


HIGH COURT OF MADHYA PRADESH : JABALPUR

Endt. No. 1136 /Confdl /2017  
II-15-12/2017

Dated 11<sup>th</sup> September, 2017

Copy of letter No.AV-24012/1/2017-AAI, dated 07.08.2017, of the Director to the Government of India, Ministry of Civil Aviation, New Delhi, along with enclosures, regarding vacancy to the post of **Chairperson** in the **Airport Appellate Tribunal** is being uploaded for information of all eligible candidates.

Encl : As above.

  
✓  
(MOHD. FAHIM ANWAR)  
REGISTRAR GENERAL  
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AV-24012/1/2017-AAI

**MOST IMMEDIATE**  
**TIME BOUND**

No.AV-24012/1/2017-AAI  
Government of India  
Ministry of Civil Aviation  
\*\*\*\*\*

'B' Block, Rajiv Gandhi Bhawan,  
Safdarjung Airport, New Delhi - 110003.  
Dated, the 7<sup>th</sup> August, 2017

To:

1. The Registrar General, Supreme Court of India, New Delhi.
2. The Registrar of all High Courts.
3. Chief Secretaries, State Governments/ Administrators of Union territories
4. Secretaries, All Central Ministries/Departments

Subject: **Filling up the post of Chairperson in the Airports Appellate Tribunal to adjudicate disputes arising due to eviction of unauthorized occupants at airport premises and right of way and traffic moving on the National Highways and also for removal of unauthorized occupation thereon.**

Sir/Madam,

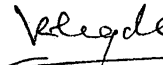
I am directed to state that the post of Chairperson in the Airports Appellate Tribunal (AAT) under the Ministry of Civil Aviation has fallen vacant and applications from suitable persons are invited to fill up the above vacancy.

2. The post of Chairperson, AAT carries a pay of Rs.2,50,000/- (fixed) and other allowances and benefits as are admissible to a Central Government Officer holding posts carrying the same pay. The qualification, method of appointment, salary & allowances and other conditions of service of the post are governed by the relevant provisions of the "Tribunals, Appellate Tribunals and Other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017" as notified by the Ministry of Finance in accordance with the provisions of the Finance Act, 2017.

3. A formal **Vacancy Circular** containing the relevant details of the post, copies of the Relevant Act/Rules is attached herewith for ready reference.

4. It is requested that the names of eligible / recommended persons, who can be relieved immediately for appointment to the above post on selection may be forwarded, along with particulars of the candidates in the attached proforma, CR Dossier for last five years and vigilance clearance, latest by the 20<sup>th</sup> September, 2017.

Yours faithfully,

  
(Venkatramana Hegde)  
Director

Tel: 24610366

Encl. As above.

Copy to: SO (IT) for uploading in the website of MoCA.

DR (cont.)  
18/08/2017

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## Format of Application

### Application for the post of Chairperson in the Airport Appellate Tribunal.

i.	Name of the Applicant	:	
ii.	Father's Name	:	
iii.	Date of Birth	:	
iv.	Age as on 01.10.2017	:	
v.	Address for communication	:	
vi.	Telephone No. i) Landline with STD Code ii) Mobile No.	:	
vii.	E-mail Address	:	
viii.	Educational/Professional Qualification	:	
ix.	Experience	:	
x.	Full employment record in chronological order	:	

#### Declaration:

The Information furnished above is true and correct to the best of my knowledge and belief.

(Signature of Applicant)

## VACANCY CIRCULAR

In terms of the provisions of the Airports Authority of India Act, 1994, as amended from time to time, the Central Government, by notification in the official Gazette, had established the Airports Appellate Tribunal with effect from 25<sup>th</sup> March, 2010.

2. The provisions of part XIV of Chapter VI of the **Finance Act, 2017** came into force with effect from **26<sup>th</sup> May, 2017** as notified by the Ministry of Finance vide gazette notification S.O. 1696(E) dated 26.05.2017. Part XIV of Chapter VI of the Finance Act, 2017 provides for the merger of Tribunals and other Authorities. Vide Section-166 and 167 of the Act, The Airports Authority of India Act, 1994 and The Control of National Highways (Land and Traffic) Act, 2002 have been amended thereby merging the erstwhile National Highways Tribunal under the control of National Highways (Land and Traffic) Act, 2002 with the Airports Appellate Tribunal (AAT) under the Airports Authority of India Act, 1994.

3. The Ministry of Finance have also notified the Tribunals, Appellate Tribunals and Other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017 as per Section 184 of the Act, vide G.S.R.514(E) dated 01.06.2017.

