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भारत सरकार/GOVERNMENT OF INDIA

कारपोरेट कार्य मंत्रालय/Ministry of Corporate Affairs

प्रादेशिक निदेशक का कार्यालय(पूर्व क्षेत्र)/Office of the Regional Director(ER)

निजाम पैलेस,दुसरा एम एस ओ बिल्डिंग,तीसरा तल/Nizam Palace, 2nd M. S. O. Building, 3rd Floor

आचार्य जगदीश चन्द्र बोस रोड 234/4, Acharya Jagadish Chandra Bose Road

कोलकाता/KOLKATA – 700 020

संख्या/No: RD/T/24025/M&C Rules/16 / 154

दिनांक/Date :05/04/2017

To
The Secretary to the Govt. of India,
Ministry of Corporate Affairs,
Shastri Bhawan, 5th Floor, A Wing,
New Delhi-110001.

Kind Attn: Shri N. K. Dua, Joint Director, MCA.

Sub: Notice for inviting applications for empanelling experts as
Mediators or Conciliators for the Financial Year 2017-18.

Sir,

With reference to the Ministry's letter No. 1/36/2013/CL- V dated 14.09.2016 on the captioned subject, the undersigned is directed to enclose the relevant papers with the request to place the same in Ministry's Website, copy of which is also forwarded by e-mail to you and Sri Shashi Raj Dara, DD, e-governance cell for doing the needful in the matter.

This is for kind information of the Ministry.

Encl: As stated.

Yours faithfully,

(R D Gupta)
Deputy Director

E-mail: rd.east@mca.gov.in

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Government of India
Ministry of Corporate Affairs
Office of the Regional Director, Eastern Region
NIZAM PALACE, 2nd M.S.O. Building, 3rd Floor,
234/4, Acharya Jagadish Chandra Bose Road,
Kolkata- 700 020.

**NOTICE FOR INVITING APPLICATIONS FOR EMPANELLING EXPERTS
AS MEDIATOR OR CONCILIATOR FOR THE FINANCIAL YEAR 2017-18.**

In pursuance of Section 442 of the Companies Act, 2013(18 of 2013), and under Rule 3(1) of the Companies(Mediation and Conciliation) Rules, 2016, the Regional Director(s) under the Ministry of Corporate Affairs have been empowered by the Central Government (herein referred as "Ministry of Corporate Affairs") by way of Gazette Notification number G.S.R.877(E) dated 9th September, 2016, to prepare a panel of experts willing and eligible to be appointed as mediators and conciliators in respective regions. However, the copy of the Rules is available on the MCA website (www.mca.gov.in).

2.0 The mediator or conciliator included in the Panel with a particular RD, however, may provide relevant services for parties in any other region as well, as may be allowed by Central Government or Tribunal or Appellate Tribunal under the M&C Rules.

3.0 The Central Government or the Tribunal or the Appellate Tribunal, as the case may be, before which any proceedings is pending may, *suo motu*, refer any matter pertaining to such proceeding to such number of experts from the Mediation and Conciliation Panel, if it deems fit in the interest of parties.

4.0 A person shall not be qualified for being empanelled as mediator or conciliator unless he/she –


- (a) has been a judge of the Supreme Court of India ; or
- (b) has been a judge of a High Court ; or
- (c) has been a District or Session Judge ; or
- (d) has been a Member or Registrar of a Tribunal constituted at the National level under any law for the time being in force ; or
- (e) has been an officer in the Indian Corporate Law Service or Indian Legal Service with fifteen years experience ; or
- (f) is a qualified legal practitioner for not less than ten years ; or
- (g) is or has been a professional for at least fifteen years of continuous practice Chartered Accountant or Cost Accountant or Company Secretary; or
- (h) has been a Member or President of any State Consumer Forum ; or
- (i) is an expert in mediation on conciliation who has successfully undergone training in mediation or conciliation.

5.0 Applications are invited from the eligible applicants for the selection of experts for empanelment as mediator or conciliator to the Regional Director(ER), Kolkata. All the applications, filed through online as well as offline mode within the specified timeline, are accepted. The format of application for the empanelment of Mediator or Conciliator is Form MDC-1(copy enclosed). No fees are required to be paid for submission of the application.

6.0 The application on physical mode shall be submitted on the abovementioned address whereas online application be forwarded to the e-mail id of the Regional Director(ER) [rd.east@mca.gov.in].

7.0 The applicants (applicable for both online as well as offline mode) are advised to take care while incorporating the active e-mail address and mobile numbers during the course of filling up of relevant application and forwarding /submission of the same afterwards to the competent authority **latest by the 5th May, 2017 not later than 5.00 P.M.** This Directorate reserves the right to make the correspondence through e-mail only.

Date: The 05th April, 2017.


(Alok Samantarai)
Regional Director(ER)

FORM MDC-I

[See rule 3(3) of the Companies (Mediation and Conciliation) Rules, 2016]

Application for Empanelment of Mediator or Conciliator on the Panel

To

The Regional Director _____

I _____ S/o or D/o or W/o* _____ resident of

_____ (address) am hereby pleased to offer my services as Mediator or Conciliator so as to take up any assignment or matters referred by the Central Government at the places furnished hereunder:

1. _____ 2. _____ 3. _____ 4. _____

I possess requisite qualifications and experience in the following fields for the past _____ years. In this regard, my resume or an illustrative memoranda as to my qualifications, experience, notable achievements with relevant proofs and declaration are enclosed hereto in two sets duly attested.

Area of Experience in brief :

I shall abide by the Companies (Mediation and Conciliation) Rules, 2016 and such other relevant rules or Code of Conduct or Guidelines as may be specified from time to time.

I state that upon the receipt of the intimation of offer of empanelment, the necessary documentation shall also be executed.

I request you to consider my application for empanelment in the Panel.

Place :

Dated :

Encl :

(Seal)

Signature

*Strike off whichever is not applicable.