

By Regd. Post

Government of Odisha
General Administration Department

CORRIGENDUM

No. ST-52/2011-24896 Gen., Bhubaneswar, Dated the 23rd December, 2011

From

Shri N. C. Rout,
Deputy Secretary to Government.

To

As per the list.

Sub: Invitation of applications for appointment to the post of Judicial Member in the Odisha Administrative Tribunal.

Sir,

I am directed to refer to this Department letter No. 24120/Gen., dtd. 12.12.2011 on the above cited subject and to say that the words appeared in point 6 "the post of Judicial Member in the Central Administrative Tribunal" may be read as "the post of Judicial Member in the Odisha Administrative Tribunal".

All other terms and conditions remain unchanged.

Yours faithfully

N. C. Rout
23-12-11

Deputy Secretary to Government

Memo No. 24897 /Gen

Dated: 23/12/11

Copy forwarded to the Secretary to Government of India, Department of Personnel & Training, North Block, New Delhi / Registrar, OAT, Bhubaneswar for information and necessary action in continuation of this Department Memo No. 24121/Gen., dtd. 12.12.2011.

N. C. Rout
23-12-11

Deputy Secretary to Government

Memo No. 24898 /Gen

Dated: 23/12/11

Copy forwarded to the Head, State Portal Group, Odisha Secretariat, Bhubaneswar for information and necessary action in continuation of this Department Memo No. 24122/Gen., dtd. 12.12.2011.

He is requested to upload this advertisement in the official website of G.A. Department immediately.

N. C. Rout
23-12-11

Deputy Secretary to Government

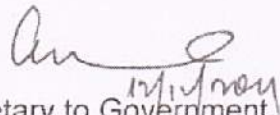
Government of Odisha
General Administration Department

Advertisement

ST- 52/2011- 24123 /Gen., Bhubaneswar Dated the 12.12. , 2011

A vacancy in the position of Judicial Member in Odisha Administrative Tribunal, Bhubaneswar is likely to arise in June 2012. Applications are invited from eligible persons for filling up the above vacancy. The qualification for appointment as Judicial Member / other eligibilities conditions, term of office, pay and other terms and conditions of service, etc. along with the Application (Biodata) Form for applying for the post are available in the vacancy circular dated 12.12.2011 which has been uploaded in this Department website www.orissa.gov.in/ga/ for reference. The vacancy circular calling for application from interested persons has also been separately forwarded to the office of Registrar General, Supreme Court of India / Registrar Generals of all High Courts / Registrar, Central Administrative Tribunal and Registrars of all State Administrative Tribunals.

The last date of receipt of applications is **31st January, 2012**. Incomplete and defective applications shall be liable to be summarily rejected and no correspondence on that score will be entertained.

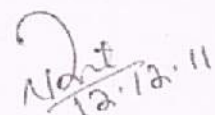

Special Secretary to Government

Memo No. 24124 /Gen

Dated 12.12.2011

Copy forwarded to I & P. R. Department for information and necessary action.

They are requested to publish this advertisement in two leading English, one Hindi and one Oriya dailies in order to give wide publicity and to furnish the news papers to this Department for reference.


Deputy Secretary to Government

Government of Odisha
General Administration Department

No.ST-52/2011-24/20/Gen, Bhubaneswar Dated the ^{12th} Dec., 2011
From

U.N. Behera, IAS,
Special Secretary to Government
Tel: 0674-2322366
Fax:0674-2396348

To

As per the list enclosed.

Sub: Invitation of applications for appointment to the post of Judicial Member in the Odisha Administrative Tribunal.

Sir,

Applications from suitable candidates are invited for filling up one vacancy of Judicial Member in the Odisha Administrative Tribunal, Bhubaneswar which is likely to arise in the first half of the year 2012. The service conditions of Member in the Odisha Administrative Tribunal are governed by Odisha Administrative Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairman and Members) Rules, 1986 and subsequent amendments thereto and other instructions issued by Government of India from time to time. The post carries the pay scale of ₹ 80000/- per month (Fixed).