4. The Tribunal consists of a Chairperson who will **adjudicate disputes arising out of eviction of unauthorized occupants at airport premises and right of way and traffic moving on the National Highways and also for removal of unauthorized occupation thereon.**

5. The post of Chairperson, AAT carries a pay of Rs.2,50,000/- (fixed) and other allowances and benefits as are admissible to a Central Government Officer holding posts carrying the same pay. The qualification for appointment, method of recruitment, term of office, etc. of Chairperson, AAT has been prescribed at Sl.No.10 of the Schedule to the said Rules, as under:

i) A person shall not be eligible for appointment as Chairperson, unless he —

(a) is, or has been, or is qualified to be, a judge of a High Court; or

(b) is a person of ability, integrity and standing, and having special knowledge of, and professional experience of not less than twenty-five years in economics, business, commerce, law, finance, accountancy, management industry, public affairs, administration or any other matter which in the opinion of the Central Government, is useful to the Appellate Tribunal.

ii) The term of office is three years.

iii) Maximum age for holding office is sixty-two years.

6. Particulars of the candidates fulfilling the above conditions, who can be relieved immediately on selection, may be recommended and forwarded, in the attached proforma, along with CR dossier and Vigilance Clearance latest by 20<sup>th</sup> September, 2017 to Shri P.J. Thomas, Under Secretary, Ministry of Civil Aviation, 'B' Block, Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi - 110003. Ministries/Departments of Central/State Governments, Union Territory Administrations may also recommend suitable candidates serving in the PSUs/Corporations etc.

7. This vacancy circular, application form are also placed on this Ministry's website: [www.civilaviation.gov.in](http://www.civilaviation.gov.in) for easy accessibility.

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# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, शुक्रवार, मार्च 31, 2017/चैत्र 10, 1939 (शक)

No. 7]

NEW DELHI, FRIDAY, MARCH 31, 2017/CHAITRA 10, 1939 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE

(Legislative Department)

*New Delhi, the 31st March, 2017/Chaitra 10, 1939 (Saka)*

The following Act of Parliament received the assent of the President on the 31st March, 2017, and is hereby published for general information:—

### THE FINANCE ACT, 2017

No. 7 OF 2017

[31st March, 2017.]

An Act to give effect to the financial proposals of the Central Government for the financial year 2017-2018.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

#### CHAPTER I

##### PRELIMINARY

1. (1) This Act may be called the Finance Act, 2017.

(2) Save as otherwise provided in this Act, sections 2 to 88 shall come into force on the 1st day of April, 2017.

Short title  
and  
commencement.

#### CHAPTER II

##### RATES OF INCOME-TAX

2. (1) Subject to the provisions of sub-sections (2) and (3), for the assessment year commencing on the 1st day of April, 2017, income-tax shall be charged at the rates specified in Part I of the First Schedule and such tax shall be increased by a surcharge, for the purposes of the Union, calculated in each case in the manner provided therein.

Income-tax.

(f) for section 23, the following section shall be substituted, namely:—

"23. The salary and allowances payable to and the other terms and conditions of service of the Special Director (Appeals) shall be such as may be prescribed.";

Terms and conditions of service of Special Director (Appeals).

(g) sections 24, 25 and 26 shall be omitted;

(h) for section 27, the following section shall be substituted, namely:—

"27. (1) The Central Government shall provide the office of the Special Director (Appeals) with such officers and employees as it may deem fit.

Staff of Special Director (Appeals).

(2) The officers and employees of the office of the Special Director (Appeals) shall discharge their functions under the general superintendence of the Special Director (Appeals).

(3) The salaries and allowances and other terms and conditions of service of the officers and employees of the office of the Special Director (Appeals) shall be such as may be prescribed.";

(i) sections 29, 30 and 31 shall be omitted;

(j) in section 32,—

(i) for the words and brackets "Appellate Tribunal or the Special Director (Appeals), as the case may be", at both the places where they occur, the words and brackets "Special Director (Appeals)" shall be substituted;

(ii) in sub-section (1), for the words and brackets "Appellate Tribunal or the Special Director (Appeals)", the words and brackets "Special Director (Appeals)" shall be substituted;

(k) for section 33, the following section shall be substituted, namely:—

"33. The Adjudicating Authority, Competent Authority and the Special Director (Appeals) and other officers and employees of the Special Director (Appeals) shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.";

Officers and employees, etc., to be public servant.

(l) in section 46, in sub-section (2),—

(i) in clause (e), for the words and brackets "Chairperson and other Members of the Appellate Tribunal and the Special Director (Appeals)", the words and brackets "Special Director (Appeals)" shall be substituted;

(ii) in clause (f), for the words and brackets "Appellate Tribunal and the office of the Special Director (Appeals)", the words and brackets "office of the Special Director (Appeals)" shall be substituted.

**F.—AMENDMENTS TO THE AIRPORTS AUTHORITY OF INDIA ACT, 1994 AND THE CONTROL OF NATIONAL HIGHWAYS (LAND AND TRAFFIC) ACT, 2002.**

**166.** In the Airports Authority of India Act, 1994,—

Amendment of Act 55 of 1994.

