

F. No. A-12026/15/2022-CESTAT-DOR

Government of India
Ministry of Finance
Department of Revenue

North Block, New Delhi-110001

Dated, the 31st October, 2023

Vacancy Circular

Subject: - Selection for the posts of Member (Judicial) and Member (Technical) in Customs, Excise and Service Tax Appellate Tribunal (CESTAT)-reg.

1. **CESTAT:** - The Customs, Excise and Service Tax Appellate Tribunal is an Appellate authority established under Customs Act, 1962 to hear various appeals under the Customs Act, 1962, Central Excise Act, 1944 and Finance Act, 1994. The principal bench of CESTAT is situated at New Delhi and its other Benches are situated at Mumbai, Kolkata, Chennai, Bangalore, Ahmedabad, Allahabad, Chandigarh and Hyderabad. **A person, on selection, may be posted at any of the Benches of the Tribunal.**

2. **Vacancy:** - Applications are being invited for following three anticipated vacancies of Member (Judicial) and one anticipated vacancy of Member (Technical) in CESTAT.

| Post | Date of Anticipated Vacancy |
|--------------------|-----------------------------|
| Member (Judicial) | 09.04.2024 |
| Member (Judicial) | 17.09.2024 |
| Member (Judicial) | 12.12.2024 |
| Member (Technical) | 05.12.2024 |

3. **Qualification:** - The qualifications, eligibility, salary & other terms & conditions of the appointment of a candidate will be governed by the provision of the Tribunal Reforms Act, 2021 read with Tribunal (Conditions of Service) Rules, 2021, Tribunal



(Conditions of Service) Amendment Rules, 2023 and Tribunal (Conditions of Service) Second Amendment Rules, 2023.

In terms of the Tribunal (Conditions of Service) Rules, 2021, in CESTAT, a person shall not be qualified for appointment as

- a. **Judicial Member**, unless, —
- (i) he has, for a combined period of ten years, been a District Judge and Additional District Judge; or
 - (ii) he has been a member of the Indian Legal Service with ten years of experience in litigation and has held a post of Additional Secretary or any equivalent or higher post for two years; or
 - (iii) he has been an advocate for ten years with substantial experience in litigation under indirect tax laws in Customs, Excise and Service Tax Appellate Tribunal, High Court or Supreme Court;
- b. **Technical Member**, unless he has been a member of the Indian Revenue Service (Customs and Central Excise Service Group 'A') and has held the post of Principal Commissioner of Customs or Central Excise or any equivalent or higher post and has performed judicial, quasi-judicial or adjudicating function for three years.

In terms of the Tribunal (Conditions of Service) Amendment Rules, 2023, notwithstanding anything contained in rule 3 of the Tribunal (Conditions of Service) Rules, 2021, a **person holding or has held the post of Member of the CESTAT, shall be eligible for re-appointment.**

A person who has not completed the age of 50 years shall not be eligible for appointment as a Member.

The cut-off date for considering eligibility of the candidates against the aforesaid anticipated vacancies will be 01.01.2024.

4. Salary and Terms of Appointment: - A Member shall be paid a salary of Rs. 2,25,000/- and shall be entitled to draw allowance as are admissible to a Government of India Officer holding Group 'A' post carrying the same pay. In case of a person

appointed as the Member, is in receipt of any pension, the pay of such person shall be reduced by the gross amount of pension drawn by him.

In terms of Tribunal (Conditions of Service) Second Amendment Rules, 2023, where the person appointed as a Member is a serving Judge of the Supreme Court or a High Court or a serving Member of an organised service, he shall either resign or obtain voluntary retirement from his parent service before joining the Tribunal.

Pension, Provident Fund and gratuity shall not be admissible for the service rendered in the Tribunal.

The Member shall hold office for a term of four years or till he attains the age of Sixty-Seven years, whichever is earlier.

5. Procedure for selection: - The Search-Cum-Section Committee constituted for recommending names for appointment to the said post shall scrutinise the applications with respect to suitability of application for the posts by giving due weightage to qualification and experience of candidates and shortlist candidates for conducting personal interaction. The final selection will be done on the basis of overall evaluation of candidates done by the Committee based on the qualification, experience and personal interaction.

6. Application Procedure:- Applications of eligible and willing officers are invited through proper channel and which should be accompanied with (i) bio-data in the proforma at Annexure-I (ii) Certificate to be furnished by the employer/ head of office/ forwarding authority as in Annexure-II (iii) clear photocopies of the up-to-date CR/APAR dossier of the officer containing CR/APARs of at least last five years duly attested by a Group A officer (iv) cadre clearance (v) integrity certificate/clearance from vigilance and disciplinary angle as in Annexure-III (vi) statement giving details of major or minor penalties, if any, imposed on the officer during the last ten years, to the following address, so as to reach this office **latest by 31st December, 2023:-**

A=

Shri Kuldeep Chaudhary
Under Secretary (Ad.1C)
Department of Revenue.

Room No. 245-A, North block, New Delhi- 110 001.

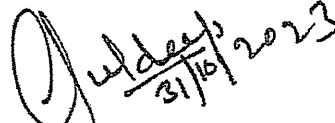
Email: - kuldeep.parcha@nic.in Telephone No. 011-2309 5369

7. No TA/DA will be admissible to the candidates to be called for interview/interaction. The Candidates are required to make own arrangements.

8. Advertisement and Prescribed Application form can be downloaded from the website of Department of Revenue i.e. dor.gov.in or the website of CESTAT i.e. cestat.gov.in

9. Any application received after due date or without necessary Annexure as mentioned above will not be entertained.

Wide publicity may be given in all organizations and their field formations to facilitate early and optimum number of applications.


