

3/11/2006
2/08

(Authoritative English text of this Department Notification No.MPP-A(3)-2/2003, dated 30th November, 2006 as required under Clause(3) of article 348 of the Constitution of India.)

Government of Himachal Pradesh
Department of MPP & Power

No.MPP-A(3)-2/2003

Dated:Shimla-2, the 30th November, 2006

NOTIFICATION

In exercise of the powers conferred by Clause (d) & © of sub Section (2) of Section 180 readwith sub section(2) & (3) of Section 89 of the Electricity Act, 2003 , the State Government hereby makes the following rules, namely:-

1.Short title and commencement:- (1) These rules may be called the Himachal Pradesh Electricity Regulatory Commission (salary, allowances and other conditions of service of Chairperson and Members) Rules, 2006.

(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;

(b) "Commission" means the Himachal Pradesh Electricity Regulatory Commission

(2) Words and expression used and not defined in these rules but defined in the Electricity Act, 2003 (36 of 2003) shall have the meanings respectively assigned to them in that Act..

3. Oath of office and secrecy:- The Chairperson and Members of the Commission shall, before entering upon his Office, subscribed to an oath of office and secrecy before the Chief Minister, Himachal Pradesh. 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 Himachal Pradesh Electricity Regulatory Commission 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 Himachal Pradesh Electricity Regulatory Commission, 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 judgment 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 of the Commission shall be entitled to receive a fixed basic pay of Rs. 26,000/- (Rs. Twenty six thousand) per month only plus Dearness Pay and a Member shall be entitled for basic pay plus Dearness Pay in the pay scale of Rs. 22,400-525-24,500 .

Provided that if the Chairperson of the Commission has been a Judge of the High Court, he shall receive pay as admissible to a Judge of the High Court.

Provided further if a person appointed as the Chairperson or a Member of the Commission is in receipt of any pension, the pay of such person shall be reduced by an amount equal to the gross amount of pension drawn by him.

5. Dearness allowance and other allowances:- The Chairperson and the Member of the Commission shall be entitled to receive dearness allowance and other allowances on the basic pay at the rate admissible to a Class-I Officer of the State Government drawing an equivalent pay.

6. Leave:- The Central Civil Services (Leave) Rules, 1972 shall be

362

III

270

applicable to the Chairperson or the Member of the Commission.

7. **Leave sanctioning authority:-** In the case of the Chairperson of the Commission the leave sanctioning authority shall be the 'Minister-in-charge of Multi-Purposes Projects & Power Department', and in the case of the Member, the Chairperson, shall be the leave sanctioning authority.
8. **Provident Fund:** The subscription towards Provident Fund of the Chairperson and the 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:-** (I) The Chairperson and the Member while on tour shall be entitled to the traveling allowance/ mileage allowance and daily allowance at the same rates as are applicable to a Group 'A' Officer of the State Government drawing an equivalent pay. However, tours abroad shall be subject to the prior approval of the Chief Minister through the Multi-Purposes Projects & Power Department and clearance from the 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.
10. **Leave travel concession:-** The Chairperson and the Member shall be entitled to leave travel concession at the same scale and at the same rate as applicable to Class-I Officers of the State Government drawing an equivalent pay as per the instructions issued by the Finance Department from time to time.
11. **Accommodation:-** The Chairperson and the Member of the Commission shall have the option either for allotment of Government Accommodation or house rent allowance in lieu thereof, as admissible to the officer of the State Government drawing an equivalent pay.
12. **Transport:-** The Chairperson or the Member of the Commission shall be

- allowed to make use of an official vehicle.
13. **Medical treatment:-** The Chairperson and the Member of the Commission shall be entitled to medical reimbursement and facility as may be applicable to a Class-I officer of the State Government drawing an equivalent pay.
 14. **Telephone facility:-** The Chairperson and the Member of the Commission shall be eligible for telephone facilities at Office & Residence as admissible to a Class-I Officer of the State Government drawing an equivalent pay.
 15. **Other conditions of service:-** Other conditions of service of the Chairperson and the Member of the Commission, with respect to which no express provision have been made in these rules, shall be such as are admissible to a Class-I officer of the State Government drawing an equivalent pay.
 16. **Interpretation:-** If the question arises relating to the interpretation of any of the provisions of these rules, the Government shall decide the same and its interpretation shall be final.

