

Indian Corporate Law Service Rules, 2015

UNION OF INDIA

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Rule INDIAN-CORPORATE-LAW-SERVICE-RULES-2015 of 2015

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Indian Corporate Law Service Rules, 2015 Published vide Notification No. G.S.R. 454(E), dated 4th June, 2015 G.S.R. 454(E). - In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the Indian Corporate Law Service Rules, 2008, except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called the Indian Corporate Law Service Rules, 2015. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a) "Commission" means the Union Public Service Commission; (b) "Controlling Authority" means the Central Government in the Ministry of Corporate Affairs; (c) "Departmental Promotion Committee" means a Departmental Promotion Committee specified in Schedule III to these rules; (d) "Duty post" means any post, specified in Schedule I whether permanent or temporary; (e) "Examination" means the Civil Services Examination held by the Commission for recruitment to Central Services Group 'A'; (f) "Government" means the Central Government; (g) "Grade" means a grade specified in column (2) of Schedule I; (h) "Other Backward Classes" shall comprise the classes and communities notified by the Central Government from time to time; (i) "Regular service" in relation to any grade means the period or periods of service in that grade rendered after selection according to prescribed procedure for regular appointment to the grade and includes any period or periods during which an officer would have held a duty post in that grade but for his being on leave, deputation or otherwise not being available for holding such a post; (j) "Schedule" means a schedule appended to these rules; (k) "Scheduled Castes" and "Scheduled Tribes" shall have the meanings respectively assigned to them in clauses (24) and (25) of article 366 of the Constitution; and (l) "Service" means the Indian

Corporate Law Service constituted under rule 3.

3. Constitution of Indian Corporate Law Service.

(1)The service, known as the Indian Corporate Law Service, shall comprise of five grades namely, Higher Administrative Grade, Senior Administrative Grade, Junior Administrative Grade, Senior Time Scale and Junior Time Scale.(2)All the posts included in the service shall be classified as Group 'A' posts.

4. Grades, authorised strength and its review.

(1)The duty posts included in the various grades of the Service, their number and the [Level in the Pay Matrix or pay scale] [Substituted 'Scales of Pay (Pay Band and Grade Pay)' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)] on the date of commencement of these rules shall be as specified in Schedule I.(2)After the commencement of these rules, the authorised strength of the duty posts in the various grades shall be such as may, from time to time, be determined by the Government.(3)The Government may, from time to time make such alteration in the sanctioned strength of the duty posts in various grades as it thinks necessary.(4)The Controlling Authority may, in consultation with the Commission, include in the service such posts (other than those included in Schedule I) as may be deemed equivalent to the posts included in the service in status, grades, [Level in the Pay Matrix or pay scale] [Substituted 'pay scales' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)] and professional context, or exclude from the service any posts included in the said Schedule.(5)The Controlling Authority may, in consultation with the Commission, appoint an officer, whose post is included in the service under sub-rule (4), to the appropriate grade of the service on regular basis, as it thinks fit and fix his seniority in that grade in accordance with the general orders or instructions issued by the Government from time to time.

5. Members of the Service.

(1)The following persons shall be the members of the Service, namely :-(a)the existing officers of Indian Corporate Law Service holding duty posts in various grades of the Service on regular basis or holding lien on such posts on the date of commencement of these rules, shall deemed to have been appointed to the duty posts; and(b)persons appointed to the duty posts under rule 6;(2)A person referred to in clause (a) of sub-rule (1) shall be a member of the Service in the appropriate grade applicable to him.(3)A person referred to in clause (b) of sub-rule (1) shall be a member of the Service in the appropriate grade applicable to him from the date of such appointment.(4)The regular continuous service of officers referred to in sub-rule (1) in the respective corresponding Grades, rendered prior to the commencement of these rules, shall be counted as qualifying service for purpose of seniority, confirmation, promotion, non-functional up-gradation and pension.

