

सत्यमेव जयते

Mamta Kundra
Joint Secretary
Tel. No. 23094276

D.O.No.A.11013/15/2011-AT

भारत सरकार
कार्मिक और प्रशिक्षण विभाग
कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
नॉर्थ ब्लॉक, नई दिल्ली-110001
GOVERNMENT OF INDIA
DEPARTMENT OF PERSONNEL AND TRAINING
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS
NORTH BLOCK, NEW DELHI-110001

30th September, 2011

Dear Sir/Madam,

Please refer to the D.O. letter of even number dated 10th August 2011 (Copy enclosed) by which applications were invited for filling up two vacancies of Judicial Members in the Central Administrative Tribunal (CAT). The Government has since decided that vacancies for the entire year may be considered for filling the vacancies of Members in the Central Administrative Tribunal. The vacancies arising for Judicial Members in the Central Administrative Tribunal for the year 2012 is as follows:-

S.no	Bench	w.e.f
1	Jodhpur Bench	02/01/2012
2	Allahabad Bench	20/06/2012
3	Allahabad Bench	11/09/2012
4	Allahabad Bench	11/09/2012
5	Calcutta Bench	11/09/2012

Judicial

2. Applications are invited from eligible officers for filling up the five vacancies of ~~Administrative~~ ^{Judicial} Members in the Central Administrative Tribunal (CAT) at the places mentioned above. However, position of vacancies may undergo a change and selected candidates would be posted to a Bench where vacancy is available at the time of posting. It may also be noted that Members are liable to be transferred to any of the 17 Benches of CAT depending on exigency of work. The applicants may indicate their preferences for the vacancies against which they would like to be considered. **Persons who have already applied in response to the earlier Advertisement of August 2011 or letter dated 10th August 2011 (for the vacancies of CAT Members pertaining to the first half of 2012) may not apply again as their applications will be considered for the vacancies of the entire year. However, in case they do not want to be considered for all the vacancies they may, in reference to their earlier application indicate whether they are willing to be considered for the vacancies for the first half or the second half of the year, by sending a letter addressed to the Secretary DoPT.**

3. Since the vacancies are for the entire year and the applicants may have to resign to join in case of selection , therefore the applicants may indicate in the enclosed annexure whether they would like to be considered for the vacancies of the entire year or for the first or second half of 2012.

4. The Administrative Tribunals Act, 1985 was amended by the Administrative Tribunals (Amendment) Act, 2006 (No. 1 of 2007). As per sub-sections (2) and (3) of Section 8, of the Act:

“(2) A Member shall hold office as such for a term of five years from the date on which he enters upon his office extendable by one more term of five years:

Provided that no Member shall hold office as such after he has attained the age of sixty-five years.

(3) The conditions of service of Chairman and Members shall be the same as applicable to Judges of the High Court.”

5. The eligibility conditions as per Sub-Section 2(b) of Section 6 of the Administrative Tribunals Act, 1985 as amended by the Administrative Tribunals (Amendment) Act, 2006 provides that-

“(2) A person shall not be qualified for appointment,-

(b) as a Judicial Member unless he is or qualified to be a Judge of a High Court or he has for atleast two years held the post of a Secretary to the Government of India in the Department of Legal Affairs or the Legislative Department including Member-Secretary, Law Commission of India or held a post of Additional Secretary to the Government of India in the Department of Legal Affairs and Legislative Department at least for a period of five years.”

6. For Judicial Members already working in the CAT/SATs who want to apply afresh, provisions of Section 10A of the Administrative Tribunals Act, 1985 as inserted by the Administrative Tribunals (Amendment) Act, 2006 shall be applicable which provides that-

“10A. The Chairman and Member of a Tribunal appointed before the commencement of the Administrative Tribunals (Amendment) Act, 2006 shall continue to be governed by the provisions of the Act, and the rules made there under as if the Administrative Tribunals (amendment) Act, 2006 had not come into force:

Provided that, however, such Chairman and the Members appointed before the coming into force of Administrative Tribunals (Amendment) Act, 2006, may on completion of their term or attainment of the age of 65 or 62 years, as the case may be,

whichever is earlier may, if eligible in terms of Section 8 as amended by the Administrative Tribunals (Amendment) Act, 2006 be considered for a fresh appointment in accordance with the selection procedure laid down for such appointments subject to the condition that the total term in office of the Chairman shall not exceed five years and that of the Members, ten years."

Current Members, who are completing their term between 1st January 2012 and 31st December 2012, would be eligible to apply if fulfilling the other conditions.

The candidature of the eligible Members of the CAT/SATs willing to be considered for a fresh appointment may accordingly be recommended by the Chairman, CAT/SATs.

7. It is requested that this circular be given wide publicity. Names of eligible officers who have enough judicial experience with special knowledge and experience of service laws and are willing to be considered for the post of Judicial Member in the Central Administrative Tribunal may be sent along with their application/bio-data in the enclosed proforma. It is requested that while forwarding the applications of candidates, the following points may be kept in mind:

- (i) It should be clearly stated that the officer(s) is/are clear from vigilance angle. In case any penalty had been imposed in the past against any officer under the relevant Service Rules, the details of the same may also be furnished.
- (ii) Original CR/APAR dossiers, failing which certified copies of CR/APAR for the last ten years in respect of recommended officers, may also be sent positively along with the applications.
- (iii) Interested officers may also send advance copies of their applications. Advance copies of the applications would be considered only if the actual applications are later received with all the above necessary requirements from the cadre controlling authorities.

