## Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2020

UNION OF INDIA India

# Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2020

#### Rule

### TRIBUNAL-APPELLATE-TRIBUNAL-AND-OTHER-AUTHORITIES-QUAI of 2020

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Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2020Published vide Notification No. G.S.R. 109(E), dated 12.2.2020Last Updated 13th February, 2020G.S.R. 109(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, 2020.(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).

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#### 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 Debts 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 constituted for the Tribunal, appellate Tribunal or, as the case may be, Authority 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 Search-cum-Selection Committee shall determine its procedure for making its recommendation and, after taking into account the suitability, record of past performance, integrity as well as adjudicatory experience keeping in view the requirements of the Tribunal, Appellate Tribunal or, as the case may be, Authority, recommend a panel of two or three persons for appointment to each post.(3)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 Searchcum-Selection Committee.(4)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 as the 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 earlier.

#### 7. Removal of Member from office.

- The Central Government shall, on the recommendation of a Search-cum-Selection Committee, remove from office any Member, who-(a)has been adjudged as an insolvent; or(b)has been convicted of an offence which, 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), he shall be informed of the charges against him and given an opportunity of being heard in respect of those charges.

#### 8. Procedure for inquiry of misbehavior or incapacity of the Member.

(1) If a written complaint 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, it shall make a preliminary scrutiny of such complaint.(2)If on preliminary scrutiny, the Central Government 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 Search-Cum-Selection Committee to conduct the inquiry.(3)The Search-Cum-Selection 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 Search-Cum-Selection 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 Search-Cum-Selection 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.

(1)The Chairman, Chairperson or President shall hold office for a term of four years or till he attains the age of seventy years, whichever is earlier.(2)The 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 of four years or till he attains the age of sixty-five years, whichever is earlier.

#### 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 Debts 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 or a High Court or a 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 rules for pension applicable to him.(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 are admissible to a Government of India officer holding Group 'A' post carrying the same pay.

#### 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 a Government of India officer holding Group 'A' post carrying the same pay 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 Government of India officer holding Group 'A' post carrying the same pay.(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. Oath 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.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-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**

(See rules 3 and 4)

	Name of	Qualification for appointment of Chairperson, Chairman, President,	
Sl. No.	Tribunal,	Vice-Chairperson, Vice-Chairman,	Composition of
	Appellate	Vice-President, Presiding Officer, Accountant	Search-cum-Selection
	Tribunal	Member, AdministrativeMember, Judicial	Committee
	orAuthority.	Member, Expert Member or Technical	
		Member or Member.	
(1)	(2)	(3)	(4)
1.	Industrial	A person shall not bequalified for	Search-cum-Selection-Committee
	Tribunal	appointment as Presiding Officer, unless	for the post of the Presiding
	constituted by	he,-(a) is, or has been,a Judge of a High	Officer, -(i) Chief Justice
	the	Court; or(b) has, for a combined period of ten	ofIndia or a Judge of Supreme
	CentralGovernmentars, been a District Judge and Additional Court nominated by him -		
	under the	District Judge.	chairperson;(ii) Outgoing
	Industrial		Presiding Officer of the
	Disputes Act,		National IndustrialTribunal –
	1947 (14 of		member;(iii) Secretary to the
	1947)		Government of India,
			Ministry of Labour and
			Employment-member;(iv)
			Secretary to the Government
			of India,Ministry of

Commerce (Department for **Promotion of Industry** andInternal Trade) - member.

Income-tax **Appellate** Tribunal under theIncome-tax Act, 1961 (43 of 1961)

2.

