

NHRC CHAIRPERSON AND MEMBERS (SALARIES, ALLOWANCES AND OTHER CONDITIONS OF SERVICE) RULES 1993

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2. Definitions : In these rules, unless the context otherwise requires : (a) "Chairperson" means the Chairperson of the National Commission; (b) "Member" means the Member of the (c) National Commission appointed under sub-section (2) of Section 3 of the Ordinance; "National Commission" means the National Human Rights Commission constituted under sub-Section (1) of section 3 of the Ordinance; "Ordinance" means the Protection of Human Rights Ordinance (Ord. 30 of 1993); all other words and expressions used in these Rules and not defined but defined in the Ordinance shall have meanings respectively assigned to them in the Ordinance

3. Salary : There shall be paid to (a) the Chairperson, a salary which is equal to the salary of the Chief Justice of India; (b) a Member, a salary which is equal to the salary of a Judge of the Supreme Court: Provided that if the Chairperson or a Member at the time of his appointment was in receipt of, or being eligible so to do, had elected to draw, a pension (other than disability or wound pension) in respect of any previous service under the Government of the Union or Government of a State, his salary in respect of service as a Chairperson or as the case may be a Member shall be reduced : (i) by the amount of that pension; (ii) if he had, before assuming office, received, in lieu of a portion of pension due to him in respect of such previous service, the commuted value thereof by the amount of that portion of the pension; and (iii) by any other form of retirement benefits, being drawn or availed of or to be drawn or availed of by him.

4. Leave : (1) A person, on appointment as Chairperson or as a Member shall be entitled to leave as follows : (i) earned leave @ fifteen days for every completed calendar year of service or a part thereof; (ii) half pay leave on medical certificate or on private affairs @ twenty days in respect of each completed year of service and the leave salary for half pay leave shall be equivalent to half of the leave salary admissible during the earned leave; 4 THE GAZETTE OF INDIA : EXTRAORDINARY [PART (iii) leave on half pay can be commuted to full pay leave at the discretion of Chairperson or a Member if it is taken on medical ground and is supported by a medical certificate from the competent medical authority ; (iv) extraordinary leave without pay and allowances upto a maximum of one hundred eighty days in one term of office. (2) On the expiry of his term of office in the National Commission, the Chairperson and Members shall be entitled to receive cash equivalent of leave salary in respect of earned leave standing to his credit subject to the condition that the maximum of leave encashed under this sub-rule or at the time of retirement from previous service, as the case may be or taken together shall not in any case exceed 240 days. (3) The Chairperson and the Members shall be entitled to receive dearness allowance as admissible on the leave salary under subrule (2) at the rates in force on the date of the relinquishment of their office in the National Commission: Provided that he shall not be entitled to city compensatory allowance or any other allowance on such leave, (4) If a sitting Judge of Supreme Court or a sitting Chief Justice of High Court is appointed as a Member, then notwithstanding anything contained in sub-rules (1) or (3), the provisions of Chapter of the Supreme Court Judges (Conditions of Service) Act. 1958 or as the case may be, Chapter 11 of the High Court Judges (Conditions of Service) Act. 1954 shall apply to him up to the date of his superannuation as a sitting Judge of Supreme Court or as

the Chief Justice of a High Court and thereafter he shall be entitled to leave in accordance with the provisions of sub-rules (1) to (3) of this rule

5. Leave Travel Chairperson and the Members shall be entitled to leave travel concession at the same rates and at the same scales, and on the same conditions as are applicable to a Secretary to the Government of India : Provided that if a sitting Judge of the Supreme Court or a sitting Chief Justice of a High Court is appointed as a Member, then notwithstanding anything contained in this rule, the rules applicable to a Judge of the Supreme Court or rules applicable to a Judge of a High Court the case may be, shall be applicable till the date of his death, and thereafter, the provisions of this rule shall apply

6. Authority competent to grant leave —The power to grant or refuse leave to the Chairperson or a Member and to revoke or curtail leave granted to him, shall vest in the President

7. Travel Allowances :—The Chairperson and the Members, while on tour (including the journey undertaken to join the National Commission or on the expiry of his term with the National Commission to proceed to his home town) shall be entitled to (a) travel allowances, allowances for transportation of personal effects and other similar matters at the same scales and at the same rates as are admissible to a Secretary to the Government of India ; (b) daily allowance at the same rates as are admissible to a Judge under the Supreme Court Judges (Travelling Allowances) Rules, 1959: Provided that if a sitting Judge of the Supreme Court or a sitting Chief Justice of a High Court is appointed as a Member, then notwithstanding anything contained in this rule, the rules applicable to a Judge of the Supreme Court or rules applicable to a Judge of a High Court as the case may be, shall be applicable till the date of his superannuation and thereafter the provisions of this rule shall apply

8. Other conditions of Service conditions of service relating to provision of rent free accommodation, conveyance facilities, medical facilities and such other conditions of service as are, for the time being, applicable to a Judge of the Supreme Court under Chapter IV of the Supreme Court Judges (Conditions of Service) Act, 1958 and the rules made thereunder shall so far as may apply to the Chairperson and the Members

9. Right to Subscribe to General Provident Fund Every person holding office as a Chairperson or a Member shall be entitled to subscribe to the General Provident Fund (Central Service). 10. R.aidunry conditions of service of the Chairperson and the Members for which no provision is made in this rule; shall be determined by the rules and orders for the time being applicable to a Secretary to Government of India belonging to Indian Administrative Service.

11. Power to relax rule; Central Government. Government may have the power to relax the provisions of any of the rules in respect of any class or categories of persons. Printed by the Manager, Govt. of India Press. and Published by the Controller of [File No. 13026/202/93-K.III] MADHUKAR GUPTA, Jt. secy. Ring Road, Mayapuri, New Delhi-110064 Publications, Delhi-110034, 1993