MOST IMMEDIATE

F. No. A-12023(1)/15/2016-Admn.III (LA) Government of India Ministry of Law & Justice Department of Legal Affairs

Shastri Bhawan, New Delhi Dated the April, 2018

To

(i) The Registrars General of all High Courts*

(ii) The President Income Tax Appellate Tribunal.

Subject:

Appointment of President, Income Tax Appellate Tribunal (ITAT) - reg.

Sir,

I am directed to say that in exercise of the powers conferred by section 252 of the Income Tax Act, 1961 the Central Government has constituted the Income Tax Appellate Tribunal (ITAT) to hear appeals against the orders passed by various authorities as stated in section 253 of the Act. The Tribunal is headed by its President. At present there is no regular President in the ITAT, it is proposed to fill up the post of President in the ITAT on regular basis.

2. The service conditions of the President, Vice-Presidents and Members of the ITAT are regulated by the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017 (copy enclosed as Annexure-I). Rule 3 of the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017, inter-alia provides qualification for appointment of President in the ITAT which is as under:-

"A person shall not be qualified for appointment as President, unless he is 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".

3. As per Rule 9 of the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017, the President, ITAT shall hold office for a term of three years and shall hold office up to the age of 65 years from the date he enters upon his office and shall be eligible for reappointment. Rule 11 of the said Rules provides necessary provisions for Salary and Allowances.

Continued...2/-

It is requested that the names and other particulars of the (i) serving or retired Chief Justices of High Courts, who have completed not less than seven years' service as a Judge in High Court(s) as on 1st April, 2018 and who are willing to be considered for the assignment, (ii) Vice-President of the ITAT, who are also willing to be considered for the assignment, on the service conditions as contained in the Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017, may be sent to this Department by 15th May, 2018, in the enclosed Format (Annexure-II).

Encl: As above

(Suneel Sachdeva)

Under Secretary to the Govt. of India

23389127

Yours faithfully

Fax No. 2338 8372

E-mail: admn3-dla@gov.in

*As per list enclosed

MOST IMMEDIATE

No. A-12023(1)/15/2016-Admn. III (LA)
Government of India
Ministry of Law & Justice
Department of Legal Affairs

Shastri Bhawan, New Delhi Dated the 19th April, 2018

CORRIGENDUM

Attention is invited to this Department's communication of even number dated 6th April, 2018, regarding appointment to the post of President in the Income Tax Appellate Tribunal (ITAT).

2. Inadvertently, in paragraph 4 of the said communication, serving or retired Chief Justices of High Courts has been written instead of serving or retired Judges of High Courts, accordingly, the same may be read as "serving or retired Judges of High Courts".

(Suneel Sachdeva)
Under Secretary to the Government of India

2: 23389127

To

- (i) The Registrars General of all High Courts
- (ii) The President, Income Tax Appellate Tribunal.

List of the High Courts:

S. No.	Address
1.	The Registrar General, High Court of Orissa
	Cuttack - 753002
2.	The Registrar General,
e e	High Court of Karnataka,
	Bengaluru - 560001
3.	The Registrar General,
a: **	High Court of Calcutta,
	Kolkata - 700001
4.	The Registrar General,
*.	Kerala High Court, Kochi - 682031
	The Registrar General,
5.	Delhi High Court,
	Sher Shah Road,
· .	New Delhi - 110503
6.	The Registrar General,
0.	High Court of Himachal Pradesh,
*.	Ravenswood, Shimla - 171001
7.	The Registrar General,
	Madras High Court,
	Chennai - 600104
8.	The Registrar General,
	High Court of Uttarakhand,
	Nainital - 263002
9.	The Registrar General,
	High Court of Manipur,
	Mantripukhri, Imphal - 795002
10.	The Registrar General,
	Allahabad High Court,
	Allahabad - 211001.
11.	The Registrar General,
	Chhattisgarh High Court,
	Bodari, Raipur Road, Bilaspur,
	Chhattisgarh - 495220.
12.	The Registrar General,
	Rajasthan High Court,
	Jodhpur - 342005

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13.	The Registrar General,
	Punjab and Haryana High Court,
	Chandigarh - 160001.
14.	The Registrar General
	High Court of Bombay
	Mumbai - 400032
15.	The Registrar General
	Jharkhand High Court
	Ranchi - 834033
16.	The Registrar General
	Guwahati High Court
	Guwahati - 781001
17.	The Registrar General
	High Court of Judicature at Hyderabad
	For the State of Telangana and
	the State of Andhra Pradesh
	Hyderabad - 500066
18.	The Registrar General
1 ,,00	High Court Gujarat
	Sola, Ahmedabad - 380060
	Gujarat
19.	The Registrar General
	High Court of Tripura
	Agartala - 799010
20.	The Registrar General
=0.	High Court of Sikkim,
	Gangtok - 737101
21.	The Registrar General
2-10	High Court of Judicature at Patna
	Patna - 800001
22.	The Registrar General
lim line 0	High Court Madhya Pradesh
	Jabalpur - 482001
23.	
LJ.	The Registrar General
	High Court of Meghalaya
24	Shillong - 793001
24.	The Registrar General
	High Court of Jammu and Kashmir
	Near Jehangir Chowk Flyover, Srinagar, Jammu
	and Kashmir 190001

