

GSR 844 E RAILWAYS CLAIMS TRIBUNAL (SALARIES AND ALLOWANCES AND CONDITIONS OF SERVICES OF CHAIRMAN, VICE-CHAIRMAN AND MEMBER)

NO. D. (D.N.) tav dig No. Bom EX I"RAOR PART PUBLISHED h 989/NKü' 191 1 NEW .TUESDAY, SEPTENiftB.IF,R. 19, 289 1911 Separate Paging is. gi.i•én to this Part in order Bhat it be med as n Sepnraie qrgFFöT, 7 (9B 7 IFr 54) , (w) 1987 (1987 54) 30 (2) zr.i firrafi•TfG'h 1. nrt.q•,--- ii GI/â9 a•ttt G; qiXT uqq , 7300B* DO- fGiT Q; 1'Wil' (1) 4 it frati , 0, git qt e, fqai,• "R' 5. q: fq4fq« fma (ii) fiü q3 (iii) Q'!ür ii e*!fr, (2) a-ft cavel Gi qit ii (4) qq.•R Q: Orr t •a: q*arr i 8. äRN:-- (1) (ii) Gi 8 (2) ior Qi t fm•r Qfäq: 9. f'.fi i, fü fmfi nor fqfER. fmif qq •Oil, 3 infra y,Éi': Tüq. ; xt7.t q«Fr Our f4f#z .fNi.g (.41) ii .Wfiif«tf M.A.T{.• f-•i.,• -h: fM7. f7T. u.i.;t 7. ferfüt f-T;G; \$ MINISTRY OF RA.u,iVAYS (Railways Board) NOTIFICATION. Nf*.v 'thc-1 19th 'Sc-ptcn•i.ber, . G.S.R. 844(E) cxercise• the. powers coiifct;-red by,cianse (2) GI' of Sectioö \$0)' Of • 'fiibUnal Act, (b4 ot 1987) , the Central Government' heieby-.L•nakcg the rules, namely Short tile avd connncncement . rules may be caned the Railway Claims T vib•unzd• (Salaries and Allowances and G0!1ditions "Services ofnariyman, and' Meili', bers) Rules; 1999. (2) They shall cornc into force on the' 'appointed day* within the meaning of : 01'.Secti(Sa 2 of the Act

2. Definitions .Yn these ruleg, unless the context requ (a) "Act" means the Railway Claitns ' rribnnat Act, 1987 (54 ; (b) "Tribunal" mean's the. (Railway •Claims! TrE bunal established- under Section !hof {he Act. shnIÄ receive a pay • of rup C.+•eight thousand per menscni -a *!icc Cha'ivman sha rceive pay in] the scale of rupees. pc',.gmenééxn and shall, in, addition, be; eligiblé a 5pécialrapâY rupees five hundred ..pexu -mensem- subject to condition that the toget.hcr •u•ith speöial pay does i not exceed rupees eight per. mensem•»; a • • ;MCNiber ghalk receive pay in {he *cale rupces .7800-1004GOO pct mensem . .li— sec. 3(i) THE GAZEITE OF INDIA : EXTRAORDINARY Provided that in the casc of appointment as Chairö man, Vice.Chairman or Menibec ot a person who has retired as n Judge of a High Court, or who bus retired •irona service under the Central Government or a State Government and who is in receipt or has eived or has become entitled to, receive any retirement by way ot pension, gr}ltuity. tinu Providenf ployers's contribution to a Contributory Fund or other forms of rtirement benefits. lbe pay Dhall be reduced by the gross amount or pension ot' pensionary equivalent of employer•s contribution the Cojuribution Provident Fund or any other forn of riiriifiYjfiTTäfiiefits, if any, drawn. or to bc drawn by him. •1. nc;n Allowance and (tity Chairtnan, a Vice.Chairmtan and a shall receive dearness allowancc and city cotnpensaa tory allowance appropriate, to their pay at saine rates as are admjssible to a Group 'A' Officer in the satne scale of pay under the Central Governinent drowing an equivalent pay. 5. from parent service on appointment as Member • (i) The Chairman, a Vice-Chainnan or a ber who, on the date of his appointment to ibe Tri- bunal, was in the service undo' the Central Governo ment or a State Government shall seek retirement from such service before his' appointrnt to the Tribunal and in the case of Sitting Judge or a High Court who is appointed as Chairman, his serv vice in the Tribunal shall be treated as actual scro vice within the meaning of sub-clause (i) or clance of paragraph of Part D of the Second Sc (tu e to the Constitution Ot Jndia. (2) Subject to the provisions of rule 3. the Chairman, a Vice-Chairman or Member shall bc en- titled to receive pension and gratuity in accordance with the retirement 1 ules applicable to him prior •to such retirement - Provided that he Shal} not be allowed to carry Sorward his earned leave but shall be entitled receive cash equivalent to leave salary, if any due, in accordance with the rules applicRble to him prior to his retirement

6. Leave : (1) A person, on appomtment in the • Tribunal as Chairman.Vice-Chairman or Member shall be en- Litled to leave as follows : (i) earned leave at the rate of fifteen 'Lays for every completed year of service or a part thereof ; (ii) half pay leave on medical certificate or private affairs, at the rate of twenty day8 in respect of each completed year of service ana the leave salary for half. pay leave shall be equivalent to half of the leave salary ad- missib}e during the earned leave ; (iii) leave on halt pay can be comrnunted to full pay leave at the discretion of the Chiru man, Vice..Chairmnn or Member, provided it is t&ken on medical, wounds is syp- ported by a medical certificate from the competent medicai authority ; (iv) extvtoordiuary jeave without pay and allowu ancc\$ upto a maximum period of onc hun- dred and eighty days in onc term or (2) the Chairman, Vice-Chairman or a Member is unable to cnjoy full vacation on accoun[his occupation .with the Tribunal, he 'hall be entitled to add the unenjOycd period of vacation

to his leave account. Explanation—For the purpose of this sub-rule "c. means vacation of thirty days in each calendar year observed by the Tribunal. (b) On the expiry of his term of office in the Tribunal, the Chairman, Vice-Chairman or Member shall be entitled to receive cash equivalent salary in respect of the earned leave standing to his credit Provided that the quantum of leave concerned under this sub-rule and proviso to sub-rule (2) of rule 5 shall not exceed 210 days. (4) The cash equivalent of such leave salary shall include dearness allowance on leave salary at the rates in force on the date of relinquishing office in the Tribunal but shall not include Compensatory (City) Allowance or any other allowances

