

HIGH COURT OF MADHYA PRADESH : JABALPUR

// O R D E R //

No. 922 / Confdl /2021
II-2-10/94

Dated 27th September, 2021

In exercise of the powers conferred under Article 235 of the Constitution of India and other enabling provisions; the High Court of Madhya Pradesh, hereby, permits **Shri Dharminder Singh**, a Permanent Officer of Higher Judicial Service cadre, presently posted as Member Secretary, M.P. State Legal Services Authority, Jabalpur on his request letter, dated 17.09.2021 to join the post of Member (Judicial) in National Company Law Tribunal (NCLT) on or before 25.10.2021; in pursuance of his appointment for the said post; made vide Order No.A-12023/03/2019-Ad.IV, dated 11th September, 2021 and subsequent Order, dated 20th September, 2021 of the Under Secretary to the Government of India, Ministry of Corporate Affairs, New Delhi.

It is further clarified that the lien of Shri Dharminder Singh shall be kept in the Parent department in terms of proviso to Section 413 (2) of Chapter XXVII of the Companies Act, 2013 for one year i.e. the same shall stand terminated automatically on completion of one year from the date he joins to the aforesaid post. The said condition is also mentioned in his appointment letter, dated 11.09.2021 at Sr.No.4 (*supra*).

BY ORDER OF HON'BLE THE CHIEF JUSTICE


(RAJENDRA KUMAR VANI)
REGISTRAR GENERAL

Endt. No. 923 / Confdl /2021
II-2-10/94

Dated 27th September, 2021

Copy forwarded to :-

1. The Deputy Controller, Govt. Central Press, Arera Hills, Habibganj, Bhopal-6 for publication in the next issue of the M.P. GAZETTE.

2. The Principal Secretary, Government of M.P. Law & Legislative Affairs Department, 1st Floor, Vindhyachal Bhawan, Bhopal, Pin 462 006, for information **with a request to hand over the services of Shri Dharminder Singh**, an Officer of HJS cadre, presently posted as Member Secretary, M.P. State Legal Services Authority, Jabalpur **to the concerned department** in view of his appointment to the post of Member (Judicial) in National Company Law Tribunal (NCLT) **with a condition that the lien of Shri Singh shall stand terminated automatically on completion of one year from the date he joins to the post of Member (Judicial) in National Company Law Tribunal (NCLT) in terms of proviso to Section 413 (2) of Chapter XXVII of the Companies Act, 2013.**
3. The Under Secretary to the Government of India, Ministry of Corporate Affairs, New Delhi for information and necessary action in reference to his letter No.A-12023/3/2019-Ad.IV-MCA, dated 20.09.2021. It is also clarified that the **lien of Shri Dharminder Singh**, an Officer of HJS cadre **shall be kept in the Parent department in terms of proviso to Section 413 (2) of Chapter XXVII of the Companies Act, 2013** as mentioned in his appointment Order No.A-12023/03/2019-Ad.IV, dated 11.09.2021.
4. **Shri Dharminder Singh, Member Secretary, M.P. State Legal Services Authority, Jabalpur** for information with a direction to handover the charge of current post and takeover the charge of new place of posting **on or before 25.10.2021 and to report to the President, NCLT at New Delhi** on the given address of the offer letter, dated 11.09.2021 of the Under Secretary to the Govt. of India, Ministry of Corporate Affairs, New Delhi; **under intimation to this Registry.**
5. The Accountant General, (I), M.P. Gazetted Audit Department, Gwalior, for information.
6. The Accountant General, (II), Gwalior, for information.

7. Senior Principal System Analyst (S.A), High Court of Madhya Pradesh, Jabalpur, for sending copy of order by e-mail to the following Judicial Officers :-
1. District Judge (Inspection), High Court Premises, Jabalpur/ District Judge (Inspection), J.E.-1, Judges Enclave, Residency Area, Indore-452001/ District Judge (Inspection), 28/B, Race-course Road, Opposite Mela Ground, Gwalior (M.P.), for information.
 2. Principal Registrar, High Court of M.P., Bench at Indore, for information
 3. Principal Registrar, High Court of M.P., Bench at Gwalior, New High Court Building, City Centre, Gwalior, for information.
 4. Office of the Member Secretary, M.P. State Legal Services Authority, 574, South Civil Lines, Jabalpur, **for information and necessary action.**
 5. Principal Registrar (Judicial) / (Vigilance) / (I.L.R. & Examination), High Court of M.P., Jabalpur, for information.
 6. Registrar(I&L)/ (District Establishment)/ (Works & Infrastructure)/ (Judicial-I)/ (Judicial-II)/ (Administration)/ (Exam & Labour Judiciary)/ District Judge (Inspection)/ Officer on Special Duty/ Registrar-cum-Secretary, High Court Legal Services Committee, High Court of Madhya Pradesh, Jabalpur, for information.
 7. The Director / Additional Director, Madhya Pradesh State Judicial Academy, First Floor, MPSJA Building, Jabalpur for information.
 8. Registrar (E) / Accounts Officer/ Budget Officer/ Registrar-cum-PPS/ Joint Registrar/ Deputy Registrar (Judicial), High Court of Madhya Pradesh, Jabalpur, for information.
 9. O.S.D.-cum-P.P.S. to Hon'ble the Chief Justice, High Court of Madhya Pradesh, Jabalpur, for placing the same before Hon'ble the Chief Justice for kind information.