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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 (7of 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, President, 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, -
 - (a) "Act" means an Act specified in column (3) of the Eighth Schedule of the Finance Act, 2017(7 of 2017);
 - (b) "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;
 - (c) "Appellate Tribunal", "Authority" or "Tribunal" has the same meaning as assigned to it in the corresponding provisions of the Act;
 - (d) "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;
 - (e) "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-Chairman, Vice-President, President, Preside
- (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-C
- 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, V
- 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, President, President, President, 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, Chairperson, President, Vice-Chairman, Chairperson, President, Vice-Chairman, Vice
- (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-Chairman, Vice-Chairman, 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-Chairmen, 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-Chairman, Vice-Chairman, Vice-Chairman, 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/ 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

SI. 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)	A person shall not be qualified for appointment as Presiding Officer, unless he, - (a) is, or has been, or is qualified to be, a Judge of a High Court; or	Search-cum-Selection- Committee for the post of the Presiding Officer, - (i) a person to be nominated by the Central Government- chairperson;	Three Years	Presiding Officer- Sixty- five years of age
	·c	(b) he has, for a period of not less than three-years, been a District Judge or an Additional District Judge; or	(ii) Secretary to the Government of India, Ministry of Labour and Employment- member;		e 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.	(iii) Secretary to the Government of India to be nominated by the Central Government-member; (iv) two experts to be nominated by the Central Government-members.		
2.	Income-tax Appellate Tribunal under the Income-tax Act, 1961 (43 of 1961)	(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. (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. (3) A person shall not be qualified for appointment as a Judicial Member, unless,— (a) he has for at least ten years	(A) Search-cum-Selection Committee for the post of the President and Vice-President, - (i) a sitting Judge of Supreme Court to be nominated by the Chief Justice of Indiachairperson; (ii) the President, Income-tax Appellate Tribunal-member; and (iii) the Secretary to the Government of India, Ministry of Law and Justice (Department of Legal Affairs)- member. (B) Search-cum-Selection Committee for the Accountant Member and Judicial Member, -	Three Years	President- Sixty-five years Vice- President- Sixty-two years Member- Sixty-two years

=			T. EXTRAORDINARY	[PARI	II—SEC. 3(i)]
		held a judicial office in the territory of India; or (b) he has been a member of the Indian Legal Service and has held a post in Grade II of the Service or any equivalent or higher post for at least three years; or (c) he has been an advocate for at least ten years; (4) A person shall not be qualified for appointment as an Accountant Member, unless,— (i) he has for at least ten years been in the practice of accountancy, - (a) as a chartered accountant under the Chartered Accountants Act, 1949 (38 of 1949); or (b) as a registered accountant under any law formerly in force; or partly as such registered accountant and partly as a chartered accountant; or (ii) he has been a member of the Indian Revenue Service (Income-tax Service Group 'A') and has held the post of	(i) a nominee of the Minister of Law and Justice-chairperson; (ii) Secretary to the Government of India, Ministry of Law and Justice (Department of Legal Affairs)- member; (iii) President of the Incometax Appellate Tribunal – member; and (iv) such other persons, if any, not exceeding two, as the Minister of Law and Justice may appoint-member.		I—SEC. 3(1)]
2	The Control Project	Additional Commissioner of Income-tax or any equivalent or higher post for at least three years.			
3.	The Customs, Excise and Service Tax Appellate Tribunal under the Customs Act, 1962 (52of 1962)	(1) A person shall not be qualified for appointment as	(A) Search-cum- Selection Committee for the post of President, - (i) Chief Justice of India or a Judge of the Supreme Court of India as nominated by the Chief Justice of India as chairperson; (ii) Secretary to the Government of India, Department of Revenuemember; (iii) Secretary to the Government of India, Ministry of Law and Justice (Department of Legal Affairs)- member; (iv) Secretary to the Government of India, Department of India, Department of India, Department of India, Department of Personnel and Training-member. (B) Search- cum- Selection	Three Years	President – Sixty-seven years Member- Sixty-two years

