

2016  
**IN THE HIGH COURT AT CALCUTTA**  
**APPELLATE SIDE**

**No. 2318 - A**

**Dated, Calcutta, the 11<sup>th</sup> May, 2016**

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

**To :**

- 1) **The District Judge of all Districts  
Including Andaman & Nicobar 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 West Bengal**
- 6) **Director, West Bengal Judicial Academy**

**Sub. : Filling up of the post of Presiding Officer in CGIT-cum-Labour  
Court, No.1, Chandigarh, under Ministry of Labour & Employment,  
Government of India.**

*Sir,*

With reference to the subject captioned above, I am directed to inform that a Vacancy circular bearing No.A-11016/2/2016-CLS-II dated 06.04.2016 as received from the Ministry of Labour & Employment, Government of India, inviting application for the post of Presiding Officer at Central Government Industrial Tribunal (CGIT)-cum-Labour Court-No.1, Chandigarh, has been **uploaded** in the website of the Hon'ble Court at Calcutta ([www.calcuttahighcourt.nic.in](http://www.calcuttahighcourt.nic.in)) for information of the officers of West Bengal Judicial Service, 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 proforma) and a 'Certificate of authentication' so as to reach the Office of the undersigned on or before **16<sup>th</sup> May, 2016** for consideration of the Hon'ble Court and onward transmission of the application to the appropriate authority.

I am further to inform that revised rule : '**The Presiding Officers of the Labour Court, Industrial Tribunal and National Tribunal (Salaries, Allowances and other Terms and Conditions of Service) Rules, 2015**' has also been uploaded in the Court's website for information of all concerned.

Yours faithfully,



**Registrar (Judicial Service)**

No. A-11016/2/2016-CLS-II  
Government of India  
Ministry of Labour & Employment

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Shram Shakti Bhawan, Rafi Marg,  
New Delhi – 110001.  
Dated 06.04.2016

To,  
The Registrar General,  
All High Courts.

**Sub: Filling up the post of Presiding Officer at Central Government Industrial Tribunal-cum-Labour Court-No.1, Chandigarh.**

Sir,

I am directed to say that the post of Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court (CGIT-cum-LC) No.1, Chandigarh is to be filled up shortly in accordance with the provisions contained in sections 7 & 7A of the Industrial Disputes Act, 1947. According to these provisions the post can be held by a Judicial Officer who is, or has been, a Judge of a High Court or who has rendered not less than three years service as Additional District Judge or District Judge. A serving Judge can be appointed on transfer on deputation basis for a fixed term. A retired Judge can be appointed on re-employment basis. The terms and conditions of appointment of Judges to the post of Presiding Officer will be as per Annexure [The Presiding Officers of the Labour Court, Industrial Tribunal and National Tribunal (Salaries, Allowances and other Terms and Conditions of Service) Rules, 2015].

2. The scales of pay attached to the post of Presiding Officer of the CGIT-cum-LC-No.1, Chandigarh are as follows:

- |                                       |   |   |
|---------------------------------------|---|---|
| (i) Distt. Judge (Entry Level)        | – | Rs.51,550-1230-58,930-1380-63,070/-             |
| (ii) Distt. Judge (Selection Grade)   | – | Rs.57,700-1230-58,930-1380-67,210-1540-70,290/- |
| (iii) Distt. Judge (Super time Scale) | – | Rs.70,290-1540-76,450/-                         |

3. It is requested that a panel of names of Judicial Officers who are willing to be appointed as Presiding Officer, CGIT-cum-LC-No.1, Chandigarh and who fulfill the eligibility conditions may please be furnished to this Ministry within two months time from the date of issue of this letter, for selection of the suitable officer. Bio-Data of the officers may be furnished in the enclosed proforma. The nomination of Judicial Officers may please be forwarded along with abstracts of ACRs of the last five years duly certified in the enclosed proforma along with the ACR dossiers and vigilance clearance at the earliest possible date.