8. Retired Judges of the High Court and Members of the Bar may send their applications directly.

9. **In the case of the Members of Bar, column 6 of the proforma of bio-data regarding details of income in the last three years should invariably be filled up, failing which their candidature is liable to be rejected summarily. (Copies of the Income Tax Returns shall be attached)**

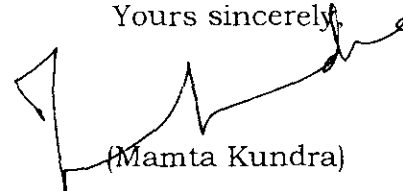
10. The applications should reach the Secretary, Department of Personnel and Training, North Block, New Delhi – 110001 on or before 16th November, 2011. **It will not be possible to consider applications received after the due date.**

11. The Central Administrative Tribunal has seventeen regular Benches across the country. The appointment in the Central Administrative Tribunal shall carry an All India transfer liability. The selected persons are liable to be posted to any place having a Bench of the Central Administrative Tribunal depending on the availability of the vacancies / exigencies of work.

12. It has also been our experience in the past that sometimes persons selected for appointment seek extension of time on one pretext or the other and quite often decline to join later. It is made clear that persons selected would have to join within three weeks from the date of issue of appointment order failing which the appointment would be cancelled.

With regards,

Yours sincerely,



(Mamta Kundra)

To

1. Registrar/Registrar General of various High Courts.
2. Registrar General, Supreme Court of India, New Delhi.
3. Secretary, Department of Legal Affairs, Shastri Bhavan, New Delhi.
4. Chairman, Central Administrative Tribunal

Copy to: PPS to Chairman, Central Administrative Tribunal, Principal Bench, Copernicus Marg, New Delhi.

ANNEXURE

**PARTICULARS/BIO-DATA FOR THE POST OF JUDICIAL MEMBER
IN CENTRAL ADMINISTRATIVE TRIBUNAL**

1. Name:
2. Date of Birth:
3. Current/Past Service
 - (i) High Court Judge
 - (ii) Indian Legal Service
 - (iii) Judicial Service
 - (iv) Member of Bar
4. In the case of High Court Judge
 - (i) Date of appointment as High Court Judge:
 - (ii) Place of posting:
5. In the case of others
 - (i) Name of Service:
 - (ii) Year of joining service:
 - (iii) Since when in Grade I of ILS/Judicial Service:
 - (iv) Present scale of pay:
6. In the case of Members of Bar
 - (a) Details of Income during the last 3 financial years
(Copies of the Income-Tax Returns to be attached)
 - (i) Financial Year 2008-09:
 - (ii) Financial Year 2009-10:
 - (iii) Financial Year 2010-11:
 - (b) Details of Registration with Bar:
(Copy of the Registration certificate to be attached)
 - (c) Whether qualified for appointment as a High Court Judge as per article 217(2) of the Constitution:
 - (d) Please attach documentary proof certifying date of birth:
7. Date of Superannuation (If applicable):
8. Designation of Present/Last Post held:
9. (a) Office Address & Telephone Number:
 - (b) Residential Address & Telephone Number:
 - (c) Correspondence Address (along with Mobile Number and Email ID):

10. Details of Postings with Dates and Scale of Pay/Experience in the Bar, during last ten years:
11. Details of Judicial Experience (Please elaborate):
12. Special knowledge in dealing with service matters and laws (Please elaborate):
13. I would like to join (Please indicate your preference by ticking one of the following options)
 - (iii) Against the vacancies for the entire 2012
 - (iv) Against the vacancies arising in the first half of 2012.
 - (iii) Against the vacancies arising in the Second half of 2012.

(SIGNATURE)



सत्यमेव जयते

Rajeev Kapoor
Joint Secretary
Tel. No. 23093668

भारत सरकार
कार्मिक और प्रशिक्षण विभाग
कार्मिक, लोक शिवालय तथा पेंशन मंत्रालय
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GOVERNMENT OF INDIA
DEPARTMENT OF PERSONNEL AND TRAINING
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS
NORTH BLOCK, NEW DELHI-110001

10th August, 2011

D.O.No.A.11013/15/2011-AT

Dear *Sir / Madam*

Applications from eligible candidates are invited for filling up two vacancies of Judicial Members in the Central Administrative Tribunal. The vacancies are likely to arise at the Jodhpur and Allahabad Bench of CAT. However, position of vacancies may undergo a change and selected candidates would be posted to a Bench where vacancy is available at the time of posting. It may also be noted that Members are liable to be transferred to any of the 17 Benches of CAT depending on exigency of work.

2. The Administrative Tribunals Act, 1985 was amended by the Administrative Tribunals (Amendment) Act, 2006 (No. 1 of 2007). As per sub-sections (2) and (3) of Section 8 of the Act:

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Administrative Tribunals Act, 1985 as inserted by the Administrative Tribunals (Amendment) Act, 2006 shall be applicable which provides that-

"10A. The Chairman and Member of a Tribunal appointed before the commencement of the Administrative Tribunals (Amendment) Act, 2006 shall continue to be governed by the provisions of the Act, and the rules made there under as if the Administrative Tribunals (amendment) Act, 2006 had not come into force:

Provided that, however, such Chairman and the Members appointed before the coming into force of Administrative Tribunals (Amendment) Act, 2006, may on completion of their term or attainment of the age of 65 or 62 years, as the case may be, whichever is earlier may, if eligible in terms of Section 8 as amended by the Administrative Tribunals (Amendment) Act, 2006 be considered for a fresh appointment in accordance with the selection procedure laid down for such appointments subject to the condition that the total term in office of the Chairman shall not exceed five years and that of the Members, ten years."

Current Members, who are completing their term between 1st January and 30th June, 2012, would be eligible to apply if fulfilling the other conditions.

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
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(Rajeev Kapoor)