

File No. 10/65/2017-NCLT/1033
National Company Law Tribunal

CGO Complex, Block-3, 6th Floor
New Delhi- 110003

Date: - 24.09.2024

OFFICE MEMORANDIUM

Subject:- Engagement of Law Research Associates in various Benches of National Company Law Tribunal purely on contractual assignment

Applications are invited from Indian nationals to work as Law Research Associate in NCLT purely on contractual assignment in Chennai and Indore Benches of National Company Law Tribunal. There are a total of **2 tentative vacancies** across the Benches of NCLT.

Following are the essential qualifications: -

- (a) Candidate should be a Graduate in Law (including an Integrated Degree Course in Law under 10+2+3+3 or 10+2+5 pattern) with a minimum aggregate of 50% marks from any School/College/University/Institute established by law in India and recognized by the Bar Council of India for admission as Advocate or Attorney of an Indian Court;
- (b) Candidates who have passed all his/her Examinations within the duration of their Course are alone eligible to apply;
- (c) Candidates who have obtained his/her Law Degree/LLM not earlier than two years as on the date of advertisement or any other date specified in the advertisement, are only eligible to apply for the assignment as Law Research Associate;
- (d) Candidates studying in the fifth year of the Five-Year Integrated Law Course or the third year of the Three-Year Law Course after graduation in any stream will also be eligible to apply, subject to furnishing proof of acquiring Law qualification before taking up the assignment as Law Research Associate;
- (e) Candidates pursuing Post Graduate Degree in Law or any other Degrees or Programmes requiring their compulsory attendance elsewhere, during part of expected period of engagement as Research Associates, are not eligible to apply for the assignment as Law Research Associate;
- (f) The age of the candidate shall not be above 30 years as on the last date of receipt of applications i.e. **on 23.10.2024**.
- (g) The candidate must have research and analytical skills, writing abilities, including retrieval of desired information from various search engines/processes such as eSCR, Manupatra, SCC Online, LexisNexis, Westlaw. etc; and
- (h) Must have good knowledge of operation of computers and skill of using common software in use like MS office, etc.
- (i) Must have requisite knowledge of Company law with IBC.

2. **Disqualifications:** The Candidates will be disqualified subject to the following conditions:

- (a) A candidate must not be engaged, or appointed elsewhere on honorarium payment basis; or

- (b) A candidate should not have been involved in any criminal case, whether pending or convicted, for an offence involving moral turpitude; or
- (c) A candidate must not be facing any disciplinary proceeding before the Bar Council of India, Bar Council of the State or Institutes or any other authority.

3. Selection will be made for filling up the existing and/or future vacancies in NCLT Benches mentioned above.

4. **Remuneration:** - The remuneration in various benches is currently as follows;

S/No	Bench	Remuneration (Rs per month)
1	Chennai	60000/-
2	Indore	60000/-

LRAs will not be entitled to any DA/HRA/residential accommodation or any other allowance.

5. **Duties and Functions:** - Every Law Research Associate is expected to assist the Hon'ble President/ Members in:

- (a) Reading of case files, preparation of the case including case summary and notes, chronology of events;
- (b) The LRA shall conduct such research as to facts and Law on any case or cases pending before the Hon'ble President/ Member to whom he is attached as and when he is entrusted to do so by the Hon'ble President/Member concerned. The LRA would conduct the research in printed or electronic form, statute, resolution, text etc. on the related question of law and report the result of such research to the Hon'ble President/Member orally or in writing as required. In doing so, the LRA would have to analyse various factual aspects and facets of Law involved;
- (c) Research work including Case Laws, Articles, Papers and in assisting in preparation of judgments, corrections and editing;
- (d) The LRA shall conduct necessary research in the Members Library of the Tribunal or the residential library of the Hon'ble President/Member or other library or through internet and must keep themselves abreast with the important rulings of the Supreme Court, High Courts, more particularly of the Tribunal and Appellate Tribunal, so as to be able in providing maximum assistance to the Hon'ble President/ Member concerned as and when necessary;
- (e) It shall be duty of the LRA to attend the court of the Hon'ble President/ Member concerned and take notes of the arguments of the counsel, research on citations;
- (f) The LRA, if asked by the Hon'ble President/ Member, shall verify the final order prepared by the Hon'ble President/ Member to ascertain any omission with reference to some arguments of the counsel or the errors as to the facts or grammar or construction of sentences. It shall be his duty to draw the attention of the Hon'ble President/ Member concerned to such omissions of errors, if any;
- (g) The LRA shall also verify the citations of the precedents and compare the names of the

respective parties therein. He shall also verify the correctness of the quotation from documents of judgments as set out in the final order of the Hon'ble President/Member concerned;

