

The National Highways Authority of India (the term of office and other conditions of Service of Members) Rules, 2003

UNION OF INDIA

India

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Rule

THE-NATIONAL-HIGHWAYS-AUTHORITY-OF-INDIA-THE-TERM-OF-OFFICE-AND-OTHER-CONDITIONS-OF-SERVICE-OF-MEMBERS-RULES-2003

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The National Highways Authority of India (the term of office and other conditions of Service of Members) Rules, 2003 Published vide Notification No. G.S.R. 507(E), dated 23rd June, 2003 Ministry of Road Transport and Highways G.S.R. 507(E). - In exercise of the powers conferred by clause (a) of sub-section (2) of section 34 of National Highways Authority of India Act, 1988 (68 of 1988), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called the National Highways Authority of India (the term of office and other conditions of Service of Members) Rules, 2003. (2) They shall come into force on the date of their notification in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires; (a) "Act" means the National Highways Authority of India Act, 1988 (68 of 1988); (b) "Authority" means the National Highways Authority of India constituted under section 3 of the Act; (c) "Chairman" means the Chairman of the Authority; (d) "Member" means a member of the Authority appointed under section 3 of the Act and includes the Chairman; (e) words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act. (f) [Part-time Non-Government

Members means a member appointed by Central Government under sub-section (3) of section 3 of the Act.] [Inserted by Notification No. G.S.R. 174(E), dated 5.3.2015 (w.e.f. 23.6.2003)]

3. Qualification for appointment as Chairman.

- A person shall not be qualified for appointment as a Chairman unless he holds the post of a Secretary to the Government of India and possesses professional knowledge and experience in all or any of the areas pertaining to Management, Administration, Law, Finance and highway engineering.

4. Qualification for appointment as a Member.

- [(1) (i) a person employed in the Central Government or a State Government or Public Sector Undertaking or an Autonomous Body established under any law for the time being in force; and(ii) (a)holding an analogous post in the Higher Administrative Grade in the pay scale of Rs.67000-79000/-; or(b)having at least three years' regular service in the Senior Administrative Grade of pay band-4 with pay scale of Rs. 37400-67000/- plus grade pay of Rs.10000/-; or(c)having at least twenty five years' regular service in Group 'A' posts in the pay band-3 with pay scale of Rs. 15600-39100/- plus grade pay of Rs.5400/- and above out of which at least one year regular service should be in the Senior Administrative Grade pay band-4 with pay scale of Rs. 37400-67000/- plus grade pay of Rs.10000/-; and(iii)has at least eighteen years experience in the field of the Public Administration and Management.](2)[(i) a person employed in the Central Government or a State Government or Public Sector Undertaking or an Autonomous Body established under any law for the time being in force; and(ii)(a)holding an analogous post in the Higher Administrative Grade in the pay scale of Rs. 67000-79000/-; or(b)having at least three years' regular service in the Senior Administrative Grade of pay band-4 with pay scale of Rs. 37400-67000/- plus grade pay of Rs.10000/-; or(c)having at least twenty five years' regular service in Group 'A' posts in the pay band-3 with pay scale of Rs. 15600-39100/- plus grade pay of Rs.5400/- and above out of which at least one year regular service should be in the Senior Administrative Grade pay band-4 with pay scale of Rs. 37400-67000/- plus grade pay of Rs. 10000/-; and(iii)has at least eighteen years experience in the field of Finance and Financial Management, preferably having knowledge of financial market and funding of infrastructure projects.](3)A person shall not be qualified for appointment as a Member (Finance) unless he -(i)is employed in the Central Government or a State Government or Public Sector Undertaking or an Autonomous Body established under law for the time being in force; and(ii)has held the post,-(a)for at least 25 years in the pay scale of Rs. 8,000-275-13,500/- or equivalent or higher; and(b)for at least 3 years in the pay scale of Rs. 18,400-500-22,400/-; and(c)for at least 15 years in the field of Finance and Financial Planning.(4)[(i) a person employed in the Central Government or a State Government or Public Sector Undertaking or an Autonomous Body established under any law for the time being in force; and(ii)(a)holding an analogous post in the Higher Administrative Grade in the pay scale of Rs. 67000-79000/-; or(b)having at least three years' regular service in the Senior Administrative Grade of pay band-4 with pay scale of Rs. 37400-67000/- plus grade pay of Rs. 10000/-; or(c)having at least twenty five years' regular service in Group 'A' posts in the pay band-3 with pay scale of Rs. 15600-39100/- plus grade pay of Rs.5400/- and above out of which at least one year regular service should be in the Senior Administrative Grade pay band-4 with pay scale of Rs. 37400-67000/- plus

grade pay of Rs. 10000/-; and(iii)has relevant experience in the field of planning, structuring and management of Public Private Partnership projects of Infrastructure sector, preferably in the highways.](5)A person shall not be qualified for appointment as a Member (Technical) unless he - (i)has degree in Civil Engineering; and(ii)is employed in the Central Government or a State Government or Public Sector Undertaking or an Autonomous Body established under law for the time being in force; and(iii)has held the post,-(a)for at least 25 years in the pay scale of Rs. 8,000-275-13,500/- or equivalent or higher; and(b)for at least 3 years in the pay scale of Rs. 18,400-500-22,400; and(c)for at least 15 years in the field of Highway Engineering.