(a) in section 28-I, in sub-section (1), after the words "under this Act", the words, brackets and figures "and the Control of National Highways (Land and Traffic) Act, 2002" shall be inserted;

(b) after section 28J, the following section shall be inserted, namely:—

"28JA. Notwithstanding anything contained in this Act, the qualifications, appointment, term of office, salaries and allowances, resignation, removal and the other terms and conditions of service of the Chairperson of the Tribunal

Qualifications, terms and conditions of service of Chairperson.

45 of 1860.

13 of 2003.

appointed after the commencement of Part XIV of Chapter VI of the Finance Act, 2017, shall be governed by the provisions of section 184 of that Act:

Provided that the Chairperson appointed before the commencement of Part XIV of Chapter VI of the Finance Act, 2017, shall continue to be governed by the provisions of this Act and the rules made thereunder as if the provisions of section 184 of the Finance Act, 2017 had not come into force."

Amendment  
of Act 13 of  
2003.

**167.** In the Control of National Highways (Land and Traffic) Act, 2002,—

(a) in section 2, for clause (I), the following clause shall be substituted, namely:—

'(I) "Tribunal" means the Airport Appellate Tribunal referred to in sub section (I) of section 5;';

(b) in Chapter II, for the heading, the following heading shall be substituted, namely:—

"HIGHWAYS ADMINISTRATION AND TRIBUNALS, ETC.";

(c) in section 5,—

(i) for sub-section (I), the following sub-section shall be substituted, namely:—

"(I) The Airport Appellate Tribunal established under section 28-I of the Airports Authority of India Act, 1994 shall, on and from the commencement of Part XIV of Chapter VI of the Finance Act, 2017, be the Tribunal for the purposes of this Act and the said Tribunal shall exercise the jurisdiction, powers and authority conferred on it by or under this Act.";

55 of 1994.

(ii) in sub-section (2), for the words, brackets and figure "shall also specify, in the notification referred to in sub-section (I)", the words "shall specify, by notification in the Official Gazette", shall be substituted;

(d) sections 6, 7, 8, 9, 10, 11, 12 and 13 shall be omitted;

(e) for section 44, the following section shall be substituted, namely:—

"44. The officer or officers constituting the Highways Administration and any other officer authorised by such Administration under this Act, shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.";

45 of 1860.

(f) in section 45, for the words "the Presiding Officer of the Tribunal or any other officer of the Central Government or an officer or employee of the Tribunal", the words "any other officer of the Central Government" shall be substituted;

(g) in section 50, in sub-section (2), clauses (b), (c), (d) and (e) shall be omitted.

**G—AMENDMENTS TO THE TELECOM REGULATORY AUTHORITY OF INDIA ACT, 1997, THE INFORMATION TECHNOLOGY ACT, 2000 AND THE AIRPORTS ECONOMIC REGULATORY AUTHORITY OF INDIA ACT, 2008.**

Amendment  
of Act 24 of  
1997.

**168.** In the Telecom Regulatory Authority of India Act, 1997,—

(a) in section 14, after clause (b), the following clause shall be inserted, namely:—

"(c) exercise jurisdiction, powers and authority conferred on—

(i) the Appellate Tribunal under the Information Technology Act, 2000; and

21 of 2000.

## THE EIGHTH SCHEDULE

[See sections 183 and 184]

S.No.	Tribunal/Appellate Tribunal/Board/Authority	Acts
(1)	(2)	(3)
1.	Industrial Tribunal constituted by the Central Government.	The Industrial Disputes Act, 1947 (14 of 1947)
2.	Income-Tax Appellate Tribunal	The Income-Tax Act, 1961 (43 of 1961)
3.	Customs, Excise and Service Tax Appellate Tribunal	The Customs Act, 1962 (52 of 1962)
4.	Appellate Tribunal.	The Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 (13 of 1976)
5.	Central Administrative Tribunal	The Administrative Tribunals Act, 1985 (13 of 1985)
6.	Railway Claims Tribunal	The Railway Claims Tribunal Act, 1987 (54 of 1987)
7.	Securities Appellate Tribunal	The Securities and Exchange Board of India Act, 1992 (15 of 1992)
8.	Debts Recovery Tribunal	The Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51 of 1993)
9.	Debts Recovery Appellate Tribunal	The Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51 of 1993)
10.	Airport Appellate Tribunal	The Airport Authority of India Act, 1994 (55 of 1994)
11.	Telecom Disputes Settlement and Appellate Tribunal	The Telecom Regulatory Authority of India Act, 1997 (24 of 1997)
12.	Appellate Board	The Trade Marks Act, 1999 (47 of 1999)
13.	National Company Law Appellate Tribunal	The Companies Act, 2013 (18 of 2013)



(1)	(2)	(3)
14.	Authority for Advance Ruling	The Income Tax Act, 1961 (43 of 1961)
15.	Film Certification Appellate Tribunal	The Cinematograph Act, 1952 (37 of 1952)
16.	National Consumer Disputes Redressal Commission	The Consumer Protection Act, 1986 (68 of 1986)
17.	Appellate Tribunal for Electricity	The Electricity Act, 2003 (36 of 2003)
18.	Armed Forces Tribunal	The Armed Forces Act, 2007 (55 of 2007)
19.	National Green Tribunal	The National Green Tribunal Act, 2010 (19 of 2010).