(1) A person shallnot be qualified for appointment as President unless he is asitting or retired Judge of a High Court and who has completednot less than seven years of service as a Judge in a High Courtor a Vice-President Search-cum-SelectionCommittee of the Income-tax Appellate Tribunal.(2) The for the post of the President, CentralGovernment may appoint one or more Vice- President, Accountant members of the Income-taxAppellate Tribunal Member or Judicial Member to be the Vice-President or, as the case maybe, -(i) Chief Justice of India or a Vice-Presidents thereof.(3) A person shallnot Judge of the Supreme Court be qualified for appointment as a Judicial Member, unless, --(a) he has, for acombined period of ten years, been a District Judge andAdditional District Judge; or(b) he has been amember of the Indian Legal Service and Income-taxAppellate has held a post of Additional Secretary or any equivalent or higher post for twoyears; or(c) he has been anadvocate for twenty-five years.(4) A person shallnot be qualified for appointment as an Accountant Member, unless,--(i) he has fortwenty-five years been in Appellate Tribunal -member the practice of accountancy, -(a) as a charteredaccountant under the Chartered Accountants Act, 1949 (38 of 1949); or (b) as a registeredaccountant under any law formerly in force; or partly as suchregistered accountant and partly as a chartered accountant; or(ii) he has been a member of the Indian RevenueService (Income-tax Service Group "A") and has held thepost of Principal Commissioner of Income-tax or any equivalent orhigher post for two years and has performed judicial, quasi-judicial or adjudicating function for three years.

nominated by him -chairperson;(ii) (a) In case ofappointment of President, the Outgoing President, Tribunalmember; or(b) In case of appointment of Vice-President or Accountant Member or Judicial Member, the President, Income-tax ;(iii) Secretary to the Government of India, Ministry of Law and Justice (Department of Legal Affairs) member; and(iv) Secretary to the Government of India, Ministry of Finance, (Department of Revenue)member.

3. The Customs, Excise and Service Tax under the Customs Act,

1962 (52 of

(1) A person shallnot be qualified for appointment as President unless, -(a) he is or for the post of President, hasbeen a Judge of a High Court and who has Judicial Member AppellateTribunacompleted not less thanseven years of service andTechnical Member-(i) as a Judge in a High Court; or(b) he is the member of the Appellate Tribunal.(2) A person shallnot be qualified for appointment nominated by him

Search-cum-SelectionCommittee Chief Justice of India or a Judge of the Supreme Court

1962)

as a Judicial Member, unless, -(a) he has, for -chairperson; (ii)(a) In case of acombined period of ten years, been a District appointment of President, Judge and Additional District Judge; or(b) he the Outgoing President of the has been amember of the Indian Legal Service Customs Excise and Service and has held a post of Additional Secretary or TaxAppellate Tribunal any equivalent or higher post for twoyears; or(c) he has been anadvocate for twenty-five years.(3) A person shall not be qualified forappointment as a Technical Member unless Member, the President, he has been a member ofthe Indian Revenue Service (Customs and Central Excise ServiceGroup 'A') and has held the post of Principal Commissioner of Customs or Central (iii) Secretary to the Excise or any equivalent or higher post fortwo Government of India, Ministry years and has performed judicial, quasi-judicial oradjudicating function for three years.

member; or(b) In case ofappointment of Judicial Member and Technical Customs and Excise and Service Tax AppellateTribunal-member; of Finance (Department of Revenue)- member;(iv) Secretary to the Government of India, Ministry of Personal, Public Grievances and Pensions (Departmentof Personnel and Training) -member. Search-cum-SelectionCommittee

for the post of Chairman and Member, -(i) Chief Justice ofIndia or a Judge of the Supreme Court nominated by him-chairperson;(ii)(a) in case of appointment of Chairman of the AppellateTribunal - member; or(b) in case of appointment of Member, the Chairman of the AppellateTribunal-member;(iii) Secretary to the Government of India, Ministry of Personal, Public Grievancesand Pensions (Department of Personnel and Training)member; (iv) Secretary to the Government of India, Ministry of Finance (Department of

Revenue)- member.