6. Future maintenance of the Service.

- The posts in any of the grades shall be governed by and filled in the following manner,

namely:- (a) sixty per cent of the vacancies in the grade of Junior Time Scale shall be filled by direct recruitment on the basis of result of the examination and the remaining forty per cent vacancies arising in the grade shall be filled by promotion of regular incumbents of the posts as specified in Schedule II. (b) Appointment in the grade of Senior Time scale and above in the Service except Junior Administrative Grade (Non-Functional Selection Grade) shall be made by promotion on selection basis from officers in the grade immediately below with the minimum qualifying service as specified in column (4) of Schedule II and on the basis of the recommendation of the Departmental Promotion Committee constituted in accordance with the Schedule III. (c) The appointment to the grade of Junior Administrative Grade (Non-Functional Selection Grade) of the Service shall be made by placement based on seniority subject to suitability on the basis of eligibility prescribed in column (4) of the Schedule II and on the recommendation of a Screening Committee constituted in accordance with Schedule III. (d) All officers shall have to complete a mandatory training of 2 to 4 weeks in the relevant area or field as specified by the Ministry of Corporate Affairs before promotion or placement to the grades of Junior Time Scale, Senior Time Scale, Junior Administrative Grade and Junior Administrative Grade (Non Functional Selection Grade).

7. Non Functional Upgradation.

(1) Whenever an Indian Administrative Services Officer of the State or Joint Cadre is posted at the Centre to a particular grade [in Level 11 to 15 in the Pay Matrix or pay scale] [Substituted 'carrying a specific grade pay in Pay Band 3 or Pay Band 4 or Higher Administrative Grade' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)], the officers belonging to the batch of Indian Corporate Law Service who are senior by two years or more and have not so far been promoted to that particular grade shall be granted the same grade on non-functional basis from the date of posting of the Indian Administrative Services Officer in that particular grade at the Centre on the recommendation of the Departmental Screening Committee constituted in accordance with Schedule III. (2) All the prescribed eligibility criteria and promotional norms including 'benchmark' for upgradation to a particular [Level in the Pay Matrix or pay scale] [Substituted 'grade pay' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)] shall be met at the time of screening for grant of higher [Level in the Pay Matrix or pay scale] [Substituted 'pay scale' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)] as per Annexure-I of the Office Memorandum No. AB.14017/64/2008-Estt. (RR) dated the 24th April, 2009 of the Department of Personnel and Training. (3) The other terms and conditions for grant of higher [Level in the Pay Matrix or pay scale] [Substituted 'pay scale' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)] on Non-Functional basis shall be as per the orders and instructions issued on the matter by the Central Government from time to time.

8. Seniority.

(1) The relative seniority of a member of the Service, appointed to any grade of the Service under initial constitution of the Service referred to in clause (a) of rule 6 shall continue until altered, modified or amended by the Government: Provided that if the seniority of any such member has not been specifically determined immediately before commencement of these rules, the same shall be determined by the Controlling Authority in accordance with the general orders or instructions

issued by the Central Government from time to time.(2)The seniority of persons appointed to various Grades of the Service on and from the date of commencement of these rules shall be determined in accordance with the general orders or instructions on seniority issued by the Government from time to time.

9. Probation.

(1)Every officer on appointment to the Service either by direct recruitment or on promotion in the grade of Junior Time Scale of the Service shall be on probation for a period of two years:Provided that the Controlling Authority may extend the period of probation in accordance with the orders or instructions issued by the Government from time to time in this regard:Provided further that any decision for extension of the period of probation shall be taken ordinarily within eight weeks after the expiry of the previous period of probation and communicated in writing to the officer together with the reasons for so doing within the said period.(2)On completion of the period of the probation or any extension thereof, the officers shall, if considered fit for permanent appointment be retained in his appointment on regular basis and be confirmed in due course against the available substantive vacancy.(3)If during the period of probation or any extension thereof, as the case may be, the Government is of the opinion that an officer is not fit for permanent appointment, the Government may -(a)if he was appointed by direct recruitment, discharge him from the Service;(b)if he was appointed on promotion, revert him to the post held by him immediately before such appointment.(4)During the period of probation or any extension thereof, the officer may be required by the Government to undergo such courses of training and instructions and to pass such examinations and tests as the Government may consider necessary as a condition for satisfactory completion of the probation.(5)As regards other matters relating to probation, the members of the Service will be governed by the orders or instructions issued by the Government from time to time in this regard.

10. Appointment to the Service.

- All appointments to the Service shall be made by the Controlling Authority for all the duty posts in various grades of the Service.

11. Liability for service in any part of India and other conditions of Service.

(1)The members appointed to the Service shall be liable to serve anywhere in India or outside.(2)The conditions of service of the members of the Service in respect of matters for which no provision has been made in these rules shall be the same as are applicable from time to time, to the Group 'A' officers of the Central Civil Service.

