

2016
IN THE HIGH COURT AT CALCUTTA
APPELLATE SIDE

No. 3641-A

Dated, Calcutta the 27th July, 2016

From : Sri Subhasis Dasgupta
Registrar (Judicial Service),
High Court, Appellate Side,
Calcutta

To : 1) The District Judge of all the Districts including A & N Islands
2) The Chief Judge, City Civil Court, Calcutta
3) The Chief Judge, City Sessions Court, Calcutta
4) The Chief Judge, Presidency Small Causes Court, Calcutta
5) The Secretary, Judicial Department, Govt. of W.B.
6) The Director, West Bengal Judicial Academy

Sub : Filling up of the post of Member (Judicial) in Customs, Excise and Service Tax Appellate Tribunal (CESTAT), Ministry of Finance, Department of Revenue, Government of India.

Sir,

With reference to the subject captioned above, I am directed to inform that a vacancy circular bearing F. No. A.12026/17/2016-Ad.IC (CESTAT) dated 29.06.2016 as received from the Ministry of Finance, Department of Revenue, Government of India, inviting application for the post of Member (Judicial) in the Customs, Excise and Service Tax Appellate Tribunal (CESTAT), has been **uploaded** in the website of the Hon'ble Court at Calcutta (www.calcuttahighcourt.nic.in) for information of the officers of State Government/High Courts/District Courts fulfilling the eligibility criteria as mentioned in the said circular.

As such, I am to request you to inform the eligible and willing judicial officers to visit the said website and download the content and forward the filled in application (in prescribed format) and a 'Certificate of authentication' along with other requisites, if any sought for, so as to reach the Office of the undersigned on or before **29th July, 2016** for onward transmission of the same direct to the appropriate authority.

Yours faithfully,

Registrar (Judicial Service)

F.No. A.12026/17/2016-Ad.IC (CESTAT)
GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE

Dated: 29th June, 2016

**Subject: Advertisement for filling up the vacancies for the post of
Member (Judicial) in CESTAT.**

Applications are invited for the post of Member (Judicial) in the Customs, Excise and Service Tax Appellate Tribunal (CESTAT). The post carries HAG + pay scale of Rs.75,500-80,000/- and other allowances such as DA, HRA, TA etc., as admissible under the Central Government Rules. Presently five posts of Member (Judicial) are vacant, two at Mumbai, two at Kolkata and one at Delhi. Any unforeseen vacancy till 31.03.2017 shall also be covered.

2. While candidates already in Government Service and entitled to pension will continue to enjoy pensionary benefits, others will be entitled to Contributory Provident Fund under the Contributory Provident Fund Rules (India), 1962.

3. The Members of CESTAT are liable to be posted to the Principal Bench at Delhi or at any of the Zonal Benches (presently located at Mumbai, Kolkata, Chennai, Bangalore, Ahmedabad, Chandigarh, Allahabad and Hyderabad) and would be liable to be transferred anywhere in India.

4. **QUALIFICATIONS** : A candidate should have held a Judicial Office in the territory of India, for at least 10 years; or should have been a Member of the Indian Legal Service and held a post in Grade-I of that Service or any equivalent or higher post for at least three years; or should have been an Advocate for at least 10 years.

Explanation: For the purpose of above:

(a) in computing the period for which a person has held judicial office in the territory of India, there shall be included any period, after he has held any judicial office, during which the person has been an advocate or has held the office of a Member of a Tribunal or any posts under the Union or a State, requiring special knowledge of law.

(b) in computing the period for which a person has been an advocate, there shall be included any period during which the person has held a judicial office or office of a Member of any Tribunal or any posts under the Union or a State, requiring special knowledge of law after he became an advocate.

5. **AGE** : No person shall be eligible for appointment as Member unless he has completed forty five years of age on the last date for receipt of applications in the Department. The date of retirement of a Member shall be the date on which he attains the age of sixty-two years.

6. **Last date for receipt of applications** in the Department would be 30 days from the date of issuance of this circular. This date would be used for determining the age, eligibility and qualifications also. Incomplete applications and applications received late will not be considered.

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7. **DUTIES** : Customs, Excise & Service Tax Appellate Tribunal has been set up to hear appeals in Customs, Central Excise and Service Tax Cases, against the orders passed by the Commissioner (Appeals) of Customs/Central Excise.

8. **PROBATION PERIOD** : Every person appointed as a member shall be on probation for a period of one year, which can be extended at the discretion of the Central Government for a further period of one year at a time so that the period of probation in aggregate may not exceed three years. A member is liable to be discharged from service at any time during the period of probation without assigning any reasons.

