

F. No. A-12018/4/2019-Ad.IC (CESTAT)
Government of India
Ministry of Finance
Department of Revenue

New Delhi, 27.08.2019

Office Memorandum

Sub: Proposal for amendments in the RRs for the post of Assistant Registrar and Court Master in the Customs, Excise and Service Tax Appellate Tribunal (CESTAT) – reg.

The undersigned is directed to refer to the subject cited above and to say that this Department has initiated the process of amendment of recruitment rules in respect of Assistant Registrar and Court Master in CESTAT. A copy of the draft recruitment rules is attached herewith.

2. As per DoPT's instructions dated 13.10.2015, any proposal for framing/amendment in the recruitment rules should be put up on website of respective Ministries/Department for 30 days for inviting comments from the stakeholders.
3. In view of the above, all the stakeholders are requested to offer their comments, if any, within 30 days.

Encl: As above.

(S. Bhowmick)
Under Secretary to the Govt. of India
Tel No: 23095359

To

- I. All Stakeholders
- II. The Registrar, CESTAT - with a request to upload it on the website for inviting comments from the stakeholders
- III. NIC, North Block, New Delhi.

O/C
Issued with Encl.
29/08/2019

Recruitment Rules for the post of Assistant Registrar in CESTAT, Department of Revenue

Name of the post	No. of Post	Classification	Scale of Pay	Whether Selection post or non-selection post	Age limit for direct recruits
1 ASSISTANT REGISTRAR	2 18* (2015) * Subject to variation dependent on workload	3 General Service Group 'A' Gazetted Ministerial	4 Level - 10 of the pay matrix	5 Selection	6 Not exceeding 35 years (relaxable for Govt. servants up to 5 (five) years in accordance with the instructions or orders issued by the Central Govt.)

Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotes	Period of probation, if any	Method of Recruitment, whether by direct recruitment or by promotion or by deputation/ absorption and percentage of the vacancies to be filled by various methods.	In case of recruitment by promotion or deputation/ absorption, grades from which promotion or deputation/ absorption to be made
7	8	9	10	11
ESSENTIAL	Age : No	1 year for Direct Recruits & Promotees	50% Direct Recruitment 50% by Promotion failing which by deputation.	Promotion : Court Master in Customs, Excise & Service Tax Appellate Tribunal in level 7 of the pay matrix with three years regular service in the Grade.
ESSENTIAL	Educational Qualification: Yes			Note : 1 Promotion shall be subject to completion of training on legal or administrative matters
(i) Degree in Law from a recognized University or Institute.				
(ii) Three years' experience of Judicial / Legal work in the field of Customs, Excise & Service				

Note 1: Qualifications are relaxable at the discretion of the Union Public Service Commission, for reasons to be recorded in writing, in case of Candidates otherwise well qualified.

Note 2 : The qualification regarding experience is relaxable at the discretion of the Union Public Service Commission for reasons to be recorded in writing, in the case of Candidates belonging to Scheduled Castes and Scheduled Tribes, if, at any stage of selection, the Union Public Selection is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

from Institute of Secretariat Training and Management or any other institute recognized by the Government.

Note : 2
Where juniors who have completed their qualifying or eligibility service being considered for promotion, their senior shall also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or 2 years, whichever is less and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying or eligibility service.

Note : 3 For the purpose of computing minimum qualifying service for promotion, the service rendered on a regular basis by an officer prior to 1st January 2006 or the date from which the revised pay structure based on the recommendations of the Seventh Pay Commission has been extended shall be deemed to be service rendered in the

corresponding grade pay or pay scale extended based on the recommendations of the said Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale, and where this benefit will extend only for the posts for which that grade pay or pay scale is the normal replacement grade without any upgradation.

DEPUTATION

Officers of the Central Govt. or State Govt or Union Territories:

(a) (i) holding analogous posts on regular basis in the parent cadre or Department; or

(ii) having 2(Two) years' regular service in level 8 of pay matrix or

(iii) having 03(Three) years of regular service in level 7 of pay matrix

(iv) having 08 (Eight) years of regular service in level 6 of pay matrix

(b) possessing the educational qualifications and experience prescribed for direct recruits under Column (7)

Note 1: The departmental officers in the leader category who are in the direct line of promotion shall not be eligible for consideration for appointment on deputation and similarly, deputations shall not be eligible for consideration for appointment by promotion.

Note 2: The period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization or department of the Central Government shall ordinarily not exceed five years.

The maximum age limit for appointment by deputation shall be 'Not exceeding 56 years' as on the closing date of receipt of applications.