## THE NINTH SCHEDULE

[See section 185]

Sl.No.	Tribunal/ Appellate Tribunal under the Acts	Tribunal/ Appellate Tribunal/ Authority to exercise the jurisdiction under the Acts.
(1)	(2)	(3)
1.	The Employees Provident Fund Appellate Tribunal under the Employees Provident Funds and Miscellaneous Provisions Act, 1952.	The Industrial Tribunal constituted by the Central Government under the Industrial Disputes Act, 1947.
2.	The Copyright Board under the Copyright Act, 1957.	The Intellectual Property Appellate Board under the Trade Marks Act, 1999.
3.	The Railway Rates Tribunal under the Railways Act, 1989.	The Railway Claims Tribunal under the Railway Claims Tribunal Act, 1987.
4.	The Appellate Tribunal for Foreign Exchange under the Foreign Exchange Management Act, 1999.	The Appellate Tribunal under the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976.
5.	The National Highways Tribunal under the Control of National Highways (Land and Traffic) Act, 2002.	The Airport Appellate Tribunal under the Airport Authority of India Act, 1994.
6.	(A) The Cyber Appellate Tribunal under the Information Technology Act, 2000. (B) The Airports Economic Regulatory Authority Appellate Tribunal under the Airports Economic Regulatory Authority of India Act, 2008.	The Telecom Disputes Settlement and Appellate Tribunal under the Telecom Regulatory Authority of India Act, 1997.
7.	The Competition Appellate Tribunal under the Competition Act, 2002.	The National Company Law Appellate Tribunal under the Companies Act, 2013."

DR. G. NARAYANA RAJU,  
Secretary to the Govt. of India.

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		<p>डिग्री/स्नातकोत्तर डिग्री/पीएचडी हो तथा सुसंगत क्षेत्र में बीस वर्ष का अनुभव हो, जिसमें पर्यावरण और वन (जिसके अंतर्गत प्रदूषण नियंत्रण, परिसंकटमय पदार्थ प्रबंध, पर्यावरण समाघात निर्धारण, जलवायु परिवर्तन प्रबंध, जैविक विविधता प्रबंध और वन संरक्षण भी है) के क्षेत्र में किसी सुविख्यात राष्ट्रीय स्तर की संस्था में पांच वर्ष का व्यवहारिक अनुभव सम्मिलित हो; या</p> <p>(ख) उसके पास पच्चीस वर्ष का प्रशासनिक अनुभव है, जिसमें पांच वर्ष का ऐसा अनुभव सम्मिलित हो, जिसके दौरान उसने केंद्रीय सरकार या किसी राज्य सरकार या सुविख्यात राष्ट्रीय या राज्य स्तर की संस्था में पर्यावरण संबंधी मामलों से संबंधित कार्यवाही की हो।</p>		
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[फा. सं. ए-50050/9/2016-एडी1सी (सीईएसटीएटी) पीटी. I]

उदय सिंह कुमावत, संयुक्त सचिव

**MINISTRY OF FINANCE**

**(Department of Revenue)**

**NOTIFICATION**

New Delhi, the 1st June, 2017

**G.S.R. 514(E).**—In exercise of the powers conferred by section 184 of the Finance Act, 2017 (7 of 2017), the Central Government hereby makes the following rules, namely: -

**1. Short title, commencement and application.**—(1) These rules may be called the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017.

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

(3) These rules shall apply to the Chairman, Vice-Chairman, Chairperson, Vice-Chairperson, President, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member, Member of the Tribunal, Appellate Tribunal or, as the case may be, Authority as specified in column (2) of the Eighth Schedule of the Finance Act, 2017 (7 of 2017).

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

- "Act" means an Act specified in column (3) of the Eighth Schedule of the Finance Act, 2017 (7 of 2017);
- "Accountant Member", "Administrative Member", "Judicial Member", "Expert Member", "Law Member", "Revenue Member" or "Technical Member" means the Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member or Technical Member of the Tribunal, Appellate Tribunal or, as the case may be, Authority appointed under the corresponding provisions of the Act;
- "Appellate Tribunal", "Authority" or "Tribunal" has the same meaning as assigned to it in the corresponding provisions of the Act;
- "Chairman" or "Chairperson" or "President" means the Chairman, Chairperson or President of the Tribunal, Appellate Tribunal or, as the case may be, Authority appointed under the corresponding provisions of the Act;
- "Member" means the Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member or Technical Member and includes the Chairman, Vice-Chairman, Chairperson, Vice-

Chairperson, Presiding Officer of the Security Appellate Tribunal, President or, as the case may be, Vice-President;

