

2021
IN THE HIGH COURT AT CALCUTTA
APPELLATE SIDE

No. 5134 - A

Dated, Calcutta, the 14th December, 2021

**From : Md. Shabbar Rashidi,
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 Principal Secretary, Judicial Department, Govt. of West Bengal,
- 6) Director, West Bengal Judicial Academy,
- 7) Member Secretary, State Legal Services Authority,

Sub : Filling up of 07 (Seven) existing/anticipated vacancies of Judicial Member in Customs, Excise and Service Tax Appellate Tribunal (CESTAT).

Sir,

With reference to the subject indicated above, I have been directed by this Hon'ble Court to inform you that a Vacancy Circular being F.No.A.12026/03/2020-Ad. 1C(CESTAT) dated 06.12.2021, along with its annexure, issued by the office of Under Secretary, Dept. of Revenue, Ministry of Finance, Govt. of India has been uploaded in the website of Department of Revenue i.e. dor.gov.in or CESTAT's website i.e. cestatnew.gov.in and is being uploaded in the official website of this Hon'ble Court (www.calcuttahighcourt.gov.in) for information of the officers of West Bengal Judicial Service, who are fulfilling the eligibility criteria of the Tribunals Reforms Act, 2021 and the Tribunal (Conditions of Service) Rules, 2021, as mentioned therein.

In this context, I am to request you to inform the eligible Judicial Officers to visit the said website, if willing, to apply in the prescribed proforma and submit the same before this Hon'ble Court **strictly by 17.12.2021** so as to reach the office of the concerned authority within the stipulated time i.e. 27.12.2021 after completing all necessary formalities from this end.

Yours faithfully,

Sd/-

Ld. Registrar (Judicial Services)

No. A.12026/03/2020-Ad. 1C(CESTAT)

Government of India
Ministry of Finance
Department of Revenue

North Block, New Delhi-110001

Dated, the 06th December, 2021

Vacancy Circular

Subject: - Selection for the posts of Member, 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. CESTAT's headquarter is situated at New Delhi and its regional Benches are situated at Mumbai, Kolkata, Chennai, Bangalore, Ahmedabad, Allahabad, Chandigarh and Hyderabad.

2. **Vacancy:** - Applications are being invited for existing 12 existing/anticipated vacancies of Technical Member and 7 existing/anticipated vacancies of Judicial Member. Selected candidate is liable to be posted at any of the Benches of the Tribunal.

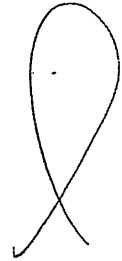
Interested and eligible applicants, who have applied in response to this Department's Vacancy Circular/Office Memorandum of even no. dated 14.07.2020 may apply again.

3. **Salary and Terms of Appointment:** - 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 and the Tribunal (Conditions of Service) Rules, 2021. The 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. The Member shall hold office for a term of four years or till he attains the age of Sixty-Seven years, whichever is earlier.

4. **Qualification:-** In terms of the Tribunal (Conditions of Service) Rules, 2021, 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.

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

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 requested through proper channel and are 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 **27th December, 2021:-**

Shri S. Bhowmick
Under Secretary (Ad.1C)
Department of Revenue.

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

Email: - shamik.bhowmick@nic.in, Telephone No. 2309 5359

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 CESTAT's website i.e. cestatnew.gov.in.

9. Any application received after due date 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 application.

(S. Bhowmick)

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 web site of the Department of Revenue.

(S. Bhowmick)

Under Secretary to the Govt. of India

PROFORMA

Space for
photograph
duly signed
by candidate

- 1. Name :
- 2. Date of Birth :
- 3. Designation/Profession :
- 4. Contact Details :

	Residential	Official
Address:		
Mobile/Phone No.		
Email:		

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

Name of University/ Equivalent Institution	Degree	Year of passing	Division/ % of marks obtained	Academic Distinction	Subject/ Specialization

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

Name & address of employer	Designation, Pay or Scale of pay (Pay in	Period of Service	Nature of work/ experience
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(Govt./PSU/Ministry/ Department/any other	Pay Matrix)*	From	To	

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

7A. Employment record in chronological order starting with present Employment, list in reverse (For candidates other than Government or Judicial Officers):

Name & address of employer/ Self-Employed:	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

8. Date from which drawing the pay scale :
in the grade of Additional Secretary to
the Government of India or any equivalent
rank.
9. Write up on adjudicating experience :
of the applicant, alongwith copy of 02 orders (200 words)
[Wherever applicable]
10. Experience alongwith brief write up in handling: Details of Such cases
Cases before relevant Courts/Tribunals/ [Reported Cases/Unreported cases]
Adjudicating Authority
[if applicable]
11. Proof of Experience [For candidates other
than Govt. or Judicial officers] :
12. Annual Income along with copy of :
latest ITR [For Advocates]
13. Write up on 05, major achievement :
200 (words)

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

15. Awards/honours/Publications, if any :

16. 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 _____

(a) Office Address:

(b) Residential Address:

**CERTIFICATE TO BE FURNISHED BY THE EMPLOYER/HEAD OF
OFFICE/FORWARDING AUTHORITY**

1. Certified that the particulars 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

**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)