

The Central Electricity Regulatory Commission (Salary, Allowances And Other Conditions Of Service Of Chairperson And Members) Rules, 2004

UNION OF INDIA

India

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Rule

THE-CENTRAL-ELECTRICITY-REGULATORY-COMMISSION-SALARY- of 2004

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The Central Electricity Regulatory Commission (Salary, Allowances And Other Conditions Of Service Of Chairperson And Members) Rules, 2004 Published vide Notification G.S.R. 177(E), dated 8.3.2004, published in the Gazette of India, Extraordinary, Part 2, Section 3(i), dated 8.3.2004 Last Updated 15th June, 2018 G.S.R. 177(E), dated 8.3.2004 - In exercise of the powers conferred by clauses (j) and (k) of sub-section (2) of section 176 of the Electricity Act, 2003 (36 of 2003), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called The Central Electricity Regulatory Commission (Salary, Allowances and Other Conditions of Service of Chairperson and Members) Rules, 2004. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a) "Act" means the Electricity Act, 2003 (36 of 2003); and (b) words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. Oath of office and secrecy.

- The Chairperson and Members shall, before entering upon his office, subscribe to an oath of office and secrecy before the Minister-in-charge of the Ministry of Power. The oath of office and secrecy shall be administered in the following form:-Oath of secrecyI,.....do swear in the name of God and solemnly affirm that I shall not directly or indirectly, communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Chairperson/Member of the Central Electricity Regulatory Commission except as may be required for the due discharge of my duties as such Chairperson/Member.Oath and affirmation of allegiance to ConstitutionI,.....having been appointed Chairperson/Member of the Central Electricity Regulatory Commission, do swear in the name of God and solemnly affirm that I shall bear true faith and allegiance to the Constitution of India as by law established, that I shall uphold the sovereignty and integrity of India, that I shall duly and faithfully and to the best of my ability, knowledge and judgment perform the duties of my office without fear or favour, affection or ill will and that I will uphold the Constitution and the laws of the land.

4. [Pay. [Substituted by Notification No. G.S.R. 485(E), dated 24.5.2018 (w.e.f. 8.3.2004).]

(1)The Chairperson shall be entitled to receive a pay of four lakh fifty thousand rupees per mensem and the whole-time Members shall receive a pay of four lakh rupees per mensem, without facility of Government accommodation and staff car:Provided that where the Chairperson has been a Judge of the Supreme Court or Chief Justice of a High Court, he shall be entitled to receive pay as admissible to a Judge of the Supreme Court or the Chief Justice of a High Court, as the case may be.(2)The pay of Chairperson and whole-time Members as per sub-rule (1) shall stand revised in accordance with the orders issued by the Ministry of Finance (Department of Expenditure) from time to time.]

5. [Dearness allowance. [Substituted by Notification No. G.S.R. 196(E), dated 19.3.2010 (w.e.f. 8.3.2004)]

- Where the Chairperson is or has been a Judge of the Supreme Court or Chief Justice of a High Court, he shall be entitled to receive dearness allowance at the rate admissible to a Judge of the Supreme Court or the Chief Justice of a High Court, as the case may be.]

6. Leave.

- The Chairperson or a Member shall be entitled to thirty days earned leave for every year of service. The payment of leave salary, during leave, shall be governed under the provisions of rule 40 of Central Civil Services (Leave) Rules, 1972. A person may be entitled to encashment of fifty per cent of earned leave to his credit at any time.

7. Leave sanctioning authority.

- In the case of the Chairperson, the Minister-in-charge of the Ministry of Power, and in the case of a Member, the Chairperson, shall be the leave sanctioning authority.

8. Provident fund.

- The Chairperson and a Member shall be governed by the provisions of the Contributory Provident Fund (India) Rules, 1962 and no option to subscribe under the provisions of the General Provident Fund Rules (Central Services), 1960 shall be available. Additional pension and gratuity shall not be admissible for service rendered in the Commission.