- (f) "Presiding Officer" means the Presiding Officer of the Security Appellate Tribunal appointed under section 15L of the Securities and Exchange Board of India Act, 1992 (15 of 1992), Presiding Officer of the Debt Recovery Tribunal appointed under sub-section (1) of section 4 of the Recovery of Debts due to Banks and Financial Institutions Act, 1993 (51 of 1993) and Presiding Officer of the Industrial Tribunal appointed by the Central Government under sub-section (1) of section 7A of the Industrial Disputes Act, 1947 (14 of 1947);
- (g) "Search-cum-Selection Committee" means the Search-cum-Selection Committee referred to in rule 4;
- (h) "Vice-Chairman" or "Vice-Chairperson" or "Vice-President" means the Vice-Chairman, the Vice-Chairperson or Vice-President of the Tribunal, Appellate Tribunal or, as the case may be, Authority;
- (i) words and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the respective Acts.

**3. Qualifications for appointment of Member.**—The qualification for appointment of the Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member of the Tribunal, Appellate Tribunal or, as the case may be, Authority shall be such as specified in column (3) of the Schedule annexed to these rules.

**4. Method of recruitment.**—(1) The Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member of the Tribunal, Appellate Tribunal or, as the case may be, Authority shall be appointed by the Central Government on the recommendation of a Search-cum-Selection Committee specified in column (4) of the said Schedule in respect of the Tribunal, Appellate Tribunal or, as the case may be, Authority specified in column (2) of the said Schedule.

(2) The Secretary to the Government of India in the Ministry or Department under which the Tribunal, Appellate Tribunal or, as the case may be, Authority is constituted or established shall be the convener of the Search-cum-Selection Committee.

(3) The Search-cum-Selection Committee shall determine its procedure for making its recommendation.

(4) No appointment of Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member of the Tribunal, Appellate Tribunal or Authorities shall be invalid merely by reason of any vacancy or absence in the Search-cum-Selection Committee.

(5) Nothing in this rule shall apply to the appointment of Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member of the Tribunal, Appellate Tribunal or, as the case may be, Authority functioning as such immediately before the commencement of these rules.

**5. Medical fitness.**—No person shall be appointed as the Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member of the Tribunal, Appellate Tribunal or Authority, or a case may be unless he is declared medically fit by an authority specified by the Central Government in this behalf.

**6. Resignation by a Member.**—A Member may, by writing under his hand addressed to the Central Government, resign his office at any time:

Provided that the Member shall, unless he is permitted by the Central Government to relinquish office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as a successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

**7. Removal of Member from office.**—The Central Government may, on the recommendation of a Committee constituted by it in this behalf, remove from office any Member, who—

- (a) has been adjudged as an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as such a Member; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Member; or
- (e) has so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that where a Member is proposed to be removed on any ground specified in clauses (b) to (e), the Member shall be informed of the charges against him and given an opportunity of being heard in respect of those charges:

Provided further that the Chairperson or member of the National Company Appellate Tribunal shall be removed from office in consultation with the Chief Justice of India.

**8. Procedure for inquiry of misbehavior or incapacity of the Member.—**

(1) If a written complaint is received by the Central Government, alleging any definite charge of misbehavior or incapacity to perform the functions of the office in respect of a Chairman, Vice-Chairman, Chairperson, Vice-Chairperson, President, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member, the Ministry or Department of the Government of India under which the Tribunal, Appellate Tribunal or, as the case may be, Authority is constituted or established, shall make a preliminary scrutiny of such complaint.

(2) If on preliminary scrutiny, the Ministry or Department of the Government of India under which the Tribunal, Appellate Tribunal or, as the case may be, Authority is constituted or established, is of the opinion that there are reasonable grounds for making an inquiry into the truth of any misbehavior or incapacity of a Chairman, Vice-Chairman, Chairperson, Vice-Chairperson, President, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member, it shall make a reference to the Committee constituted under rule 7 to conduct the inquiry.

(3) The Committee shall complete the inquiry within such time or such further time as may be specified by the Central Government.

(4) After the conclusion of the inquiry, the Committee shall submit its report to the Central Government stating therein its findings and the reasons therefor on each of the charges separately with such observations on the whole case as it may think fit.

(5) The Committee shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 (5 of 1908) but shall be guided by the principles of natural justice and shall have power to regulate its own procedure, including the fixing of date, place and time of its inquiry.

**9. Term of office of Member.—**Save as otherwise provided in these rules, the Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or, as the case may be, Member shall hold office for a term as specified in column (5) of the said Schedule and shall hold the office up to such age as specified in column (6) in the said Schedule from the date on which he enters upon his office and shall be eligible for reappointment.

**10. Casual vacancy.—**(1) In case of a casual vacancy in the office of,—

(a) the Chairman, Chairperson, President, or Presiding Officer of the Security Appellate Tribunal, the Central Government shall have the power to appoint the senior most Vice-Chairperson or Vice-Chairman, Vice-President or in his absence, one of the Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member, or Member of the Tribunal, Appellate Tribunal or, as the case may be, Authority to officiate as Chairperson, Chairman, President or Presiding Officer.

