

2. अंतरंग उपचार.-

- (1) अंतरंग उपचार के प्रयोजनार्थ, अधिकरण के अधिकारी और कर्मचारी इसके लिए अपील अधिकरण द्वारा प्राधिकृत अस्पतालों में चिकित्सा उपचार के लिए पात्र होंगे, और इस प्रयोजनार्थ, अस्पताल कक्ष, नर्सिंग सुविधा सहित उपचार की लागत केंद्रीय सरकार के कर्मचारियों जो समतुल्य वेतन आहरित कर रहे हैं, के समान केंद्रीय सेवा (चिकित्सा परिचर्या) नियम, 1944 के अनुसार होगी।
- (2) उक्त खंड (1) के प्रयोजनार्थ प्राधिकृत अस्पताल वहीं होंगे जो केंद्रीय सेवा (चिकित्सा परिचर्या) नियम, 1944 द्वारा विनियमित केंद्रीय सरकार के कर्मचारियों के लिए उपलब्ध हैं।
- (3) प्राधिकृत अस्पतालों में उपचार प्राधिकृत चिकित्सकों की सलाह पर केवल आपातकालीन पस्थितियों में ही लिया जा सकता है।

[फा. सं. ए-12023/01/2017-प्रशा.IV]

ज्ञानेश्वर कुमार सिंह, संयुक्त सचिव

MINISTRY OF CORPORATE AFFAIRS**NOTIFICATION**

New Delhi, the 21st September, 2020

G.S.R. 570(E).—In exercise of the powers conferred by section 418 and section 469 read with sub-section (i) of Section 418 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules, namely:-

- 1. Short title and commencement:-** (1) These rules may be called the National Company Law Appellate Tribunal (Recruitment, Salary and other Terms and Conditions of Service of Staff Car Drivers) Rules, 2020.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions:-**(1) In these rules, unless the context otherwise requires, -
 - (a) "Act" means the Companies Act, 2013 (18 of 2013);
 - (b) "Appointing Authority" means the Central Government or the Authority to whom the powers are delegated by the Central Government for making appointments of officers and employees in the Appellate Tribunal by a notification;
 - (c) "Appellate Tribunal" means the National Company Law Appellate Tribunal constituted under section 410;
 - (d) "Schedule" means a Schedule annexed to these rules.
- (2) All other words and expressions used and not defined in these rules, but defined in the Act shall have the same meanings respectively assigned to them in the Act.
- 3. Application.-** These rules shall apply to the post specified in column (1) of Schedule-I.
- 4. Initial Constitution.-** The incumbent of the post shown in the column 1 of the said Schedule-I, who is holding such post on regular basis by becoming employee of the Appellate Tribunal on and from the dissolution of the Company Law Board or the Competition Appellate Tribunal shall be deemed to have been duly appointed under the provisions of these rules and the service rendered by him in the said post before the said dissolution shall be taken into account for the purpose of rights and privileges as to pension, gratuity and other like benefits.
- 5. Number of post, classification and level in pay matrix.-** The number of said post, its classification and level in pay matrix attached thereto shall be as specified in columns (2) to (4) of Schedule-I.
- 6. Method of recruitment, age-limit, qualifications, etc.-** The method of recruitment, age limit, qualifications and other matters relating thereto shall be as specified in columns (5) to (13) the said Schedule-I.

7. **Appointment.-** Appointment to the said post shall be made by the Appointing Authority.
8. **Procedure for appointment by direct recruitment.-** The Appellate Tribunal shall invite applications by advertisement on all India basis, for the said post and shall process for making appointment by the Appointing Authority, through a recognized professional agency having adequate experience in making recruitment in Central Government, Public Sector Undertakings or Tribunals.
9. **Procedure for appointment on deputation basis.-** The Appellate Tribunal shall invite applications for the said post through wide advertisement including publishing invariably in Employment News and selection shall be made on the basis of recommendation of the Selection Committee prescribed in Schedule-I for the respective post.
10. **Absorption of employees on appointment on deputation.-** (1) Notwithstanding anything contained in the provisions of these rules, the persons appointed on deputation basis, who fulfill the qualifications and experience laid down in these rules and who are considered suitable by Departmental Promotion Committee, shall be eligible for absorption, in respective grade subject to the condition that such persons exercise their option for the absorption.
- (2) Such absorption shall also be subject to the condition that their parent departments or cadre controlling authorities do not have any objection to their being absorbed in the Appellate Tribunal.
- (3) Seniority status of appointed under sub rule (1) shall be determined with reference to the date of their absorption to the post concerned.
11. **Conditions of service.-** (1) The conditions of service to the said post in matters of pay, allowances, leave and other conditions of service shall be regulated in accordance with such rules and regulations as are for the time being applicable to employees of the corresponding scale of pay of the Central Government from time to time.
- (2) In matters relating to Provident Fund Scheme, Group Insurance or any other Insurance Scheme, age of superannuation, pension and retirement benefits of the Staff Car Driver working on deputation basis shall continue to be governed by the relevant rules as applicable to them in their parent Ministry or department or organisation.
- (3) The Appellate Tribunal shall recover contributions toward such schemes from their salary and remit the amount immediately to the lending Ministry or Department or Organisation and any loss of interest on account of late remittance shall be borne by the Appellate Tribunal.
- (4) The Staff Car Driver of the Tribunal shall have the option to avail medical facilities as per their entitlement in the parent organisation or as specified in Schedule-II.
12. **Accommodation.-** The Staff Car Driver of the Appellate Tribunal shall have the option of claiming House Rent Allowance in accordance with the rate prescribed by the Central Government as applicable to the employees of the corresponding scales of pay of the Central Government.
- Provided that they shall not be eligible for House Rent Allowance in case they are declared eligible for general pool residential accommodation and occupies such a Government accommodation allotted to them.
13. **Disciplinary Proceedings.-** The Staff Car Driver of the Appellate Tribunal shall be subject to disciplinary proceedings as per rules and regulations applicable to the employees of the corresponding level in pay matrix of the Central Government.
14. **Disqualification.-** No person,-
- (i) who has entered into or contracted a marriage with a person, having a spouse living; or
- (ii) who, having a spouse living, has entered into or contracted a marriage with any person,
- shall be eligible for appointment to any post in the Appellate Tribunal:
- 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.

