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Committee Clerk Department
A.S., High Court, Calcutta.

No.A-12023/3/2013-Ad.IV
Government of India
Ministry of Corporate Affairs

'A' Wing, 5th floor, Shastri Bhawan,
New Delhi-110001

Dated: 17th September, 2015.

To

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

Sub: Filling up of 18 posts of Judicial Member in the National Company Law Tribunal (NCLT)
- Extension of date regarding.


Sir,

In continuation of this Ministry's circular of even number dated 10th August, 2015 on the subject mentioned above (copy enclosed) I am directed to state that last date of receipt of applications has been extended from 1st September, 2015 to 28th September, 2015.

Those who have already applied earlier and in the interregnum period need **not** apply again. Other terms and eligibility conditions as stated in the above mentioned circular will remain the same.

Applications forms, duly completed, must be submitted by **28th September, 2015** to Shri Navneet Chouhan, Director, Ministry of Corporate Affairs, Room No. 530, 'A' Wing, 5th Floor, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110001. For Application format, eligibility conditions, requisite qualifications and other details log on to Ministry's website www.mca.gov.in or the Company Law Board's website 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.

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22/9/15

No.A-12023/3/2013-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. Registrars General of All High Courts.
2. Secretaries to Government of India, All Ministries/Departments of the Government of India
3. All Chief Secretaries to the State Government/Union Territories.
4. All RDs/ROCs/OLs in the Ministry of Corporate Affairs
5. Secretary, Company Law Board, BIFR and AAIFR.
6. Registrar, Competition Appellate Tribunal.

Sub: Filling up of 18 posts of Judicial Member in the National Company Law Tribunal (NCLT) - inviting applications for.

Sir,

I am directed to state that applications are invited in the format given in Annexure-I for the following posts of Members, National Company Law Tribunal to be constituted under Section 408 of the Companies Act, 2013:-

Judicial Member -18 (Eighteen) posts (10 Unreserved, 3 reserved for SCs, 1 reserved for STs and 4 reserved for OBCs)

2. The selected candidates will be required to serve at any of the NCLT benches which are to be constituted at different parts of the country in a phased manner. The appointment of Member in the NCLT carries All India transfer commitment. The selected persons are liable to be posted to any place having a Bench of the NCLT as per vacancies/exigencies of work.

3. **Qualifications:** As per the provisions of Section 409(2) of the Companies Act, 2013, a person shall not be qualified for appointment as Judicial Member unless he/she:-

- (a) is, or has been, a judge of a High Court, or
- (b) is, or has been, a District Judge for at least five years, or
- (c) has, for at least ten years been an advocate of a court.

Explanation - For the purposes of clause (c), in computing the period during which a person has been an advocate of a court, there shall be included any period during which the person has held judicial office or the office of a member of a tribunal or any post, under the Union or a State, requiring special knowledge of law after he become an advocate.

4. A person shall not be eligible for appointment as Judicial Member unless he/she has completed the age of 50 (fifty years) [Section 413(2) of Companies Act, 2013] as on the last date of receipt of application.
5. **Terms of Appointment:** The Member(s) will draw pay in the pay scale Rs.67000-Rs.79000/-(annual increment @ 3%) plus 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 Tribunals etc. are laid down by the Central Government.
6. 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-five years.
7. Rules relating to service conditions of Members, NCLT 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.
8. Selected candidates will be required to produce a medical fitness certificate before joining.
9. 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.
10. Serving Members of the Company Law Board who are eligible for appointment as Member under the provisions of the Act and interested to be so appointed may apply.