**Appellate** Tribunal under the Smugglers andForeign Exchange 4. Manipulators (Forfeiture of Property) Act, 1976(13 of 1976) (1) The Chairman of the Appellate Tribunal shall be a person who is or has been aJudge of Chairman, the Outgoing a Supreme Court or a Chief Justice of a High Court.(2) The Member of the Appellate Tribunal shallbe a person not below the rank of Additional Secretary to the Government of India or any equivalent or higher post for twoyears and has performed judicial, quasi-judicial or adjudicatingfunction for three years.

Central 5. Administrative Tribunal Act, 1985 (13 of 1985).

(1) A person shallnot be qualified for appointment as the Chairman, unless he, -(a) Tribunal under is, or has been, a Judge of a High Court; or(b) the Administrative as, for a period of not less than three years, held office as AdministrativeMember or Judicial Member in the Central Administrative Tribunal;(2) A person shallnot by him-chairperson;(ii)(a) in be qualified for appointment,-(a) as a JudicialMember, unless he,-(i) is, or has been, a Judge of a High Court; or(ii) has, for oneyear, held the post of Secretary to the Government of India in he Department of Legal Affairs or the Legislative Department including Member - Secretary, Law Commission of India; or (iii)has, for two years, held a post of Additional Secretary to the Government of India in the Department of Administrative Tribunal -Legal Affairs or Legislative Department; or (iv) member; (iii) Secretary to the has, for acombined period of ten years, been a Government of India, District Judge and Additional District Judge. (b) as an Administrative Member, unless he, -(i) has, for oneyear, held the post of Secretary (Department of Personnel and to the Government of India orany other post under the Central Government or a State Governmentand carrying the scale of pay which is not less than that of aSecretary to the Justice, (Department of Legal Government of India for one year; or(ii) has, for twoyears, 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 for a period oftwo years:Provided that the officers belonging to theAll-India services who were or are on Central deputation to allower post shall be deemed to have held the post of Secretary or Additional Secretary, as the case may be, from the date suchofficers were granted proforma promotion or actual promotionwhichever is earlier to the level of Secretary or Additional Secretary, as the case may be, and the period spent on Centraldeputation after such date shall count

Search-cum-SelectionCommittee for the post of Chairman, **Administrative Member** and Judicial Member -(i) Chief Justice ofIndia or Judge of the Supreme Court as nominated case of appointment of Chairman the Outgoing Chairman of the CentralAdministrative Tribunal - member; or(b) in case of appointment of Administrative Member and Judicial Member, theChairman, Central Ministry of Personal, Public **Grievances**and Pensions Training) - member;(iv) Secretary to the Government of India, Ministry of Law and Affairs)-member.

for qualifying service for the purpose of this clause.

(1) A person shallnot be qualified for appointment as the Chairman, unless he, -(a) is, or has been, a Judge of a High Court; or (b) has, for aperiod of not less than three years, held office as Vice-Chairman, Judicial Member or Technical Member, as the case maybe.(2) A person shallnot be qualified for appointment as the Vice-Chairman(Judicial), unless he, -(a) is, or has

been, a Judge of a High Court; or(b) has been a member of the Indian Legal Service and has held a post of Additional Secretary or any equivalent or any higher post for two years; or(c) has, for two years, held a civil judicial post carrying a scale of pay whichis not less than that of an Additional Secretary to theGovernment of India; or(d) has, for a periodof not less than three years, held office as a Judicial Member.(3) A person shallnot be qualified for appointment as the Vice-Chairman(Technical), unless he, -(a)

the Railway 1987)

6.

