

State Election Commissioner (Conditions of Service) Rules, 1994

RAJASTHAN

India

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Rule

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

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State Election Commissioner (Conditions of Service) Rules, 1994Published vide Notification No. G.S.R. 43, dated 15.6.1994Last Updated 27th September, 2019G.S.R. 43. - In exercise of the powers conferred by clause (2) of Article 243-K of the Constitution of India, the Governor of Rajasthan hereby makes the following Rules, namely: -

1. Short Title.

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

2. Definition.

- In these Rules unless the context otherwise requires:-(a)"Governor" means the Governor of Rajasthan;(b)"Government" means the Government of Rajasthan;(c)"State Election Commissioner" means the State Election Commissioner appointed by the Governor, under Article 243-K of the constitution of India.

3. Qualification.

- Only such person shall be appointed as State Election Commissioner [who has at least five year's experience of the post of Principal Secretary or equivalent post carrying same pay scale in the Government of Rajasthan or equivalent post in the Government of India] [Substituted by Rajasthan Notification No. G.S.R. 25, dated 25.5.2017 (w.e.f. 15.6.1994).]. If the person is in service, he will be

deemed to have retired on the date of assumption of the office and will be entitled to receive pension etc. benefits accordingly.

4. Salary.

- There shall be paid to the [State Election Commissioner pay, equivalent to that of Chief Secretary plus dearness allowance and city compensatory allowance appropriate to his pay at the rate admissible to him] [Substituted by Rajasthan Notification No. G.S.R. 25, dated 25.5.2017 (w.e.f. 15.6.1994).]: Provided that if a person who, immediately before the date of assuming office as the State Election Commissioner is in receipt of or has received or has become entitled to receive a pension (other than a disability pension) in respect of any previous service under the Government of the Union or under the Government of a State, his pay in respect of service as State Election Commissioner shall be reduced:-(a) by the amount of that pension; and (b) if he had, before assuming office, received, in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension.

5. Term of office.

- The State Election Commissioner shall hold office for a term of five years from the date on which he assumes office or sixty five years³ of age whichever is earlier: Provided that the State Election Commissioner may at any time, by writing under his hand addressed to the Governor resign his office.

6. Leave.

(1) Any person who is appointed as the State Election Commissioner may be granted leave by the Governor in accordance with such rules as are the time being applicable to the members of the Indian Administrative service. (2) The State Election Commissioner shall be paid cash equivalent of leave salary in respect of the period of earned leave at his credit, subject to a maximum of 300 days, at the time of his ceasing to hold office

7. Pension.

(1) Where the State Election Commissioner demits his office either by resignation or in any manner specified in sub-rule (2) he shall on such demission be entitled to a pension at the rate of Rupees [forty five Thousands] [Substituted 'Sixteen Thousands' by Notification No. F. 4(7) SEC/Rule/Legal/PAR/2007/716, dated 25.5.2018 (w.e.f. 15.6.1994).] per annum for each completed year of service in the Commission [Provided that the provision of sub-rule (1) shall also be applicable for revision of pension of State Election Commissioner who retired prior to 01.01.2006.] [Inserted by Notification No. G.S.R. 93, dated 27.1.2011 (w.e.f. 15.6.1994).]

8. Right to subscribe in General Provident Fund.

- Every person holding office as the State Election Commissioner shall be entitled to subscribed to the General Provident Fund as per rules of the Government:

9. Accommodation and Conveyance facility.

- The State Election Commissioner shall be entitled to the use of an official residence of appropriate type and a staff car in accordance with the rules of the Government: Provided that when the State Election Commissioner does not avail-himself of the official residence preferred to in this rule, he shall be paid monthly allowance of Rupees [Sixteen thousand.] [Substituted by Rajasthan Notification No. G.S.R. 45, dated 1.7.2015 (w.e.f. 15.6.1994).]

10. Other conditions of service.

- Save as otherwise provided in these rules the conditions of service relating to traveling allowance, leave travel concession, medical facilities and other conditions of service shall be the same as are, for the time being, applicable to the members of the India administrative Service of the corresponding pay level in the Government.