THE NATIONAL COMMISSION FOR WOMEN RULES

The National Commission for Women (Salaries and allowances and Conditions of Service of Chairperson and Members) Rules, 1992

G.S.R. 74(E), dated New Delhi, the 31st January, 1992.-In exercise of the powers conferred by section 17 read with sub-section (5) of section 4 of the National Commission for Women Act, 1990 (20 of 1990), the Central Government hereby makes the following rules regulating the salaries and allowances payable to and other terms and conditions of service of the Chairperson and Members of the National Commission for Women, namely:-

1. **Short title and commencement.-** (1) These rules may be called the National Commission for Women (Salaries and Allowances and Conditions of Service of Chairperson and Members) Rules, 1992.
(2) They shall come into force on the date of their publication in the Official Gazette.

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2. ***Definitions.-***In these rules, unless the context otherwise requires,-
(a)- "Act'; means the National Commission for Women Act, 1990 (20 of 1990);
(b) "Chairperson" means the Chairperson of the Commission.

3. ***Salaries and allowances.-*** (1) Save as otherwise provided in sub-rule (2), the Chairperson shall be paid a salary of rupees eight thousand per month and every Member shall be paid a salary of rupees seven thousand and six hundred per month:

Provided that where the Chairperson or a Member is a retired Government Officer or official from Union Territory Administration, Semi-Government bodies, public sector undertaking, recognized research institution, the salary payable together with the pension or pensionary value of the terminal benefits, or both, received by him shall not exceed in the case of Chairperson rupees eight thousand per month and in the case of a Member rupees seven thousand and six hundred per month.

(2) If the Chairperson or a Member is in service of the Central or a State Government, his salary shall be regulated in accordance with the rules applicable to him.

4. Dearness allowance.-The Chairperson and every Member shall receive dearness allowance appropriate to their pay at the rates admissible to officers of the appropriate level of the Central Government.

5. City compensatory allowance.-The Chairperson and every Member shall receive city compensatory allowance appropriate to their pay at the rates admissible to officers of the appropriate level of the Central Government.

6. Tenure of office.- (1)Any person falling within the categories specified in sub- , section (2) of section 3 of the Act and who has not attained the age of sixty-five years may be nominated as the Chairperson or as a Member.

(2) The Chairperson and every Member shall, unless removed from office under sub-section (3) of section 4 of the Act, hold office for a period not exceeding three years, or till the age of sixty-five years, whichever is earlier.

(3) Notwithstanding anything contained in sub-rule (1),

(a) A person who has held' the office of Chairperson shall be eligible for re-nomination, and

(b) A person who has held the office of a Member shall be eligible for re-nomination as a Member or nomination as a Chairperson:

Provided that a person who has held office for two terms, in any capacity except the Member-Secretary, shall not be eligible for re-nomination as Chairperson or as Member.

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(4) If the Chairperson is unable to discharge his functions owing to illness or other incapacity, the Central Government shall nominate any other Member to act as Chairperson and the Member so nominated shall hold office of Chairperson until the Chairperson Resumes office.

(5) If a vacancy occurs in the office of the Chairperson by reason of his death or resignation. The Central Government shall nominate any other Member to act as Chairperson and the Member so nominated shall hold office of Chairperson until the vacancy is filled by a fresh nomination under sub-section (4) of section 4 of the Act.

7. Leave. The Chairperson and every Member shall be entitled to leave as follows:-

(a) Earned leave, half pay leave and commuted leave in accordance with the Central Civil Services (Leave) Rules, 1972, as amended from time to time:

(b) extraordinary leave as admissible to the temporary Government servants under the Central Civil Services (Leave) Rules, 1972, as amended from time to time.

8. Leave sanctioning authority. - The Chairperson shall be the authority to sanction leave to a Member and the Central Government shall be the authority competent to sanction leave to the Chairperson.

9. Traveling allowance.- (l.) Chairperson, and every Member shall be entitled to draw traveling allowances and daily allowance at the rates appropriate to their pay admissible to Group A officers of the, Central Government.