10. Secretary to Hon'ble Shri Justice _____,
High Court of M.P., Jabalpur, for placing the same before His Lordship
for kind information.
11. Secretary to Hon'ble Shri Justice _____,
High Court of M.P., Bench at Indore, Indore for placing the same before
His Lordship for kind information.
12. Secretary to Hon'ble Shri Justice _____,
High Court of M.P., Bench at Gwalior, Gwalior for placing the same
before His Lordship for kind information.
13. Administrative Officer, Pension/ Budget/ Assistant (Works)/ Complaint/
Pay Fixation (Gazetted)/ Advance/ Leave (Gazetted)/ Civil Checker/
Criminal Checker/ Library of High Court of M.P., Jabalpur, for
information.
14. Secretary to the Registrar General, High Court of Madhya Pradesh,
Jabalpur, for information.

NOTE :- Vide Registry Order No. Reg.(IT)(SA)/2018/368, dated 01.03.2018,
it has been directed to stop Printing / Photocopying / Cyclostyle of all
general Administrative Orders like transfer, posting etc. and the same
Orders / Circulars etc. are to be made available in the official website
of the High Court, accordingly, in compliance of the same, all
concerned are hereby informed to download a copy of the Order/
Circular and accordingly, ensure necessary action, if any.


(RAJENDRA KUMAR VANI)
REGISTRAR GENERAL

No. A-12023/03/2019-Ad.IV
Government of India
Ministry of Corporate Affairs
(Ad. IV Section)

5th Floor, 'A' Wing, Shastri Bhawan,
Dr. R.P. Road, New Delhi-110 001
Dated, the 11th September 2021.

To

Mr. Dharminder Singh
II/365, Saini Colony, Model Town
Karnal, Haryana - 132001
knrathore88@gmail.com

Subject: Offer of appointment for the post of Member (Judicial) in National Company Law Tribunal (NCLT) in the pay scale Rs. 67,000-79,000/- (pre-revised) - regarding.

Sir,

With reference to your application for the above mentioned post, I am directed to state that the Central Government has approved your appointment for the post of Member (Judicial) in National Company Law Tribunal (NCLT) in the pay scale Rs. 67,000-79,000 (pre-revised) (Level 15 as per 7th CPC) for a period of five years from the date of assumption of the charge of the post or till you attain the age of 65 years or until further orders, whichever is earlier.

2. Your terms and conditions as Member (Judicial), NCLT will be governed by the NCLT (Salary and Allowances and other Terms and Conditions of Service of the President and Other Members) Rules, 2015 and its amendment (copies enclosed).

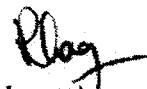
3. The pay of a serving or retired government officer or Chairman, Vice-chairman, President, Vice-president, Presiding officer, Member of a Tribunal, Appellate Tribunal or an authority, or a judge of a High Court, who is or has been drawing higher pay, on their joining as Member, National Company Law Tribunal shall be fixed at the level of pay which they were drawing at the time of demitting their previous employment, subject to a limit of Rs 80,000 (pre-revised, now Rs 2,25,000). However, this provision shall not affect any other entitlement corresponding to the pay of a Member as provided in the rules.

4. In terms of proviso to section 413 (2) of Chapter XXVII of the Companies Act, 2013, the Member may retain his lien with his parent cadre or Ministry or Department, as the case may be, while holding office as such for a period not exceeding, one year.

5. You are requested to report to President, NCLT within two weeks from the date of issue of this letter, at 6th Floor, Block No. 3, Lodhi Road, CGO Complex, New Delhi - 110003. The place of your posting will be notified by the Ministry of Corporate Affairs in consultation with President, NCLT separately.

Encls (As above)

Yours faithfully,



(Riazul Haque)

Under Secretary to the Govt. of India
Tele. No. 23381349

Copy for information to:

1. Establishment Officer & Additional Secretary, Department of Personnel & Training
Ministry of Personnel, Public Grievances & Pensions, w.r.t. communication No. 18/15/2020 -
EO (SM.II) dated 11.09.2021.

2. Secretary, NCLT, 6th floor, Block-3, CGO Complex, Lodhi Road, New Delhi-110003.

No. A-12023/3/2019-Ad.IV-MCA
Government of India
Ministry of Corporate Affairs
(Ad. IV Section)

5th Floor, 'A' Wing, Shastri Bhawan
Dr. R.P. Road, New Delhi-110 001
Dated, the 20 Sep., 2021

To

Mr. Dharminder Singh
II/365, Saini Colony, Model Town
Karnal, Haryana - 132001
knlrathore88@gmail.com

Subject: Offer of appointment for the post of Member (Judicial) in National Company Law Tribunal (NCLT) reg-

Sir,

I am directed to refer to your email dated 14.09.2021 seeking extension for further one month for joining the post of Judicial Member in NCLT in view of this Ministry's letter dated 11.09.2021 and to convey that your request for extension has been considered in this Ministry. Accordingly, you are requested to join as Judicial Member, NCLT on or before 25.10.2021.



(Riazul Haque)

Under Secretary to the Govt. of India
Tel. No- 2338 1349

Copy for information and necessary action to:

Registrar General, High Court of Madhya Pradesh, Jabalpur.

Copy also forwarded for information to:

1. Secretary, NCLT, Block No. 3, 6th Floor, CGO Complex, Lodhi Road, New Delhi-110 003 for information.
2. Director (SM.II), F.O. Division, Department of Personnel and Training, North Block, New Delhi w.r.t. DoPT's communication No. 18/15/2020-EO(SM.II) dated 11.09.2021.

Joint
High Court
2019/2021

AK (CS)
JJA (HS)