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		(3) A person shall not be qualified for appointment as a Technical Member unless he has been a member of the Indian Revenue Service (Customs and Central Excise Service Group 'A') and has held the post of Commissioner of Customs or Central Excise or any equivalent or higher post for at least three years.	Committee for post of Judicial Member, - (i) a Judge of the Supreme Court as nominated by the Chief Justice of Indiachairperson; (ii) Secretary to the Government of India, Ministry of Finance (Department of Revenue)- member;		
			(iii) Secretary to the Government of India, Ministry of Law and Justice (Department of Legal Affairs) -member; (iv) President of the Customs, Excise and Service Tax Appellate Tribunal- member; and	т,	ū
			(v) such other persons, not exceeding two, as the Central Government may nominate- member;		
	ен е В *		(C). Search-cum-Selection Committee for the post of Technical member,- (i) Cabinet Secretary to the		
			Government of India – chairperson;		
		,	(ii) Secretary to the Government of India, Ministry of Finance (Department of Revenue)-member;	£	
			(iii) Secretary to the Government of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) – member;		9 -
174	*		(iv) Secretary to the Government of India, Ministry of Law (Department of Legal Affairs) – member.		
4.	Appellate Tribunal under the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 (13 of 1976)	 The Chairman of the Appellate Tribunal shall be a person who is or has been or is qualified to be a Judge of a Supreme Court or a Judge of a High Court. The Member of the Appellate Tribunal shall be a person not below the rank of Joint Secretary to the Government of India. 	(A) Search-cum- Selection Committee for the post of Chairman, - (i) Chief Justice of India or a Judge of the Supreme Court of India as nominated by the Chief Justice of India – chairperson; (ii) Secretary to the Government of India (Department of Revenue)-member;	Three Years	Chair- person Sixty-five years Member – Sixty-two years

30		THE GAZETTE OF INDIA:			-SEC. 3(1)j
•			(iii) Secretary to the Government of India, Ministry of Law and Justice (Department of Legal Affairs)- member;		
			(iv) Secretary to the Government of India, Department of Personnel and Training- member.		
			(B) Search-cum-Selection Committee for the post of Member, -		
			(i) Cabinet Secretary – chairperson;		
			(ii) Secretary to the Government of India, Department of Personnel and Training- member;		
		*	(iii) Secretary to the Government of India (Department of Revenue) - member;		
			(iv) two Secretaries to the Government of India to be nominated by the Central Government - members.		
5.	Central Administrative Tribunal under the Administrative	(1) A person shall not be qualified for appointment as the Chairman, unless he, — (a) is, or has been, or is	(A) Search-cum-Selection Committee for the post of Chairman and Judicial Member, –	Three Years	Chairman Sixty-eight years
	Tribunal Act, 1985 (13 of 1985).	(a) is, or has been, or is qualified to be, a Judge of a High Court; or	(i) Chief Justice of India or his nominee- chairperson;		Member - Sixty-five
		(b) has, for a period of not less than three years, held office as Administrative	(ii) Chairman of the Central Administrative Tribunal, Principal Bench – member;		years
		Member or Judicial Member in the Central Administrative Tribunal;	(iii) Secretary to the Government of India, (Department of Personnel and		
		(c) is a person of ability, integrity and standing, and having special knowledge of, and professional experience of not less than twenty years in	Training)- member; (iv) Secretary to the Government of India, Ministry of Law and Justice -member;		
		economics, business, commerce, law, finance, accountancy, management, industry, public affairs or administration, or any other	(e) one expert, to be nominated by the Central Government of Indiamember. (B) Search-cum-Selection	e .	
		matter which in the opinion of the Central Government is useful to the Central	Committee for the post of Administrative Member, –		
		Administrative Tribunal. (2). A person shall not be	(a) a person to be nominated by the Central Government - chairperson;		
		qualified for appointment, — (a) as a Judicial Member, unless he, -	(b) Chairman of the,		
		(i) is, or has been, or is			

- qualified to be, a Judge of a High Court; or
- (ii) has, for at least one year, held the post of Secretary to the Government of India in the Department of Legal Affairs or the Legislative Department including Member –Secretary, Law Commission of India; or
- (iii) has, for at least two years, held a post of Additional Secretary to the Government of India in the Department of Legal Affairs or Legislative Department; or
- (iv) has, for at least ten years, held a judicial office in the territory of India.
- (b) as an Administrative Member, unless he, -
- (i) has, for at least one year, held the post of Secretary to the Government of India or any other post under the Central Government or a State Government and carrying the scale of pay which is not less than that of a Secretary to the Government of India for at least one year; or
- (ii) has, for at least two years, held a post of Additional Secretary to the Government of India, or any other post under the Central or State Government carrying the scale of pay which is not less than that of Additional Secretary to the Government of India at least for a period of two years:

Provided that the officers belonging to the All-India services who were or are on Central deputation to a lower post shall be deemed to have held the post of Secretary or Additional Secretary, as the case may be, from the date such officers were granted proforma promotion or actual promotion whichever is earlier to the level of Secretary or Additional Secretary, as the case may be, and the period spent on Central deputation after such date shall count for qualifying service for the purpose of this clause.

