

No. A-12023/1/2019-Ad.IV
Government of India
Ministry of Corporate Affairs

'A' Wing, 5th floor, Shastri Bhawan,
New Delhi-110001
Dated, the 10th May, 2019

To

1. Registrar Generals 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 Governments/Union Territories
4. All RDs/ROCs/OLs in the Ministry of Corporate Affairs
5. Registrar, National Company Law Appellate Tribunal
6. Secretary, National Company Law Tribunal
7. Secretary, Competition Commission on India
8. Chairperson, Insolvency and Bankruptcy Board of India

Sub: Filling up of 03 (Three) posts of Judicial Member and 04 (Four) posts of Technical Member in the National Company Law Appellate Tribunal (NCLAT) - Inviting online applications for:-

Sir,

I am directed to state that online applications (available on portal <https://aptrbmembermca.gov.in/nclat>) are invited for the 03 (Three) posts of Judicial Member and 04 (Four) posts of Technical Member in the pay scale of Level-17 [Rs. 2,25,000/- per month (fixed) as per 7th CPC] plus other allowances as admissible in the National Company Law Appellate Tribunal (NCLAT) constituted under Section 410 of the Companies Act, 2013. The Headquarters of NCLAT is located in Delhi. In case other Benches of NCLAT are established at other places in the country, the selected candidate will be required to serve these NCLAT Benches and the appointment carries All India Transfer liability. The number of vacancies are subject to change without prior notice.

2. **Qualifications:** The qualifications for the post as per provisions contained at Sl. No. 13 of Schedule of the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017 notified under Section 184 of the Finance Act, 2017 (7 of 2017), are as under:-

(a) **For Judicial Member:-**

"A Judicial Member shall be a person who is or has been a Judge of a High Court or is a Judicial Member of the National Company Law Tribunal for five years."

(b) For Technical Member:-

“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 law, industrial finance, industrial management or administration, industrial reconstruction, investment, accountancy or any other matter which in the opinion of the Central Government is useful to the National Company Law Appellate Tribunal.”

3. A person shall not be eligible for appointment as Member in, 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 submission of online applications.
4. 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.
5. Judicial and Technical Members in NCLAT will be selected after recommendations of interim Search-cum-Selection Committee as defined by the order dated 09.02.2018 of the Hon'ble Supreme Court in WP(C) No. 279/2017 (Kudrat Sandhu V/s Union of India and ANR).
6. Applications of persons working in Court/Government Service/Public Sector Undertaking/other Organizations should be forwarded through proper channel within 10 days from the closing date of online application. The forwarding authorities should also certify (in the format given in Annexure-I) 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.
7. Interested persons are advised to visit the portal at **<https://apptrbmembermca.gov.in/nclat>** in order to submit online application **from 10:00 AM of 13th May, 2019**. The detailed instructions for filling up the application form online are available on the portal (under “Instructions for applying online” heading). All requisite and relevant documents need to be uploaded online while filling up of application. Last date for submitting of online application is **13th June, 2019 at 05:30 PM**.

8. Print out of the application after final submission on online portal duly completed, and signed, and through proper channel, wherever applicable, should reach Shri Amar Singh Meena, Director, Ministry of Corporate Affairs, Room No 530, 'A' Wing, 5th Floor, Shastri Bhawan, New Delhi-110001 latest by 24th June, 2019.

Yours faithfully,



(Riazul Haque)

Under Secretary to the Govt. of India

Tele. No. 2338 1349

Copy to:

1. All Officers at the Headquarters of the Ministry of Corporate Affairs, New Delhi
2. Technical Director, NIC, MCA with the request to upload the vacancy circular on the online portal.
3. Technical Director, NIC, DoPT with the request to upload the vacancy circular on the DoPT's website
4. E-governance Cell, Ministry of Corporate Affairs with the request to upload the vacancy circular on the website of the Ministry.

(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)