15. Other conditions of service.- Other conditions of service to the said post for which no specific provision or insufficient provision has been provided in these rules, shall be regulated in accordance with such rules and orders, as are, from time to time, applicable to officers and employees of the corresponding level in pay matrix of pay of the Central Government stationed at those places.

16. Power to relax.- Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, in consultation with the Chairperson of the Appellate Tribunal 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.

17. Saving.- Nothing in these rules shall affect reservation, relaxation of age-limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, economically weaker section, ex-Servicemen and other special categories of persons in accordance with the rules and orders issued by the Central Government from time to time in this regard.

SCHEDULE-I

[see Rules 4, 5 and 6]

Name of post.	Number of post.	Classification.	Level in Pay Matrix.	Whether selection post or non-selection post.	Age limit for direct recruits.	Educational and other qualifications required for direct recruits.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Staff Car Driver.	5* (2020) *subject to variation dependant upon workload.	Not applicable.	Level-2 (Rs. 19,900 – 63,200).	Not applicable.	Between 18 and 27 years of age. Note 1: Relaxable for Government Servant up to five years in accordance with the instructions or orders issued by the Central Government. Note 2: The crucial date for determining the age limit shall be the closing date for receipt of applications except for those in Assam, Meghalaya, Arunachal Pradesh, Mizoram, Manipur, Nagaland, Sikkim, Union Territory of Ladakh, Lahual and Spiti Division and Pangi Sub-Division of Chamba District of Himachal Pradesh, Andaman and Nicobar Island and Lakshadweep.	Essential: 1. A pass in the 10 th standard from a recognised institution. 2. Possessing a valid driving licence for motor cars. 3. Knowledge of motor mechanism and be capable of removing minor defects in motor vehicle. 4. Experience of driving of a motor car for at least three years. Desirable: Three years' service as Home Guard or Civil Volunteer.

Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation, if any.	Method of recruitment whether by direct recruitment or by promotion or by deputation/ absorption and percentage of vacancies to be filled by various methods.	In case of recruitment by promotion or by deputation or absorption, grade from which promotion or deputation or absorption to be made.
(8)	(9)	(10)	(11)
Not applicable.	Two years for direct recruitment.	Deputation/ absorption failing which by direct recruitment on the basis of objective type test and skill test in driving motor car.	Deputation/Absorption: From amongst the regular Despatch Rider or Multi-Tasking Staff in level-1 in pay matrix of the Central or State Governments or Union territories administration or Courts or Tribunals who fulfils the qualification and experience mentioned in column No. 7.

If a Departmental Promotion Committee exists, what is its composition.	Circumstances in which Union Public Service Commission is to be consulted in making recruitment.
(12)	(13)
Department Committee (for considering confirmation and selection for deputation) consisting of: 1. Registrar of the Appellate Tribunal –Chairperson; 2. Nominee of the Secretary, Ministry of Corporate Affairs (not below the rank of Under Secretary)- Member; 3. Deputy Registrar of the Appellate Tribunal (to be nominated by the Chairperson) – Member.	Not applicable.

Schedule-II

[See rule 11 (4)]

MEDICAL FACILITIES

- Outdoor Medical expenses.**—(1) Officers and employees shall be eligible to get medical reimbursement for self and declared members of family.

Explanation.— For the purpose of this clause, the expression “family” has the same meaning as assigned to it in the Central Services (Medical Attendance) Rules, 1944.

(2) The reimbursement of outdoor medical expenses during the year shall be limited to the actual expenses or one month's pay on the 1st January of the year (Basic pay plus Dearness Allowance) whichever is less.

(3) The claim should be supported by doctor's prescription and the original cash memos or bills for treatment by the doctor and purchase of medicines and the release of increment or promotion during the year shall not affect the reimbursement limit as on the 1st January.

(4) For the officers and employees joining during the year, the annual entitlement shall be restricted on pro-rata basis.

(5) The outdoor treatment shall be taken from the authorised medical attendants from the panel to be maintained by the Appellate Tribunal.

2. Indoor treatment.-

- (1) For the purpose of indoor treatment, the officers and employees of the Appellate Tribunal shall be entitled for medical treatment at hospitals authorised by the Appellate Tribunal in this behalf, and for this purpose, the cost of treatment including hospital accommodation, nursing home facility shall be as per the provisions of the Central Services (Medical Attendance) Rules, 1944 as applicable to the Central Government employees drawing equivalent pay.
- (2) The authorised hospitals for the purpose of clause (1) above shall be the same as are available to the Central Government employees regulated by Central Services (Medical Attendance) Rules, 1944.
- (3) Treatment at authorised hospitals may be taken on the advice of the authorised medical attendants only in emergency.

[F. No. A-12023/01/2017-Ad.IV]

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