(b) the Chairperson of the Debts Recovery Appellate Tribunal, the Central Government shall have power to appoint the Chairperson of another Debts Recovery Appellate Tribunal to officiate as Chairperson and in case of a casual vacancy in the office of the Presiding Officer of the Debts Recovery Tribunal, the Chairperson of the Debts Recovery Appellate Tribunal shall have power to appoint the Presiding Officer of another Debts Recovery Appellate Tribunal to officiate as Presiding Officer.

**11. Salary and allowances.—**(1) The Chairman, Chairperson or President of the Tribunal, Appellate Tribunal or, as the case may be, Authority or the Presiding Officer of the Security Appellate Tribunal shall be paid a salary of Rs. 2,50,000 (fixed) and other allowances and benefits as are admissible to a Central Government officer holding posts carrying the same pay.

(2) The Vice-Chairman, Vice-Chairperson, Vice-President, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or, as the case may be, Member shall be paid a salary of Rs. 2,25,000 and shall be entitled to draw allowances as are admissible to a Government of India Officer holding Group 'A' post carrying the same pay.

(3) A Presiding Officer of the Debt Recovery Tribunal or a Presiding Officer of the Industrial Tribunal constituted by the Central Government shall be paid a salary of Rs. 1,44,200 – 2,18,200 and shall be entitled to draw allowances as are admissible to a Government of India officer holding Group 'A' post carrying the same pay.

(4) In case of a person appointed as the Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law

Member, Revenue Member, Technical Member or Member, as the case may be, is in receipt of any pension, the pay of such person shall be reduced by the gross amount of pension drawn by him.

**12. Pension, Gratuity and Provident Fund.**—(1) In case of a serving Judge of the Supreme Court, a High Court or a serving Judicial Member of the Tribunal or a member of the Indian Legal Service or a member of an organised Service appointed to the post of the Chairperson, Chairman, President or Presiding Officer of the Security Appellate Tribunal, the service rendered in the Tribunal, Appellate Tribunal or, as the case may be, Authority shall count for pension to be drawn in accordance with the rules of the service to which he belongs and he shall be governed by the provisions of the General Provident Fund (Central Services) Rules, 1960 and the Contribution Pension System.

(2) In all other cases, the Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member shall be governed by the provisions of the Contributory Provident Fund (India) Rules, 1962 and the Contribution Pension System.

(3) Additional pension and gratuity shall not be admissible for service rendered in the Tribunal, Appellate Tribunal or, as the case may be, Authority.

**13 Leave.**—(1) The Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice President, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member, Presiding Officer or a Member shall be entitled to thirty days of earned Leave for every year of service.

(2) Casual Leave not exceeding eight days may be granted to the Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice President, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member or Technical Member, Presiding Officer or a Member in a calendar year.

(3) The payment of leave salary during leave shall be governed by rule 40 of the Central Civil Services (Leave) Rules, 1972.

(4) The Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member shall be entitled to encashment of leave in respect of the earned Leave standing to his credit, subject to the condition that maximum leave encashment, including the amount received at the time of retirement from previous service shall not in any case exceed the prescribed limit under the Central Civil Service (Leave) Rules, 1972.

**14. Leave sanctioning authority.**—(1) Leave sanctioning authority,—

(a) for the Vice-Chairman, Vice-Chairperson, Vice-President, Presiding Officer of the Debts Recovery Tribunal and Industrial Tribunal, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member shall be Chairman, Chairperson or as the case may be, President; and

(b) for the Chairman, Chairperson, Presiding Officer of Security Appellate Tribunal or President, shall be the Central Government, who shall also be sanctioning authority for Accountant Member, Administrative Member, Judicial Member, Expert Member or Member in case of absence of Chairman, Chairperson, Presiding Officer of Security Appellate Tribunal or President.

(2) The Central Government shall be the sanctioning authority for foreign travel to the Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Accountant Member, Administrative Member, Judicial Member, Expert Member, Technical Member, Presiding Officer or a Member.

**15. House rent allowance.**—The Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Technical Member or Member shall be entitled to house rent allowance at the same rate as are admissible to Group 'A' Officer of the Government of India of a corresponding status.

**16. Transport allowance.**—The Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Accountant Member, Administrative Member, Judicial Member, Expert Member, Technical Member, Presiding Officer or Member shall be entitled to the facility of staff car for journeys for official and private purposes in accordance with the facilities as are admissible to Group 'A' Officer of the Government of India of a corresponding status as per the provisions of Staff Car Rules.

**17. Declaration of Financial and other Interests.**—The Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Accountant Member, Administrative Member, Judicial Member, Expert Member, Technical Member, Presiding Officer or Member shall, before entering upon his office, declare his assets, and his liabilities and financial and other interests.

