

KARNATAKA ELECTRICITY REGULATORY COMMISSION (CHAIRMAN AND OTHER MEMBERS, REMUNERATION, ALLOWANCE AND CONDITIONS OF SERVICE)

THE KARNATAKA ELECTRICITY REGULATORY COMMISSION (CHAIRMAN AND OTHER MEMBERS, REMUNERATION, ALLOWANCE AND CONDITIONS OF SERVICE) RULES, 2000
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Whereas, the draft of the Karnataka Electricity Regulatory Commission (Chairman and other Members, Remuneration, Allowance and conditions of Service) Rules 2000, in Notification DE 5 PSR 99, dated 2-2-2000 was published as required by sub section (1) of Section 57 of the Karnataka Electricity Reform Act, 1999 (Karnataka Act 25 of 1999) in Part IV, Section 2-C(i) of the Karnataka Gazette, Extraordinary, dated 3-2-2000 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of publication of the draft in the Official Gazette. And whereas, the said Gazette was made available to the public on the 3 February, 2000. And whereas, objection and suggestions received within the period specified above have been considered by the State Government. Now, therefore, in exercise of the powers conferred by Section 57 of the Karnataka Electricity Reform Act, 1999 (Karnataka Act 25 of 1999), the Government of Karnataka hereby makes the following rules, namely. - 1. Title and Commencement: - (1) These rules may be called the Karnataka Electricity Regulatory Commission (Chairman and other Members, Remuneration, Allowance and Conditions of Service) Rules 2000. (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 Karnataka Electricity Reform Act, 1999 (Karnataka Act 25 of 1999), ((aa) "salary" for the purpose of calculation of gratuity, means the basic pay drawn by the member at the time of relinquishing the office.] (b) "Section" means a section of the Act. (2) Words and expressions used in these rules and not defined shall have the meaning respectively assigned to them in the Act. 3 Pay:- (1) The Chairman and other Members shall receive a pay of rupees two lakh twenty-five thousand per month. Provided that in case a person appointed as Chairman or a Member is in receipt of any pension, the pay of such person shall be reduced by the gross amount of pension including any commuted portion thereof drawn by him/her: Provided further that the Chairman and other Members shall be entitled to draw admissible allowances on the original basic pay before such fixation pay. (2) Any Member acting as Chairman shall be paid a Special Allowance of Rs. 22,500/- per month. This allowance will also count for calculation of Dearness Allowance. 2 4 Dearness allowance and city compensatory allowance.- The Chairman or a Member shall be entitled to receive such dearness allowance and city compensatory allowance as may be admissible to a Judge of the High Court of Karnataka

5. Leave and Leave Salary.- (1) The Chairman and other Members shall be entitled to leave and leave salary as follows: - (i) Earned leave at the rate of thirty days for every completed calendar year of service or apart thereof; (ii) Half pay leave on medical certificate or on private affairs at the rate of 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; (iii) Leave on half pay can be commuted to full pay leave at the discretion of the member, provided it is taken on medical grounds and is supported by a medical certificate from the competent authority; (iv) Extraordinary leave without pay and allowance upto a maximum period of one hundred eighty days in their entire term of office. (2) The Chairman or other Members shall be entitled to be paid cash equivalent of leave salary and dearness allowance, but excluding the city compensatory allowance or any other allowance in respect of the earned leave at their credit at the time of retirement on superannuation subject to the following conditions, namely: - (i) the admissibility and such payment shall be limited to a maximum period of one hundred and fifty days of earned leave; (ii) the cash so admissible shall become payable on retirement and be paid in one lump as one-time settlement; (iii) the authority competent to grant earned leave shall be competent to issue order granting cash

equivalent of earned leave. (3) The authority competent to sanction leave to a member or Chairman shall be the Governor of Karnataka.