12. Deputation.

- The Controlling Authority may require any member of the Service to hold for a specified period a post in any other Department of the Government or in any Corporation owned or controlled by the

Government.

13. Disqualification.

- No person, -(a)who, has entered into or contracted a marriage with a person having a spouse living; or(b)who, having a spouse living, has entered into or contracted a marriage with any person,shall be eligible for appointment to the Service:Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

14. Power to relax.

- Where the Government is of the opinion that it is necessary or expedient so to do, it may by order and for reasons to be recorded in writing, and in consultation with the Commission relax any of the provisions of these rules with respect to any class or category or persons.

15. Saving.

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

16. Interpretation.

- If any question relating to interpretation of these rules arise, it shall be decided by the Central Government in consultation with the Commission.

I

[See rules 2(d) and 4]Designation, Number and [Level in the Pay Matrix or pay scale] [Substituted 'Scale of pay' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)] of duty posts included in the various grade of the Indian Corporate Law Service

[Level in the Pay Matrix or pay scale]		Designation	No. of posts
S. No.	[Substituted 'Grade and Scale' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)]		
1	Higher Administrative Grade (HAG) ([Level 15 in pay matrix Rs. 1,82,200-2,24,100] [Substituted 'Rs. 67,000-annual increment @ 3% -	Director General of Corporate Affairs	1

	79,000' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015))		
	Senior Administrative Grade (SAG) ([Level 14 in pay matrix Rs. 1,44,200-2,18,200] [Substituted	1. Regional Director2. Director of Inspection and Investigation3. Director (Legal and Prosecution)4. Director (Public Grievances)	10
2	'PB-4, Rs. 37,400-67,000 plus grade pay Rs.10,000' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015))		
	** Junior Administrative Grade (Non Functional Selection Grade) ([Level 13 in pay matrix Rs. 1,18,500-2,14,100] [Substituted 'PB-4, Rs. 37,400-67,000 plus grade pay Rs. 8,700' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015))		**
3			
	Junior Administrative Grade (JAG) ([Level 12 in pay matrix Rs. 78,800-2,09,200] [Substituted 'PB-3, Rs. 15,600-39,100 plus grade pay Rs. 7600' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015))	1. Secretary, Company Law Board2. Registrar of Companies3. Official Liquidator4. Joint Director5. Registrar of Companies-cum-Official Liquidator	65
4			
	Senior Time Scale (STS) ([Level 11 in pay matrix Rs. 67,700-2,08,700] [Substituted 'PB-3, Rs. 15,600-39,100 plus grade pay Rs. 6,600' by Notification No. G.S.R. 523 (E), dated 29.3.2017 (w.e.f. 4.6.2015))	1. Registrar of Companies2. Official Liquidator3. Deputy Registrar of Companies4. Deputy Official Liquidator5. Deputy Director6. Registrar of Companies-cum-Official Liquidator	80
5			
	Junior Time Scale (JTS) ([Level 10 in pay matrix Rs. 56,100-1,77,500] [Substituted 'PB-3, Rs. 15,600-39,100 plus grade pay Rs. 5,400' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015))	1. Registrar of Companies2. Official Liquidator3. Registrar of Companies-cum-Official Liquidator4. Assistant Registrar of Companies5. Assistant Official Liquidator6. Assistant Director7. Bench Officer	137
6			

** Note: The Junior Administrative Grade (Selection Grade) is Non-functional and the maximum number of posts in this grade shall be equal to 30 per cent of the Senior Duty Posts (i.e. all duty posts at the level of Senior Time Scale and above in the service) and the maximum number of posts in this grade shall be limited to the number of sanctioned posts in the Junior Administrative Grade.

II

[See rule 6](i)Method of recruitment, field of selection and minimum qualifying service in the next lower grade for appointment of officers on promotion to duty posts included in the various grades of the Indian Corporate Law Service.(ii)Field of selection, minimum qualifying service and method for grant of Non-Functional Selection Grade to Junior Administrative Grade officers of the Indian Corporate Law Service.