9. Travelling allowances.

(1)The Chairperson and a Member while on tour within India or on transfer (including the journey undertaken by self and family to join the Commission or on the expiry of term with the Commission to proceed to his home town with family) shall be entitled to the journey allowance, daily allowance and transportation of personal effects at the same scales and at the same rates as are applicable to a Group 'A' Officer of the Central Government drawing [pay in level-17 in the pay matrix (Rs. 225000).] [Substituted 'pay in the pay scale of Rs. 80,000 (fixed)' by Notification No. G.S.R. 485(E), dated 24.5.2018 (w.e.f. 8.3.2004).](2)Foreign tours to be undertaken by the Chairperson or a Member shall require prior approval of the Minister-in-charge of the Ministry of Power [***] [Omitted 'and of the Screening Committee of the Secretaries' by Notification No. G.S.R. 196(E), dated 19.3.2010 (w.e.f. 8.3.2004).] and clearance from the Ministry of External Affairs from political angle and from the Ministry of Home Affairs for acceptance of foreign hospitality, if any, under the provisions of the Foreign Contribution (Regulation) Act, 1976:Provided that the daily allowance and provision for hotel accommodation during the period of tour abroad, shall be in accordance with such orders of the Central Government as are applicable to a Group "A" officer of the Central Government, drawing [pay in level-17 in the pay matrix (Rs. 225000).] [Substituted 'pay in the pay scale of Rs. 80,000 (fixed)' by Notification No. G.S.R. 485(E), dated 24.5.2018 (w.e.f. 8.3.2004).]

10. Leave travel concession.

- The Chairperson and a Member shall be entitled to leave travel concession at the same scale and at the same rate as applicable to Group "A" Officers of the Central Government drawing [pay in level-17 in the pay matrix (Rs. 225000)] [Substituted 'pay in the pay scale of Rs. 80,000 (fixed)' by Notification No. 485(E), dated 24.5.2018 (w.e.f. 8.3.2004)]:Provided that if the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, he shall be entitled to leave travel concession at the same scale and at the same rate as applicable to a Judge of the Supreme Court or the Chief Justice of High Court, as the case may be.

11. [Accommodation. [Substituted by Notification No. G.S.R. 196(E), dated 19.3.2010 (w.e.f. 8.3.2004).]

- Where the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, he shall be entitled to accommodation as is admissible to a Judge of the Supreme Court or a Chief Justice of a High Court, as the case may be.]

12. [Transport. [Substituted by Notification No. G.S.R. 196(E), dated 19.3.2010 (w.e.f. 8.3.2004).]

- Where the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, he shall be entitled to transport facility as is admissible to a Judge of the Supreme Court or a Chief Justice of a High Court, as the case may be.]

13. Medical treatment.

- The Chairperson and a Member shall be entitled to medical reimbursement and facility as may be applicable to a Group "A" officer of the Central Government drawing an equivalent pay.

14. [Telephone facility. [Substituted by Notification No. G.S.R. 196(E), dated 19.3.2010 (w.e.f. 8.3.2004).]

- The Chairperson and a full time Member shall be eligible for telephone facility as admissible to a Group 'A' officer of the Central Government drawing [pay in level-17 in the pay matrix (Rs. 225000)]:Provided that where the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, he shall be entitled to Telephone facility as admissible to a Judge of the Supreme Court or a Chief Justice of a High Court, as the case may be.]

15. Other conditions of services.

- Other conditions of service of the Chairperson and a Member, with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group "A" officer of the Central Government drawing [pay in level-17 in the pay matrix (Rs. 225000)] [Substituted 'pay in the pay scale of Rs. 80,000 (fixed)' by Notification No. G.S.R. 485(E), dated 24.5.2018 (w.e.f. 8.3.2004).].[Provided that where the Chairperson has been a Judge of the Supreme Court or a Chief Justice of a High Court, the other conditions of service of the Chairperson, with respect to which no express provision has been made in these rules shall be as applicable to a Judge of the Supreme Court or a Chief Justice of a High Court, as the case may be.] [Inserted by Notification No. G.S.R. 196(E), dated 19.3.2010 (w.e.f. 8.3.2004).]