

# State Election Commissioner Conditions of Service Rules, 1994

HARYANA

India

## State Election Commissioner Conditions of Service Rules, 1994

### Rule

### STATE-ELECTION-COMMISSIONER-CONDITIONS-OF-SERVICE-RULE of 1994

- Published on 5 May 1994
- Commenced on 5 May 1994
- [This is the version of this document from 5 May 1994.]
- [Note: The original publication document is not available and this content could not be verified.]

State Election Commissioner Conditions of Service Rules, 1994Published vide Haryana Government Notification No. GSR 37/Const/Art-243-k/94, dated 5-5-1994, Dated 14-5-1994No. G.S.R. 37/Const/Art-243-k/94. - In exercise of the powers conferred by clause (2) of article 243K of the Constitution of India and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following rules, regulating the conditions of service and tenure of office of the State Election Commissioner, namely:-

#### 1. Short title.

- These rules may be called the State Election Commissioner Conditions of Service Rules, 1994.

#### 2. Definitions.

- In these rules, unless the context otherwise requires -(a)"Commissioner"means an officer who has served in the rank of a Commissioner in the State Government of Haryana;(b)"Governor" means the Governor of the State of Haryana;(c)"Government" means the Government of the State of Haryana;(d)"State Election Commissioner" means the State Election Commissioner appointed under clause (1) of article 243k of the Constitution of India.

#### 3. Qualifications for appointment as State Election Commissioner.

- The person to be appointed as the State Election Commissioner shall be a person -(i)who is or has been a judge of a High Court; or(ii)a person who has served the Government in the rank of a

Commissioner for a minimum period of five years, or has served the State Government in a higher rank, namely, Financial Commissioner.

#### **4. Age.**

- The State Election Commissioner shall not be below the age of fifty-five years.

#### **5. Salary.**

- The State Election Commissioner shall be entitled to the salary, equal to the salary as he was drawing at the time of his retirement or at the time of his appointment as State Election Commissioner; Provided that if a person who, immediately before the date of assuming office as the State Election Commissioner was in receipt of, or, being eligible so to do, had opted to draw, a pension in respect of any previous service under the Government of India or under the State Government or any other service, his salary in respect of Service as the State Election Commissioner shall be reduced-(a) by the amount of that pension; (b) by the amount of the commuted value in respect of previous, if he had, before assuming office, received, in lieu of a portion of the pension due to him.

#### **6. Term of office.**

- The State Election Commissioner shall hold office for a period of five years from the date he assumes office; Provided that where the State Election Commissioner attains the age of sixty-five years before the expiry of the said term of five years, he shall vacate his office on the date on which he attains the said age; Provided further that the State Election Commissioner may, at any time, by writing under his hand addressed to the Governor, resign his office.

#### **7. Disqualifications for being the State Election Commissioner.**

- A person shall be disqualified for being appointed or for being at the State Election Commissioner-(a) if he is of unsound mind; (b) if he is an undischarged insolvent; (c) if he has been convicted of an offence involving moral turpitude.

#### **8. Other conditions of service.**

- Save as otherwise provided in these rules, travelling allowance, provision of rent-free accommodation, conveyance facilities, medical to him at the time of retirement or at the time of his appointment as State Election Commissioner so far as may be, apply to the State Election Commissioner. (2) The power to grant or refuse leave to the State Election Commissioner and to revoke or curtail leave granted to him, shall vest in the Governor.

## **9. Bar to appointment under Government.**

- On ceasing to hold office, the State Election Commissioner shall not be eligible for any further appointment under the Government.

## **10. Repeal.**

- The State Election Commissioner (Condition of Service) Rules, 1994, notified, vide Haryana Government Development and Panchayats Department, notification No. G.S.R. 14/Const./Art. 243K/PR/94, dated the 18th February, 1994, are hereby repealed.