

The National Environment Appellate Authority (Salary, Allowances And Conditions Of Service Of Chairperson And Vice-Chairperson) Rules, 1998

UNION OF INDIA

India

The National Environment Appellate Authority (Salary, Allowances And Conditions Of Service Of Chairperson And Vice-Chairperson) Rules, 1998

Rule

THE-NATIONAL-ENVIRONMENT-APPELLATE-AUTHORITY-SALARY-A of 1998

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The National Environment Appellate Authority (Salary, Allowances And Conditions Of Service Of Chairperson And Vice-Chairperson) Rules, 1998Published vide Notification Gazette of India, G.S.R. 190(E) dated 20th April, 1998.

1914.

G.S.R. 190 (E) dated 20th April, 1998. - In exercise of the powers conferred by sub-section (1) and Cl. (b) of sub-section (2) of Section 22 of the National Environment Appellate Authority Act, 1997 (No. 22 of 1997), the Central Government hereby makes the following rules, namely :-

1. Short title and commencement.

(1)These rules may be called the National Environment Appellate Authority (Salary, Allowances and Conditions of Service of Chairperson and Vice-Chairperson) Rules, 1998.(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 National Environment Appellate Authority Act, 1997 (22 of 1997);(b)"Authority" means the National Environment Appellate Authority established under sub-section (1) of Section 3 of the Act;(c)"Chairperson" means the Chairperson of the Authority;(d)"Vice-Chairperson" means the Vice-Chairperson of the Authority;

3. Tenure.

- A Chairperson shall hold office for a period of three years from the date on which he enters his office but shall be eligible for re-appointment for another term of three years :Provided that no Chairperson shall hold office as such after he attains the age of seventy years, whichever is earlier.

4. Pay of Chairperson.

- A Chairperson shall be entitled to the pay scale of Secretary to the Government of India, i.e., Rs. 26,000/- (fixed). The pay shall be fixed in accordance with prevailing orders i.e., pay minus pension.(i)The Chairperson shall be entitled to dearness allowance and city compensatory allowance at the rates admissible to a Secretary to the Government of India.(ii)Leave Travel Concession (LTC), Travelling Allowance and Daily Allowance on tour, shall be paid to the Chairperson as applicable to a Secretary to the Government of India. He will also be entitled to facility of temporary Government accommodation in guest house/inspection bungalow run by the Central Government, wherever applicable, on payment of normal rent at outstation, of the class to which a Secretary to the Government of India is eligible.(iii)Official visits abroad by a Chairperson shall be undertaken only in accordance with Government orders as applicable to officers of equal grade in the Government of India. For domestic tours, the Chairperson would keep the Secretary of the administrative Ministry/Department informed.(iv)A Chairperson shall be entitled to medical treatment and hospital facilities. as provided in the Central Government Health Scheme (CGHS) as applicable to a retired Government Servant. At places where the CGHS scheme is not in operation, he shall be entitled to reimbursement facilities provided under the Central Services (Medical Attendance) Rules.

5. Leave.

- A Chairperson would be entitled to 30 days of Earned leave, for every year of service. The payment of leave salary during leave shall be governed by rule 40 of Central Civil Services (Leave) Rules, 1972. A person would be entitled to encashment of 50% of earned leave to his credit at any time.

6. GPF/CPF, Pension and Gratuity.

- A Chairperson would be governed by Contributory Provident Fund Rules and no option to subscribe under General Provident Fund Rules will be available. Additional pension and gratuity

will not be admissible for service rendered in the Authority.

7. Eligibility for Re-employment.

- There shall be bar on private employment of Chairperson for two years in respect of organisations that fall within the operational jurisdiction of the National Environment Appellate Authority, after demitting office of Chairperson.

8. Transport.

- A Chairperson is eligible for reimbursement between Rs. 3000/- and Rs. 5,000/- per month as fixed by the Department of Personnel and Training, from time to time, for the use and maintenance of his personal car for transportation between residence and office. This would include the salary of a driver who would not be a Government servant.

9. Accommodation.

- A Chairperson is entitled for House Rent Allowance at the rate of 30% of the basic pay drawn, if he stays in Delhi. Outside Delhi, he shall be entitled to rented unfurnished accommodation with built up area measuring around 350 sq. meters in the National Capital Region (NCR) with suitable open land area appurtenant as permissible under the regulations of the concerned municipal bodies.

