

प्ररूप-II

(कृपया नियम 7 देखें)

ऋण वसूली अधिकरण के पीठासीन

(अधिकारी द्वारा गोपनीयता की शपथ का प्ररूप)

मैं,..... (पीठासीन अधिकारी का नाम),..... जो पीठासीन अधिकारी के रूप में नियुक्त हुआ हूँ सत्यनिष्ठा से प्रतिज्ञान करता हूँ। मैं शपथ लेता हूँ, कि मैं किसी व्यक्ति या किन्हीं व्यक्तियों को कोई ऐसा विषय प्रत्यक्ष रूप से या अप्रत्यक्ष रूप से संसूचित या प्रकट नहीं करूँगा, जो तबत ऋण वसूली अधिकरण के पीठासीन अधिकारी के रूप में मेरे विचारधीन लाया जाएगा या मेरी जानकारी में लाया जाएगा, सिवाय उनके जो पीठासीन अधिकारी के रूप में मेरे कर्तव्यों के सम्यक निर्वहन के लिए अपेक्षित हैं।"

पीठासीन अधिकारी का नाम

ऋण वसूली अधिकरण

NOTIFICATION

New Delhi, the 19th January, 1998

G.S.R. 32(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 of 1993), the Central Government hereby makes the following rules, namely :—

1. Short title and commencement.— (1) These rules may be called the Debts Recovery Tribunal (Procedure for appointment as 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);

(b) "Tribunal" means the Debts Recovery Tribunal established under sub-section (1) of section 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 under sub-section (1) of section 4 of the Act.— (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, of 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 make 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 the 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.

[F.No. 1/10/97-DRT.]

D. R. S. CHAUDHARY, Jt. Secy.

FORM-I

(See Rule 7)

Form of oath of office for Presiding Officer of the Debts Recovery Tribunal.

"I.....(Name of the Presiding Officer) having been appointed as Presiding Officer do solemnly affirm/do swear in the name of God that I will faithfully 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 - II

(See rule 7)

Form of oath of secrecy for Presiding Officer of the Debts Recovery Tribunal.

"I,.....(Name of the Presiding Officer) having been appointed as Presiding Officer do solemnly affirm/do swear in 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**

NOTIFICATION

New Delhi, the 2nd August, 2000

G.S.R. 646(E).— In exercise of the powers conferred by 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 of 1993), the Central Government hereby makes the following rules 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, 2000.
- (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, for sub-rules (4) and (5), the following sub-rules shall be substituted, namely :-
 - “(4) The Selection Committee may devise its own procedure including conducting interview for selection and appointment of Presiding Officer.
 - (5) The Selection Committee shall recommend persons for appointment as Presiding Officer, -
 - (i) from amongst the persons from the list of candidates prepared by the Ministry of Finance after inviting necessary applications; and
 - (ii) from amongst judicial officers nominated by a High Court.”

[F. No. 1/10/97-DR1]

ANOOPI MISHRA, Jt. Secy.



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 3]

नई दिल्ली, बुधवार, जनवरी 5, 2011/पौष 15, 1932

No. 3]

NEW DELHI, WEDNESDAY, JANUARY 5, 2011/PAUSA 15, 1932

वित्त मंत्रालय
(वित्तीय सेवाएं विभाग)
अधिसूचना

नई दिल्ली, 4 जनवरी, 2011

सा.का.नि. 3(अ).—बैंकों और वित्तीय संस्थाओं को शोध्य ऋण वसूली अधिनियम, 1993 (1993 का 51) की धारा 36 की उप-धारा (2) के खंड (ड) के साथ पठित धारा 4 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा, ऋण वसूली अधिकरण (अधिकरण के पीठासीन अधिकारी के रूप में नियुक्ति हेतु प्रक्रिया) विनियम, 1998 में संशोधन करने के लिए निम्नलिखित नियम बनाती है, नामतः :—

1.(1) इन नियमों को ऋण वसूली अधिकरण (अधिकरण के पीठासीन अधिकारी के रूप में नियुक्ति हेतु प्रक्रिया) विनियम, 2010 कहा जा सकता है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. ऋण वसूली अधिकरण (अधिकरण के पीठासीन अधिकारी के रूप में नियुक्ति हेतु प्रक्रिया) विनियम, 1998 में खंड (v) के लिए नियम 3 में, उप-नियम (1) में निम्नलिखित खंड प्रतिस्थापित होंगे, नामतः :—

“(v) भारत सरकार, वित्त मंत्रालय, वित्तीय सेवाएं विभाग में सचिव अथवा अपर सचिव।”

[फा. सं. 5/1/2010-डीआरटी]

रवनीत कौर, संयुक्त सचिव

पाद टिप्पणी.—प्रधान विनियम भारत के राजपत्र, असाधारण, के भाग II, खंड 3, उप-खंड (i) में सा.का.नि. 32(अ), द्वारा दिनांक 19 जनवरी, 1998 को प्रकाशित हुए थे और तत्पश्चात् सा.का.नि. 646(अ), दिनांक 2 अगस्त, 2000 द्वारा संशोधित हुए थे।

23 GI/2011

MINISTRY OF FINANCE
(Department of Financial Services)
NOTIFICATION

New Delhi, the 4th January, 2011

G.S.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 of 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, 2010.

(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 :—

“(v) Secretary or Additional Secretary to the Government of India in the Ministry of Finance, Department of Financial Services.”

[F. No. 5/1/2010-DRT]

RAVNEET KAUR, Jt. Secy.

Footnote.—The principal rules were published in the Gazette of India, Extraordinary Part II, 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.