

F.No.A.12018/3/2018-Ad.IC (CESTAT)

Government of India
Ministry of Finance
Department of Revenue

New Delhi, 26.03.2019.

OFFICE MEMORANDUM

Subject: Proposal for amendment of recruitment rules in respect of Group 'B' & 'C' (Stenographer) in Customs, Excise and Service Tax Appellate Tribunal (CESTAT) .

The undersigned is directed to refer to the subject cited above and to say that this department has initiated the process of amendment of recruitment rules in respect of group 'B' and 'C' stenographers in CESTAT. A copy of the draft recruitment rules is attached herewith.

2. As per DoPT's instructions dated 13.10.2015, any proposal for framing/amendment in the Recruitment Rules should be put up on the website of respective Ministries/Department for 30 days for inviting comments from the stakeholders.
3. In view of above. All the stakeholders are requested to offer their comments, if any within 30 days.

Encl: As above.

(S. Bhowmick)

Under Secretary to the Govt. of India
Tel No:23095369

To

1. All stakeholders
2. The Registrar, CESTAT – with a request to upload it on CESTAT's website for inviting comments from the stake holders.
3. Senior Analyst, NIC, North Block, New Delhi, it is requested that the contents of this OM may be uploaded in the website of this Department.

O/F
ISSUED
26/03/2019

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the March 2019

G.S.R--- - In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the Customs, Excise and Gold (Control) Appellate Tribunal (Group 'B' and Group 'C' posts) Recruitment Rules, 1986, in so far as they relate to the posts of Private Secretary, Stenographer Gr. II and Stenographer Gr. III, except as respects things done or omitted to be done before such supersession, the President hereby makes the following rules regulating the method of recruitment to the post of Senior Private Secretary, Steno Gr. I and Steno Gr. II in the Customs Excise and Service Tax Appellate Tribunal (CESTAT) under the Department of Revenue, Ministry of Finance, namely: -

1. **Short Title and Commencement.** -

(1) These rules may be called the Ministry of Finance, Customs, Excise and Service Tax Appellate Tribunal, Group 'B' and Group 'C' posts Recruitment Rules, 2019.

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

2. **Number of posts, Classification, Level, Pay Band and Grade Pay or Pay Scale.** - The number of posts, its classification attached thereto, shall be as specified in columns (2) to (4) of the Schedule annexed to these rules.

3. **Method of Recruitment, Age-limit, Qualifications, etc.** - The method of recruitment, age-limit, qualification and other matters relating thereto shall be as specified in columns (5) to (13) of the said Schedule.

4. **Disqualification** - No person:

(a) Who has entered into or contracted a marriage with a person having a spouse living, or;

(b) Who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the said posts.

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. **Power to relax** - Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. **Saving** - Nothing in these rules shall affect reservation, relaxation of age-limit and other concessions required to be provided for the Scheduled Casts, the Scheduled Tribes, Ex-Service men and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

ANNEXURE - I

RECRUITMENT RULES FOR THE POST OF SENIOR PRIVATE SECRETARY IN CUSTOMS EXCISE & SERVICE TAX APPELLATE TRIBUNAL, MINISTRY OF FINANCE,
DEPTT. OF REVENUE

Name of the post	No. of Post	Classification	Scale of Pay	Whether Selection post or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
SENIOR PRIVATE SECRETARY	34* (2010) *Subject to variation dependent on work load	General Central Service Group 'B' Gazetted – Ministerial	Level – 8 Level -9 (NFSG scale on completion of 4 years in Level -8)	Selection	Not Applicable

Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotes	Period of probation, if any	Method of Recruitment, whether by direct recruitment or by promotion or by deputation/ absorption and percentage of the vacancies to be filled by various methods.
7	8	9	10
Not Applicable	Not Applicable	Not applicable	55% by promotion 45% by deputation

<p>In case of recruitment by promotion or deputation/ absorption, grades from which promotion or deputation/ absorption to be made</p>	<p>11</p>	<p>12</p>	<p>Circumstances in which the Union Public Service Commission is to be consulted in making recruitment.</p>
<p>PROMOTION Promotion:- Stenographers, GR-I in the pay Band II with Grade Pay of Rs.4200/-with 06 years regular service in the grade. NOTE: 1 Where juniors who have completed their qualifying or eligibility service being considered for promotion, their senior shall also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or 2 years, whichever is less and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying or eligibility service. Note:2 For the purpose of computing minimum qualifying service for promotion, the service rendered basis by an officer prior to 1st January, 2006 or the date from which the revised pay structure based on the Sixth Central Pay Commission recommendations has been extended, shall be deemed to be service rendered in the corresponding pay or pay scale extended bases on the recommendations of the Pay Commission.</p>	<p>13</p>	<p>Not Necessary</p>	<p>13</p>
<p>DEPUTATION Officers holding the post of Stenographer under the Central government (a)(i) holding analogous post on regular basis in the parent cadre or department; or (ii) With six years regular service in the Pay Band II with Grade Pay of Rs.4200 or equivalent. (iii) With 02 years regular service in the Pay Band II with grade pay of Rs.4600/- Note: 1 The departmental officers in the feeder category who are in the direct line of promotion shall not be eligible for consideration for appointment on deputation. Similarly, the deputationists shall not be eligible for consideration for appointment by promotion.</p>	<p>13</p>	<p>Not Necessary</p>	<p>13</p>

Note:2

period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization or department of the Central Government shall ordinarily not exceed three years.

The maximum age limit for appointment by deputation shall be 'Not exceeding 56 years' as on the closing date of receipt of applications.

