eighty days;

(ii) Half pay leave on medical certificate or on private : affairs at the rate of twenty days in respect of each completed year of service and the leave salary for half pay leave shall be equivalent to half of the leave salary admissible during the earned leave;

(iii) Leave on half pay may be commuted to full pay leave at the discretion of the President of India, provided it is taken on medical grounds and is supported by a medical certificate by a competent medical authority;

(iv) Extraordinary leave without pay and allowances upto a maximum period of one hundred and eighty days in one term of office.

**6. Leave sanctioning authority .-** The President of India shall be the authority competent to sanction leave to the Presiding Officer of the Appellate Tribunal.

**7. Pension/Provident Fund. .-**In case a serving Judge or an Officer of the Central Government or State Government is holding the post of Presiding Officer, the service rendered in appellate tribunal will count for pension to be drawn in accordance with the rules of the service to which he belongs. He shall also be governed by the provisions of the Central Provident Fund (Central Services) Rules,

1960. In all other cases, a person shall be entitled to Contributory Provident Fund (India) Rules, 1962.

**8. Travelling allowances.-** The Presiding Officer of an Appellate Tribunal while on tour or on transfer (including the journey undertaken to join the Appellate Tribunal or on the expiry of his term with the Appellate Tribunal to proceed to his home town) shall be entitled to the travelling allowances, daily allowances, transportation of person effects and other similar matters at the same scales and at the same rates as are prescribed in the High Court Judge (Travelling Allowances) Rules, 1956.

**9. Leave travel concession.-** The Presiding Officer of an Appellate Tribunal shall be entitled to leave travel concession at the same rates and at the same scale as are applicable to a Judge of a High Court in the State in which the Appellate Tribunal is located. -

**10. Facility of conveyance.-** The Presiding Officer of an Appellate Tribunal shall be entitled to a staff car and one hundred and fifty litres of petrol every month or actual consumption of petrol per month, whichever is less.

**11. Accommodation.-** (1) Every person appointed as a Presiding Officer of an Appellate Tribunal shall be eligible, subject to availability, to the use of official residence from the general pool accommodation of the type admissible to a Group 'A' officer of the Central Government, who is working at the place where such Appellate Tribunal is located and drawing an equivalent pay on payment of the licence fee at the rates specified by the Central Government from time to time.

(2) Where the Presiding Officer of an Appellate Tribunal occupies an official residence beyond permissible period, he shall be liable to pay additional fee or penal rent, as the case may be, and he shall be liable to eviction in accordance with the rules applicable to Central Government Servants.

(3) Where the Presiding Officer of an Appellate Tribunal does not avail of facility of official residence under sub-rule (1), he shall be entitled to House Rent Allowance as admissible to Group 'A' officers of the Central Government drawing equivalent pay.

**12. Facilities for medical treatment.-** The Presiding Officer of an Appellate Tribunal shall be entitled to medical treatment and hospital facilities as provided in the Contributory Health Services Schemes Rules, 1954 and in places where the Central Health Services

Scheme is not in operation, the said Presiding Officer shall be entitled to the facilities as provided in the Central Services Medical Attendance Rules, 1994.

**13. Residuary provision.-** Matters relating to the conditions of services of the Presiding Officer of an Appellate Tribunal with respect to which no express provision has been made in these rules shall be referred in each case to the Central Government for its decision and the decision of the Central Government thereon shall be binding on the said Presiding Officer .

**14. Power to relax:-** The Central Government shall have power to relax the provisions of any of these rules in respect of any class or categories of persons.

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PROFORMA

**APPLICATION FOR SELECTION TO THE POST OF CHAIRPERSON, DEBTS  
RECOVERY APPELLATE TRIBUNALS (DRATs)**

1. Name in Full (in Block Letters) :
2. Date of Birth :
3. Father's/ Husband's name :
4. Present Address:
  - (i) Office (Address with tel. No.) :
  - (ii) Residence (Address with Tel. No.:
  - (iii) Email:
5. Parent department's complete Address:  
(with Telephone No. and Fax No., email)
6. Educational qualifications :
7. (a) Date of entry in the service, if applicable:  
(b) Name of service:
8. Details of postings (in last 10 years):

Recent passport size photograph duly signed by the applicant
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S. No.	Designation	Department/ Office	Organisation	Period	
				From	To

9. (a) Present post held:
  - (b) Date of appointment in present post, on regular basis:
  - (c) Present Pay-Scale and Basic pay:
10. Date of Retirement :
11. Whether any Disciplinary action/ charge sheet  
is pending/contemplated:
12. Date of return from previous Deputation, if any:

13. No. of cases disposed of in past 2 years:  
(in case of Judicial Officers only)

14. (a) Date of Enrollment as Advocate :

(b) Years of practice in High Court :

15. How qualified for the post applied for :  
(Please give full details)

16. Whether belong to SC/ ST/ OBC :

17. Preference for place of posting: 1.....

2.....

18. Any other Qualifications/ Experience  
not covered above :

(Name & Signature of Candidate)

Place: \_\_\_\_\_

Date: \_\_\_\_\_

**OFFICE OF .....**  
**(Cadre Controlling Authority)**

..... Certified that the particulars given above are correct as per records available in the registry of the Supreme Court/ High Court/ records of Department/ Office of ..... (strike off whichever is not applicable).

It is also certified that Shri/Smt. .... is clear from vigilance angle and no disciplinary proceeding are pending or contemplated against the officer. The Annual Confidential Reports for last 5 years i.e. 2011-12 to 2015-16 (Other than High Court Judges/ Advocates) are enclosed.

It is hereby certified further that this Department shall have no objection to the relieving of the said officer, in case selected for the post of Chairperson, Debts Recovery Appellate Tribunal.

(Name & Signature of Officer  
with Official Stamp)

Place: \_\_\_\_\_

Date: \_\_\_\_\_