- (c) Secretary to the Government of India, (Department of Personnel and Training)- member;
- (d) Secretary to the Government of India, Ministry of Law and Justice -member;
- (e) one expert, to be nominated by the Government of India member.

6.	Railway	C	laims
	Tribunal	under	the
	Railway	C	laims
	Tribunal	Act,	1987
	(54 of 198		

- (1) A person shall not be qualified for appointment as the Chairman, unless he, –
- (a) is, or has been, or is qualified to be a Judge of a High Court; or
- (b) has, for a period of not less than three years, held office as Vice-Chairman, Judicial Member or Technical Member, as the case may be; or
- (c) is a person of ability, integrity and standing, and having a special knowledge of, and professional experience of not less than twenty-five years in claims and commercial matters relating to railways.
- (2) A person shall not be qualified for appointment as the Vice-Chairman (Judicial), unless he, –
- (a) is, or has been, or is qualified to be, a Judge of a High Court; or
- (b) has been a member of the Indian Legal Service and has held a post in Grade I of that Service or any higher post for at least five years; or
- (c) has, for at least five years, held a civil judicial post carrying a scale of pay which is not less than that of a Joint Secretary to the Government of India; or
- (d) has, for a period of not less than three years, held office as a Judicial Member.
- (3) A person shall not be qualified for appointment as the Vice-Chairman (Technical), unless he, –
- (a) has, for a period of not less than three years, held office as a Technical Member;
- (b) has, for at least five years, held a post under a railway administration carrying a scale of pay which is not less than that of a Joint Secretary to the Government of India and has adequate knowledge of rules and procedure of, and experience in, claims and commercial matters relating to railways.

(A) Selection Committee
consisting for the post of the
Chairman, Vice-Chairman
(Judicial) or Member
(Judicial): -

- (i) Chief Justice of India or his nominee- chairperson;
- (ii) Chairman or Member (Traffic) of the Railway Board-member;
- (iii) Secretary to the Government of India to be nominated by the Central Government-member;
- (iv) two experts who should have knowledge and experience of Claims and Commercial matters pertaining to Railways to be nominated by the Central Government-members.
- (B) Search-cum-Selection Committee for the post of the Vice-Chairman (Technical) or Member (Technical),-
- (i) a person to be nominated by the Central Governmentchairperson;
- (ii) Chairman or Member (Traffic) of the Railway Board-member;
- (iii) Secretary to the Government of India to be nominated by the Central Government-member;
- (iv) two experts with knowledge and experience of Claims and Commercial matters relating to Railways to be nominated by the Central Government

Three Years Chairman-Sixty-seven years

Vice-Chairman-Sixty-five years

Member – Sixty-two years

	11-808 3(1)]	मारत का राजपत्र : ५			
		(4) A person shall not be qualified for appointment as a Judicial Member, unless he, –			
		(a) is, or has been, or is qualified to be, a Judge of a High Court;			
		(b) has, for at least ten years, held a judicial office in the territory of India.			
		(5) A person shall not be qualified for appointment as a Technical Member unless he is a person of ability, integrity and standing having special knowledge of rules and procedure of, and experience in, claims and commercial matters relating to railways of not less than twenty years.		2	
7.	Securities Appellate Tribunal under the Securities Exchange Board of India Act, 1992 (15 of 1992)	(1) A person shall not be qualified for appointment as the Presiding Officer or a Judicial Member or a Technical Member of the Securities Appellate Tribunal, unless he, —	(A) The Presiding Officer and Judicial Member of the Tribunal shall be appointed by the Central Government in consultation with the Chief Justice of India or his nominee.	Three Years	Presiding Officer - Seventy years Member - Sixty-seven
		 (a) in the case of the Presiding Officer, is, or has been, a Judge of the Supreme Court or a Chief Justice of a High Court or a Judge of a High Court for at least seven years; (b) in the case of a Judicial Member, is, or has been, a Judge of a High Court for at 	(B) Search-cum-Selection Committee for the post of Technical Member, – (i) Presiding Officer, Securities Appellate Tribunal– chairperson; (ii) Secretary to the Government of India		years
		least five years; or (c) in the case of a Technical Member, — (i) is, or has been, an Additional Secretary or Secretary in the Ministry or Department of the Central Government or any equivalent post in the Central Government or a State Government; or	(Department of Economic Affairs) – member; (iii) Secretary to the Government of India, (Department of Financial Services) – member; and (iv) Secretary to the Government of India, in the Legislative Department or Department of Legal Affairs –member.		
		(ii) is a person of proven ability, integrity and standing having special knowledge and professional experience, of not less than fifteen years, in financial sectors including securities market or pension funds or commodity derivatives or insurance.			
		(2) A Member or Part time Member of the Board or the Insurance Regulatory and			

