

The Bureau Of Energy Efficiency Appointment And Terms And Conditions Of Service Of The Director--General Rules, 2003

UNION OF INDIA

India

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Rule

THE-BUREAU-OF-ENERGY-EFFICIENCY-APPOINTMENT-AND-TERMS of 2003

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The Bureau Of Energy Efficiency Appointment And Terms And Conditions Of Service Of The Director--General Rules, 2003Published vide G.S.R. 761(E), dated 2.9.2003, published in the Gazette of India, Extraordinary, Part II, Section 3(i), dated 24.9.2003.

10.

/523In exercise of the powers conferred by section 56 of the Energy Conservation Act, 2001 (52 of 2001), the Central Government hereby makes the following rules for regulating the appointment and other terms and conditions of service of the Director--General of the Bureau of Energy Efficiency, namely:--

1. Short title and commencement .-(1) These rules may be called the Bureau of Energy Efficiency Appointment and Terms and Conditions of Service of the Director--General Rules, 2003.

(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 Energy Conservation Act, 2001 (52 of 2001);(b)"Director-General" means the Director-General of the Bureau appointed under sub-section (1) of section 9 of the Act;(c)"section" means a section of the Act; and(d)all other 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. Appointment of Director-General .-(1) [The Central Government shall appoint a person possessing the following qualifications and experience:-

(i)Essential Qualifications and Experience:-(a)a candidate must be a Graduate in Engineering or Post-Graduate in Physics or Chemistry or Geology or Geophysics or Energy Studies or Energy Management or Energy Economics; and(b)shall have the experience of 25 years of service in the Central Government or the State Government in Group 'A' with at least 3 years experience in the pay scale of Rs. 18,400-22,400 in the parent cadre of service.orat least 25 years of post qualification experience in any public sector undertaking or an autonomous body or any statutory body or any private firm, out of which 5 years should be at a senior level in a organization of repute and(c)the candidate must have adequate knowledge and experience in dealing with the matters relating to energy production, supply and energy management, standardization and efficient use of energy and its conservation.(ii)Desirable qualification and experience:A candidate possessing a Post-Graduate Engineering or Doctorate degree in Physics or Chemistry or Geology or Geophysics or Energy Studies or Energy Management or Energy Economics and having experience in policy formulation or planning in the field of energy management shall be preferred.](2)The term of the office of Director-General shall be determined from the date on which he enters upon his office.(3)Where an officer of the Central Government or a State Government is appointed as the Director-General, his appointment, till the date he attains the age of superannuation, shall be deemed to have been made on deputation and after the date of superannuation, till he attains the age of sixty years, his appointment shall be deemed to have been made on short-term contract.(4)Where a person working under a public sector undertaking or autonomous or statutory organisation or from any private company or society or institution is appointed as the Director-General, his appointment shall be deemed to have been made on short -term contract.

4. Scale of pay and allowances .-(1) The Director-General shall be entitled to draw a salary in the pay scale of Rs. 22,400-525-24,500:

Provided that where an officer of the Central or State Government is appointed as Director-General his pay being drawn from the parent Government shall be protected.(2)The pension and the leave salary contribution in respect of a person appointed under sub-rule (4) of rule 3 shall be paid by the Bureau to the lending Government.(3)The Director-General shall be entitled to dearness allowance appropriate to his pay at the rate admissible to a Group 'A' officer of the corresponding status in the Central Government.(4)The other terms and conditions of the service of the Director-General for which the provisions have not been made in these rules, including entitlement of leave salary, leave travel concession, travelling allowance, medical facilities, shall be such as are admissible to a Group

`A' officer of the corresponding status in the Central Government.

5. Resignation and removal of Director-General .-(1) The Director-General may relinquish his office by giving in writing under his hand to the Central Government a notice of not less than ninety days.

(2)The Director-General may be removed from his office by the Central Government if he is subject to any of the disqualifications mentioned in rule 6:Provided that the Director-General shall, unless he is permitted by the Central Government to relinquish his office sooner, continue to hold office until the expiry of ninety days from the date of receipt of such notice or within the said period of ninety days until a person duly appointed as his successor enters upon his office or until the expiry of term of office, whichever is the earliest.

6. Grounds for removal .-(1) The Central Government may remove from office the Director-General who--

(a)is, or at any time has been, adjudged as an insolvent; or(b)is, or becomes, of unsound mind or is so declared by a competent Court; or(c)has become physically or mentally incapable of acting as the Director--General; or(d)has been convicted of any offence which, in the opinion of the Central Government, involves moral turpitude; or(e)has acquired such financial or other interest as is likely to affect prejudicially his functions as the Director-General; or(f)has so abused his position as to render his continuation in office detrimental to the public interest.(2)The Director-General shall not be removed from service under the provisions of sub-rule (2) of rule 5 unless he has been given a reasonable opportunity of being heard in the matter.

7. Entitlement for staff car .-The Director-General shall be entitled to the use of staff car in accordance with the instructions issued from time to time by the Central Government.