**18. Other conditions of service.**—(1) The terms and conditions of service of a Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Accountant Member, Administrative Member, Judicial Member, Expert Member, Technical Member, Presiding Officer or Member with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group 'A' Officer of the Government of India of a corresponding status.

(2) The Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Administrative Member, Judicial Member, Expert Member, Technical Member, Presiding Officer or Member shall not practice before the Tribunal, Appellate Tribunal or Authority after retirement from the service of that Tribunal, Appellate Tribunal or, as the case may be, Authority.

(3) The Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Accountant Member, Administrative Member, Judicial Member, Expert Member, Technical Member, Presiding Officer or Member shall not undertake any arbitration work while functioning in these capacities in the Tribunal, Appellate Tribunal or Authority.

(4) The Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member, Law Member, Revenue Member, Technical Member or Member of the Tribunal, Appellate Tribunal or, as the case may be, Authority shall not, for a period of two years from the date on which they cease to hold office, accept any employment in, or connected with the management or administration of, any person who has been a party to a proceeding before the Tribunal, Appellate Tribunal or, as the case may be, Authority:

Provided that nothing contained in this rule shall apply to any employment under the Central Government or a State Government or a local authority or in any statutory authority or any corporation established by or under any Central, State or Provincial Act or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013).

**19. Oaths of office and secrecy.**—Every person appointed to be the Chairman, Chairperson, President, Vice-Chairman, Vice-Chairperson, Vice-President, Accountant Member, Administrative Member, Judicial Member, Expert Member, Technical Member, Presiding Officer or Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in Forms I and II annexed to these rules.

**20. Power to relax.**—Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.

**21. Interpretation.**—If any question arises relating to the interpretation of these rules, the decision of the Central Government thereon shall be final.

**22. Saving.**—Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes, Ex-servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

#### FORM I

(See rule 19)

Form of Oath of Office for Chairman/Vice-Chairman/ Chairperson/ Vice-Chairperson/ President/Vice-President/ Presiding Officer/Administrative Member/Judicial Member/ Expert Member/Law Member/Revenue Member/Technical Member, /Member of the (Name of the Tribunal/Appellate Tribunal/Authority)

I, A. B., having been appointed as Chairman/Vice-Chairman/ Chairperson/ Vice-Chairperson/ President/Vice-President/ Presiding Officer/ Accountant Member/ Administrative Member, Judicial Member/ Expert Member / Law Member/ Revenue Member/ Technical Member/ Member of the (Name of the Tribunal/Appellate Tribunal/Authority)

do solemnly affirm/do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Chairman/Vice-Chairman/ Chairperson/ Vice-Chairperson/ President/Vice-President/ Presiding Officer/ Accountant Member/ Administrative Member/ Judicial Member/ Expert Member / Law Member/ Revenue Member/ Technical Member/ Member (Name of the Tribunal/Appellate Tribunal/Authority) to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of land.

#### FORM II

(See rule 19)

Form of Oath of Secrecy for Chairman/Vice-Chairman/ Chairperson/ Vice-Chairperson/ President/Vice-President/ Presiding Officer / Accountant Member/ Administrative Member/ Judicial Member/ Expert Member / Law Member/ Revenue Member/ Technical Member /Member of the (Name of Tribunal/Appellate Tribunal/Authority)

I, A. B., having been appointed as the Chairman/Vice-Chairman/ Chairperson/ Vice-Chairperson/ President/Vice-President/ Presiding Officer/Member of the(Name of Tribunal/Appellate Tribunal/Authority), do solemnly affirm/do swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Chairman/Vice-Chairman/ Chairperson/ Vice-Chairperson/ President/Vice-President/ Presiding Officer / Accountant Member/ Administrative Member, Judicial Member/ Expert Member / Law Member/ Revenue Member/ Technical Member /Member of the said (Name of Tribunal/Appellate Tribunal/Authority) except as may be required for the due discharge of my duties as the Chairman/Vice-Chairman/ Chairperson/ Vice-Chairperson/ President/Vice-President/ Presiding Officer/Member.

