

DEBTS RECOVERY TRIBUNAL (PROCEDURE FOR THE APPOINTMENT OF
PRESIDING OFFICER OF THE TRIBUNAL) RULES, 1998

6 THE GAZETTE OF INDIA : EXTRAORDINARY (PART NOTIFICATION New Delhi, the 19th January, 1998 G.S.R. 32(F) , In exercise the powers conferred by sub-section (t) or Section 4 read with clause (e) or sub-section 2 section 36 of the Debts Due to Banks and Financial Institutions Act, 1993 (51 of 1993). the Central Government hereby makes the following rules, namely I Short title and (1) These rules may be called 'Debts Recovery Tribunal (Procedure for appointment of Presiding Officer of the Tribunal) Rules, 1998. (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 Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (51 of 1993); (t) 'Tribunal' means the Recovery Tribunal established under sub-section (1) 3 of the Act; (c) 'Presiding Officer' means a person appointed as Presiding Officer of a Tribunal under sub-section (1) of section 4 of the Act; (d) 'Reserve Bank' means the Reserve Bank of India constituted under section 3 of the Reserve Bank of India Act, 1934 (2 of 1934); (e) all other 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 appointment— (1) For the purpose of appointment to the post of a Presiding Officer, there shall be a Selection Committee consisting of— (i) The Chief Justice of India or a Judge of the Supreme Court of India as nominated by the Chief Justice of India; (ii) the Secretary to the Government of India in the Ministry of Finance (Department of Economic Affairs); (iii) the Secretary to the Government of India in the Ministry of Law and Justice; (iv) the Governor, or the Reserve Bank or the Deputy Governor of the Reserve Bank nominated by the Government of the Reserve Bank; (v) Special Additional Secretary to the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) or an officer not below the rank of Joint Secretary in the Banking Division nominated by the special Additional Secretary in the Banking Division. (2) The Chief Justice of India or the Judge of the Supreme Court shall be the Chairman of the Selection Committee. (3) Any three members of the Committee including the Chairman shall form a quorum for meeting of the Committee. (4) The Selection Committee may devise its own procedure for selecting a candidate for appointment as Presiding Officer. (5) The Selection Committee shall recommend persons for appointment as Presiding Officer from amongst the persons on the list of candidates prepared by the Ministry of Finance after inviting applications therefor by advertisement. (6) The Central Government shall on the basis of the recommendations of the Selection Committee a list of persons selected for appointment as Presiding Officer and the said list shall be valid for a period of two years. The appointment of a Presiding Officer shall be made from the list so prepared

4. Medical Fitness.— NO person shall be appointed as a Presiding Officer unless he is declared medically fit by a Medical Board to be constituted by the Central Government for the purpose unless he has already been declared fit by an equivalent authority

5. Interpretation.— If any question arises relating to the interpretation of these rules the same shall be referred to the Central Government for its decision

6. Saving.— Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for the Scheduled Castes, Scheduled Tribes, other Backward Classes, ex-servicemen and Other special categories Of persons, in accordance with orders issued by the Central Government from time to time in this regard 7. Oaths of office and secrecy.— Every person appointed to be Presiding Officer under sub section (1) Of the section 4 shall, before entering upon his Office, make and 'subscribe an oath of office and secrecy in the Forms annexed to these rules. D. R. S, CHAUDHARY, It. secy.



FORM-I (See Rule 7) Form of oath of for Presiding Officer of the Debts Recovery Tribunal. (Name of the Presiding Officer) having been appointed as Presiding Officer do solemnly affirm/do swear in the name of God that I will and conscientiously discharge my duties as Presiding Officer to the best of my ability, knowledge and judgement, without fear or favour, affection or ill will. NAME OF THE PRESIDING OFFICER DEBTS RECOVERY TRIBUNAL FORM - 11 (See rule 7) Form of oath of for Presiding Officer of the Debts Recovery Tribunal. (Name of the Presiding Officer) having been appointed as Presiding Officer do solemnly affirm/do the name of God that I Will not directly or indirectly communicate or reveal to any person Or persons any matter which shall be brought under my consideration or shall become known to me as Presiding Officer Of said Debts Recovery Tribunal except as may be required for the due discharge of my duties as the Presiding Officer." NAME OF THE PRESIDING OFFICER DEBTS RECOVERY TRIBUNAL Printed by the Manager, Govt. India Press, Ring Road, Mayapuri, New Delhi-110064 and Published by the Controller of Publications, Delhi-110054

IFICATION of the Rules, 1998, in rule 3, in sub-rule (1), for clause (v), the following clause shall be substituted, namely Secretary or Additional Secretary to the Government of India in the Ministry of Finance, Department of Financial Services. " [F, No. 5/1/2010-DRTI RAVNEET KAUR, it. secy. Footnote.—The principal rules were published in the Gazette of India, Extraordinary Part 11. Section 3, sub-section (i) vide G.S.R. 32(E). dated 19th January, 1998 and subsequently amended, vide G.S.R. 646(E), dated 2nd August, 2000 Printed by the Manager, Government of India Press, Ring Road, and Published by the Controller Of Publications, Mayapuri, New Delhi-1 10064 4

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EXTRAORDINARY PART 11—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY 5, 2011 Arr 15, 1932 NEW DELHI, WEDNESDAY, JANUARY 5, 2011/PAUSA 15, 1932, 4, 201 1 1993 (1993 51) 36 (1) AIXT fr;-qT) .1998 -q;-€ tfrvq, 2010 fr-qT) 1998 (v) fi-qq 3 (1) [T5T. q. 5/1/2010-zt3T(ü) 11, 3, (i) 32 (19 1998 ü 646(31), 2 3-TT7, 2000 23 GV2011 MINISTRY OF FINANCE (Department of Financial Services) NOTIFICATION New Delhi, the 4th January, 201 GS.R, 3(E).—In exercise of the powers conferred by sub-section (1) of Section 4 read with clause (e) of sub- section (2) of Section 36 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (.51 or 1993), the Central Government hereby makes the following rules further to amend the Debts Recovery Tribunal (Procedure for appointment as Presiding Officer of the Tribunal) Rules, 1998, namely : 1. (1) These rules may be called the Debts Recovery Tribunal (Procedure for Appointment as Presiding Officer of the Tribunal) Amendment Rules, 201 0, (2) They shall come into force on the date of their publication in the Official Gazette

2. In the Debts Recovery Tribunal (Procedure for Appointment as Presiding Officer Of the Tribunal) Rules, 1998, in rule 3, in sub-rule (1), for clause (v), the following clause shall be substituted, namely Secretary or Additional Secretary to the Government of India in the Ministry of Finance, Department of Financial Services. " [F, No. 5/1/2010-DRTI RAVNEET KAUR, it. secy. Footnote.—The principal rules were published in the Gazette of India, Extraordinary Part 11. Section 3, sub-section (i) vide G.S.R. 32(E). dated 19th January, 1998 and subsequently amended, vide G.S.R. 646(E), dated 2nd August, 2000 Printed by the Manager, Government of India Press, Ring Road, and Published by the Controller Of Publications, Mayapuri, New Delhi-1 10064 4