Railway Claims

Tribunal under

ClaimsTribunal has, for a period of not less than three years, Act, 1987 (54 of held office as a Technical Member; (b) has, for twoyears, held a post under a railway administration carrying ascale of pay which is not less than that of an AdditionalSecretary to the Government of India and has adequate knowledgeof rules and procedure of, and experience in, claims and commercial matters relating to railways.(4) A person shallnot be qualified for appointment as a Judicial Member, unless he,-(a) is, or has been,a Judge of a High Court;(b) has, for a combined period of ten years, been a District Judge and Additional District Judge. (5) A personshall not be qualified for appointment as a Technical Memberunless he is a person of ability, integrity and standing havingspecial knowledge of rules and procedure of, and experience in, claims and commercial matters relating to railways of not less than twenty-five years.

consisting for the post of the Chairman, Vice-Chairman(Judicial), Vice-Chairman (Technical), **Technical Member** and Judicial Member: -(i) Chief Justice ofIndia or Judge of the Supreme Court nominated by him -chairperson;(ii) (a) in case ofappointment of Chairman, the Outgoing Chairman, Railway ClaimTribunal member; or(b) in case ofappointment of Vice-Chairman (Judicial), Vice-Chairman(Technical), Technical Member and Judicial Member, the Chairman Railway Claim Tribunal - member; or(iii) Member(Traffic) of the Railway Boardmember; (iv) Secretary to the Government of India, Ministry of Law and Justice, (Department of Legal Affairs) -member.

Search-cum-SelectionCommittee

(1) A person shallnot be qualified for

Securities **Appellate** Tribunal under theSecurities **Exchange Board** of India Act, 1992 (15 of 1992)

7.

appointment as the Presiding Officer or aJudicial Member or a Technical Member of the Securities Appellate Tribunal, unless he, -(a) in the case of the Presiding Officer, is, or has been, a Judge of the Supreme Court or a Chief Justice a High Court; or(b) in the case Search and of a Judicial Member, is, orhas been, a Judge of a High Court; or(c) in the case of aTechnical Member,-(i) is, or has been, an Additional Secretary for two years or Secretary and Technical Member.(i) in the Ministry or Department of the Central Government or any equivalent post in the CentralGovernment or a State Government; or(ii) is a person of provenability, integrity and standing having special knowledge and professional experience, of not less than twentyfive years, infinancial sectors including Presiding Officerof the securities market or pension funds orcommodity derivatives or insurance.(2) A Member or Parttime Member of the Board or the Insurance Regulatory and Development Authority or the Pension Fund Regulatory and Development Authority, or any person at senior management levelequivalent to Executive Director in the Board or in suchAuthorities, shall not be appointed as Presiding Officer or Member of the Securities Appellate Tribunal, during his serviceor tenure as such with the Board or with such Authorities, as thecase may be, or within two years from the date on which he ceasesto hold (Department of Revenue) office as such in the Board or in such Authorities.(3) The Presiding Officer or Member of the Securities Appellate Tribunal shall be a person who does not have any financial or other interest as are likely to prejudicially affect their functions as such Presiding Officer or Member.

SelectionCommittee for Post of the Presiding Officer, Judicial Member Chief Justice of India or Judge of the Supreme Court of India nominated by him -chairperson;(ii) (a) in case ofappointment of Presiding Officer, the Outgoing Securities Appellate Tribunalmember;(b) in case ofappointment of Judicial Member and Technical Member, the Presiding Officer of the Securities Appellate Tribunal- member; or (iii) Secretary to the Government of India, Ministry of Finance, (Department of Economic Affairs) - member; and(iv) Secretary to the Government of India, Ministry of Finance, -member.

8. Tribunal under the Recovery ofDebts Due to Banks and

Debts Recovery A person shall not be qualified for appointmentas Presiding Officer of the Debts for the post of Presiding Recovery Tribunal, unless he, is, or has been, a Officer of the Debts District Judge.

Search-cum-SelectionCommittee RecoveryTribunal, -(i) Chief Justice of India or Judge of the

Financial Institutions Act, 1993 (51 of1993)

Debts Recovery
Appellate
Tribunal under
theRecovery of
Debts Due to
Banks and
Financial
Institutions
Act,1993 (51 of
1993)

9.