5. Term of office of the Member.

- A Member shall hold office as such for a term of three years from the date on which he enters upon his office or until he attains the age of superannuation, whichever is earlier.

6.

The following officers shall be appointed as part-time Members of the Authority; namely:- (i) Secretary, Ministry of Road Transport and Highways; (ii) Secretary, Ministry of Finance, Department of Expenditure; (iii) [Chief Executive Officer, NITI Aayog; and.] [Substituted '(iii) Secretary, Planning Commission; and' by Notification No. G.S.R. 1370(E), dated 6.11.2017 (w.e.f. 23.6.2003).] (iv) Director General (Road Development) and Special Secretary, Ministry of Road Transport and Highways. [6A. In addition to the official part-time members appointed under rule 6, two non-Government professionals having knowledge or experience of financial management, transportation planning or any other relevant discipline shall be appointed as part-time members by the Central Government.

6B. Selection Committee. - The appointment of Non-Government part time members shall be made after obtaining the recommendations of a Selection Committee, consisting of the following members, namely:-

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| (i) Secretary, Ministry of Road Transport and Highways | - Chairman, ex-officio |
| (ii) Secretary, Ministry of Shipping | - Member, ex-officio |
| (iii) Member (Finance) National Highways Authority of India | - Member, ex-officio |
| (iv) Joint Secretary (Highways) | - Member, ex-officio |

Provided that the recommendations made by the Selection Committee shall require the approval of the Minister-in-Charge of the Ministry of Road Transport and Highways. Provided that the recommendations made by the Selection Committee shall require the approval of the Minister-in-Charge of the Ministry of Road Transport and Highways.] [Inserted by Notification No. G.S.R. 174(E), dated 5.3.2015 (w.e.f. 23.6.2003)]

7. Other conditions or services.

- Matters relating to the terms and other conditions of service of the Member, with respect to which no express provisions has been made in these rules, shall be such as are admissible to a Group 'A' Officer of the Central Government drawing an equivalent pay.[7A. (i) Meeting Allowance: An allowance of Rs. 5000 (five thousand rupees) for a meeting of the Authority will be payable to a part-time Non-Government member attended by him or her: Provided that such allowances to a part-time Non-Government member shall not exceed Rs.50000 (fifty thousands rupees) per month.(ii)Conveyance allowance: Rs.1000 (one thousand rupees) or the actual expenses incurred by him or her whichever is less:Provided that where a Non-Government part time member is called upon to go out of the ordinary place of residence for discharging duties as such member, he shall be entitled to Travelling Allowance, Daily Allowance and accommodation at the same rates as applicable to a full-time member of the Authority:Provided further that official visits abroad by such part-time member shall be governed by the same provisions as are applicable to a full-time member of the Authority.(iii)Oath of office and secrecy - A part-time Non-Government member shall, before entering upon his office, subscribe to an oath of office and an oath of secrecy and such oath of office and the oath of secrecy shall be administered in the form as per full time members of National Highways Authority of India.(iv)Residuary matters - Residuary matters relating to part-time members, with respect to an allowance for which no express provision has been made in these rules, shall be referred by the Authority to the Central Government for decision.]

8. Relaxation of provision or rule in certain cases.

- When the Central Government is satisfied that operation of any of these rules causes undue hardship in any particular case, it may in the public interest and for reasons to be recorded in writing, relax any provisions of these rules.

9. Salaries.

- (i) The Chairman shall be paid a salary of Rs. 26,000/- (fixed) per Month.(ii)The Member shall be paid a salary of Rs. 22,400-525-24,500/- per month.[Inserted by Notification No. G.S.R. 174(E), dated 5.3.2015 (w.e.f. 23.6.2003)][Substituted by Notification No. G.S.R. 774(E), dated 9.10.2015 (w.e.f. 23.6.2003).][Substituted by Notification No. G.S.R. 774(E), dated 9.10.2015 (w.e.f. 23.6.2003).][Substituted by Notification No. G.S.R. 774(E), dated 9.10.2015 (w.e.f. 23.6.2003).]