## SCHEDULE

Sl. No.	Name of Tribunal, Appellate Tribunal or Authority.	Qualification for appointment of Chairperson, Chairman, President, Vice-Chairperson, Vice-Chairman, Vice-President, Presiding Officer, Accountant Member, Administrative Member, Judicial Member, Expert Member or Technical Member or Member.	Composition of Search-cum- Selection Committee	Term of Office	Maximum age for holding Office (in years)
(1)	(2)	(3)	(4)	(5)	(6)
1.	Industrial Tribunal constituted by the Central Government under the Industrial Disputes Act, 1947 (14 of 1947)	<p>A person shall not be qualified for appointment as Presiding Officer, unless he, -</p> <p>(a) is, or has been, or is qualified to be, a Judge of a High Court; or</p> <p>(b) he has, for a period of not less than three-years, been a District Judge or an Additional District Judge; or</p> <p>(c) is a person of ability, integrity and standing, and having special knowledge of, and professional experience of not less than twenty years in economics, business, commerce, law, finance, management, industry, public affairs, administration, labour relations, industrial disputes or any other matter which in the opinion of the Central Government is useful to the Industrial Tribunal.</p>	<p>Search-cum-Selection-Committee for the post of the Presiding Officer, -</p> <p>(i) a person to be nominated by the Central Government-chairperson;</p> <p>(ii) Secretary to the Government of India, Ministry of Labour and Employment- member;</p> <p>(iii) Secretary to the Government of India to be nominated by the Central Government-member;</p> <p>(iv) two experts to be nominated by the Central Government- members.</p>	Three Years	Presiding Officer- Sixty- five years of age
2.	Income-tax Appellate Tribunal under the Income-tax Act, 1961 (43 of 1961)	<p>(1) A person shall not be qualified for appointment as President unless he is a sitting or retired Judge of a High Court and who has completed not less than seven years of service as a Judge in a High Court or a Vice-President of the Income-tax Appellate Tribunal.</p> <p>(2) The Central Government may appoint one or more members of the Income-tax Appellate Tribunal to be the Vice-President or, as the case may be, Vice-Presidents thereof.</p> <p>(3) A person shall not be qualified for appointment as a Judicial Member, unless, -</p> <p>(a) he has for at least ten years</p>	<p>(A) Search-cum-Selection Committee for the post of the President and Vice-President, -</p> <p>(i) a sitting Judge of Supreme Court to be nominated by the Chief Justice of India-chairperson;</p> <p>(ii) the President, Income-tax Appellate Tribunal-member; and</p> <p>(iii) the Secretary to the Government of India, Ministry of Law and Justice (Department of Legal Affairs)- member.</p> <p>(B) Search-cum-Selection Committee for the Accountant Member and Judicial Member, -</p>	Three Years	<p>President- Sixty-five years</p> <p>Vice-President- Sixty-two years</p> <p>Member- Sixty-two years</p>



	Institutions Act, 1993 (51 of 1993)	<p>(a) is, or has been, or is qualified to be, a Judge of a High Court; or</p> <p>(b) has been a member of the Indian Legal Service and has held a post in Grade I of that service; or</p> <p>(c) has held office as the Presiding Officer of a Debts Recovery Tribunal for at least three years.</p>	<p>(i) Chief Justice of India or his nominee- chairperson;</p> <p>(ii) Secretary to the Government of India, Ministry of Finance (Department of Economic Affairs)- member;</p> <p>(iii) Secretary to the Government of India, Ministry of Law and Justice- member;</p> <p>(iv) Governor of the Reserve Bank or the Deputy Governor of the Reserve Bank of India nominated by the Governor of the Reserve Bank of India - member; and (v) Secretary to the Government of India or Additional Secretary to the Government of India, Ministry of Finance, (Department of Financial Services)-member.</p>		
10.	Airport Appellate Tribunal under the Airport Authority of India Act, 1994(55 of 1994)	<p>A person shall not be eligible for appointment as Chairperson, unless he,—</p> <p>(a) is, or has been, or is qualified to be, a judge of a High Court; or</p> <p>(b) is a person of ability, integrity and standing, and having special knowledge of, and professional experience of not less than twenty-five years in economics, business, commerce, law, finance, accountancy, management industry, public affairs, administration or any other matter which in the opinion of the Central Government, is useful to the Appellate Tribunal.</p>	<p>Search-cum-Selection Committee for the post of Chairperson of Airport Appellate Tribunal,—</p> <p>(i) a person to be nominated by the Central Government- chairperson;</p> <p>(ii) Secretary to the Government of India, Ministry of Civil Aviation- member;</p> <p>(iii) Secretary to the Government of India to be nominated by the Central Government- member;</p> <p>(iv) two experts, to be nominated by the Central Government- members.</p>	Three Years	Chairperson - Sixty-two years
11.	Telecom Disputes Settlement and Appellate Tribunal under the Telecom Regulatory Authority of India Act, 1997 (24 of 1997)	<p>(1) A person shall not be qualified for appointment as Chairperson, unless he,—</p> <p>(a) is, or has been, or is qualified to be, a Judge of Supreme Court; or</p> <p>(b) is, or has been, Chief Justice of a High Court; or</p> <p>(c) has, for a period of not less than three years held office as Member; or</p> <p>(d) is a person of ability, integrity and standing, and having special knowledge of, and professional experience of</p>	<p>(A) Search-cum-Selection Committee for the post of the Chairperson, —</p> <p>(i) Chief Justice of India or his nominee- chairperson;</p> <p>(ii) Secretary to the Government of India, (Department of Telecommunications) - member;</p> <p>(iii) Secretary to the Government of India to be nominated by the Central Government - member;</p>	Three Years	Chairperson- Seventy years Member - Sixty-five years