A person shall not bequalified for of the Supreme Court as appointment as Chairperson, unless he, --(a) nominated by him is, or has been, a Judge of a High Court; or(b) -chairperson; (ii) has been amember of the Indian Legal Service outgoing Chairperson of the and has held a post of Additional Secretary or any equivalent or any higher post for twoyears; or(c) has held office as the Presiding Officer of a Debts Recovery Tribunal of India, Ministry of Finance for three years.

10. Airport
Appellate
Tribunal under
the
AirportAuthority
of India Act,
1994 (55 of
1994)

Airport A person shall not be eligible for Appellate appointmentas Chairperson, unless he, is, or Tribunal under has been, a judge of a HighCourt.

the Debts Recovery Tribunal member;(iii) Secretary to the Government of India, Ministry of Finance (Department of Financial Services)- member; and(v) Secretary to the Government of India, Ministry of Corporate Affairs - member. Search-cum-SelectionCommittee for the Chairperson of the **Debts Recovery** AppellateTribunal, -(i) Chief Justice of India or any Judge of the Supreme Court as nominated by him -chairperson;(ii) Debts Recovery Appellate Tribunal - member;(iii) Secretary to the Government (Department of Financial Services)member;(iv)Secretary to the Government of India, Ministry of Corporate Affairs member.

Supreme Court nominated by

OutgoingPresiding Officer of

him-chairperson;(ii)

Search-cum-SelectionCommittee
for the post of Chairperson of
Airport AppellateTribunal,
-(i) Chief Justice ofIndia or
any other judge of Supreme
Court nominated by
him-chairperson;(ii)
OutgoingChairperson of
Airport Appellate Tribunal member;(iii) Secretary to the
Government of India,
Ministry of Civil Aviation member;(iv) Secretary to the

Telecom **Disputes** Settlement and under the 11. Telecom Regulatory Authority of India Act,1997 (24 of 1997)

(1) A person shallnot be qualified for appointment as Chairperson, unless he, -(a) is, or has been, a Judge of Supreme Court; or(b) is, or has been, Chief Justice of a High Court.(2) A person shall not be qualified AppellateTribunal forappointment as Member unless he is a person of ability, integrityand standing 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, telecommunications orany other matter which is useful to the Telecom DisputesSettlement and Appellate Tribunal.

Marks Act. 1999(47 of 1999)

12. Appellate Board (1) A person shallnot be qualified for under the Trade appointment as Chairman, unless he,-(a) is, or has been, a Judge of High Court; or(b) has, for a period of not less than three years, held office as Vice- Chairperson of the Appellate Board.(2) A person shallnot be qualified for appointment as Vice-Chairman, unless he, -(a) is, or has been, a Judge of High Court; or(b) has, for twoyears, held the office of Judicial Member or a Technical Member, and has a degree in law with twelve years of practice at bar ortwelve years' experience in a the Outgoing Chairman of the State Judicial Service.(3) A person shallnot be AppellateBoard- member; qualified for appointment as Judicial Member, unless he, -(a) is, or has been,a Judge of High Court; or(b) has, for acombined Member and period of ten years, been a District Judge

India,(Department of Economic Affairs) - member; Search-cum-SelectionCommittee for the post of the Chairperson and Member, -(i) Chief Justice of India or any judge of the Supreme Court nominated by him-chairperson;(ii) (a) in case of appointment of Chairperson, the Outgoing Chairperson of the Telecom Disputes Settlement and Appellate Tribunal - member; or(b) in case of appointment of Member, the Chairperson of the Telecom DisputesSettlement and Appellate Tribunal - member; or(iii) Secretary to the Government of India, (Department of Telecommunications)-member;(iv) Secretary to the Government of India, Ministry of Civil Aviation - member (A)Search-cum-Selection for the post of the Chairman, Vice-Chairman, Judicial Member and Technical Member of the AppellateBoard, -(i) Chief Justice of India or any Judge of the Supreme Court nominated by him -chairperson;(ii) (a) in case ofappointment of Chairman, or(b) in case of appointment of Vice- Chairman, Judicial TechnicalMember (Trade