10. Special Provisions relating to existing Chairperson.

- Notwithstanding anything contained in these rules, salary, allowances and conditions of service of the Chairperson appointed before and holding office on, the commencement of these rules shall be, at par with a sitting Judge of the Supreme Court of India; Provided that the salary being pay of a sitting judge of the Supreme Court minus pension (before commutation) fixed in his case.

11. Tenure of Vice-Chairperson.

- A Vice-Chairperson shall hold office for a period of three years from the date on which he/she enters upon his/her office but shall be eligible for re-appointment for another term of three years : Provided that no Vice-Chairperson shall hold office as such after he/she has attained the age of sixty five years, whichever is earlier.

12. Pay of Vice-Chairperson.

- A Vice-Chairperson shall be entitled to the pay scale of Secretary to the Government of India, i.e., Rs. 26,000 (fixed). The pay shall be fixed in accordance with prevailing orders i.e., pay minus pension.(i)The Vice-Chairperson shall be entitled to dearness allowance and city compensatory allowance at the rates admissible to a Secretary to the Government of India.(ii)Leave Travel Concession (LTC), Travelling Allowance and Daily Allowance on tour, shall be paid to the

Chairperson as applicable to a Secretary to the Government of India. He/She will also be entitled to facility of temporary Government accommodation in guest house/inspection bungalow run by the Central Government, wherever applicable, on payment of normal rent at outstation, of the class to which a Secretary to the Government of India is eligible.(iii)Official visits abroad by a Vice-Chairperson shall be governed by Government's order applicable to Secretaries in the Government of India.(iv)A Vice-Chairperson shall be entitled to medical treatment and hospital facilities as provided in the Central Government Health Scheme (CGHS) as applicable to a retired Government Servant. At places where the CGHS scheme is not in operation, he/she shall be entitled to reimbursement facilities provided under the Central Service (Medical Attendance) Rules.

13. Leave.

- A Vice-Chairperson would be entitled to 30 days of earned leave, for every year of service. The payment of leave salary during leave shall be governed by rule 40 of Central Civil Services (Leave) Rules, 1972. A person would be entitled to encashment of 50% of earned leave to his credit at any time.

14. Leave Sanctioning Authority for the Vice-Chairperson.

- The Chairperson shall be the authority competent to sanction leave to the Vice-Chairperson.

15. GPF/CPF, Pension and Gratuity

- A Vice-Chairperson would be governed by Contributory Provident Fund Rules and no option to subscribe under General Provident Fund Rules will be available. Additional pension and gratuity will not be admissible for service rendered in the Authority.

16. Eligibility for Re-employment.

- There shall be a bar on private employment of Vice-Chairperson for two years in respect of organisations that fall within the operational jurisdiction of the National Environment Appellate Authority, after demitting office of Vice-Chairperson.

17. Transport.

- A Chairperson is eligible for reimbursement between Rs. 3000/- and Rs. 5,000/- per month as fixed by the Department of Personnel and Training, from time to time, for the use and maintenance of his/her personal car for transportation between residence and office. This would include the salary of a driver who would not be a Government servant.

18. Accommodation.

- A Vice-Chairperson is entitled for House Rent Allowance at the rate of 30% of the basic pay drawn, if he/she stays in Delhi. Outside Delhi, he/she shall be entitled to rented unfurnished accommodation with built up area measuring around 300 sq. meters in the National Capital Region with suitable open land area appurtenant as permissible under the regulations of the concerned municipal bodies.

19. Special Provisions for retired persons appointed as Vice-Chairperson of the Authority.

- Where any person, being a retired government servant or retired servant of any other institution or autonomous body and in receipt of a pension in respect of any previous service is appointed as a Vice-Chairperson, the salary admissible to him/her under these rules shall be reduced by the amount of that pension and if he/she had received in lieu of a portion of that pension the commuted value thereof, by the amount of that portion of the pension.

20. Saving.

- Any matter, not expressly provided in these rules, shall be referred in each case to the Central Government for its decision and the decision of the Central Government thereon shall be final.