

MINISTRY OF POWER

NOTIFICATION

New Delhi, the 19th March, 2007

G.S.R. 211(E). - In exercise of the powers conferred by clause (2) & (3) of section 89 of the Electricity Act, 2003 (36 of 2003) the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. - (1) These rules may be called the Joint Electricity Regulatory Commission for Union Territories except Delhi (Salary, Allowances and other Conditions of Service of Chairperson and Member) Rules, 2007.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. – (1) In these rules, unless the context otherwise requires, -

(a) "Act" means the Electricity Act, 2003; and

(b) "Commission" means Joint Electricity Regulatory Commission for Union Territories

(2) 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. Oath of office and secrecy. - The Chairperson and Member of the Commission shall, before entering upon his office, subscribe to an oath of office and secrecy before the Minister-in-charge of the Ministry of Power. The oath of office and secrecy shall be administered in the following form:-

Oath of secrecy

I ,..... do swear in the name of God and solemnly affirm that I shall not directly or indirectly, communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Chairperson/Member of the Joint Electricity Regulatory Commission for Union Territories except Delhi, except as may be required for the due discharge of my duties as such Chairperson/Member.

Oath and affirmation of allegiance to Constitution

I ,..... having been appointed Chairperson/Member of the Joint Electricity Regulatory Commission for Union Territories except Delhi, do swear in the name of God and solemnly affirm that I shall bear true faith and allegiance to the Constitution of India as by law established, that I shall uphold the sovereignty and integrity of India, that I shall duly and faithfully and to the best of my ability, knowledge and judgement perform the duties of my office without fear or favour, affection or ill will and that I will uphold the Constitution and the laws of the land

4. Pay. – The Chairperson and Member of the Joint Commission shall be entitled to receive a pay of rupees twenty six thousand per month:

Provided that in case a person appointed as the Chairperson or Member is in receipt of pension from;

- (a) Union Government including Railways, Defence, Posts and Telecommunication; or
- (b) State Governments and Union Territory Administrations; or
- (c) Public Sector Undertakings, Local Bodies, Autonomous Bodies like Universities or Semi-Government Organizations like Port Trusts;

the pay of such person shall be reduced by the gross amount of pension drawn by him:

Provided further that the Chairperson or Member shall be entitled to receive allowances on the original basic pay before such fixation of pay.

5. Dearness allowance and city compensatory allowance. – The Chairperson and Member shall be entitled to receive dearness allowance and city compensatory allowance, and other allowances at the rate admissible to a Group 'A' Officer of the Central Government drawing an equivalent pay:

6. Leave. – The Chairperson or Member shall be entitled to thirty days earned leave for every year of service. The payment of leave salary, during leave, shall be governed under the provisions of rule 40 of Central Civil Services (Leave) Rules, 1972.

7. Leave sanctioning authority. – In the case of the Chairperson, the Minister-in-charge of the Ministry of Power, and in the case of Member, the Chairperson, shall be the leave sanctioning authority.

8. Provident fund. – The Chairperson and Member shall be governed by the provisions of the Contributory Provident Fund (India) Rules, 1962 and no option to subscribe under the provisions of the General Provident Fund Rules (Central Services), 1960 shall be available. Additional pension and gratuity shall not be admissible for service rendered in the Commission.

9. Travelling allowances. – (1) The Chairperson and Member while on tour within India or for the journey undertaken by self and family to join the Commission or on the expiry of term with the Commission to proceed to his home town with family

shall be entitled to the journey allowance, daily allowance and transportation of personal effects at the same scales and at the same rates as are applicable to a Group 'A' Officer of the Central Government drawing an equivalent pay.

(2) Foreign tours to be undertaken by the Chairperson or Member shall require prior approval of the Minister-in-charge of the Ministry of Power and of the Screening Committee of the Secretaries and clearance from the Ministry of External Affairs from political angle and from the Ministry of Home Affairs for acceptance of foreign hospitality, if any, under the provisions of the Foreign Contribution (Regulation) Act, 1976 :

Provided that the daily allowance and provision for hotel accommodation during the period of tour abroad, shall be in accordance with such orders of the Central Government as are applicable to a Group "A" officer of the Central Government, drawing an equivalent pay and as per the economy instructions or other instructions issued by the Ministry of Finance from time to time.

10. Leave travel concession. – The Chairperson and Member shall be entitled to leave travel concession at the same scale and at the same rate as applicable to Group 'A' Officers of the Central Government drawing an equivalent pay:

11. Accommodation. – (1) The Chairperson and Member shall be entitled for House Rent Allowance for residence located at the head quarter of the Joint Commission at the rate as applicable in the case of a Central Govt officer drawing equivalent pay.

(2) In the case of a leased accommodation, the entitlement shall be determined by the Central Government keeping in view the entitlements of the Chairman and Managing Director of a Schedule "A" public sector enterprise in terms of plinth area and rental ceiling specified by the Department of Public Enterprises from time to time and also taking into consideration the market rent and plinth area specified by the Ministry of Urban Development for type VI accommodation:

Provided that for such leased accommodation which is according to and within the entitlement of the Chairperson or the Member, the standard license fee shall be the same as in the case of a Group "A" officer of the Central Government drawing an equivalent pay:

Provided further that for leased accommodation which is higher than the entitlement, recovery at the rate of ten per cent of the basic pay i.e., without deducting pension shall be made from the salary of the Chairperson or Member, as the case may be.

12. Transport. – The Chairperson and Members shall be allowed the option to make use of an official vehicle or reimbursement of such amount as may be fixed by the Central Government from time to time in respect of a Group "A" officer of the Central Government drawing an equivalent pay for the use and maintenance of his personal car.

13. Medical treatment. – The Chairperson and Members shall be entitled to medical reimbursement and facility as may be applicable to a Group "A" officer of the Central Government drawing an equivalent pay.

14. Telephone facility, official meetings and entertainment expenses. – The Chairperson and a Member shall be eligible for telephone facilities, official meetings and entertainment expenses as admissible to a Group "A" officer of the Central Government drawing an equivalent pay.

15. Other conditions of services. – Other conditions of service of the Chairperson and a Member, with respect to which no express provision has been made in these rules, shall be such as are admissible to a Group "A" officer of the Central Government drawing an equivalent pay.

16. Power to relax. – Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, in the public interest by order and for reasons to be recorded in writing, relax any of the provisions of these rules.

[F.No. 47/1/2005-R&R]

Sd/-
(GIREESH B. PRADHAN), Jt. Secy.