Government of

and Additional District Judge. (4) A person shall not be qualified for appointment as Technical Member (Trademark), unless he, -(a) has, for tenyears, exercised functions of a of the Appellate Board, the Tribunal under the Trade MarksAct, 1999 (47 of 1999) and has held a post not lower than thepost of Registrar for five years and has a degree in law withtwelve years of practice at bar or twelve years' experience in aState Judicial Service, or(b) has, fortwenty-five years, been an advocate of a proven specialised experience in trade mark law.(5) A of India, Ministry of Consumer person shallnot be qualified for appointment as Technical Member (Patent), unless he, -(a) has, for fiveyears, held the post or exercised the functions of the Controllerunder the Patents Act, 1970 (39 of 1970); or(b) has, fortwenty-five years, functioned as a registered patent agent andpossesses a degree in engineering or technology or a master'sdegree in science from any University established under law forthe time being in force.(6) A person shallnot be qualified for appointment as Technical Member (Copyright), unless he, -(a) is, or has been amember of the Indian Legal Service and is holding, or has held apost of Additional Secretary or any equivalent or any higher postfor two years; or(b) has, for acombined period of ten years, been a District Judge andAdditional District Judge; or(c) is, or has been amember of a Tribunal or Civil Service not below the rank of anAdditional Secretary to the Government of India with three years'experience in the field of Copyright; or(d) has, fortwenty-five years, been an advocate of a proven specialized experience in Copyright Law:Provided that one member of the Appellate Boardfor purposes of the Copyright Act shall have qualification as in(a), (b) or (d) above.

mark), Technical Member (Patent) and TechnicalMember(Copyright) Chairman of the Appellate Board-member; or (iii) Secretary to the Government of India, (Department for Promotion of Industryand Internal Trade) -member;(iv) Secretary to the Government Affairs Food and Public Distribution-member:

13. National Company Law Appellate

(1) The Chairpersonshall be a person who is or Search-Cum-SelectionCommittee has been a Judge of the Supreme Courtor the for the post of Chairperson, Chief Justice of a High Court.(2) A Judicial

Judicial Member

Tribunal underthe Companies Act, 2013 (18 of 2013).

Membershall be a person who is or has been a and Technical Member -(i) Judge of a High Court oris a Judicial Member Chief Justice of India or any of the National Company Law Tribunal forfive Judge of the Supreme Court years.(3) A Technical Member shall be a person of proven ability, integrity and standing having special knowledgeand professional experience, of not less than twenty-five years, in law, industrial finance, industrial management oradministration, industrial reconstruction, investment, accountancy or any other matter which is useful to the National Company Law Appellate Tribunal.

nominated by him-chairperson; (ii) (a) in case of appointment of Chairperson, theOutgoing Chairperson of the National Company Law AppellateTribunal - member; or(b) in case of appointment of Judicial Member and **Technical Member** theChairperson of the National Company Law Appellate Tribunal -member; or(iii) Secretary to the Government of India, Ministry of Corporate Affairs member; (iv) Secretary to the Government of India, Ministry of Finance (Department of Financial Services)- member.

14. Authority for under theIncome-tax 1961)

A person shall bequalified for appointment as, Search-cum Advance Ruling -(a) Chairman, who: -(i) is, or has been, a Judge of the Supreme Court; or(ii) is or has been aChief Justice of a High Court.(b) Act, 1961 (43 of Vice-chairman, who is, or has been, a Judge of Revenue Member -(i) Chief a High Court;(c) Law Member, whohas, for a combined period of ten years, been a District Judgeand Additional District Judge; or(d) Revenue Member from the Indian RevenueService who is qualified to be a Member of the Central Board of Direct Taxes and an officer of the Indian Customs and CentralExcise Service, who is qualified to be a Ruling- member; or(b) in case Member of the CentralBoard of Excise and Customs and has performed judicial, quasi-judicial or adjudicating function Revenue Member, for three years.