6. Pension:- (1) In this rule unless the context otherwise requires: (a) 'Service' includes - 3 (i) time spent on duty as Chairman or Member or both of the Commission; (ii) time spent on duty by the Chairman or a Member in the performance of such other function as he may at the request of the Governor undertake to discharge; (iii) joining time on transfer to the office of the Chairman or Member from a post or an office under the Union or a State; and (iv) one month or the number of days totally taken whichever is less of each period of leave on full allowances. (b) 'Service Pension' in relation to the Chairman or a Member who before or at the date of appointment as such was in the service of the Union or of a State means the pension admissible to him under the rules of the service of which he was a Member. (2) Subject to the provisions of these rules, pension shall be payable to the Chairman or a Member only if he has completed not less than two years of service. No pension shall be payable to the Chairman or a Member on his removal from service, If the Chairman or a Member, who has completed two years of service or more, takes voluntary retirement from his office and such voluntary retirement is accepted by the Government, he shall be entitled to the pension as admissible under these rules. (3) The pension under these rules shall be payable to the Chairman or a Member for life. (4) The annual pension payable to the Chairman or a Member of the Commission on his relinquishing charge shall be as follows: - (a) In the case of Chairman Rs. 60,788/- per half year of service subject to a maximum of Rs. 6,07,875/- per year if he has completed 5 years of service. Existing (b) In case of Member other than Chairman Rs. 48,262/- per half year of service subject to a maximum of Rs. 4,82,620/- per year if he has completed 5 years of service. Proposed for amendment Existing sub rule 6(4)b shall be read as 6(4)(b)(i) and proposed for insertion of new sub rule at 6(4)(b)(ii) 4 Insertion of new subrule at 6(4)(b)(ii) (b)(ii) Non official persons appointed as Chairman and Members shall receive pension, duly adding 20 half years of weightage to their service subject to the limit of half of the last pay drawn at the time of retirement. (C) If a Member or Chairman has completed less than 5 years of service the pension is to be calculated at the rate of Rs. 48,262/- or Rs. 60,788/- respectively for each completed half year of service. For calculating a half year service, a period of 3 to 6 months is to be taken as one half year and below 3 months is to be omitted for calculation of pension. Provided that the Chairman or the Member shall be entitled to an additional quantum of pension in accordance with the following scale. - Pensioner Age From 80 years to less than 85 years From 85 years to less than 90 years From 90 years to less than 95 years From 95 years to less than 100 years More than 100 years Additional quantum of pension 20% of basic pension 30% of basic pension 40% of basic pension 50% of basic pension 100% of basic pension (d) In the case of a person who has rendered service as Member and also Chairman and if the total period of service is more than two years he shall be entitled for payment of pension in the post last held by him before relinquishing charge. (e) As and when pension payable to a High Court Judge under the First Schedule of Part I, Rule 2 of the High Court Judges (Conditions of service) Act, 1954 is revised, corresponding half yearly service pension revision should be made for Chairman and Members of the Commission by the State Government by suitably amending the rules. (5) The pension payable under sub-rule (4) shall not be commuted. (6) The authority competent to grant pension to the Chairman and Members shall be the Governor of Karnataka. Existing (7) Where the Chairman or a Member of the Commission dies while in service after having rendered not less than one year of continuous service, the rate of family pension calculated at the rate of 60% of the pension admissible to him on the date of his death shall be payable to the person or persons entitled thereto for a period of 7 years or for a period upto the date on which the Chairman or Member would have attained the age of 72 years had he survived, whichever is earlier and thereafter at the rate of half of the family pension. So admissible Family pension is payable to persons nominated by the Chairman or Member or to the legal heir if no nomination is made. Proposed for amendment (7) Where the Chairman or a member of the Commission dies while in service after having rendered not less than one year of continuous service, or dies after retirement from service, the rate of family pension is regulated as follows: a) In case of death while in service, family pension calculated at the rate of 60% of the pension admissible on the date of his death shall be payable to the person or persons entitled thereto for a period of 7 years or for a period up to the date on which the Chairman or member would have attained the age of 72 years, had he survived, whichever is earlier and thereafter at the rate of half of the family pension so admissible. (b) Where the Chairman or a member of the Commission dies after retirement from service, the family pension calculated at the rate of 30% Of the pension admissible on the date of his retirement shall be payable to the

person or persons entitled thereto. (c) Family pension is payable to persons nominated by Chairman or Member or to the legal heir if no nomination is made. Provided that the family of the Chairman or the Member shall be entitled to an additional quantum of family pension in accordance with the following scale. - Family Pensioner Age From 80 years to less than 85 years From 85 years to less than 90 years From 90 years to less than 95 years From 95 years to less than 100 years More than 100 years Additional pension 20% of family pension 30% of family pension 40% of family pension 50% of family pension 100% of family pension (8) the Pension and family pension shall be payable at the end of each month at the rate of 1/12th of the pension allowed per annum. Gratuity: - The Chairman and Members shall be entitled to the benefit of gratuity calculated on the basis of [ten days salary for each completed six months service) if they have completed not less than two and half years of service in the Commission. Application of rules in respect of other allowances and matters: 8. In respect of Travelling Allowances, Leave Travel Concession, Medical Treatment, Residential Accommodation, Sumptuary Allowance, Conveyance (Vehicles) and all other matters where no specific provision is made the Chairman and Members shall be governed by the rules and order 'Or the time being applicable to a High Court Judge. 1) All journeys shall be performed by the Journeys:- 9. 1) Chairman and Members under intimation to, or with the prior approval of the Governor for journeys within the country or outside the country (2) The Chairman and Members shall be the controlling officers, in respect of their own travelling allowance bills

10. Resignation: (1) The Chairman and Members may resign this office by giving three months notice in writing to the State Government. (2) The State Government may, however, waive this condition at its discretion. Relaxation of provision of rules in certain cases: - When the 11. State Government is satisfied that operation of any of these rules causes undue hardship in any particular case, it may in public interest and for the reasons to be recorded in writing, relax the requirement of that rule. SECRETARY KERC, BANGALORE