31/10/2023


(Kuldeep Chaudhary)

Under Secretary to the Govt. of India

To

1. Chairman, CBIC/ Commissioner (Coord.), CBIC – with a request for wide publicity in all organisations and their field formations under their administrative control to facilitate early and optimum number of applicants.
2. The Registrars, all High Courts of India.
3. The Registrar, CESTAT – for publishing the circular on their website.
4. Technical Director, NIC, Department of Personnel and Training, Room No.11/A, North Block, New Delhi with the request to post this circular on the DoP&T website under the heading 'Vacancies in the Autonomous Organisations'.

5. Section Officer (Computer Cell), Department of Revenue, with the request to upload the vacancy circular on the official website of the Department of Revenue

 Kuldeep
31/10/2023

(Kuldeep Chaudhary)
Under Secretary to the Govt. of India

PROFORMA

Space for
photograph
duly signed
by
candidate

1. Name :
2. Date of Birth :
3. Category (SC/ST/OBC/UR) :
4. Designation/Profession :
5. Contact Details :

| | Residential | Official |
|------------------|-------------|----------|
| Address: | | |
| Mobile/Phone No. | | |
| Email: | | |

6. Cadre/Service :
7. Educational qualification (in reverse chronological order):

| Sl. No. | Name of University/ Equivalent Institution | Degree | Year of passing | Division/ % of marks obtained | Academic Distinction | Subject/ Specialization |
|---------|--|--------|-----------------|-------------------------------|----------------------|-------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |

8. Employment record in chronological order starting with present Employment, list in reverse (For Government or Judicial Officers):

| Sl. No. | Name & address of employer (Govt./PSU/Ministry/Department/any other) | Designation, Pay or Scale of pay (Pay in Pay Matrix)* | Period of Service | | Nature of work/experience |
|---------|---|---|-------------------|----|---------------------------|
| | | | From | To | |
| | | | | | |

*Also indicate SI No. in above, which is equivalent to Additional Secretary/District Judge/Additional District Judge (as applicable) or above

8A. Employment record in chronological order starting with present Employment, list in reverse (For candidates other than Government or Judicial Officers):

| Sl. No. | Name & address of employer/Details of Profession/ Self-Employment | Annual Income: (As per latest ITR) | Period of Service | | Nature of work done* |
|---------|--|---------------------------------------|-------------------|----|----------------------|
| | | | From | To | |
| | | | | | |

*Such as Judicial or Quasi-Judicial /Criminal /Civil/Taxation/ Company Affairs/ Finance/ Accountancy or any other as may be applicable

9. Date from which drawing the pay scale :

in the grade of Additional Secretary/District Judge/Additional District Judge to the Government of India or any equivalent rank.

10. Write up on adjudicating experience of the applicant (200 words) :

[Wherever applicable]

11. Experience alongwith brief write up in handling cases before relevant Courts/Tribunals/Adjudicating Authority : Details of Such Cases (Reported Cases/ Unreported Cases)

12. Additional Experience :

(i) For the post of Member (Judicial):

For Judges/ILS Officers:

- Experience in handling indirect tax cases :
- Copy of 02 adjudicating orders passed by the applicant:

For Advocates:

- Experience in handling indirect tax cases :

(ii) For the post of Member (Technical) for IRS Officers:

- Experience in handling indirect tax cases :
- Copy of 02 adjudicating orders passed by the applicant:

13. Proof of Experience [For candidates other than Govt. or Judicial officers] :

14. Annual Income along with copy of latest ITR [For Advocates] :

15. Write up on 05 major achievement (200 words each) :

16. Details of any application made by the applicant to any post in other Tribunals/Authorities :

17. Awards/honours/Publications, if any

18. Affiliation with the professional bodies/ Institutions/societies/or any other body including political party :

19. Additional information, if any, which :

applicant would like to mention in support of the application for the post.

DECLARATION

1. I certify that the foregoing information is correct and complete to the best of knowledge and belief and nothing has been concealed/distorted. If at any time I found to have concealed/distorted any material information; my appointment shall be liable to summary termination without notice.
2. I shall not withdraw my candidature after the meeting of the Selection Committee.
3. I shall not decline the appointment, if selected for appointment by the ACC.
4. I shall join within 30 days from the date of issue of order of appointment.
5. I am aware that in case I violate any of the conditions mentioned at SI. No.2 to 4, the Government of India is likely to debar me for a period of three years for consideration for appointment outside the cadre and in any Autonomous Body/Statutory Body/Regulatory Body.

Place :

Date:

Signature of the candidate:

Mob. No. _____

Tel. No. _____

E-Mail Address _____

Office Address: _____

Residential Address: _____

CERTIFICATE TO BE FURNISHED BY THE EMPLOYER/HEAD
OF OFFICE/FORWARDEING AUTHOTITY

1. Certified that the particular furnished by Shri/Smt/Kum-----
-----are correct and he/she possesses educational
qualifications and experience mentioned in Annexure-I.
2. It is also certified that there is no vigilance/ disciplinary case either pending
or being contemplated against him/her and vigilance clearance issued by
CVO in the enclosed Annexure (III).
3. His/her integrity is certified.
4. No major or minor penalty was imposed on Shri/Smt/Kum-----
-----during the last 10 years period.
5. The up-to-date attested Photostat copies of ACR/APAR of last five years
(each Photostat copy of ACR/APAR should be attested) in respect of
Shri/Smt/Kum-----in enclosed
herewith.

Seal & Signature of the cadre controlling Authority

Annexure-III

**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 | Organisation (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 Officer 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 (*) :

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

Date: .

(NAME AND SIGNATURE)