4. It is requested that a panel of names of judicial officers who fulfill the requirements, as mentioned above and are willing to take up the assignment on terms and conditions mentioned above may please be furnished to this Ministry latest by 06.06.2016. Bio-Data of the officers may be furnished in the enclosed proforma. The matter may kindly be treated as urgent.

Encl: (i) Proforma  
(ii) Copy of terms & conditions

Yours faithfully,

(S.K. Singh)

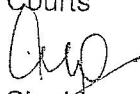
Under Secretary to the Govt of India  
011-23766903

Contd...Page 2

o/c  
Issued

Copy to:

1. Ministry of Law and Justice, Department of Legal Affairs, Jaisalmer House, Man Singh Road, New Delhi with the request that a panel of names of Judicial Officers (retired or serving) who are willing to be appointed to the post of the Presiding Officer of the CGIT-cum-LC-No.1, Chandigarh may kindly be forwarded to this Ministry. A copy of the terms and conditions is enclosed.
2. All RLC (C) with the request to take up the matter with the Registrars of the High Courts concerned.

  
(S.K.Singh)

Under Secretary to the Govt of India  
011-23766903

## PROFORMA

1	NAME IN FULL		
2	DATE OF BIRTH		
3	SC/ST/OBC/GENERAL CATEGORY		
4	EDUCATIONAL QUALIFICATION		
5	PARTICULARS OF SERVICE IN BRIEF WITH DATE FOR EACH APPOINTMENT HELD <i>(IN CHRONOLOGICAL ORDER)</i>  (Note: Experience with regard to Labour matters may be specifically mentioned)		
6	LAST POST HELD		
7	SCALE OF PAY ATTACHED TO THE LAST POST HELD		
8	LAST PAY DRAWN		
9	(i) RESUME OF ANNUAL CONFIDENTIAL REPORTS ON THE WORK AND CONDUCT OF THE OFFICER DURING THE LAST THREE YEARS		
	(ii) VIGILANCE CLEARANCE		
	(iii) INTEGRITY CERTIFICATE		
10	ADDRESS FOR COMMUNICATION		
11	PHONE NO.	(OFFICE)	
		(RESIDENTIAL)	
		(MOBILE)	

Date:  
Place:

Signature:  
Name:

ANNEXURE-II

TERMS AND CONDITIONS OF APPOINTMENT OF SERVING JUDICIAL OFFICERS AS PRESIDING OFFICERS OF CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURTS ON DEPUTATION.

- (a) Serving Judicial Officers will be appointed as Presiding Officer on deputation basis for a period of 3 years as per Government of India's (DOP&T) Order No. 6/8/2009-Estt(Pay-II) Dated 17.6.2010.
- (b) PAY: The pay will be fixed in the scales of
- (i) Distt. Judge (Entry Level) – Rs.51, 550-1230-58,930-1380-63,070
  - (ii) Distt. Judge (Selection Grade) – Rs.57, 700-1230-58,930-1380-67,210-1540-70,290
  - (iii) Distt. Judge (Super time Scale) – Rs.70,290-1540-76,450  
per month
- The Officer will have the option to get his pay fixed in deputation post under the normal rules or to draw pay of the post held in the parent department plus deputation duty allowance in accordance with and subject to conditions as modified from time to time.
- (c) DEARNESS ALLOWANCE: The Officer will be entitled to D.A. under Rules applicable to the parent Government or under the Rules of borrowing Government accordingly as he retains his scale of pay under parent Government or draws pay attached to the post under the borrowing Government.
- (d) CCA/HRA/MEDICAL CONCESSION/ Travelling Allowance for journey on duty during deputation period/Joining Time pay and Transfer TA: to be regulated under rules of the borrowing Government.
- (e) LEAVE PENSION: During the period of deputation on temporary transfer, the officer will continue to be governed by the leave and pension rules of the parent employer applicable to him before such transfer but he will not be entitled to any vacation leave during the period of deputation as Presiding Officer Central Govt. Industrial Tribunal-cum-Labour Court.
- (f) RESIDENTIAL ACCOMMODATION: He will be entitled to residential accommodation according to the rules of the Government to which he is deputed.
- (g) The period of deputation will commence from the date of assumption of charge of the post of Presiding Officer, Central Govt. Industrial Tribunal-cum-Labour Court under the Central Govt. and end on the date on which the official relinquishes the charge of the post under the Central Govt.

