

NOTIFICATION

New Delhi, the 8th November, 2010

G.S.R. 893(E).— In exercise of the powers conferred by section 28 read with clause (g) of sub-section (2) of section 50 of the Warehousing (Development and Regulation) Act, 2007 (37 of 2007), the Central Government hereby makes the following rules, namely: —

1. Short title and commencement. —(1) These rules may be called the Salaries, Allowances and other Terms and Conditions of Service of Chairperson and Members of Warehousing (Development and Regulatory) Authority Rules, 2010.

(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 Warehousing (Development and Regulation) Act, 2007 (37 of 2007);

(b) "Chairperson", means the Chairperson of the Authority appointed under section 25 of the Act;

(c) "Member" means the Member of the Authority appointed under section 25 of the Act.

(2) Words and expressions used herein but not defined and defined in the Act, shall have the same meanings as assigned to them in the Act.

3. Salaries and allowances. - (1) The salary and allowances payable to the Chairperson and Members shall be as specified in section 28 of the Act.

4. Provident Fund.— The Chairperson and the Members 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, and additional pension and gratuity shall not be admissible for service rendered in the Authority.

5. Leave.— (1) The Chairperson and the Members shall be entitled to thirty days of earned leave for every year of service.

(2) The payment of leave salary during leave shall be governed by the Central Civil Service (Leave) Rules, 1972.

(3) The Chairperson and the Members are entitled to encashment of fifty per cent. of earned leave to their credit at any time.

6. Travelling allowance and daily allowance.- (1) The Chairperson and the Members shall be paid travelling allowance and daily allowance on tour as applicable to the Central Government servants drawing that basic pay.

(2) They shall also be entitled to facility of temporary Government accommodation in Guest Houses or Inspection Bungalows under the control of the Central Government, wherever applicable, on payment of normal rent at outstations, of the class to which Government servants of equivalent pay are eligible.

7. Medical Facilities. - (1) The Chairperson and the Members shall be entitled to medical treatment and hospital facilities, as provided in the Central Government Health Scheme for retired Government servants.

(2) At places where the Central Government Health Scheme is not in operation, the Chairperson and the Members, who are not Government servants, shall be entitled to facilities as provided in the Central Services (Medical Attendance) Rules, 1944;

8. Official Visits Abroad. - (1) The Chairperson and any Member shall undertake official visits abroad only in accordance with the Government orders as applicable to the officers of equal grade in the Government of India.

(2) In regard to official delegations abroad in which both the administrative Secretary and the Chairperson or Member of the Regulatory Authority are included, the Secretary shall lead the delegation, and for domestic tours, the Chairperson shall inform the Secretary of the administrative Ministry or Department.

9. Conveyance facility. - (1) The Authority shall not purchase any passenger vehicle for the use of the Chairperson and Members.

(2) The Chairperson and Members shall be eligible for fixed reimbursement between Rs.3000/- and Rs.5000/- p.m. as laid down by the Department of Personnel and Training from time to time for the use and maintenance of their personal car for transportation between residence and office which include the salary of a driver who shall not be a Government servant.

10. Accommodation. - (1) The Chairperson and the Members of the Authority shall be given the option of claiming House Rent Allowance at the rate of thirty percent of the basic pay (including grade pay, if any) drawn if they stay at Delhi, but no house shall be hired by the Authority or allotted by the Government.

(2) Outside Delhi, Members and the Chairperson shall be entitled to rented unfurnished accommodation with built-up area measuring around three hundred square metre for the Members, and three hundred and fifty square metre for the Chairperson with suitable open land area appurtenant as permissible under the regulations of the concerned municipal bodies.

11. Medical Fitness. — No person shall be appointed as a Chairperson or Member unless he is declared medically fit by a Medical Board to be constituted by the Central Government for the purpose unless he has already been declared fit by an equivalent authority.

12. Deemed retirement from Government Service. – The Chairperson and Member shall be deemed to have retired from Government service upon taking up respective appointments in the Authority as such Chairperson and Member.

13. Oaths of office and secrecy.- Every person appointed to be Chairperson or Member under section 25 of the Act shall, before entering upon his office, make and subscribe to oath of office and secrecy in Form-I and Form-II respectively.

14. Residuary provision. - Matters relating to the terms and conditions of service of the Chairperson or Members with respect to which no express provision has been made in these rules, shall be referred by the Authority to the Central Government for its decision, and the decision of the Central Government thereon shall be applicable to the Chairperson or Members, as the case may be.

FORM I

(see rule 13)

Form of oath of office for Chairperson or Member of the Warehousing Development and Regulatory Authority

"I.....(Name of the Chairperson/ Member) having been appointed as Chairperson/Member do solemnly affirm/do swear in the name of God that I will faithfully and conscientiously discharge my duties as Chairperson to the best of my ability, knowledge and judgment, without fear or favour, affection or ill will."

Name of the Chairperson/Member
Warehousing Development and Regulatory Authority

FORM II

(see rule 13)

Form of oath of secrecy for Chairperson or Member of the Warehousing Development and Regulatory Authority

"I.....(Name of the Chairperson/Member) having been appointed as Chairperson do solemnly affirm/do swear in the name of God that I will 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 said Warehousing Development and Regulatory Authority except as may be required for the due discharge of my duties as the Chairperson."

Name of the Chairperson/Member
Warehousing Development and Regulatory Authority