2. The Administrative Tribunals Act, 1985 has been amended by the Administrative Tribunals (Amendment) Act, 2006. As per sub-sections (2) and (3) of Section 8 of the Act:

"(2) A Member shall hold office as such for a term of five years from the date on which he enters upon his office extendable by one more term of five years:

Provided that no Member shall hold office as such after he has attained the age of sixty-five years.

(3) The conditions of service of Chairman and Members shall be the same as applicable to Judges of the High Court."

3. The eligibility conditions as per Sub-Section 2(b) of Section 6 of the Administrative Tribunals Act, 1985 as amended by the Administrative Tribunals (Amendment) Act, 2006 provides that-

"(2) A person shall not be qualified for appointment,-

(b) as a Judicial Member unless he is or qualified to be a Judge of a High Court or he has for at least two years held the post of a Secretary to the Government of India in the Department of Legal Affairs or the Legislative Department including Member-Secretary, Law Commission of India or held a post of Additional Secretary to the Government of India in the Department of Legal Affairs and Legislative Department at least for a period of five years."

In view of the provisions of section 6(2)(b) quoted above, Members of bar who are qualified for appointment as a Judge of the High Court in terms of the constitutional provisions are also qualified for appointment as Judicial Member in the Administrative Tribunal. However, as per the guidelines of Government of India, DoP&T Letter No.A.11013/24/98-AT dated 29.1.2002 the Selection Committee should ensure that practising Members of Bar selected and kept in the panel of Members are persons of standing in their community. For this purpose, they may ordinarily consider such practising Advocates who have declared an income of at least Rs.3.00 lakhs per annum in each of the three years preceding the year of selection.

4. For Judicial Members already working in the CAT/SATs who want to apply afresh, Section 10A of the Administrative Tribunals Act, 1985 as inserted by the Administrative Tribunals (Amendment) Act, 2006 provides that-

"10A. The Chairman and Member of a Tribunal appointed before the commencement of the Administrative Tribunals (Amendment) Act, 2006 shall continue to be governed by the provisions of the Act, and the rules made there under as if...the Administrative Tribunals (Amendment) Act, 2006 had not come into force:

Provided that, however, such Chairman and the Members appointed before the coming into force of Administrative Tribunals (Amendment) Act, 2006, may on completion of their term or attainment of the age of 65 or 62 years, as the case may be, whichever is earlier may, if eligible in terms of Section 8 as amended by the Administrative Tribunals (Amendment) Act, 2006 be considered for a fresh appointment in accordance with the selection procedure laid down for such appointments subject to the condition that the total term in office of the Chairman shall not exceed five years and that of the Members, ten years."

Current Members, who are finishing their term between 1st January, 2012 and 30th June, 2012, would be eligible to apply if fulfilling the other conditions.

The candidature of the eligible Members of the CAT/SATs willing to be considered for a fresh appointment may accordingly be recommended by the Chairman, CAT/SATs.

5. As per the provisions of section 10 of the Administrative Tribunal Act, 1985 as amended from time to time, the salaries and allowances payable to and the other terms and conditions of service (including pension, gratuity and other retirement benefits) of the Chairman and Members shall be such as may be prescribed by the Central Government.

Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairman or other Members shall be varied to his disadvantage after his appointment.

Provided further that where a serving Government officer is appointed as a Member, he shall be deemed to have retired from the service to which he belonged on the date on which he assumed the charge of the Member but his subsequent service as Member shall, at his option, be reckoned as a postretirement re-employment counting to pension and other retirement benefits in the service to which he belonged.