34		THE GAZETTE OF I	NDIA : EXTRAORDINARY		
		Development Authority of Pension Fund Regulatory Development Authority, any person at somanagement level equivate Executive Director in Board or in such Authorishall not be appointed Presiding Officer or Men of the Securities Annel	or the or and or enior alent the ties, as other late	[1	PART II—SEC. 3()
		Tribunal, during his service tenure as such with the Bo or with such Authorities, the case may be, or within years from the date on whe ceases to hold office such in the Board or in su Authorities. (3) The Presiding Officer	as two as		
	Debts Recover	Member of the Securit Appellate tribunal shall be person who does not have a financial or other interest are likely to prejudicial affe their functions as su Presiding Officer or Member y A person shall not be qualified.	ies a ny as ect ch		
]]]	Tribunal under the Recovery of Debt Due to Banks and Financial Institution Act, 1993 (51 of 1993)	for appointment as Presidir Officer of the Debts Recover Tribunal, unless he,— (a) is, or has been, or qualified to be, a District Judge; or (b) is a person of ability integrity and standing, and having special knowledge of and professional experience of the professional exper	Committee for the post Presiding Officer of the Deb Recovery Tribunal,— (i) Chief Justice of India of his nominee-chairperson; (ii) Secretary to the Government of India of Ministry of Finance (Department of Economic of Affairs) marks	e a, e	Presiding Officer – Sixty-five years
		not less than twenty years in economics, business commerce, law, finance accountancy, management, industry, public affairs, administration, banking, debt recovery or any other matter, which in the opinion of the Central Government is useful to the Debt Recovery Tribunal.	(iii) Secretary to the Government of India Ministry of Law and Justicemember; (iv) Governor of the Reserve Bank or the Deputy Governor of the Reserve Bank of India		
Det	bts Recovery		(v)Secretary to the Government of India or Additional Secretary to the Government of India, Ministry of Finance, (Department of Financial Services)- member.		
App	pellate Tribunal ler the Recovery of ots Due to Banks	A person shall not be qualified for appointment as Chairperson, unless he, —	Search-cum-Selection Committee for the Chair- person of the Debts Recovery Appellate Tribunal,—	Three Years	Chairperson- Seventy years

	Institutions Act, 1993 (51 of 1993)	(a) is, or has been, or is qualified to be, a Judge of a High Court; or	(i) Chief Justice of India or his nominee- chairperson;(ii) Secretary to the		
		(b) has been a member of the Indian Legal Service and has held a post in Grade I of that service; or	Government of India, Ministry of Finance (Department of Economic Affairs) – member;		
		(c) has held office as the Presiding Officer of a Debts Recovery Tribunal for at least three years.	(iii) Secretary to the Government of India, Ministry of Law and Justice- member;		
			(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.		
10.	Airport Appellate Tribunal under the Airport Authority of India Act, 1994(55 of 1994)	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.	Search-cum-Selection Committee for the post of Chairperson of Airport Appellate Tribunal,— (i) a person to be nominated by the Central Government- chairperson; (ii) Secretary to the Govern- ment of India, Ministry of Civil Aviation- member; (iii) Secretary to the Govern- ment of India to be nominated by the Central Government- member; (iv) two experts, to be nominated by the Central Govern- ment-members.	Three Years	Chairperso n-Sixty-two years
11.	Telecom Disputes Settlement and Appellate Tribunal under the Telecom Regulatory Authority of India Act, 1997 (24 of 1997)	(1) A person shall not be qualified for appointment as Chairperson, unless he,— (a) is, or has been, or is qualified to be, a Judge of Supreme Court; or (b) is, or has been, Chief Justice of a High Court; or (c) has, for a period of not less than three years held office as Member; or (d) is a person of ability, integrity and standing, and having special knowledge of, and professional experience of	(A) Search-cum-Selection Committee for the post of the Chairperson, — (i) Chief Justice of India or his nominee-chairperson; (ii) Secretary to the Govern- ment of India, (Department of Telecommunications) - member; (iii) Secretary to the Government of India to be nominated by the Central Government - member;	Three Years	Chairperson- Seventy years Member – Sixty-five years