  
**भारत का राजपत्र**  
**The Gazette of India**

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3 उप-खण्ड (i)

PART II—Section 3 Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 275]

नई दिल्ली, बृहस्पतिवार, अप्रैल 30, 2015/वैशाख 10, 1937

No. 275]

NEW DELHI, THURSDAY, APRIL 30, 2015/VAISAKHA 10, 1937

श्रम और रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 6 अप्रैल, 2015

सा.का.नि. 336(अ).—केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 की धारा 38 की उप-धारा (1) के खंड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित नियम बनाती है, अर्थात् :—

1. संक्षिप्त नाम और आरम्भ.—(1) इन नियमों का संक्षिप्त नाम श्रम न्यायालय, औद्योगिक अधिकरण और राष्ट्रीय अधिकरण (वेतन, भत्ते और अन्य सेवा के निबन्धन और शर्तों) नियम, 2015 है।

(2) ये राजपत्र में उनके प्रकाशन के तारीख के प्रवृत्त होंगे।

2. परिभाषाएँ.—(1) इन नियमों में जब तक कि सदर्थ से अन्यथा अपेक्षित न हो :—

(क) "अधिनियम" से औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) अभिप्रेत है;

(ख) "पीठासीन अधिकारी" से अधिनियम की धारा 7, धारा 7क या धारा 7ख के अधीन पीठासीन अधिकारी के रूप में नियुक्त व्यक्ति अभिप्रेत है।

(2) उन शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं तथा परिभाषित नहीं हैं परंतु अधिनियम में परिभाषित हैं उनके वही अर्थ हैं जो उक्त अधिनियम में क्रमशः उनके हैं।

3. कार्यकाल.—किसी सेवारत न्यायधीश की पीठासीन अधिकारी के रूप में प्रतिनियुक्ति की दशा में, प्रतिनियुक्ति की अवधि साधारणतया तीन वर्ष की होगी और सेवानिवृत्त न्यायधीश की दशा में नियुक्ति पैंसठ वर्ष की आयु तक के लिए होगी।