- (h) Maintaining and organising case files;
- (i) Preparation of research or academic papers, speeches assistance in important conferences;
- (j) Being aware of court procedures viz., method of filing of various categories of cases, provisions of law, movement of cases before and after filing, etc.;
- (k) Statistical reports including timely delivery of judgments;
- (l) Maintenance of books, other research papers and materials and such other works entrusted by the Hon'ble President/ Member to whom the LRA is attached from time-to-time; and
- (m) To perform any other work as directed by the Hon'ble President/ Member.

6. Character: - The Candidate should have absolute integrity, honesty and good moral character for which LRAs will submit certificate of two responsible persons at the time of joining in the respective bench. LRAs should not be involved in any criminal case whether convicted or in which criminal trial is pending.

7. Conduct during and after the terms of assignment: -

- I. Every LRA shall maintain devotion to duty and a high standard of morals during the assignment term. The LRA shall also maintain a high standard of reputation and integrity commensurate with the responsibilities entrusted to him/her.
- II. LRAs shall maintain utmost secrecy in respect of matters which come to his/her notice by virtue of the assignment and shall ensure that no information, document or any other thing is leaked out because of mishandling of papers or his/her deliberations with other or in any manner. LRAs will not disclose any fact which comes to his/her knowledge on account of such official attachment even after completion of terms of assignment unless such disclosure is legally required in discharge of lawful duties.
- III. The Law Research Associate will not accept any other assignment during his/her term engagement as such. LRAs shall not practice as an Advocate in any court of Law or Tribunal or Authority during the course of assignment as Law Research Associate and it will be obligatory for them after accepting the assignment as LRA to inform the Bar Council concerned, in writing, that he/she shall not practice as an Advocate as long as he/she continues with the assignment as Law Research Associate.
- IV. The LRA during the period of their assignment shall not be entitled to take up any employment, engagement of whatsoever nature either on full-time or part time basis.
- V. LRAs will be required to adhere to the dress code as may be specified by the Hon'ble President.
- VI. LRAs will not leave headquarter without seeking permission from the Hon'ble President/Hon'ble Member concerned.
- VII. LRAs shall maintain punctuality in attending to his/her duties.
- VIII. Since this is a full-time engagement, LRAs will not enroll in any regular course of any kind

- during the period of engagement.
- IX. Based on consent LRAs may be required to perform duties in one or other Benches of NCLT for a short period of time, to address any specific issues as may be identified by the Hon'ble President. In such circumstances the administration will provide all necessary arrangements and facilities as may be specified.
 - X. The person appointed on contract basis will have no claim for regularization under any circumstances. Further, the selected candidates will have to agree through an undertaking to the terms and conditions of engagement.
 - XI. LRAs shall not practice as an Advocate for a period of three years from the date of completion of the term of engagement in the court(s) of NCLT in which LRAs has worked or before the member(s) with whom LRA has been attached during the term of as LRA. In case an LRA has worked in multiple benches the time would be computed from the last date of completion of engagement as LRA. However, the LRA shall be free to appear in any other court of NCLT without restraint.
 - XII. An LRA will be governed by the provisions of the Indian Penal Code and the Indian Official Secrets Act, 1923 as applicable to any public servant.

8. Record of Attendance:

- (a) All the Law Research Associates should mark their attendance either in the Attendance Register kept in the Registry or in the Biometric Attendance System (BAS), before they proceed to the Chambers of the respective Member, to whom they are attached.
- (b) If, any of the Law Research Associate has been directed to attend the work at the Official Residence of the Hon'ble President/ Member or elsewhere, he may inform the P.A./PS to the Hon'ble President/ Member.