SelectionCommittee for the post of Chairman, Vice-Chairman, Law Memberand Justice of India or any Judge of the Supreme Court nominated by him -chairperson;(ii) (a) in case ofappointment of Chairman, the Outgoing Chairman to the **Authorities for Advance** ofappointment of Vice-Chairman, Law Member and theChairman to the **Authorities for Advance** Ruling- member;(iii) Secretary to the Government of India, Ministry of Finance

Film Certification **Appellate** 

(1) A person shallnot be qualified for appointment as Chairman, unless he, -(a) is, or has been, a Judge of a High Court; or(b) 15. Tribunal under has, for a periodof not less than three years, the Cinematographeld office as member. (2) A person qualified Act, 1952 (370f) to judge the effect offilms on the public shall be qualified for appointment as a Member.

16. National Consumer

1952)

(1) A person shallnot be qualified for appointment as President, unless he, - (a)is, or has been, a Judge of the Supreme Court; or Member of the (b) is, or hasbeen, Chief Justice of a High Court. (2) A person shall not be qualified for appointment as Member unless he,-(a) is, or has been, a Judge of a High Court; or(b) has, for acombined period of ten years, been a District Judge and Additional District Judge; or(c) is a person of ability, integrity andstanding, and having special knowledge of, and professional experience of not less than National Consumer Disputes twenty-five years in economics, business, commerce, law, finance, accountancy, management, industry, public affairs,

(Department of Revenue) member; and(iv) Secretary to the Government of India, Ministry of Personal, **Public Grievances and** Pensions (Departmentof Personnel and Training) -member.

Search-cum-SelectionCommittee for post of the Chairman and Member of the AppellateTribunal, --(i) Chief Justice of India or any Judge of the Supreme Court nominated by him -chairperson;(ii) (a) in case ofappointment of Chairman, the outgoing Chairman of the AppellateTribunal-member; or(b) in case of appointment of Member, the Chairman of the AppellateTribunal-member;(iii) Secretary to the Government of India, Ministry of Information and Broadcasting-member; and(iv) Secretary to the Government of India, Ministry of Culture-member.

Search-cum-SelectionCommittee for post of the President and NationalConsumer Disputes Redressal Commission, -(i) Chief Justice of India or any Judge of the Supreme Court nominated by him -chairperson; (ii) (a) in case of appointment of President, theOutgoing President of RedressalCommissionmember; or(b) in case ofappointment of Member,

administration or any other matterwhich is useful to the National Consumer Disputes RedressalCommission.

the President of National ConsumerDisputes Redressal Commission- member;(iii) Secretary to the Government of India, Ministry of Consumer Affairs, Food andPublic Distribution-member; and(iv) Secretary to the Government of India, Ministry of Commerce (Department for **Promotion of Industry** andInternal Trade)- member.

**Appellate** Tribunal for theElectricity

17.

2003).

(1) A person shallnot be qualified for appointment as Chairperson of the AppellateTribunal, unless he, –(a) is, or has been, a Judge of Supreme Court; or(b) is, or has been, Chief Justice of a High Court.(2) A person shallnot be qualified for appointment as Judicial Member, unless, he--(a) is, or has been, a Judge of a High Court; or(b) has, for acombined period of ten years, been a District the Appellate Tribunal for Judge and Additional District Judge. (3) A person shall not be qualified for appointment Electricity under as Technical Member unless he is a person of ability, integrity and standing having special Act, 2003 (36 of Search-cum-SelectionCommittee for the post of Chairperson, Judicial Member and Technical Member -- knowledge of, and professional experience of, not less than twentyfive years in matters dealing withelectricity generation, transmission, distribution, regulation, economics, business, commerce, law, finance, accountancy, management, industry, public affairs, administration or in anyother matter which is useful to the Appellate Tribunal.