The state of the s

	THE GAZETTE OF INDIA : EXTRAORDINARY	Depart
	in economics (iv) two experts	[PART II—SEC. 3(i
	commerce business, nominated by the	
	accountancy, manager and a continuent - members	
	mustry, public affairs (B) Search-cum Salari	
	telecommittee for the nost of	
	other matter which is any	
	Government-	
	Tribunal Appellate Appellate	
	(ii) Secretary to the	
	(2) A person shall dovernment of India	
	f unless he is a person member and metallolis)-	
	standing having and (iii) S-	
	knowledge special the to the	
	I superione of not miniated by the Control	
	economic twenty years in Government-member	
	commerce business, (iv) two experts	
	accountancy nominated by the Country	
	mustry, public accident members	
	administration	
	telecommunications or any	
	other matter which in opinion of the Central Government is	
	ascial to the Telecom Disput	
	Settlement and Appellate Tribunal.	
12. Appellate B	oard under (1)	
ine Trade N	Marks Act, qualified 6.	
1999 (47 of	(hairman unt	Chairman-
	vice-Chairman or India	Sixty-seven years
	(a) is, or has been, or is qualified to be, a Judge of High Court Board, -	Jears
		Vice-
	(i) Citel Justice of India	Chairman -
	ICSS [nan three years 1 1 1	Sixty-five
	office as Vice C	years
	Chairperson of (Department of India,	
	the Appellate Board. (Department of Industrial Policy and Promotion) -	Member _
1	(2) A person shall not to member;	Sixty-five
	qualified for appointment as (III) Secretary to the	years
	Vice-Chairman, unless he Government of India to be	
	(a) is, or has been or is	
	qualified to be, a Judge of	
	righ Court; or (iv) two experts, to be	
	(b) has, for at least two years	
1	the office of Judicial	
	Welliber of a Technical (B) Search-cum-Selection	
	Member, and has a degree in law with at least 12 years of Technical Member (Trade	
	practice at par or 12 years, Illark), Technical Manil	
	experience in a State Judicial (Patent) and Technical	
	Member (Copyright) of the	
	(3) A person shall not be appendix Board,—	
	qualified for appointment as (1) a person to be nominated	
	by the Central Government -	

Judicial Member, unless he, - ch

- (a) is, or has been, or is qualified to be a Judge of High Court; or
- (b) has, for at least ten years, held a judicial office in the territory of India.
- (4) A person shall not be qualified for appointment as Technical Member (Trademark), unless he,—
- (a) has, for at least ten years, exercised functions of a tribunal under the Trade Marks Act, 1999 (47 of 1999) and has held a post not lower than the post of Joint Registrar for at least five years and has a degree in law with at least twelve years of practice at bar or twelve years' experience in a State Judicial Service, or
- (b) has, for at least ten years, been an advocate of a proven specialized experience in trade mark law.
- (5) A person shall not be qualified for appointment as Technical Member (Patent), unless he. -
- (a) has, for at least five years, held the post or exercised the functions of the Controller under the Patents Act, 1970 (39 of 1970); or
- (b) has, for at least ten years, functioned as a registered patent agent and possesses a degree in engineering or technology or a master's degree in science from any University established under law for the time being in force.
- (6) A person shall not be qualified for appointment as Technical Member (Copyright), unless he, –
- (a) is, or has been a member of the Indian Legal Service and is holding, or has held a post in Grade I of that Service for at least three years; or
- (b) has, for at least ten years, held a judicial office in the territory of India; or
- (c) is, or has been a member of a Tribunal or Civil Service not

chairperson;

- (ii) Secretary to the Government of India, (Department of Industrial Promotion and Policy) -member;
- (iii) Secretary to the Government of India to be nominated by the Central Government - member;
- (iv) two experts, to be nominated by the Central Government members.

38	THE GAZETTE OF
	THE GAZETTE OF INDIA: EXTRAORDINARY Delow the rank of a Joint Secretary to the Government of India with three years' experience in the field of Copyright; or
	(d) has, for at least ten years, been an advocate of a proven specialized experience in Copyright Law:
13. National Com	Provided that at least one member of the Appellate Board for purposes of the Copyright Act shall have qualification as in (a), (b) or (d) above.
7	2013 The Chief Justice of a High Court. (2) A Judicial Member shall be a person who is or has been a Judge of a High Court or is a Judicial Member. (B) Search-cum-Selection Committee for the post of the Judicial Member. (B) Search-cum-Selection Committee for the post of the Judicial Member. (B) Search-cum-Selection Committee for the post of the Judicial Member.
	Tribunal for five years. (3) 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 (i) Chief Justice of India or his nominee -chairperson; (ii) a senior Judge of the Supreme Court or a Chief Justice of a High Courtmember; (iii) Secretary to the Government of India, Ministry of Corporate Affairs- member; (iv) Secretary to the Government of India, Ministry of Law and Justicemember.
Authority for Advance Ruling under the Income-tax Act, 1961 (43 of 1961)	(a) Chairman, who:— (i) is, or has been, or is qualified to be, a Judge of the Supreme Court; or (ii) is or has been a Chief Justice of a High Court; or (iii) has, for at least seven years, been a Judge of a High Court; or (iv) has, for at least three years, been a Vicè-Chairman, Revenue Member, or Level. (A) Search-cum Selection Committee for the post of Chairman and Vice-Chairman and Vice-Chairman and Vice-Chairman, Seventy years (i) Chief Justice of India or a Judge of the Supreme Court of India as nominated by the Chief Justice of India — chairperson; (ii) Secretary to the Government of India (Department of Revenue) — member; (iii) Secretary to the Government of Revenue) — member; (iii) Secretary to the Government of Revenue) — member;
	years, been a Vice-Chairman -member;

