

Information Technology Act, 2000

Section 50 - Qualifications for Appointment as Presiding Officer of the Cyber Appellate Tribunal

1[50. Qualifications for appointment as Chairperson and Members of Cyber Appellate Tribunal.--

(1) A person shall not be qualified for appointment as a Chairperson of the Cyber Appellate Tribunal unless he is, or has been, or is qualified to be, a Judge of a High Court.

(2) The Members of the Cyber Appellate Tribunal, except the Judicial Member to be appointed under sub-section (3), shall be appointed by the Central Government from amongst persons, having special knowledge of, and professional experience in, information technology, telecommunication, industry, management or consumer affairs:

Provided that a person shall not be appointed as a Member, unless he is, or has been, in the service of the Central Government or a State Government and has held the post of Additional Secretary to the Government of India or any equivalent post in the Central Government or State Government for a period of not less than one year or Joint Secretary to the Government of India or any equivalent post in the Central Government or State Government for a period of not less than seven years.

(3) The Judicial Members of the Cyber Appellate Tribunal shall be appointed by the Central Government from amongst persons who is or has been a member of the Indian Legal Service and has held the post of Additional Secretary for a period of not less than one year or Grade I post of that Service for a period of not less than five years.]

1. Substituted vide Information Technology (Amendment) Act, 2008 Prior to substitution text read as under :-

A person shall not be qualified for appointment as the Presiding Officer of a Cyber Appellate Tribunal unless he

(a) is, or has been, or is qualified to be, a Judge of a High Court; or

(b) is, or has been, a member of the Indian Legal Service and is holding or has held a post in Grade I of that Service for at least three years.

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