6. It is requested that this circular be given wide publicity. Names of eligible and willing persons who have enough judicial experience with special knowledge and experience of service laws and are willing to be considered for the post of Judicial Member in the Central Administrative Tribunal may be sent along with their application / biodata in the enclosed proforma. It is also requested that while forwarding the applications of candidates, the following points may be kept in mind:

- (i) It should be clearly stated that the officer(s) is/are clear from vigilance angle. In case any penalty had been imposed in the past against any officer under the relevant Service Rules, the details of the same may also be furnished.
- (ii) Original CR dossiers, failing which certified copies of Confidential Reports for the last ten years in respect of recommended officers, may also be sent positively along with the applications.

- (iii) Interested officers may also send advance copies of their applications. Advance copies of the applications would be considered only if the actual applications are later received with all the above necessary requirements from the cadre controlling authorities.

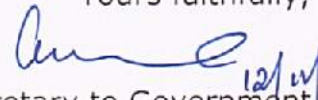
7. Retired Judges of the High Court and Members of the Bar may send their applications directly.

8. In the case of the Members of Bar, column 6 of the proforma of bio-data regarding details of income in the last three years should invariably be filled up, failing which their candidature is liable to be rejected summarily.

9. The applications should reach the Special Secretary to Government of Odisha, General Administration Department, Odisha Secretariat, Bhubaneswar-751001 on or before 31.1.2012. It will not be possible to consider application received after the due date. Applications which are found incomplete shall also be summarily rejected.

10. It has also been our experience in the past that sometimes persons selected for appointment seek extension of time on one pretext or the other and quite often decline to join later without cogent reasons which would vitiate the entire selection exercise. It is, therefore, requested that particulars of only those persons may be forwarded who, once selected, will be joining the Odisha Administrative Tribunal.

Yours faithfully,

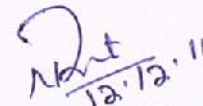


Special Secretary to Government

Dated: 12/12/11

Memo No. 24/21 /Gen

Copy forwarded to the Secretary to Government of India, Department of Personnel & Training, North Block, New Delhi / Registrar, OAT, Bhubaneswar for information and necessary action.



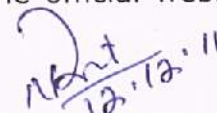
Deputy Secretary to Government

Dated: 12/12/11

Memo No. 24/22 /Gen

Copy forwarded to the Head, State Portal Group, Odisha Secretariat, Bhubaneswar for information and necessary action.

He is requested to upload this advertisement in the official website of G.A. Department immediately.



Deputy Secretary to Government

BIO-DATA

1. Name
2. Address
 - (a) Permanent
 - (b) Present
 - (c) Telephone No. and e-mail ID, if any
3. Date of birth
(Please attach documentary proof certifying date of birth)
4. Educational Qualification
5. Current/Past Service:
 - i. High Court judge
 - ii. Indian legal service
 - iii. Judicial service
 - iv. Member of bar
6. Experience in completed years
 - i. Lower Courts
 - ii. High Court
 - iii. Supreme Court
7. In the case of High Court Judges
(Date of appointment as High Court Judge and Place of posting)
8. In the case of others
 - i. Name of service
 - ii. Year of joining service
 - iii. Since when in Grade I of ILS / Judicial Service
 - iv. Present scale of pay
9. In case of Members of the Bar
 - (a) Details of income during the last 3 Financial Years:
(copies of the income-tax returns to be attached)
 - i. Financial year 2008-2009
 - ii. Financial year 2009-2010
 - iii. Financial year 2010-2011

(b) Details of registration with bar:

(copy of the Registration certificate to be attached)

(c) whether qualified for appointment as High

Court Judge as per article 217(2) of the Constitution:

10. Date of superannuation(if applicable) :
11. Present posting with office and residential
Address and telephone number- office/residence
12. Details of postings with dates and scale of pay/
Experience in the bar, during last ten years
13. Details of judicial experience (please elaborate)
14. Special knowledge in dealing with service matters
and laws: (please elaborate)

SIGNATURE