Note: 3

For the purpose of appointment on deputation or absorption basis, the service rendered on a regular basis by an officer prior to 1st January, 2016 (the date from which the revised pay structure based on the Seventh Central Pay commission recommendation has been extended) shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the

				<p>recommendations of the Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale and where this benefit will extended only for the post (s) for which that grade pay or pay scale is the normal replacement grade without any upgradation.</p>
--	--	--	--	---

If a Departmental Promotion Committee exists, what is its composition

If a Departmental Promotion Committee exists, what is its composition		
12		
<p>GROUP 'A' DEPARTMENT PROMOTION COMMITTEE (For Promotion)</p> <p>(ii) Chairman or Member, Union Public Service Commission- CHAIRMAN</p> <p>(ii) President/ HOD, Customs Excise & Service Tax, Appellate Tribunal (CESTAT)- MEMBER</p> <p>(iii) Member, Customs, Excise & Service Tax, Appellate Tribunal (CESTAT) - MEMBER</p>		
<p>GROUP 'A' DEPARTMENT PROMOTION COMMITTEE (for Confirmation)</p> <p>(i) President/HOD, Customs Excise & Service Tax, Appellate Tribunal - CHAIRMAN</p> <p>(ii) Member, Customs, Excise & Service Tax, Appellate Tribunal - MEMBER</p> <p>(iii) Member, Customs, Excise & Service Tax, Appellate Tribunal - MEMBER</p>		
13	Circumstances in which the Union Public Service Commission is to be consulted in making recruitment.	
	Consultation with Union Public Service Commission necessary while making Direct Recruitment/Deputation	

RECRUITMENT RULES FOR THE POST OF COURT MASTER IN CESTAT, DEPTT. OF REVENUE

Name of the post	No. of Post	Classification	Scale of Pay	Whether Selection post or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
COURT MASTER	18* (2019) *Subject to variation dependent on work load	General Central Service Group 'B' Non-Gazetted – Non-Ministerial	Level – 7 of Rs 24,700/- N.B.X.	Selection	Not exceeding 30 years (Relaxable for Government Servants upto 5 years in accordance with the instructions or orders issued by the Central Government)

Educational and other qualifications required for direct recruits		Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotes	Period of probation, if any	Method of Recruitment, whether by direct recruitment or by promotion or by deputation/ absorption and percentage of the vacancies to be filled by various methods.
7		8	9	10
Essential : (i) Degree in any subject of a recognised university or equivalent; (ii) 2 years' experience in any Courts/ Tribunals.		NO	02 YEARS	78% by promotion falling which by Deputation and 22% by Direct Recruitment

Note 1: Qualifications are relaxable at the discretion of the Union Public Service Commission in case of Candidates otherwise well qualified.

Note 2 : The qualification regarding experience is relaxable at the discretion of the Union Public Service Commission in the case of

Candidates belonging to Scheduled Castes and Scheduled Tribes, if, at any stage of selection, the Union Public Selection is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

Desirable :

Degree in Law from a recognised university or equivalent.

In case of recruitment by promotion or deputation/ absorption, grades from which promotion or deputation/ absorption to be made

If a Departmental Promotion Committee exists, what is its composition

Circumstances in which the Union Public Service Commission is to be consulted in making recruitment.

11

12

13

Promotion:-

Head Clerks in CESTAT with the 5 years regular service in the grade or 10 years combined regular service in the grade of Head Clerk and Upper Division Clerk in CESTAT.

Note : 1

Where Juniors who have completed their qualifying or eligibility service being considered for promotion, their senior shall also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or 2 years, whichever is less and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed

(i) Any Member of Custom Excise & Service Tax, Appellate Tribunal- Nominated by the President, CESTAT
CHAIRMAN
(ii) Registrar, Customs, Excise & Service Tax, Appellate Tribunal
MEMBER
(iii) Dy. Registrar, Customs, Excise & Service Tax, Appellate Tribunal
MEMBER

Not Applicable

such	qualifying	or	eligibility	service.
<u>Transfer on deputation</u>				
Persons holding the posts of Inspector of Central Excise, Preventive Officer, Examiner and Deputy Office Superintendents with five years' service in the respective grades and Assistants, both CSS and Non-CSS with 5 years, service in the grade preferably having experience in the Courts/ Tribunals.				
Note:1 The period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization or department of the Central Government shall ordinarily not exceed five years.				
The maximum age limit for appointment by deputation shall be 'Not exceeding 56 years' as on the closing date of receipt of applications.				
Note:3 For the purpose of appointment on deputation or absorption basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 (the date from which the revised pay structure based on the Sixth Central Pay commission recommendation has been extended) shall be deemed to be service rendered in the corresponding grade, pay or pay scale extended based on the recommendations of the Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or not. - where this benefit will extended only for the post (s) for which that the normal replacement grade without any upgradation.				