[भाग II—खण्ड 3(i)]	भारत का राजपत्र : ०	1311 311 31	
	(v) 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, taxation or any other matter which in the opinion of the Central Government is useful to the Authority. (b) Vice-chairman, who is, or has been, or is qualified to be, a Judge of a High Court; (c) Revenue Member from the Indian Revenue Service who is qualified to be a Member of the Central Board of Direct Taxes Board and an officer of the Indian Customs and Central Excise Service, who is qualified to be a Member of the Central Board of Excise and Customs; (d) Law Member from the Indian Legal Service, who is an Additional Secretary to the Government of India. (1) A person shall not be qualified for appointment as Chairman, unless he, - (a) is, or has been, or is qualified to be, a Judge of a High Court; or (b) has, for a period of not less than three years, held office as member; or (c) is a person of ability, integrity and standing, and having special knowledge of, and professional experience of not less than twenty-five years in, law, management, industry, public affairs, administration, films or any other matter which in the opinion of the Central Government, is useful to the Appellate Tribunal. (2) The Central Government may appoint such persons.	(iv) Secretary to the Government of India (Department of Personnel and Training) -member. (B) Search-cum-Selection Committee for the post of Member, - (i) Cabinet Secretary - chairperson; (ii) Secretary to the Government of India, (Department of Personnel and Training) - member; (iii) Secretary to the Government of India, (Department of Revenue) - member; (iv) two Secretaries to the Government of India to be nominated by the Central Government - members. Search-cum-Selection Committee for post of the Chairman and member of the Appellate Tribunal, — (i) a person to be nominated by the Central Government - members. Search-cum-Selection Committee for post of the Chairman and member of the Appellate Tribunal, — (ii) Secretary to the Government of India, Ministry of Information and Broadcasting-member; (iii) Secretary to the Government of India to be nominated by the Central Government - member; (iv) two experts to be nominated by the Central Government-member; (iv) two experts to be nominated by the Central Government-members.	Chairman – Sixty-seven years Member – Sixty-five years
	which in the opinion of the Central Government, is useful to the Appellate Tribunal. (2) The Central Government	dovernment-memocrs.	

40	THE GAZETTE OF DIRECT	
16. National Co	THE GAZETTE OF INDIA: EXTRAORDINARY [PART II—SI	EC. 3(i)
-	ledressal qualified for appointment as of certified for appointment as of certified for appointment as after to certified for appointment as after countries of his sort has been, or is qualified to be, a Judge of the Supreme Court; or (c) has, for a period not less than three years, held office of Member or Judicial Member; or (d) 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 National Consumer Disputes Redressal Commission. (2) A person shall not be qualified for appointment as Member unless he is a person of ability, integrity and standing, and having special knowledge of, and professional experience of not less than twenty-grar in economics, business, commerce, law, finance, accountancy, management, industry, public affairs, administration or appointment as Member unless he is a person of ability, integrity and standing, and having special knowledge of, and professional experience of not less than twenty-grars 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 National Consumer Disputes Redressal Commission: (2) A person shall not be qualified for appointment as Member unless he 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, accountancy, management, industry, public affairs, administration or any other matter which in the opinion of the Central Government is useful to the National Consumer Disputes Redressal Commission: Provided that a person shall not be appointed to be, a Judge of the Supreme Court, to be nominated by the Central G	esident venty rs mber- enty
7. Appellate Tribunal for Electricity under the Electricity Act, 2003 (36 of 2003).	territory of India. (1) A person shall not be qualified for appointment as Chairperson of the Appellate Tribunal, unless he,— (A) Search-cum-Selection Committee for the post of Chairperson and Judicial Chairperson and Judicial	

