

Punjab State Human Rights Commission, Chairperson and Members (Salaries, Allowances and other Terms and Conditions of Service) Rules, 1997

PUNJAB

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Rule

PUNJAB-STATE-HUMAN-RIGHTS-COMMISSION-CHAIRPERSON-AND- of 1997

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Punjab State Human Rights Commission, Chairperson and Members (Salaries, Allowances and other Terms and Conditions of Service) Rules, 1997Published vide Punjab Government Notification No. 10/403/93-2HR/861.No. 10/403/93-2HR/861. - In exercise of the powers conferred by sub-section (1) of section 41 read with section 26 of the Protection of Human Rights Act, 1993 (Central Act No. 10 of 1993), the Governor Punjab is pleased to make the following rules, namely :-

1. Short title and commencement.

(1)These rules may be called the Punjab State Human Rights Commission, Chairperson and Members (Salaries, Allowances and other Terms and Condition of Service) Rules, 1997.(2)They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a)"Act" means the Protection of Human Rights Act, 1993 (Central Act No. 10 of 1993);(b)"Governor" means the Governor of the State of Punjab;(c)"State Government" means the State Government in the Department of Home Affairs and Justice.

3. Salary.

[Section 36 of the Act]. - There shall be paid to, -(a)the Chairperson, a salary and allowances which are equal to the salary and allowances of the Chief Justice of High Court of Punjab and Haryana : (b)other Members, a salary and allowances which are equal to the salary and allowances of a Judge of the High Court of Punjab and Haryana : Provided that if the Chairperson or a Member at the time of his appointment was in receipt of, or being eligible so to do, and elected to draw, a pension (other than disability or wound pension) in respect of any previous Service under the Government of the Union or Government of a State, his salary in respect of Service as a Chairperson or Member, as the case may be, shall be reduced :- (i)by the amount of that pension; (ii)if he had, before assuming office, received, in lieu of a portion of pension due to him in respect of such previous Service, the commuted value thereof by the amount of that portion of the pension; and (iii)by any other form of retirement benefits, being drawn or availed of or to be drawn or availed of by him.

4. Leave.

[Section 26 of the Act]. - (1) A person, on appointment as Chairperson or as a Member, as the case may be, shall be entitled to leave as follows :- (i)earned leave at the rate of fifteen days for every completed calendar year of service or a part thereof; (ii)half pay leave on medical certificate or on private affairs, at the rate of twenty days in respect of each completed year of service and the leave salary for half pay leave shall be equivalent to half of the leave salary admissible during the earned leave; (iii)leave on half pay can be commuted to full pay leave at the discretion of Chairperson or a Member if it is taken on medical ground and is supported by a medical certificate from the competent authority; (iv)extraordinary leave without pay and allowances up to a maximum of one hundred eighty days in one term of office. (2) On the expiry of the term of office in State Commission, the Chairperson, or a Member, as the case may be, shall be entitled to receive cash equivalent of leave salary in respect of earned leave standing to his credit subject to the condition that the maximum of leave encashed under this sub-rule or at the time of retirement from previous service, as the case may be, or taken together, shall not, in any case, exceed two hundred and forty days. (3) The Chairperson and Members shall be entitled to receive dearness allowance as admissible on the leave salary under sub-rule (2) at the rates in force on the date of relinquishment of their office in the State Commission: Provided that he shall not be entitled to City Compensatory Allowance or any other allowances on such leave. (4) If a sitting Judge of High Court is appointed as Member, then notwithstanding anything contained in sub-rules (1), (2) or (3), the provisions of Chapter II of the High Court Judges (Condition of Service) Act, 1954 shall apply to him up to the date of his superannuation as sitting Judge of High Court and thereafter he shall be entitled to leave and leave encashment in accordance with the provisions of sub-rules (1) to (3) of this rule.

5. Leave Travel Concession.

[Section 26 of the Act]. - The Chairperson and the Members shall be entitled to the leave travel concession as is admissible to Chief Justice or a Judge of the High Court of the Punjab and Haryana, as the case may be.

6. Authority competent to grant leave.

[Section 26 of the Act]. - The power to grant or refuse leave to the Chairperson or a Member and to revoke or curtail leave granted to him shall vest in the Governor.

7. Travel Allowances.

[Section 26 of the Act]. - The Chairperson or a Member, while on tour (including the journey undertaken to join the State Commission, and on the expiry of his term with the State Commission to proceed to his home town) shall be entitled to travel allowances, allowances for transportation of personal effects and other similar matters, and daily allowances at the same rates as are admissible to Chief Justice or a Judge of the High Court of Punjab and Haryana shall apply to Chairperson and the Members, respectively.

9. Right to subscribe to general provident fund.

[Section 26 of the Act]. - Every person holding the office as Chairperson or a Member shall be entitled to subscribe to the general provident fund.

10. Residuary provisions.

[Section 26 of the Act]. - The conditions of service of the Chairperson and the Members for which no express provision is made in these rules shall be determined by the rules and orders for the time being applicable to a Secretary to Government of Punjab, belonging to Indian Administrative Service.

11. Power to relax rules.

- The State Government shall have the power to relax the provisions of any of the these rules in respect of any class or categories of persons.