S.No.	Grade	Method of recruitment	Whether by selection or non-selection	Field of selection and the minimum qualifying service for promotion or grant of Non-Functional Selection Grade
1	Higher Administrative Grade (HAG)	Promotion	Selection	Senior Administrative Grade officers with three years regular service in the grade Pay of [Level 14 in Pay Matrix Rs. 1,44,200-2,18,200] [Substituted 'Rs. 10,000/-' by Notification No. G.S.R. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)], or Officers with twenty-five years' regular service in Group 'A' posts in the service out of which at least one year's regular service should be in the Senior Administrative Grade, or Officers with twenty-one years' regular service in Group 'A' posts in the service out of which at least one year's regular service should be in the Senior Administrative Grade for officers who had entered in the service at the level of Senior Time Scale, or Officers with sixteen years' regular service in Group 'A' posts in the service out of which at least one year's regular service should be in the Senior Administrative Grade for officers who had entered in the service at the level of Junior Administrative Grade.
2	Senior Administrative	Promotion	Selection	Junior Administrative Grade officers with eight years

Grade (SAG)

regular service in the [Level 12 in Pay Matrix Rs. 78,800-2,09,200] [Substituted 'grade Pay of Rs. 7,600/-' by Notification No. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)] including Non-Functional Selection Grade, or Officers with seventeen years regular service in Group 'A' posts in the service out of which at least four years' regular service should be in the Junior Administrative Grade (including service rendered in the Non-Functional Selection Grade of the Junior Administrative Grade), or Officers with thirteen years regular service in Group 'A' posts in the service out of which at least four years' regular service should be in the Junior Administrative Grade (including service rendered in the Non-Functional Selection Grade of the Junior Administrative Grade) for officers who had entered in the service at the level of Senior Time Scale.

3	Junior Administrative Grade (Non-Functional Selection Grade)	Placement subject to suitability	--
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1. Officers in Junior Administrative Grade with five years' regular service in Grade; or 2. Officers of the Junior Administrative Grade who have entered the fourteenth year of service as on the 1st January of the year calculated from the year of selection on the basis of which the officer was appointed or recruited to Group 'A' post; or 3. Officers of the Junior Administrative Grade who have entered the tenth year of service as on the 1st January of the year calculated from the year of selection on the basis of which

				the officer was appointed orrecruited to Group 'A' posts in the case of officers who hadentered in the service at the Senior Time Scale.
4	Junior Administrative Grade (JAG)	Promotion	Selection	Senior Time Scale officers with five years regular service inthe[Level 11 in Pay Matrix Rs. 67,700-2,08,700] [Substituted 'Pay Band- 3 plus grade pay of Rs. 6,600/-' by Notification No. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)].
5	Senior Time Scale (STS)	Promotion	Selection	Junior Time Scale officers with four years regular service inthe[Level 10 in Pay Matrix Rs. 56,100-1,77,500] [Substituted 'Pay Band-3 plus grade pay of Rs. 5,400/-' by Notification No. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)].
6	Junior Time Scale (JTS)	(i)*40 per cent. by promotion(ii) 60 per cent. by directrecruitment (through Civil Services Examination conducted byCommission)	SelectionExamination	Promotion :i) Senior Technical Assistant in the[Level 7 in Pay Matrix Rs. 44,900-1,42,400] [Substituted 'Pay Band-2 plus grade pay of Rs. 4600/-' by Notification No. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)]with three years regularservice.ii) Company Prosecutor in the[Level 7 in Pay Matrix Rs. 44,900-1,42,400] [Substituted 'Pay Band-2 plus grade pay of Rs. 4600/-' by Notification No. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)]with three years regular service.iii)Superintendent-cum-Accountan in the[Level 6 in Pay Matrix Rs. 35,400-1,12,400] [Substituted 'Pay Band-2 plus grade pay of Rs. 4200/-' by Notification No. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)]with eight years regular

service.iv) Investigating Officer in the [Level 7 in Pay Matrix Rs. 44,900-1,42,400] [Substituted 'Pay Band-2 plus grade pay of Rs. 4600/-' by Notification No. 523 (E), dated 29.5.2017 (w.e.f. 4.6.2015)] with three years regular service.

