

Rajasthan State Human Rights Commission (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2002

RAJASTHAN

India

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Rule

RAJASTHAN-STATE-HUMAN-RIGHTS-COMMISSION-SALARIES-ALLOWANCES-AND-OTHER-CONDITIONS-OF-SERVICE-OF-CHAIRPERSON-AND-MEMBERS-RULES-2002

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Rajasthan State Human Rights Commission (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2002 Published vide Notification No. G.S.R. 52, dated 23-08-2002; Published in Rajasthan Gazette Part 4(C) p. 91(4) In exercise of the powers conferred by section 41 of the Protection of Human Rights Act, 1993 (Central Act 10 of 1994), the State Government hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called the Rajasthan State Human Rights Commission (Salaries, Allowances and other Conditions of Service of Chairperson and Members) Rules, 2002. (2) They shall come into force with immediate effect.

2. Definitions.

(1) In these rules, unless the context otherwise requires ;-(a) "Act" means the Protection of Human Rights Act, 1993 (Central Act 10 of 1994); (b) "Chairperson" means the Chairperson of the Commission appointed under section 22 of the Act; (c) "Commission" means the Rajasthan State Human Rights Commission constituted under section 21 of the Act; (d) "Member" means the member of the Commission appointed under section 22 of the Act; and (e) "State" means the State of

Rajasthan.(2)All other words and expressions used in these rules and not defined, but defined in the Act, shall have meanings respectively assigned to them in the Act.

3. Headquarters.

- The headquarters of the Rajasthan State Human Rights Commission shall be at Jaipur.

4. Salary.

(1)There shall be paid to :-(a)the Chairperson, the salary of Rs. 30.000 per month;(b)a member, the salary of Rs. 26,000 per month; andDearness Allowance and city Compensatory allowance shall be paid as per rules of the State Government;Provided if the Chairperson or a Member, at the time of his appointment is in receipt of or being eligible to receive any pension and had elected to draw or receive the pension (other than disability or wound pension) in respect of any previous service under the Government of the Union or of a State, his salary in respect of service as a Chairperson or as Member, as the case may be, shall be reduced:-(i)by the amount of that pension and dearness Relief thereon:(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(2)A person, who, on the date of his appointment as a Member of the Commission, was in the service of the Government of India or the Government of Rajasthan as a District Judge or as an Officer, shall be deemed to have retired from service with effect from the date on which he enters upon his office as a Member of the Commission.

5. Leave.

(1)A person, on appointment as Chairperson or as a Member, shall be entitled to leave as follows:-(i)Earned at the rate of thirty days for every completed calendar year of service:(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 the chairperson or a Member, if it is taken on medical ground and is supported by a medical certificate from the Competent Medical Authority;(iv)Extraordinary leave without pay and allowances upto a maximum of one hundred and eighty days in one term of office.(2)On the expiry of his term of Office in the Commission, the Chairperson and Members shall entitled to receive cash equivalent of leave salary (salary drawn including D.A.thereon) in respect of earned leave standing to their 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 300 days:Provided that he shall not be entitled to city compensatory allowance or any other allowance on such leave.(3)If a sitting judge of a High Court is appointed as a member, then, notwithstanding anything contained in these Rules, chapter II of the High Court Judges (Conditions of Service) Act. 1954 shall apply to him upto the date of his superannuating as a sitting judge of a High Court and thereafter he shall be entitled to leave in accordance with the provisions of sub-rules (1) to (3) of this rule

6. Authority competent to grant leave.

- 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.

- The Chairperson and the Member, while on tour (including the journey undertaken to join the commission, or, on the expiry of his term with the Commission to proceed to his home town) shall be entitled to travel allowances, as admissible to Cabinet Ministers. In case of transfer/joining/retirement one month salary will also be paid if place of residence is not Jaipur.

8. Other Conditions of Service.

(a)The Chairperson shall be entitled to :-(i)rent free furnished Government residential accommodation:(ii)free water and electricity at residence upto limit, to which he was entitled while holding the post of Chief Justice of High Court or Justice of Supreme Court as the case may be;(iii)Rs. 2000/- per month sumptuary allowance:(iv)7500 free telephone calls for every two months;(v)One air-conditioned car with driver and 200 liters petrol per month (for local personal use);(vi)Rs. 4000/- per month in lieu of residential assistant:(vii)security contingent consisting of one HC and four constables/guards;(viii)medical facilities as admissible to Cabinet Ministers:(b)Every member shall be entitled to:-(i)Rs. 10,000/- per month house rent allowance in lieu of residential accommodation, furniture, water, electricity and garden facilities;(ii)Rs. 1000/-per month sumptuary allowance;(iii)7500 free telephone calls for every two months;(iv)one air conditioned car with driver and 150 liters of petrol per month (for local personal use):(v)Rs. 2000/- per month in lieu of residential assistance;(vi)one gunman;(vii)medical facilities as admissible to the Cabinet Minister.

9. Right to subscribe to General Provident Fund.

- Every person holding office as Chairperson or a Member shall be entitled to subscribe to the General Provident Fund.

10. Resignation.

- The Chairperson or Member may, by writing under his hand addressed to the Governor, resign his office and his resignation shall take effect from the day it is accepted by the Governor.

11. Power to relax rules.

- The State Government shall have the power to relax the provisions of any of these Rules.Provident Fund Act, 1925(Cent. Act 19 of 1925)Notifications UnderIn exercise of the powers conferred by section 8 of the Provident fund Act, 1925 (Cent. Act XIX of 1925), the Government of Rajasthan does

hereby direct that the provisions of the said Act shall apply to the Provident Fund established by the Rajasthan State Branch of the Indian Red Cross Society for the benefit of its employees.- [Published in R.G. Gazette Part 1-B, dated 24-3-1956, p. 1186]In exercise of the powers conferred by section 8 of the Provident fund Act, 1925 (Cent. Act XIX of 1925), the Government of Rajasthan does hereby direct that the provisions of the said Act shall apply to the Provident Fund established by the University of Rajputana for the benefit of its employees. The above Act shall apply with retrospective effect to all the Provident Funds of the University of Rajputana and Colleges affiliated to it.- [Published in R.G. Gazette Part 1-B, dated 29-11-1956, p. 694].In exercise of the powers conferred by sub-section (3) of section 8 of the Provident fund Act, 1925 (Cent. Act XIX of 1925), the Government of Rajasthan does hereby order that the name of the following public institution shall be added in the Schedule to the said Act, namely:-

41. The University of Rajputana.

- [Published in R.G. Gazette Part IV-C, dated 20-6-1957, p. 159].In exercise of the powers conferred by section 8 of the Provident fund Act, 1925 (Cent. Act XIX of 1925). the Government of Rajasthan does hereby direct that the provisions of the said Act shall apply to the Provident Fund established by the Board of Secondary Education, Rajasthan, for the benefit of its employees.- [Published in R.G. Gazette Part IV-C, dated May 28, 1959, p. 189].In exercise of the powers conferred by section 8 of the Provident fund Act, 1925 (Cent. Act XIX of 1925), the Government of Rajasthan does hereby direct that the provisions of the said Act shall apply to the Provident Fund established by the Rajasthan Electricity Board under R.S.E.B.Employees General Provident Fund Regulations, 1968 for the benefit of its employees.- [Published in R.G. Gazette Part IV-C Extraordinary, dated 30-9-1994, p. 291].