=			T :		14.1
		(a) is, or has been, or is	Tribunal, —		Member- Sixty-five
		qualified to be, a Judge of Supreme Court; or	(i) Chief Justice of India or his nominee-chairperson;		years
		(b) is, or has been, Chief	(ii) Secretary to the		
		Justice of a High Court; or	Government of India,		
		(c) has, for a period of not less	Ministry of Power- member;		
		than three years, held office of Judicial Member, or Technical	(iii) Secretary to the		
		member; or	Government of India to be nominated by the Central		
		(d) is a person of ability,	Government- member;		
		integrity and standing, and	(iv) two experts, to be		
		having special knowledge of, and professional experience of	nominated by the Central		
		not less than twenty-five years	Government-members.		
		in economics, business, commerce, law, finance,	(B) Search-cum-Selection		
		commerce, law, finance, accountancy, management,	Committee for the post of the Technical Member of the		
		industry, public affairs,	Appellate Tribunal, —		
		administration or any other matter which in the opinion of	(i) a person to be nominated		
		the Central Government is	by the Central Government- chairperson;		
		useful to Appellate Tribunal.	(ii) Secretary to the		
		(2) A person shall not be qualified for appointment as	Government of India,		
		Judicial Member, unless, he—	Ministry of Power- member;		
		(a) is, or has been, or is	(iii) Secretary to the		
		qualified to be, a Judge	Government of India to be nominated by the Central		
		of a High Court; or	Government- member;		
		(b) has, for at least ten years, held a judicial	(iv) two experts to be		
		office in the territory of India.	nominated by the Central Government-members.		
		(3) A person shall not be			
		qualified for appointment as			
		Technical Member unless he is			
		a person of ability, integrity and standing having special			
		knowledge of, and			
		professional experience of, not less than twenty years in			
		matters dealing with electricity			
		generation, transmission, distribution, regulation,			
		economics, business,	Э		
		commerce, law, finance,			
		accountancy, management, industry, public affairs,			
		administration or in any other			
		matter which in the opinion of the Central Government is			
		useful to the Appellate			
18.	Armed Force Tribunal	Tribunal.	(A) The Chairman of it	The	Chri
10.	under the Armed	(1) A person shall not be qualified for appointment as	(A) The Chairperson of the Armed Forces Tribunal shall	Three Years	Chairperson- Seventy years
	Forces Act, 2007 (55 of 2007)	Chairperson, unless, he, -	be appointed by the Central		, ,
	01 2007)	(a) is, or has been, or is	Government in consultation with Chief Justice of India.		Member-
		qualified to be a Judge of Supreme Court or,			Sixty-five years
		(2)			,

42	THE GAZETTE OF INDIA: EXTRAORDINARY
19. National Green	Justice of a High Court. (2) A person shall not be qualified for appointment as Judicial Member unless he is, or has been, a Judge of a High Court. (3) A person shall not be qualified for appointment as Administrative Member, unless he, - (a) he has held or he has been holding the rank of Major General or above for a total period of at least three years in the Army or equivalent rank in the Navy or the Air Force; or (b) he has served for not less than one year as Judge Advocate General, Commodore and Air Commodore and Air Commodore respectively; or (c) he is a person of ability, integrity and standing having special knowledge of, and professional experience of not less than twenty years in, economics, business, commerce, law, finance, accountancy, management, industry, public affairs, administration or in any other matter which in the opinion of the Central Government, is useful to the Armed Forces Tribunal.
Tribunal Greer Tribunal under the National Greer Tribunal Act, 2010 (19 of 2010)	qualified for appointment as Chairperson unless be Chairperson unl

[F. No. A.50050/9/2016-CESTAT Pt-1] UDAI SINGH KUMAWAT, Jt. Secy.

FORMAT

Application form for the post of President, Income Tax Appellate Tribunal

1.	Name in full:	Paste recent passport
2.	Date of Birth:	size photograph
3.	Category : (in case of SC/ST/OBC)	
4.	Date of initial appointment as Judge of the High Court/ Vice-President of the ITAT:	
5.	Date of Superannuation:	
6.	Educational Qualifications: (Attach proof)	
7.	Professional Qualifications:	
8.	Details of Experience (if any in taxation Matters) :	
9.	Details of five important judgments/ orders or citations if reported in the AIR, if any.	
10.	Additional Information : (if any)	
11.	Present Address, Tel. No. & E-mail ID:	
12.	Permanent Address:	
<u>Decla</u>	ration:	
	ereby declare that the particulars furnished by me are correct to edge and belief.	the best of my
Date:		
Place:		ure of Applicant

TO BE FILLED BY THE CONCERNED HIGH COURT AND INCOME TAX APPELLATE TRIBUNAL

NAME OF THE HIGH COURT:-

S. No.	Name in block letters	Date of Birth	3-7		Education/ Professional qualification	Details experience (particularly taxation matters)	of in

Signature of the Registrar