

Information Technology (Amendment) Act 2008

Section 50 - (I) A person shall not be qualified for appointment as a Chairperson of the Tribunal.

2008. (2) The selection of Chairperson and Members of the Cyber Appellate Tribunal shall be made by the Central Government in consultation with the Chief Justice of India. (3) Subject to the provisions of this Act- (0) the jurisdiction, powers and authority of the Cyber Appellate Tribunal may be exercised by the Benches thereof; (b) a Bench may be constituted by the Chairperson of the Cyber Appellate Tribunal with one or two Members of such Tribunal as the Chairperson may deem fit; (c) the Benches of the Cyber Appellate Tribunal shall sit at New Delhi and at such other places as the Central Government may, in consultation with the Chairperson of the Cyber Appellate Tribunal, by notification in the Official Gazette, specify; 8 THE GAZETTE OF INDIA EXTRAORDINARY (d) the Central Government shall, by notification in the Official Gazette, specify the areas in relation to which each Bench of the Cyber Appellate Tribunal may exercise its jurisdiction. (f) Notwithstanding anything contained in sub-section (J), the Chairperson of the Cyber Appellate Tribunal may transfer a Member of such Tribunal from one Bench to another Bench. (j) If any matter heard by any Bench of the Cyber Appellate Tribunal or a Member of the Cyber Appellate Tribunal that the case may be transferred by the Chairperson to such Bench as the Chairperson may deem fit. (1) The Members of the Cyber Appellate Tribunal, except the Judicial Member to be appointed under sub-section (J), 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. (1) 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. Term of