

F.No.A.12026/12/2018-Ad1C (CESTAT)

Government of India
Ministry of Finance
Department of Revenue

North Block, New Delhi
Dated, the 26th October, 2018

VACANCY CIRCULAR

Subject: Filling up of the post of Member (Technical) in the Customs, Excise and Service Tax Appellate Tribunal (CESTAT)-circulation of vacancies - reg.

Applications are invited for filling up six existing vacancies for the post of Member (Technical) in the HAG+ pay scale of Rs. 75,500-80,000/- (Level 16 of the pay matrix) in the Customs, Excise and Service Tax Appellate Tribunal (CESTAT), from the serving and retired officers of the Indian Customs & Central Excise Service. The initial posting may be at any of the Benches of the Tribunal, which are presently located at New Delhi, Mumbai, Chennai, Bangalore, Kolkata, Ahmedabad, Hyderabad, Chandigarh and Allahabad.

2. W.P (C) No. 279/2017 titled 'Kudrat Sandhu Vs. UOI' has been filed before the Hon'ble Supreme Court challenging **The Tribunals, Appellate Tribunal and other Authorities (Qualifications, Experience and other Conditions of Service of Members) Rules, 2017**. In terms of the Hon'ble Supreme Court order dated 09.02.2018 in W.P (C) No. 279/2017, the terms and conditions of the Members shall be governed by the CESTAT Members (Recruitment and Conditions of Service) Rules, 1987 pending its final outcome. It may be noted that no reservation is provided for SC/ST Candidates for making appointment to the post.

3. In accordance with the provisions of Section 129(2A) of the Customs Act, 1962, read with the Customs, Excise and Service Tax Appellate Tribunals Members (Recruitment and Conditions of Service) Rules, 1987, a person is qualified for appointment as Member (Technical) of the Tribunal if he has been a member of the Indian Customs & Central Excise Service Group 'A' and has held the post of Commissioner of Customs and/or Central Excise or any equivalent or higher post for at least three years, and has attained the age of 45 years. Meanwhile, as per the opinion given by the Ministry of Law and Justice (Department of Legal Affairs), all serving/retired officers who otherwise fulfill the eligibility criteria for the post of Member (Technical) as Stipulated under Rules 3(2) of the Customs, Exercise and Service Tax Appellate Tribunal Members (Recruitment and Conditions of Service) Rule, 1987 are also eligible.

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3. Application from the candidates, in the following format duly completed and signed, should reach to the Under Secretary (CAT), Government of India, Ministry of Finance, Department of Revenue, Room No.51-II, North Block, New Delhi-110001 on or before the last date for receipt of the applications which is **25th November,2018**.

4. **Applications received after 25th November,2018 (i.e. the closing date) will not be considered.**

5. It may also be noted that, in the event of selection for appointment to the post, no applicant should decline the appointment. If the applicant declines the appointment or does not join the post within 30 days from the date of appointment order, he/she will be debarred for a period of three years for consideration for appointment in any Autonomous / Statutory / Regulatory Body in terms of DoPT O.M.No.27/2/2009-EO (SM. II) dated 16.07.2009.



(S. Bhowmick)

Under Secretary to the Govt. of India
Tele-fax: 2309 2955

Copy forwarded for information and necessary action to: -

- (i) Registrar, CESTAT, West Block No.2, R.K. Puram, New Delhi-110066 for placing the circular on CESTAT's website.
- (ii) Joint Secretary (Admn.), C.B.I.C., North Block, New Delhi with the request to circulate this to all officers of Indian Customs and Central Excise Service of the level of Commissioner and above.
- (iii) A.D.G. (Systems), CBIC, C.R. Buildings, I.P. Estate New Delhi for placing the circular on the website of CBIC.
- (iv) Technical Director, Department of Personal & Training with the request to upload the circular on the website of the DOP&T.



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Application for the Post of Member (Tech.) in CESTAT

1. Name : _____
2. Date of Birth : _____
3. Age as on last date of receipt : _____
of application.
4. Educational Qualification : _____
5. Whether belongs to SC/ST : _____
6. Present post held : _____
7. Complete Office Address : _____
with Pin Code _____
8. Complete Residential Address : _____
with Pin Code _____
9. Contact details-(i)Telephone (Office): _____
(ii)Telephone (Res.) : _____
(iii)Telephone (Mob.): _____
(iv)Fax No. : _____
(v)Email ID : _____
10. Pay scale and the present basic pay : _____
11. Date of entry into Government service: _____
12. Date of appointment as Commissioner: _____
on regular basis

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13. Details of appointments (in chronological order starting with present post):

S.No.	Post held	Pay Scale	From	To	Nature of duties
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14. Details of trainings attended/awards etc : _____

15. a) Whether appeared before the Selection Committee for interview : Yes / No

b) if yes, dates of interviews; _____

16. Whether the applicant has passed any Adjudicating Order in the capacity of Adjudicating Authority while posted as Commissioner/Chief Commissioner (if yes, please attach a copy of two such orders) :

17. Any other information.

(Signature of the applicant)

Date : _____

PART- A

(TO BE FILLED & SIGNED BY THE CADRE CONTROLLING AUTHORITY)

1. It is certified that the details furnished by the applicant in the application form is correct and verified as per his/ her service record.
2. The integrity of the officer is certified as per his/ her service records.
3. Complete and Certified copies of last ten (10) years ACRs/ APARs are attached.
4. Other particulars of the applicant are duly filled in the Part- B.

(Signature and Seal of the Cadre Controlling Authority)

PART- B

**PARTICULARS OF THE OFFICERS FOR WHOM VIGILANCE CLEARANCE
IS BEING SOUGHT**

(To be furnished and signed by the CVO or HOD)

1. Name of the Officer (in full) :
2. Father's Name :
3. Date of Birth :
4. Date of Retirement :
5. Date of entry into service :
6. Service to which the officer belongs
Including batch/ year/ cadre etc. wherever
applicable : :
7. Positions Held(during ten preceding years) :

S.No.	Organization (name in full)	Designation & Place of Posting	Administrative/ Nodal Ministry/ Department concerned (in case of officers of PSUs etc.)	From	To

8. Whether the officer has been placed on the Agreed
List or List of Officers of Doubtful Integrity (If yes,
details to be given) :
9. Whether any allegation of misconduct involving
vigilance angle was examined against the officer
during the last 10 years and if so with what result(*) :
10. Whether any punishment was awarded to the Officer
during the last 10 years and if so the date of imposition
and details of penalty(*) :
11. Is any disciplinary/ criminal proceedings or Charge
Sheet pending against the officer as on date (if so,
Details to be furnished, including Reference number,
if any of the Commission) :
12. Is any action contemplated against the officer As on
date (if so, details to be furnished) (*) :

DATE:

(NAME AND SIGNATURE)

(*) If vigilance clearance had been obtained from the Commission in the past, the information may be provided for the period thereafter.