9. **FOR GOVERNMENT SERVANTS**: Applications should be submitted through proper channel, along with Vigilance Clearance Certificate, synopsis of the record/reports based on which the Vigilance Clearance was granted, ACR/APAR dossiers (or attested photocopies thereof), a statement showing the Major/Minor Penalty imposed, if any, during the last 10 years, and Integrity Certificate in Annexure- I. **Applications not received through proper channel will not be considered and no correspondence will be made in this regard.**

10. **Applicants from the Bar** may submit their applications directly to Department of Revenue.

11. In terms of Rule 6(6) of the Customs, Excise & Service Tax Appellate Tribunal Members (Recruitment and Conditions of Service) Rules, 1987, (available on the website of the Department of Revenue i.e. <http://www.dor.gov.in>) the Selection Committee may devise its own procedure for selection of Members.

12. Candidates called for interview shall appear before the Selection Committee at their own expense at Delhi or any other place fixed for the purpose.

13. Application form 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.

(S .Bhowmick)

Under Secretary to the Government of India
Tel: 2309 5359

New Delhi, Dated. 29.6.2016

Copy to:-

- (i) Secretary General, Supreme Court of India, Tilak Marg, New Delhi,
- (ii) Registrar General, All High Courts; and
- (iii) Joint Secretary (Admn), Department of Legal Affairs, Shastri Bhawan, New Delhi, with the request to give wide publicity to this Circular.

**APPLICATION FOR THE POST OF MEMBER (JUDICIAL) IN CUSTOMS,
EXCISE AND SERVICE TAX APPELLATE TRIBUNAL (CESTAT)
F.No. A.12026/17/2016-Ad.IC (CESTAT) Dated 27th June, 2016**

A self attested
pass-port size
photo to be
pasted

S.No.	Description	Details of the Candidate
1.	Category to which the applicant belongs (Judicial Officer / Officer from the Indian Legal Service/ Advocate)	
2.	Name in full (in block letters)	
3.	Office Address indicating pin code	
4.	Residential Address indicating pin code	
5.	Contact details	Telephone (Office):- Telephone (Res.):- Telephone (Mob.):- Email ID:- Fax No.:-
6.	Place and Date of Birth (Attach self attested copy of Birth/High School Certificate as a proof)	
7.	Age (As on last date for receipt of applications in Department of Revenue)	
8.	Father's Name	
9.	Whether belongs to Scheduled Castes/ Tribes / Other Backward Classes (write SC/ST/OBC and attach attested copy of the Caste Certificate as proof)	
10.	Present Occupation (Profession/Service)	
11.	Monthly as well as Annual Income:	
a)	Advocates: As indicated in the IT Return for the assessment year 2015-16 (A copy of the self attested IT return to be attached.)	

b)	Government Servants: Basic pay and grade pay, scale of pay, pay drawn, special pay and other allowances to be indicated.	
12.	Qualification	
a)	Academic qualifications (attach self attested copy of degree)	
b)	Professional / Special Qualifications	
13.	Details of professional career (For Judicial Officers)	
a)	Date of Appointment to Judicial Service	
b)	Length of service in judiciary (As on last date for receipt of applications in Department of Revenue)	
c)	Date of retirement from service	
14	Details of professional career (For ILS Officers)	
a)	Date of appointment in Grade I of Indian Legal Service	
b)	Length of service in Grade I of Indian Legal Service (As on last date for receipt of applications in Department of Revenue)	
c)	Date of retirement	
15.	Details of professional career (For Advocates)	
a)	Date of enrolment as Advocate (Attach a self attested copy of certificate of enrolment)	
b)	Types of cases handled	
c)	Period of practice as Advocate (As on last date for receipt of applications in Department of Revenue)	
d)	Experience (in years) in handling Customs/Central Excise/Service Tax Cases before various courts/Tribunals/ Adjudicating Authorities. (Attach details/adjudication orders with regard to such cases).	
e)	Details of cases being handled before any Bench of CESTAT, if any (Please attach a separate sheet, if required)	
f)	Nature of cases handled	

g)	Other details if any: (Two testimonials should be sent in original, one of which should be from a person holding judicial office)	
16.	Any other special qualifications or experience not covered by the above items	
17.	Whether appeared for interview for this post on an earlier occasion, if so, indicate the date of interview	
18.	Whether any disciplinary proceedings/ criminal case faced during the career/ service or any other penalty or punishment suffered at any time; if so, give details	

Note: Judicial Officers and ILS Officers who were practicing as an advocate prior to joining Government Service should fill column 15 (a) to (e) also.

Date : _____

Signature of Applicant

Place: _____

Checklist

- (i) Self attested copy of Birth / High School Certificate is enclosed.
- (ii) Self attested copy of ITR for assessment year 2015-16 is attached.
- (iii) Self attested copy of Enrolment Certificate is attached.
- (iv) Self attested copy of Caste Certificate is attached, if applicable.
- (v) Whether Two Testimonials are attached, if applied in Advocate category.

Signature of Applicant

Annexure-I

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. Certified copies of last five (5) 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.