(2) The Chairperson and every Member shall be his own controlling officer In respect of his bills relating to traveling allowances and daily allowances.

10. Residential accommodation.- (1) The Chairperson and, every Member shall be entitled to the use of an official residence as may be determined by the Government of India.

(2) If the Chairperson or a, Member is not provided with or does not avail himself of the accommodation specified in sub-rule (1), he shall be paid every month house tent allowance at the rates admissible to officers of an appropriate rank in the Central Government.

11. ***Facility for conveyance***. - The Chairperson and every Member shall be entitled to the facilities of staff car for journeys for official and private purpose in accordance with the Staff Car Rules of the Government of India.

12. ***Facility for medical treatment***.-The Chairperson and every Member shall be entitled to medical treatment and hospital facilities as provided in the **Central Government Contributory Health Scheme Rules, 1954 or as may be determined by the Central Government.**

13. Pension.- (1) The Chairperson or a Member who, at the time of his appointment as such was in the service of the Central or State Government, shall, at his option to be exercised 'within a period of six months from the date of his appointment, be entitled to draw his pension and other retirement benefits under the rules applicable to the service to which he 'belonged with effect from the date of his appointment as Chairperson or Member, as the case may be:

Provided that, in such an event, his pay as Chairperson or Member shall be reduced by an amount equivalent to the gross pension including any portion of the pension which may have been commuted and the pension equivalent of other retirement benefits and he shall be entitled to draw his pension and other retirement benefits separately.

(2) The Chairperson or a Member, who, at the time of his appointment as such, was in the service of the Central or State Govt. if he does not exercise the option specified, in sub rule (1) shall count his service as Member for pension and retirement benefits under the rules applicable to the service to which he belonged immediately before such appointment.

(3) No pension shall be payable to the Chairperson or a Member who, immediately before assuming office as the Chairperson or a Member, was not in any service of the Central or State Government.

14. **Provident Fund.-** (1) The Chairperson or a Member who at .the date of his appointment to the Commission was in the service of the Central or State, Government and who had been admitted to the benefits of General Provident Fund or Contributory Provident Fund. May continue to, subscribe to that Fund until the date on which he retires according to rules applicable to him, in his service. In the case of the Contributory Provident Fund, the employers' contribution payable to that Fund' shall as from the date of the Chairperson or Member's appointment to the Commission be payable by the Commission during the tenure of appointment as such Chairperson or Member.

Explanation I.-A Member exercising his option under this sub-rule shall communicate his option in writing to the President during his tenure as "such Member and the option so exercised shall be final".

Explanation II.-If a Member exercising his option has received any benefits of Contributory Provident Fund on retirement from service under the Central or State Government; he shall not become eligible for pension under these rules unless he refunds in Jump sum the Government contribution to that Provident Fund with interest thereon together with other retirement benefits, if any.

(2) The Chairperson or a Member who at the time of his appointment as such Member,-

(i). was in the service of the Central or State Government or of a local, body, or any other authority wholly or substantially owned or controlled by Government and who opts, or had opted, to draw his pension and other retirement benefits under the rules applicable to the service to which he belonged prior to such appointment, or.

(ii).had retired from service under the Central or State Government, a local body or other authority wholly or substantially owned or controlled by Government and who does not opt, or had not opted, to come under-the pension scheme under these, rules, or

(iii).was not in the service of the Central or State Government, a local body or any other authority wholly or substantially owned by Government and either does not become entitled to any pensionary benefits under these rules or opts not to come under the pension scheme under these rules, shall be entitled to be admitted to the benefit of the Contributory Provident Fund Scheme and for this purpose shall be governed by the Contributory Provident Fund (India) Rules, 1962 as amended from time to time.

15. ***Residuary provision.-***The conditions of service of the Chairperson and the Members for which no express provision has been made in these rules shall be as determined by the Central Government.

[No. F. 9-61/90- WW] UMA PILLAI, Jt. Secy.

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