Note:3

For the purpose of appointment on deputation or absorption basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 (the date from which the revised pay structure based on the Sixth Central Pay commission recommendation has been extended) shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the recommendations of the Pay Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay or pay scale and where this benefit will extend only for the post (s) for which that grade pay or pay scale is the normal replacement grade without any upgradation.

ANNEXURE - I

Name of the post	No. of Post	Classification	Scale of Pay	Whether Selection post or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
STENOGRAPHER GRADE - II	13* (2013) * Subject to variation dependent on workload	General Central Service Group 'C' Non-Gazetted, Ministerial	Level - 4 PB-1 Rs. 5200-20200, Grade Pay Rs. 2400/- (Pre-revised)	Not Applicable	18-27 years (Relaxable for Govt. servants upto 40 years in accordance with the instructions or orders issued by the Central Government)

Whether the benefit of added years of service admissible under rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotes	Period of probation, if any	Method of Recruitment, whether by direct recruitment or by promotion or by deputation/ absorption and percentage of the vacancies to be filled by various methods.
7	8	9	10	11
Not Applicable	(i) 12 th class pass or equivalent from a recognized board or university; (ii) Skill test norms Dictation : 10mts @ 80 w.p.m. (English only) Transcription: 50 mts (Eng.) on computers	Not Applicable	2 years	100 % By direct recruitment

In case of recruitment by promotion or deputation/ absorption, grades from which promotion or deputation/ absorption to be made	If a Departmental Promotion Committee exists, what is its composition	Circumstances in which the Union Public Service Commission is to be consulted in making recruitment.
12	13	14
<p><u>Transfer on deputation/ Transfer</u> Persons holding analogous posts in the Central Govt. (Period of deputation shall, ordinarily, not exceed 3 years)</p>	<p><u>GROUP 'C' DEPARTMENT PROMOTION COMMITTEE</u></p> <p>(ii) Any Member of Customs Excise & Service Tax Appellate Tribunal nominated by the President, CESTAT – CHAIRMAN</p> <p>(iii) Registrar, Customs Excise & Service Tax Appellate Tribunal - MEMBER</p> <p>iii) Dy. Registrar, Customs Excise & Service Tax Appellate Tribunal - MEMBER</p>	Not Applicable

Name of the post	No. of Post	Classification	Scale of Pay	Whether Selection post or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
Stenographer Grade- I	38* (2018) *Subject to variation dependent on work load	General Central Service Group 'B' Non-Gazetted – Ministerial	Rs.9300-34800/- + Grade Pay of Rs.4200/- in (PB-2)	Selection	18-27 years (Relaxable for Govt. servants upto 40 years in accordance with the instructions or orders issued by the Central Government)

Educational and other qualifications required for direct recruits	Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotes	Period of probation, if any	Method of Recruitment, whether by direct recruitment or by promotion or by deputation/ absorption and percentage of the vacancies to be filled by various methods.
7	8	9	10
(i) 12 th class pass or equivalent from a recognized board or university; (ii) Skill test norms Dictation : 10mts @ 100 w.p.m.(English only) Transcription: 40 mts (Eng.only) on computers	Not Applicable	02 years	18% by promotion failing which by direct recruitment 82% by direct recruitment failing which by transfer on deputation/ transfer

In case of recruitment by promotion or deputation/ absorption, grades from which promotion or deputation/ absorption to be made	If a Departmental Promotion Committee exists, what is its composition	Circumstances in which the Union Public Service Commission is to be consulted in making recruitment.
<p>11</p> <p>PROMOTION</p> <p>Stenographers Grade II in the Pay Band I with Grade Pay of Rs.2400/- with 10 years regular service in the grade.</p> <p>NOTE: 1</p> <p>Where juniors who have completed their qualifying or eligibility service being considered for promotion, their senior shall also be considered provided they are not short of the requisite qualifying or eligibility service by more than half of such qualifying or eligibility service or 2 Years, whichever is less and have successfully completed their probation period for promotion to the next higher grade along with their juniors who have already completed such qualifying or eligibility service.</p> <p>Note:2</p> <p>For the purpose of computing minimum qualifying service for promotion, the service rendered on regular basis by an officer prior to 1st January,2006 or the date from which the revised pay structure based on the Sixth Central Pay Commission recommendations has been extended, shall be deemed to be service rendered in the corresponding pay or pay scale extended bases on the recommendations of the Pay Commission.</p> <p>DEPUTATION</p> <p>Officers holding the post of Stenographer under the Central Government (a)(i) holding analogous post on regular basis in the parent cadre or department; or (ii) With 10years regular service in the Pay Band I with Grade Pay of Rs.2400 or equivalent.</p> <p>Note: 1 The departmental officers in the feeder category who are in the direct line of promotion shall not be eligible for consideration for appointment on deputation. Similarly, the deputationist shall not be eligible for consideration for appointment on deputation. Similarly, the deputationist shall not be eligible for consideration for appointment by promotion.</p> <p>Note; 2- Period of deputation including the period of deputation in another ex-cadre post held immediately preceding this appointment in the same or some other organization or department of the Central Government shall ordinarily not exceed three years. The maximum age limit for appointment by deputation shall be 'Not exceeding 56 years' as on the closing date of receipt of applications.</p>	<p>12</p> <p>GROUP 'B' DEPARTMENTAL PROMOTION COMMITTEE</p> <p>(i) Any Member of Customs Excise & Service Tax, Appellate Tribunal – CHAIRMAN</p> <p>(ii) Registrar, Customs, Excise & Service Tax, Appellate Tribunal – MEMBER</p> <p>(iii) Dy. Registrar, Customs, Excise & Service Tax, Appellate Tribunal – MEMBER</p>	<p>13</p> <p>Not necessary</p>