

The Customs, Excise and Service Tax Appellate Tribunal (Procedure for Appointment as President) Rules, 2016

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The Customs, Excise and Service Tax Appellate Tribunal (Procedure for Appointment as President) Rules, 2016¹

In exercise of the powers conferred by sub-section (3) of Section 129, read with sub-section (1) of Section 156 of the Customs Act, 1962 (52 of 1962), the Central Government hereby makes the following rules, namely—

1. Short title and commencement.—(1) These rules may be called the Customs, Excise and Service Tax Appellate Tribunal (Procedure for Appointment as President) Rules, 2016.

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

2. Definitions.—In these rules, unless the context otherwise requires,

- (a) “Act” means the Customs Act, 1962 (52 of 1962);
- (b) “President” means the President of Customs, Excise and Service Tax Appellate Tribunal;
- (c) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Method of recruitment.—(1) Vacancy shall be circulated through open advertisement and applicants shall be asked to forward complete application through Registrars of High Court or Customs, Excise and Service Tax Appellate Tribunal, as the case may be.

(2) For the purpose of appointment to the post of President, there shall be a Selection Committee consisting of the following Members, namely—

- (a) the Chief Justice of India or a Judge of the Supreme Court of India as nominated by the Chief Justice of India as Chairman;
- (b) the Secretary to the Government of India, in the Ministry of Finance, Department of Revenue;
- (c) the Secretary to the Government of India, in the Ministry of Law and Justice, Department of Legal Affairs;
- (d) the Secretary to the Government of India, in the Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training.

(3) Any three members of the Selection Committee including the Chairman shall form a quorum for the meeting of the committee.

(4) The Selection Committee may devise its own procedure for selection and appointment of the President.

¹ Ministry of Finance (Deptt. of Revenue), Noti. No. G.S.R. 101(E), dated January 21, 2016, published in the Gazette of India, Extra., Part II, Section 3(i), dated 22nd January, 2016, pp. 2-3, No. 57

(5) The Selection Committee shall recommend a panel of three names in order of priority for appointment of President.

4. Medical fitness.—No person shall be appointed as a President unless he is declared medically fit by a Medical Board to be constituted by the Central Government for the purpose.