10. यात्रा भत्ता.—पीठासीन अधिकारियों को उनके पुनर्नियोजन के समय पर लागू दरों पर अपने हकदारी के अनुसार यात्रा भत्ता के हकदार होंगे।
11. छुट्टी यात्रा रियायत.—(1) राष्ट्रीय अधिकरण के पीठासीन अधिकारियों के लिए केन्द्रीय सरकार के उच्चतम श्रेणी के लिए यथा अनुज्ञेय स्वयं और कुटुम्ब के लिए छुट्टी यात्रा रियायत होगी।  
(2) श्रम न्यायालय और औद्योगिक अधिकरण के पीठासीन अधिकारियों के लिए छुट्टी यात्रा रियायत पीठासीन अधिकारियों की पुनर्नियोजन के आधार पर नियुक्ति के बाबत पुनर्नियोजित व्यक्ति को यथा लागू नियमों के अधीन विनियमित होगा।
12. वाहन भत्ता.—(1) राष्ट्रीय अधिकरण के पीठासीन अधिकारियों के लिए केन्द्रीय सरकार द्वारा समय समय पर विनिश्चित की गई नियत रकम के रूप में वाहन भत्ता का प्रबंध किया जाएगा।  
(2) श्रम न्यायालय या औद्योगिक अधिकरण के पीठासीन अधिकारियों को यह विकल्प रहेगा कि या वे शासकीय कार्यों के प्रयोजन के लिए स्टाफ कार रखें या अपने वाहन का प्रयोग प्रतिमाह प्रदान किए गए पचहत्तर लिटर पेट्रोल द्वारा करें।
13. स्थानांतरण यात्रा भत्ता.—(1) उच्चतम श्रेणी के सरकारी सेवकों के लिए अनुज्ञेय स्थानांतरण भत्ता राष्ट्रीय औद्योगिक अधिकरण या श्रम न्यायालय का कार्यग्रहण करने के लिए गृहनगर से मुख्यालय तक और समनुदेशन के समाप्त होने पर मुख्यालय के गृह नगर तक का स्थातांतरण यात्रा भत्ता होगा।  
(2) श्रम न्यायालय या औद्योगिक अधिकरण के पीठासीन अधिकारियों के लिए स्थानांतरण यात्रा भत्ता पुनर्नियोजन के आधार पर नियुक्ति के बाबत पुनर्नियोजित व्यक्ति के लिए केन्द्रीय सरकार के यथा लागू नियमों के अनुसार होगा।
14. अभिदायी भविष्य-निधि स्कीम.—पीठासीन अधिकारियों को अभिदायी भविष्य-निधि स्कीम से नियमों के अनुसार पुनर्नियोजन की अवधि के दौरान जुड़ने का हक होगा।
15. अन्य सेवा शर्तें.—उन मामलों की बाबत जिनके बारे में कोई अभिव्यक्त उपबंध नहीं बनाए गए हैं अध्यक्ष या अन्य सदस्यों की सेवा के निबधनों और शर्तों से संबंधित मामलों को केन्द्रीय सरकार के विनिश्चय के लिए श्रम न्यायालय, औद्योगिक अधिकरण या राष्ट्रीय अधिकरण द्वारा निर्देशित किए जाएंगे, और केन्द्रीय सरकार का उस पर विनिश्चय बाध्यकारी होगा।
16. शिथिल करने की शक्ति.—केन्द्रीय सरकार को इन नियमों के किसी उपबंध को किसी वर्ग या प्रवर्ग के व्यक्तियों की बाबत शिथिल करने की शक्ति होगी।

[सं. जेड-25025/05/2013-सीएलएस-2]

धीरज कुमार, संयुक्त सचिव

## MINISTRY OF LABOUR AND EMPLOYMENT

## NOTIFICATION

New Delhi, the 6th April, 2015

G.S.R. 336(E).—In exercise of the powers conferred by clause (c) of sub-section(1) of Section 38 of the Industrial Disputes Act, 1947, the Central Government hereby makes the following rules, namely:—

1. **Short title and commencement.**—(1) These rules may be called the Presiding Officers of the Labour Court, Industrial Tribunal and National Tribunal (Salaries, Allowances and other Terms and Conditions of Service) Rules, 2015.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions.**—(1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Industrial Disputes Act, 1947 (14 of 1947);

(b) "Presiding Officer" means a person appointed as presiding officer under Sections 7, 7A or Section 7B of the Act.

(2) All other words and expressions used and not defined in these rules but defined in the Act shall have meanings respectively assigned to them in the Act.

3. **Duration.**—In case of appointment on deputation of serving judges as presiding officer, the normal period of appointment shall be for a period of three years and in case of retired judges, the appointment shall be till the age of 65 years.

4. **Salary.**—(1) The Pay of the Presiding Officer of National Tribunal shall be fixed @ Rs 80,000/- (fixed) per month and this shall include the deputation allowance in case of serving judges and gross pension in case of retired judges.

(2) The Salary of the Presiding Officer of the Labour Court or Industrial Tribunal shall be-

(i) the District Judge (Entry Level) – Rs. 51,550-1230-58,930-1380-63,070

(ii) the District Judge (Selection Grade) – Rs. 57,700-1230-58,930-1380-67,210

(iii) the District Judge (Super time Scale) – Rs. 70,290-1540-76,450

per month inclusive of gross pension, pension equivalent or other retirement benefits, if any:

Provided that in the case of an appointment of a person as a presiding officer, who has retired from Judicial Service or as Deputy Chief Labour Commissioner (Central) or Joint Commissioner of the State Government and who is in receipt of or has received or has become entitled to receive any retirement benefit by way of pension, the pay of presiding officer shall be reduced by the gross amount of Pension from the Pay so fixed.

