

The Employees' Provident Funds Appellate Tribunal (Conditions of Service) Rules, 1997

UNION OF INDIA

India

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Rule

THE-EMPLOYEES-PROVIDENT-FUNDS-APPELLATE-TRIBUNAL-CONDITIONS-OF-SERVICE-RULES-1997

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The Employees' Provident Funds Appellate Tribunal (Conditions of Service) Rules, 1997 Published vide Notification Gazette of India, Part 2, Section 3 (i), dated 21st June, 1997 (w.e.f. 21st June, 1997) G.S.R. 267, dated 2nd June, 1997. - In exercise of the powers conferred by sub-section (1) of Section 21 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called the Employees' Provident Funds Appellate Tribunal (Conditions of Service) Rules, 1997. (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 Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952); (b) "Tribunal" means the Employees' Provident Funds Appellate Tribunal constituted under Section 70 of the Act.

3. Pay.

- The Presiding Officer shall receive pay in the scale of (Rs. 7300-7600) per mensem : Provided that in the case of an appointment as a Presiding Officer of a person who has retired as a Judge of a High

Court and who is in receipt of or has received or has become entitled to receive any retirement benefits by way of pension and/or gratuity. employer's contribution to the Contributory Provident Fund or other forms of retirement benefits, the pay shall be reduced by the gross amount of pension equivalent of service gratuity or employer's contribution to Contributory Provident Fund or any other form of retirement benefits, if any, but excluding pension equivalent of retirement gratuity, drawn or to be drawn by him.

4. Dearness Allowance.

- The Presiding Officer shall receive dearness allowance appropriate to his pay at the rates admissible to Group 'A' Officers of the Central Government drawing pay in the scale of Rs. 7300-7600.

5. City Compensatory Allowance.

- The Presiding Officer shall receive City Compensatory Allowance appropriate to his pay at the rates admissible to a Group 'A' Officer of the Central Government drawing pay in the scale of Rs. 7300-7600.

6. Leave.

(1) A person, on appointment in the Tribunal as a Presiding Officer shall be entitled to leave as follows : (i) Earned leave at the rate of fifteen days for every completed calendar years 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 Presiding Officer, provided it is taken on medical grounds and is supported by a medical certificate from the competent medical authority; (iv) Extraordinary leave without pay and allowances up to a maximum period of 180 days in one term of Office. (2) If the Presiding Officer is unable to enjoy full vacation on account of his occupation with the Tribunal, he shall be entitled to add the unenjoyed period of vacation to the leave account. Explanation. - For the purpose of this sub-rule, "Vacation" means vacation of 30 days in each calendar year observed by the Tribunal. (3) On the expiry of the term of his office in the Tribunal, the Presiding Officer shall be entitled to receive cash equivalent of leave salary in respect of the earned leave standing to his credit subject to the conditions 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 240 days. (4) The Presiding Officer shall be entitled to receive the dearness allowance as admissible on the leave salary under sub-rule (2) at the rates in force on the date of the relinquishment of the Office in the Tribunal : Provided that he shall not be entitled for the city compensatory allowance or any other allowance on such leave.

7. Leave sanctioning authority.

- That Central Government shall be the authority competent to sanction leave to the Presiding Officer.

8. Pension.

(1) The Presiding Officers on deputation with the Tribunal shall be entitled to pension under rules of the parent employer.

9. Provident Fund.

- The Presiding Officer shall be entitled to subscribe to the General Provident Fund at his option and in case of his so opting shall be governed by the provisions of the Central Provident Fund (Central Services) Rules : Provided that if the Presiding Officer is already a member of any other Provident Fund he shall be governed by the rules which were applicable to him immediately before joining the Tribunal.

10. Travelling Allowance.

- The Presiding Officer while on tour or on transfer (including the journey undertaken to join the Tribunal or on the expiry of his term with the Tribunal to proceed to his home town) shall be entitled to the travelling allowances, daily allowance, transportation of personal effects and other similar matters at the same scales and the same rates as are prescribed in the rule applicable to officers holding equivalent post in the Central Government.

11. Leave Travel Concession.

- The Presiding Officer shall be entitled to the leave travel concession at the same rates and at the same scales and on the same conditions as are applicable to Group 'A' Officers of the Central Government drawing pay in the scale of Rs. 7300-7600.

12. Accommodation.

(1) The Presiding Officer shall be entitled to residential accommodation on the terms and conditions as are made available to officers of the Central Government drawing pay in the scale of Rs. 7300-7600. (2) When a Presiding Officer is not provided with or does not avail himself of the accommodation referred to in sub-rule (1) he may be paid every month an allowance at the rate admissible to officers of the Central Government drawing pay in the scale of Rs. 7300-7600. (3) Where the Presiding Officer occupies an official residence beyond the permissible period he shall be liable to pay additional licence fee or penal rent, as the case may be and liable to eviction in accordance with the rules applicable to officers of the Central Government drawing pay in the scale of Rs. 7300-7600.

13. Facilities for medical treatment.

- The Presiding Officer shall be entitled to medical treatment and hospital facilities as provided in the Contributory Health Service Scheme Rules, 1954 and in places where the Central Health Services Scheme is not in operation, the Presiding Officer shall be entitled to the facilities as provided in the Central Services Medical Attendance Rules.

14. Conditions of service of sitting Judges of the High Court appointed as Presiding Officers.

- Notwithstanding anything contained in these rules, where a sitting Judge of a High Court is appointed as the Presiding Officer of the Tribunal the service conditions as contained in the High Court Judges (Conditions of Service) Act, 28 of 1954 and the rules made thereunder shall apply to him.

15. Residuary Provision.

- The conditions of service of the Presiding Officer for which no express provision is available in these rules shall be determined by the rules and orders for the time being applicable to officers of the Central Government drawing pay in the scale of Rs. 7300-7600.

16. Staff of the Tribunal.

- The nature and categories of the officers and other employees of the Tribunal and the scale of pay attached thereto shall be as specified in the Schedule appended to these rules.

17. Conditions of Service.

- The conditions of service of the officers and other employees of the Tribunal in the matters of pay, Allowance, Leave, Provident Fund, age of superannuation, pension and retirement benefits, medical facilities and other conditions of service, shall be regulated in accordance with such rules and regulations as are for the time being applicable to officers and employees belonging to Group 'A', Group 'B', Group 'C' and Group 'D' as the case may be corresponding posts in the Central Government/Central Board.

18. Power to relax.

- The Central Government shall have power to relax the provisions of any of these rules with respect to any class or category of persons.

Schedule

S. No	Name of the post	No. of Post	Scale of Pay
1	2	3	4
1.	Registrar	One	Rs. 3000-4500
2.	Sr. PA (for Presiding Officer)	One	Rs. 2000-3200
3.	Steno, Gr. D (for Registrar)	One	Rs. 1200-2040
4.	UDC	One	Rs. 1200-2040
5.	LDC	One	Rs. 950-1500
6.	Driver	One	Rs. 950-1500
7.	Dafttry	One	Rs. 775-1150
8.	Peon	One	Rs. 750-940