9. Period of Contract: -

- (a) The period of contract initially will be for one year, extendable further depending upon the performance and requirement one year at a time subject to the concurrence of the Hon'ble President/Member to whom he/she is attached and with the approval of the Engaging Authority. The maximum period of engagement as Law Research Associate on contract basis in the NCLT will not exceed three years in a term. However LRA would be required to give an undertaking that he/she shall serve for a period of 3 years as LRA in NCLT.
- (b) The assignment of LRA may be discontinued even before the completion of one year, by giving two weeks' notice, if his/her services are found to be unsatisfactory.
- (c) The Candidates should join their assignment of LRA, within the period specified in their order of appointment. Ordinarily, no request for extension of joining time will be entertained.
- (d) The contractual assignment shall not confer upon the LRA, any right/claim for regular appointment or continuance beyond the period of engagement. LRA shall not be treated or deemed to be a regular employee in the Tribunal.
- (e) Any LRA intending to leave the assignment within a period of one year shall be required to

give prior notice of at least six weeks through the Private Secretary of the Hon'ble President/Member to whom he/ she has been attached.

10. Leave Entitlement: -

- (a) LRA shall be entitled for one day Casual Leave on completion of one Calendar month. The un-availed Casual Leave in a particular month may be carried forward, subject to maximum eligibility of 12 days in a Calendar Year.
- (b) The Hon'ble President/Member to whom they are attached shall be the Competent Authority to sanction leave of the LRA. An LRA will not avail leave without advance sanction of the same. In any case of emergency, an LRA will immediately inform the P.A/PS to the Member concerned who will maintain proper account of attendance/leave and will intimate the details to the Administration/Registry.
- (c) If, any LRA is found to be exceeding the permissible limit of 12 days of Casual Leave in a Calendar Year, necessary deductions will be made from their monthly Honorarium, on pro-rata basis.
- (d) An LRA will not leave station without prior permission from the Hon'ble President/Member concerned. After completion of two years tenure they will have the option to give up their assignment by giving one month's advance written notice. However, the President, NCLT will have the power to waive the notice period.

11. Their working days and working hours shall be same as are applicable to other serving officers and employees of the Tribunal. However, depending upon the need and requirement of the Hon'ble President/Hon'ble Member to whom, they are attached, they will be liable to work beyond office hours for a reasonable time only if required.

12. **Last date for submission of application:** - Interested candidates may submit their applications online through the following link:

https://nicforms.nic.in/nicforms_designer/nic_form_selector.php?form_id=enRhYmxlNjZmMmEwNDRjOGY3YjIwMjQwOTI0NDg=

All candidates have to fill up the entries correctly in the Online Form and upload CV of the candidate with recent passport size photo along with uploading of documents of educational qualification and experience in the online form. The last date for receipt of applications is 23.10.2024 at 17.00 hrs. The Online Form would be disabled at 17.00 hrs on 23.10.2024.

Note 1: No application would be entertained either at NCLT HQ or by post or by email. If any application is received through any any such mode, the same would not be considered and no action would be taken on the same.

13. Candidates who are working as Law Research Associates in various NCLT Benches have to apply through their office and also through the link given above.

14. Last date for receipt of applications is **23.10.2024**. Applications received after due date, incomplete, unsigned and not on the prescribed format will not be considered and summarily rejected.

15. Selection would be based on Written Examination and Interview. During the interview questions will be asked on the Companies Act, 2013, Insolvency Bankruptcy Code, 2016 & other relevant allied laws. Candidates would also be subjected to tests to evaluate their research skills on Company Law and Corporate Insolvency Law and allied laws, besides general knowledge.

16. In case the number of applicants is very large, shortlisting may be done on the basis of qualifications, experience and other relevant parameters. Selection would be based on interview, which would be designed to assess the knowledge and skill in the law and general knowledge. Candidates would also be subject to tests to evaluate their research skills on legal matters and their aptitude to work.

17. No TA/DA will be admissible for appearing in the interview. The NCLT reserves the right to call only shortlisted candidates for the interview.

18. The Tribunal reserves the right to cancel the notification or modify or alter any terms and conditions of this notification at any stage. All other matters which are not specifically provided in the notification shall be as framed by the Competent Authority from time to time.

19. The candidature will be liable to be rejected at any stage if the information furnished in the application form is found incorrect on subsequent verification, and if engaged, the contractual assignment will be liable to be terminated forthwith.

Sd/-
(Kamal Sultanpuri)
Joint Registrar,
NCLT, New Delhi