

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 1629
ANSWERED ON MONDAY, MARCH 10, 2025/ /PHALGUNA 19, 1946 (SAKA)**

ELIGIBILITY CRITERIA FOR MEMBER/JUDGES IN NCLT AND NCLAT

QUESTION

1629. DR. ALOK KUMAR SUMAN:

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether the Government has taken any measures to prevent process of insolvency resolution in the banking sector of the country;**
- (b) if so, the details thereof;**
- (c) the eligibility criteria for Members/Judges in National Company Law Tribunal (NCLT) and National Company Law Appellate Tribunal (NCLAT);**
- (d) the number of cases adjudicated by NCLT and NCLAT in the country during the last three years; and**
- (e) the number of cases of financial irregularities undertaken by NCLT and NCLAT in the country?**

ANSWER

MINISTER OF STATE IN THE MINISTRY OF CORPORATE AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

[HARSH MALHOTRA]

(a) & (b): The legislative intent of the Insolvency and Bankruptcy Code, 2016 (IBC) is to provide a consolidated framework for reorganization, insolvency resolution and liquidation of corporate persons, partnership firms and individuals. In accordance with Section 227 of the IBC the Central Government , in consultation with the Reserve Bank of India (RBI), notified that insolvency resolution and liquidation proceedings of Non-Banking Finance (which include housing finance companies) with asset size of Rs.500 crore or more, as per last audited balance sheet, shall be undertaken in accordance with the provisions of the Code read with the Insolvency and Bankruptcy (Insolvency and Liquidation Proceedings of Financial Service Providers and Application to Adjudicating Authority) Rules, 2019.

(c): The eligibility criteria for President/Members in National Company Law Tribunal (NCLT) is provided under Section 409 of the Companies Act, 2013. Further, the eligibility criteria for Chairperson/Members in National Company Law Appellate Tribunal (NCLAT) are as per Section 3 (1) of the Tribunal Reforms Act, 2021 and Rule 3 (11) of the Tribunal (Conditions of Service) Rules, 2021, as amended from time to time.

(d) & (e): The details of cases, including cases of financial irregularities, disposed of by NCLT and NCLAT during the last three years are as under:-

Tribunal	Year 2022	Year 2023	Year 2024
NCLT	9394	9339	8424
NCLAT	2279	2385	2487