7. Leave sanctioning authority The Chairman shall be the authority competent to sanction leave to the Vice-Chairman and a Member and the President of India shall be the authority competent to sanction leave to the Chairman.

The Chairman may delegate to a Vice-Chairman the powers to grant leave to a Member. 8, Pension (i) Every person appointed to the Tribunal as Chairman, Vice-Chairman or Member shall be entitled to pension Provided that no such pension shall be to such a person (i) if he has put in less than five years of service ; or (ii) if he has been removed from, or in the Tribunal under sub-section (2) or section 8 of the Act. (3) Pension under sub-rule (1) shall be calculated at the rate of rupees seven hundred per annum for each completed year of service or a part thereof and irrespective of the number of years of the maximum amount of service in the Tribunal pension shall not exceed rupees three thousand five hundred per annum. Provided that the aggregate amount of pension payable under this rule together with the amount of an arrear pension included in the pension of pension if any, drawn or entitled drawn while holding office in the Tribunal shall not exceed four thousand rupees per annum. Provident Fund The Chairman, Vice-Chairman or a Member shall be entitled to subscribe to the General Provident Fund at his option and, his option shall be governed by the provisions of the General Provident Fund Rules. Provided that if the Chairman, Vice-Chairman or a Member was a Judge of a High Court or a Member of the Indian Legal Service, a Member of a Central Service immediately before his joining the Tribunal, he shall continue to be governed by the rules which were applicable to him before his joining the Tribunal. (1) Journeys on tour.—(i) A Chairman who was a Vice-Chairman before becoming Chairman, a Vice-Chairman or a Member of the Tribunal, shall while on tour, or on transfer (including the journey undertaken to join the Tribunal) be entitled to travelling allowances, daily allowances, transportation of personal effects and matters at the same scales and at the same rates as are applicable to a Group 'A' Officer of equivalent pay scale in Central Government. (2) A Chairman who was a judge of a High Court shall continue to be governed by the provisions of the High Court Judge (Travelling Allowances) Rules, 1956, as regards his entitlement under these rules. Leave Travel.—The Chairman, a Vice-Chairman or a Member shall be entitled to leave travel concession at the same rates and at the scales and on the same conditions as are applicable to Group 'A' officers of equivalent pay scale in the Central Government. Accommodation (1) Every person appointed to the Tribunal as Chairman, Vice-Chairman or Member shall be entitled to the use of an official residence from the Central Government if available, on the payment of the licence fee at the rates prescribed by the Central Government from time to time. (2) Residential accommodation for the Chairman, a Vice-Chairman or a Member at SGC stations where Central Government accommodation is not available, may be hired on lease by the Central Government subject to such ceilings on hire charges as may be specified by the Central Government from time to time. (3) When the Chairman, a Vice-Chairman or a Member is not provided with, or does not avail himself of the accommodation referred to in sub-rules (1) and (2), he may be paid every month, house rent allowance as may be admissible from time to time to an officer of equivalent pay scale in Central Government. (4) When the Chairman, a Vice-Chairman or a Member occupies an official residence beyond the permissible period, he shall be liable to pay such additional licence fee or other charges as are leviable under corresponding rules of the Central Government governing allotment of Central Government accommodation in addition to being liable to contribute towards the applicable to the officers drawing equivalent pay in the Central Government. 13. Facilities, of conveyance.—The Vice-Chairman and Member shall be entitled to the facility of staff car for journeys for official and private purposes in accordance with the rules governing use of staff car facilities applicable to officers of Central Government drawing equivalent pay in that Government. 14. Facilities for Medical treatment.—(X) The Chairman, Vice-Chairman or Member shall be entitled to medical treatment and hospital as provided in the Central Government Health Scheme and in places where the Central Government Health Scheme is not in operation, provided in the Central Services (Medical Attendance) (2) Notwithstanding anything

contained in sub. rule (I) the Chairman, Vice-Chairman or Member shall be entitled, at his option to avail of the health service facilities applicable to the officers of equivalent pay scales under the Railway Administration or, where there are no equivalent pay scales, to facilities applicable to officers drawing the highest pay scale under the Railway Administration. 11. Conditions of Service etc., of the Chairman. Notwithstanding anything contained in rules 4 to 10 of these Rules, the conditions of service and other perquisites available to the Chairman shall be the same as admissible to a Judge of a High Court. Residual provision Any condition of service of the Chairman, Vice-Chairman or Member for which no express provision has been made in these rules shall be determined by rules and orders for the time being applicable to a Secretary to the Government of India in the case of the Chairman and Vice-Chairman, and by the rules and orders applicable to Additional Secretary to the Government of India in the case of Members.

17. Powers to relax rules : The Central Government shall have power, reasons to be recorded in writing, to relax the provisions of any of these rules in respect of any class or categories of persons. [No. (RCT) RAN 11T MATH(R. Officer on Duty). Printed by the Manager, Govt. of India Press, Ring Road, New Delhi-110064 3989]