(i) Chief Justice of India or any Judge of the Supreme Court nominated by him -chairperson; (ii) (a) in case of appointment of Chairperson, theOutgoing Chairperson of Electricity -member; or(b) in case of appointment of Judicial Member and Technical Member. theChairperson of the Appellate Tribunal for Electricity -member;(iii) Secretary to the Government of India, Ministry Power-member; and(iv) Secretary to the Government of India, Ministry of Petroleum -member.

18. Armed Forces Tribunal under the Armed (55 of 2007)

(1) A person shallnot be qualified for appointment as Chairperson, unless, he, -(a) is, or has been, a Judge of Supreme Court; or ForcesAct, 2007 (b) is or hasbeen a Chief Justice of a High Court. (2) A person shall not be qualified for appointment as Judicial Member unless he is, any Judge of the Supreme or hasbeen, a Judge of a High Court. (3) A

Search-cum-SelectionCommittee for the post of Chairperson, Judicial Member andAdministrative Member --(i) Chief Justice ofIndia or Court nominated by him

person shall not bequalified for appointment -chairperson;(ii) (a) in case as Administrative Member, unless he, -(a) has ofappointment of held or hasbeen holding the rank of Major General or above for a total period of three years in the Army or equivalent rank in the Navyor the Air Force; or(b) has served fornot less than one year as Judge Advocate General in the Army orthe Navy or the Air Force, and is not below the rank of MajorGeneral, Commodore and Air Commodore respectively; or(c) is a person of ability, integrity andstanding having special knowledge of, and professional experienceof not less than thirty years in, economics, business, commerce, law, finance, accountancy, management, industry, public affairs, administration or in any other matter useful to the Armed Forces Tribunal.

- 19. National Green Tribunal under the National GreenTribunal 2010)
  - (1) A person shallnot be qualified for appointment as Chairperson, unless he, -(a) is, or has been, a Judge of Supreme Court; or(b) is, or has been, Chief Justice of a High Act, 2010 (19 of Court. (2) A person shall not bequalified for appointment as Judicial Member, unless he, -(a) is, or has been, a Judge of a High Court; or(b) has, for acombined period of ten years, been a District Judge and Additional District Judge. (3) A person shall not be qualified for appointment as Expert Member, unless he, -(a) has a degree or Post-graduation degree or Doctorate Degree in Science and has an experience of twenty-five years in the relevant field includingfive years' practical experience in the field of environment andforests (including pollution control, hazardous substancemanagement, environment impact assessment, climate changemanagement, biological diversity management and forestconservation) in a reputed National level institution; or (b) has administrative experience of twentyyears including experience of five years in dealing withenvironmental matters in the Central

Chairperson, the Outgoing Chairperson of the ArmedForce Tribunal member; or(b) in case ofappointment of Judicial Member and Administrative Member the Chairperson of the Armed Forces Tribunal member;(iii) Secretary to the Government of India, Ministry of Defencemember; and(iv) Secretary to the Government of India, Ministry of Personal, Public Grievances and Pensions (Departmentof Personnel and Training)-member.

Search-cum-SelectionCommittee for the post of the Chairperson, Judicial Member and Expert Member of the National Green Tribunal, --(i) Chief Justice ofIndia or any Judge of the Supreme Court nominated by him -chairperson; (ii) (a) in case of appointment of Chairperson, theOutgoing Chairperson of the National Green Tribunal -member; or(b) in case ofappointment of Judicial Member and Expert Member the Chairpersonof the National Green Tribunal member;(iii) Secretary to the Government of India, Ministry of Environment andForest-member; and(iv) Secretary to the Government of India, Ministry of Personal, Public Grievances and

Tribunal, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2020

Government or a StateGovernment or in a reputed National or State level institution.

Pensions (Departmentof Personnel & Training)-member.