5. **Dearness Allowance.**—(1) The presiding officers of National Tribunal shall receive the dearness allowance at the rate as admissible to the serving judges of the High Court.

(2) The presiding officers of the Labour Court or Industrial Tribunal shall be entitled to dearness allowance as applicable to Group- "A" Officers of the Central Government drawing an equivalent pay from time to time subject to the condition that relief of pension is deducted from the emolument drawn during the period of re-employment.

6. **City Compensatory Allowance.**—(1) For presiding officers of National Tribunals, the city compensatory allowance shall be as admissible to the serving judges of High Courts.

(2) For presiding officers of Labour Court or Industrial Tribunal, the city compensatory allowance shall be regulated under the rules as applicable to the Group- "A" Officers of the Central Government.

7. **Medical Concession.**—(1) For presiding officers of the National Tribunal, the Central Government Health Scheme facilities shall be available at the station of posting and where the Central Government Health Scheme is not in operation, they shall be entitled to the facilities as provided in the Central Services (Medical Attendance) Rules, 1944.

(2) For presiding officers of the Labour Court or Industrial Tribunal, the medical facilities shall be regulated under the rules as applicable to the Group- "A" Officers of the Central Government.

8. **Leave.**—(1) For presiding officers of the National Tribunal, the matters relating to leave shall be as admissible to the serving judges of the High Courts.

(2) For presiding officers of the Labour Court or Industrial Tribunal, the matters relating to leave shall be regulated under the rules as applicable to the Group- "A" Officers of the Central Government.

9. **House Rent Allowance.**—(1) For the presiding officers of the National Tribunal, there shall be provided rent free furnished accommodation or, as the case may be, the house rent allowance at the rate of thirty per cent of the basic pay.

(2) For the presiding officers of the Labour Court or Industrial Tribunal, there shall be provided the House Rent Allowance as admissible to the Group- "A" Officers of the Central Government.

10. **Travelling Allowances.**—The presiding officers shall be entitled the travelling allowance as per their entitlement on the rates at the time of their re-employment.



**11. Leave Travel Concession.**—(1) For the presiding officers of the National Tribunal, the leave travel concession for self and family shall be as admissible to the highest grade in the Central Government.

(2) For the presiding officers of the Labour Court or Industrial Tribunal, the Leave Travel Concession shall be regulated under the rules as applicable to re-employed person in respect of Presiding Officers appointed on re-employed basis.

**12. Conveyance Allowance.**—(1) For the presiding officers of the National Tribunal, there shall be provided the conveyance allowance in the form of a fixed amount to be decided by the Central Government from time to time.

(2) The presiding officers of the Labour Court or Industrial Tribunal may have an option either to have a staff car for official purposes or use of own vehicle with a grant of seventy five litres of petrol per month.

**13. Transfer Travelling Allowance.**—(1) The transfer travelling allowance shall be as admissible to a Government Servant of the highest grade from home town to headquarters for joining the National Industrial Tribunal or Labour Court and from headquarters to home town at the end of the assignment.

(2) For the presiding officers of the Labour Court or Industrial Tribunal, the transfer travelling allowance shall be as per Central Government rules as applicable to re-employed person in respect of presiding officers appointed on re-employed basis.

**14. Contributory Provident Fund Scheme.**—The presiding officers shall be entitled to join Contributory Provident Fund Scheme as per rules during the period of re-employment.

**15. Other Conditions of Service.**—Matters relating to the terms and conditions of service of the Chairperson or other Members with respect to which no express provisions has been made in these rules, shall be referred by the Labour Court, Industrial Tribunal or National Tribunal to the Central Government for its decision, and the decision of the Central Government thereon shall be binding.

**16. Power to relax.**—The Central Government have power to relax the provision of any of these rules in respect of any class or categories of persons.

[No. Z-25025/05/2013-CLS-II]

DHEERAJ KUMAR, Jt. Secy.