Note : 1. Officers who have completed five years of regular service in case of those who are directly recruited in the Junior Administrative Grade prior to coming into force of these rules shall also be considered for Junior Administrative Grade (Non-Functional Selection Grade). Note : 2. Officers who have completed ten years of regular service in case of those who are directly recruited in the Senior Time Scale prior to coming into force of these rules and holding the post in the Junior Administrative Grade shall also be considered for Junior Administrative Grade (Non-Functional Selection Grade). Note : 3. The Junior Administrative Grade Officers who entered the service by the method of promotion in the Junior Time Scale of Indian Corporate Law Service Group 'A' shall also be considered eligible for appointment in the Junior Administrative Grade (Non-Functional Selection Grade), provided they have entered the fourteenth year of service in Group 'A' by following the Rules governing seniority along with officers who entered the fourteenth year of service through the method of direct recruitment. Note : 4. Where juniors who have completed their qualifying or eligibility service are being considered for promotion, to any of the above mentioned five promotion grade, the seniors would also be considered provided they are not short of the requisite qualifying service/eligibility service by more than half of such qualifying or eligibility service or two years, whichever is less, and have successfully completed probation period from promotion to the next higher grade along with their juniors who have already completed such qualifying/ eligibility service. Note : 5.* The eligibility list for promotion shall be prepared with reference to the date of completion of the prescribed qualifying service by the officers in the respective grade or post.

III

[See rule 6](i) Composition of Departmental Promotion Committee for considering cases for promotion and confirmation in the Indian Corporate Law Service. (ii) Composition of Selection Committee for considering cases for grant of Non Functional Selection Grade in the Indian Corporate Law Service. (iii) Composition of Screening Committee for considering cases for grant of Non Functional Upgradation to officers of Indian Corporate Law Service.

S.No. Grade		Departmental Promotion Committee/Selection Committee for considering cases of promotion/Non Functional Selection Grade	Departmental Promotion Committee for considering confirmation	Screening Committee for considering cases for grant of Non Functional Up-gradation
(1)	(2)	(3)	(4)	(5)
1	Higher Administrative	Chairman— Chairman or Member, Union Public Service		Chairman—Secretary, Ministry of

	Grade (HAG)	CommissionMember–Secretary, Ministryof Corporate AffairsMember– Secretary, Ministryof Law and Justice, Department of Legal Affairs	CorporateAffairsMembe Secretary of any Ministr underGovernment of IndiaMember-Secretary any Ministryunder Government of India Chairman–Secretary, Ministry of CorporateAffairsMembe Director General CorporateAffairs or Additional Secretary of any Ministry under Governmentof IndiaMember-Additional Secretary, Ministry ofCorporate Affairs Chairman– Secretary, Ministry of CorporateAffairsMembe Secretary or JointSecretary, Ministry of Corporate AffairsMember–Regiona Director (NR) or Joint Secretary, Ministry of CorporateAffairs Chairman–Secretary, Ministry of CorporateAffairsMembe Additional Secretary or JointSecretary, Ministry of Corporate AffairsMember–Regiona Director (NR) or Joint Secretary, Ministry ofCorporate Affairs Chairman-Secretary, Ministry of CorporateAffairsMembe Joint Secretary, Ministry ofCorporate AffairsMember– Joint
2	Senior Administrative Grade (SAG)	Chairman– Chairman or Member, Union PublicService CommissionMember–Secretary, Ministry ofCorporate AffairsMember– Director GeneralCorporate Affairs or Additional Secretary, Ministry of CorporateAffairs	
3	Junior Administrative Grade (Non Functional Selection Grade)	Chairman-Secretary, Ministry of CorporateAffairsMember–Additional Secretary or JointSecretary, Ministry of Corporate AffairsMember–Regional Director (NR) or Joint Secretary, Ministry of CorporateAffairsMember– Joint Secretary (AT & A),Department of Personnel and Training	
4	Junior Administrative Grade (JAG)	Chairman– Chairman or Member, Union PublicService CommissionMember–Additional Secretaryor Joint Secretary, Ministry of Corporate AffairsMember– Regional Director (NR) or Joint Secretary, Ministry ofCorporate Affairs	
5	Senior Time Scale (STS)	Chairman–Additional Secretary or JointSecretary, Ministry of Corporate AffairsMember–Director or Deputy Secretary, Ministry of CorporateAffairsMember– Joint	

		Director, Ministry of Corporate Affairs	Director, Ministry of Corporate Affairs
			Chairman-Additional Secretary or Joint Secretary, Ministry of Corporate Affairs
6	Junior Time Scale (JTS)	Chairman– Chairman or Member, Union Public Service Commission–Director or Deputy Secretary, Ministry of Corporate Affairs–Joint Director or Deputy Secretary, Ministry of Corporate Affairs	Member– Director or Deputy Secretary, Ministry of Corporate Affairs– Joint Director or Deputy Secretary, Ministry of Corporate Affairs