

Government of India
Ministry of Corporate Affairs
Office of the Regional Director, Western Region
Eversest, 5th Floor, 100, Netaji Subash Marg,
Mumbai-400002

**NOTICE FOR INVITING APPLICATIONS FOR EMPANELLING EXPERTS AS MEDIATORS AND
CONCILIATORS FOR THE PERIOD 01/04/2017 TO 31/03/2018.**

1. The Ministry of Corporate Affairs (MCA) has empowered the Regional Director(s) to prepare and maintain/update the Mediation and Conciliation Panel of eligible experts in pursuance of Rule 3(1) of Section 442 of the Companies Act, 2013 who are willing to be engaged as mediator and conciliator in this Region.
2. The panel after finalization shall be placed on the website by MCA until any other website is notified as prescribed under Rule 3 (1) of the Companies (Mediation and Conciliation) Rules, 2016 (M&C Rules). The copy of the Rules is available on the MCA website (www.mca.gov.in).
3. The mediators and conciliators included in the Panel with this Region may provide relevant services for parties in any other region as well, as may be allowed by the Central Government or Tribunal (National Company Law Tribunal or Appellate Tribunal) under the M&C Rules.
4. The expert willing to be empanelled as Mediators and Conciliators must possess qualifications as under :-
 - 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 and Sessions 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 a member in the Indian Corporate Law Service (ICLS) or Indian Legal Service (ILS) with fifteen years of experience, or
- f) Is a qualified Legal Practitioner for not less than ten years of practice, or
- g) Is or has been a Professional for at least fifteen years of continuous practice as a Chartered Accountant or a Cost Accountant or a Company Secretary, or
- h) Has been a Member or President of any State Consumer Forum, or
- i) Is an expert in Mediation and Conciliation, who has successfully undergone training in mediation and conciliation.

5. Applications are invited from eligible Applicants for the Selection of experts for empanelling as Mediators and Conciliators to the Regional Director, Western Region, Mumbai.

- i. The Applicant must be a **citizen of India**.
- ii. The Applications can be filed online **OR** in Physical form.
- iii. If the Applicant is submitting the application by both prescribed modes, the latter mode should contain a proof of the former/earlier submission made to avoid duplication of entry. [E.g. In case physical submission is made earlier than online application then, there should be attached an inward receipt proving the date of physical submission and if online application is made earlier than physical submission of documents then, there shall also be submitted a copy of the mail proving the online application.]


All the applications shall be submitted with this Directorate within the time limit prescribed hereunder. Those names appeared in the Penal list for Mediation and Conciliation as on 31.03.2017 need not apply once again.

However, it may be noted that their consent for continuing as Mediators and Conciliators for the period 01.04.2017 to 31.03.2018 must be submitted to this Directorate either on-line or in physical form as stated at para no. 6 of this notice. In case, no letter of consent is received, it shall be presumed that the applicant is not interested in continuing as Mediators and Conciliators from 01.04.2017.

- iv. The envelope in the case of Physical submission of Application should be super scribed as **‘Application for Empanelment of Mediation and Conciliation’**.
- v. All applications must be in the prescribed format and along with all the relevant required documents.

- vi. The application form shall be in **Form No. MDC-1**, [annexed to the Companies (Mediation and Conciliation) Rules, 2016], Format enclosed as Annexure-1.
 - vii. Along with Form MDC-1 all the relevant documents, duly attested, showing educational qualifications/training and experience, must also be attached to it for consideration of application.
6. The **online** application should be submitted on **c.v.s.joint.director@gmail.com** and the **physical application** should be delivered to the Inward Cell, Everest Building, 6th Floor, 100, Netaji Subash Marg, Mumbai-400002,
 7. The Applicants are advised to fill their correct and full names, father's name, active e-mail addresses, mobile number, educational qualification, accurate number of years of experience, residential and office addresses and the places whereby they wish to offer their services as Mediator and Conciliator in Form MDC-1.
 8. The last date for receiving application is **15th March, 2017 before 5.00 P.M.**
 9. This Directorate will not be responsible for non-receipt of application or any delay in receipt of application/consent thereof on any account whatsoever.
 10. If prima facie the form is found to be incomplete or is not received within the time framed mentioned, then the application shall be out rightly rejected without any further communication or intimation .
 11. The name of the Applicants shortlisted shall be displayed on the Ministry's website (www.mca.gov.in) and this Directorate **will not send** any separate communication.
 12. The Directorate reserves the right to make the correspondence through e-mail only.

Mumbai
Date: 09.02.2017


A. K. Chaturvedi
Regional Director
Western Region, Mumbai

ANNEXURE - 1

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 :

Signature

Encl :

(Seal)

*Strike off whichever is not applicable.