

5th Floor, 'A' Wing, Shastri Bhawan, New Delhi.
Dated the 09th June, 2017

ORDER

In supersession of all earlier orders regarding delegation of powers to Head of Departments of NCLT and NCLAT, the President is pleased to designate Secretary, NCLT (Principal Bench), Members (in charge of Administration) of Regional Benches of NCLT and Registrar, NCLAT as 'Head of Department' under Rule 13(2) and Rule 3(f) of Delegation of Financial Power Rules, (DFPR), 1978.

2. Further, in accordance with the guidelines issued by the Ministry of Finance under O.M. No.F.10(13)-E(Coord)/75 dated 10.04.1975 and O.M. No.1/7/E-II (A)/2008 dated 30.05.2008, financial powers to the following extent is also delegated to Secretary, NCLT and Registrar, NCLAT for incurring contingent and miscellaneous expenditure in accordance with Annexure to Schedule V and VI of DFPR-1978 as revised and amended from time to time :

Head	Sub Head	Secretary NCLT	Registrar NCLAT
Contingent Expenditure (Schedule V)	Recurring	Full powers	Full powers
	Non-recurring	Full powers	Full powers
Miscellaneous Expenditure (Schedule VI)	Recurring	Full powers	Full powers
	Non-recurring	Full powers	Full powers
Hiring of private vehicles (Schedule V)		Full powers	Full powers
Outsourcing of services		Full powers	Full powers

3. The financial powers are delegated to Members (Administration) of all Regional Benches of NCLT as HOD of respective Benches to the following extent:

Contingent Expenditure (Schedule V)	Recurring	Full Powers (AS HOD)
	Non-recurring	₹. 1.25 lakh in each case.
Miscellaneous Expenditure (Schedule VI)	Recurring	₹. 6.25 lakh in each case.
	Non-recurring	₹. 1.25 lakh in each case.
Hiring of private vehicles (item 2(ii) of Schedule V)		₹. 12 lakhs per annum and ₹.6 lakhs in each case.
Outsourcing of services		The first time contract/engagement will be with the approval of Secretary, NCLT.

4. Beyond the delegated powers of Members (Administration) of Regional Benches of NCLT, the concurrence of Secretary, NCLT will be required to be taken by Regional Benches, who will exercise his powers as per conditions stipulated in succeeding paras.

5. The powers delegated are subject to the following conditions:-

(i) The powers delegated above will include financial sanctions for the proposal for Design and Development, Implementation, Operation and Maintenance of the e-Governance solution for the NCLT/NCLAT, being implemented through NICS/NIC, approved vide this Ministry's letter No.A-45011/43/2015-Ad.IV dated 31.03.2017.

(ii) DS/Director (Finance) of IFD of the Ministry is designated as the Financial Adviser to NCLT/NCLAT.

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- (iii) Whenever the financial implication crosses the following limit, Secretary, NCLT and Registrar, NCLAT will exercise their powers with concurrence of DS/Director (Finance) [or his/her link officer in the absence of DS/Director (Finance) for any reason]:

Expenditure	Item	Limit
Contingent Expenditure (Schedule V)	Recurring	Full Powers
	Non-recurring	₹. 25 lakh in each case.
Miscellaneous Expenditure (Schedule VI)	Recurring	Full Powers
	Non-recurring	₹.12.5 lakh in each case.
Hiring of private vehicles (Schedule V)		₹.45 lakh p.a. & ₹.6 lakh in each case.

- (iv) The proposals for financial concurrence will be directly submitted to DS/Director (Finance) without routing through Administrative Section.
- (v) No outsourcing is to be done against the sanctioned/earmarked strength.
- (vi) For more operational efficiency and availability of qualitative service, the scope of outsourced service with respect to requirement, existing establishment and financial resources is to be decided.
- (vii) Outsourcing of Services will be done in accordance with the provisions of the GFR 2017 and other rules/instructions prescribed by the Ministry of Finance from time to time.
- (viii) An annual report will be sent to the Ministry about the services outsourced.
- (ix) That the delegation of Financial Powers is subject to provisions of GFR 2017, fiscal orders, procedures, availability of funds and general instructions issued by the Ministry of Finance from time to time.
- (x) That the powers delegated are subject to provisions contained in Note 2 of Schedule V of DFPR 1978.
- (xi) No power is, however, is delegated in respect of-
- (a) Creation of posts
 - (b) Write off of losses
 - (c) Re-appropriation of funds
 - (d) Purchase of Capital Assets

6. All budget proposals relating to NCLT/NCLAT will be sent to Budget Section of this Ministry directly by NCLT/NCLAT.

7. This issues with the approval of the Chief Accounting Authority. The advice of Internal Finance/Integrated Finance was conveyed vide Dy. No.1530 dated 29.5.2017.


(Riazul Haque)

Under Secretary to the Govt. of India

To :

1. All Officers and Sections in Ministry of Corporate Affairs.
2. Dir (Finance/Budget)
3. PAO, Ministry of Corporate Affairs.
4. PS to CAM/PS to MOS.
5. Secretary, NCLT/Registrar, NCLAT.
6. e-Governance Cell with the request to upload the order in the Website under Employees Corner/Delegation of financial powers.
7. Guard File.