By Order


**Principal Secretary (Power) to the
Government of Himachal Pradesh.**

Endst. No. As above. Dated: Shimla - 171002, the 5th November, 2006

Copy is forwarded for information & necessary action to:-

1. The Controller (P&S), Himachal Pradesh, Shimla-5 for publication in the official Gazette
2. The Joint Secretary, Ministry of Power, Government of India, Sharm Shakti Bhawan, Rafi Marg, New Delhi.
3. The Chairman, Himachal Pradesh State Electricity Board, Vidyut Bhawan, Shimla-4.
4. The Secretary, Himachal Pradesh Electricity Regulatory Commission, Keonthal Complex, Khalini, Shimla-2.
5. The Principal Secretary (Fin) to the Govt. of Himachal Pradesh, Shimla-2 w.r. to their concurrence obtained vide No.82 (Fin-Reg.) dated 1/2/2006-Fin(C)-B(15)-5/2003.

6. The LR-cum-Secretary (Law) to the Govt. of Himachal Pradesh, Shimla-2.
7. The Dealing hand dealing with the matters of tariff etc. in the MPP & Power Branch, H P Secretariat, Shimla-2.
8. Guard file.
9. Spare Copies...20.


Additional Secretary (Power) to the
Government of Himachal Pradesh.

363
972

364

(Authoritative English text of this Department Notification number – MPP-A(3)-2/2003-Part-I dated ----- as required under clause (3) of the article 348 of the constitution of India)

Government of Himachal Pradesh
Department of MPP and Power

No. MPP-A (3)-2/2003 Part-I

Dated Shimla-2, the 18/11/2009

Notification

In exercise of the powers conferred by clauses (b) and (C) of sub-section (2) of section 180 read with sub-sections (2) of section 180 read with sub-sections (2) and (3) of section 89 of the Electricity Act, 2003 (36 of 2003) , the Governor of Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Electricity Regulatory Commission(Salary), Allowances and other Conditions of Service of Chairperson and Members) Rules, 2006 notified vide this Department notification number MPP-A(3)-2/2003 dated 30th November, 2006 and published in the Rajpatra on the 10th March, 2007, namely :-

Short title and Commencement

1 (1) These rules may be called the Himachal Pradesh Electricity Regulatory Commission (Salary, Allowances and other conditions of service of Chairperson and Members) Amendment Rules, 2009.

(2) They shall and shall always be deemed to have to come into force from the 1st day of January, 2006.

Substitution of rule, 4

2. For rule 4 of the Himachal Pradesh Electricity Regulatory Commission (Salary, Allowances and other conditions of Service of Chairperson and Members) Rule, 2006, the following shall be substituted, namely :-

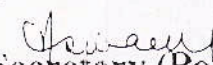
365

4 Pay – The Chairperson of the Commission shall be entitled to receive a fixed pay of Rs. 80,000/-(Eighty thousand Rupees) per month and Member shall be entitled for HAG (Higher Administrative Grade) scale of Rs. 67, 000/- - 79,000/-(Grade pay nil.)

Provided that if the Chairperson of the commission has been a judge of the High Court, he shall receive pay as admissible to a judge of the High Court.

Provided further that if a person appointed as the Chairman/Chairperson or Member of the Commission is a re-employed pensioner, his pay in the prescribed scale of the post in which he is re-employed will be fixed by deducting the amount of pension i.e. Pay minus Pension, in accordance with the provisions contained in H.P. Civil Services(Fixation of Pay of Re-employed Pensioners) Orders, 1988, issued by the Finance Department vide OM No. Fin (C)-B(7) 10/84, dated 1.12.1998”.

By Order


Principal Secretary (Power) to the
Government of Himachal Pradesh
Dated Shimla-2, the 13/11/2009.

No as above

Copy forwarded to the following for information and necessary action :-

1. The Controller Printing and Stationery H.P. Shimla-5 for publication in the official Gazette.
2. The Pr. Secretary (Finance) to the Govt. of H.P. w.r.t. to his U.O. letter No.Fin-C-B(15)-5/2003-Loose dated 3.10.2009 .
3. The L.R. -Cum- Secretary (Law) to the Govt. of H.P., Shimla-2.

- 366
4. The Secretary, H.P. State Regulatory Commission, Keonthal Complex, Khalini, Shimla-2. The payment in the revised scale and arrears shall be made strictly in accordance with the FD's instructions from time to time with regard to the payment of revised pay and arrears thereof.
 5. The dealing hand dealing with the matter of tariff etc. in the MPP & Power Branch, H.P. Secretariat.
 6. Guard file.
 7. Spare copies -20.

49
Special Secretary (Power) to the
Govt. of Himachal Pradesh