## 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 No. 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

1. Published in the Karnataka Gazette, Extraordinary, dated 23-5-2000, vide Notification No. DE 5 PSR 99, Bangalore, dated 23-5-2000
within fifteen days from the date of publication of the draft in the Official Gazette.

Whereas, the said Gazette was made available to the public on the 3rd February, 2000.

And whereas, objections 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);

(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 twenty-six 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 of pay.

(2) Any member acting as Chairman shall be paid a Special Allowance of Rs. 4,000/- per month. This allowance will also count for calculation of Dearness Allowance.

4. Dearnness allowance and city compensatory allowance.—The Chairman or a member shall be entitled to receive such dearnness 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 a part 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 medical authority;

(iv) Extraordinary leave without pay and allowances up to 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.—

(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 functions 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. 2,250/- per half year of service subject to a maximum of Rs. 22,500/- per year if he has completed 5 years of service.

(b) In case of member other than Chairman Rs. 1,715/- per half year of service subject to a maximum of Rs. 17,150/- per year if he has completed 5 years of service.

(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. 1,715/- or Rs. 2,250/- 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.

(d) In the case of a person who has rendered service as a 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.

(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 50% 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 up to the date on which the member or Chairman would have attained the age of 62 years had he survived, whichever is earlier and thereafter at the rate of half of the family pension so admissible, subject to a minimum of Rs. 375/- per month. Family pension is payable to persons nominated by the member or Chairman or to the legal heir if no nomination is made.
(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.

7. Gratuity.—The Chairman and members shall be entitled to the benefit of gratuity calculated on the basis of twenty days salary for each completed year of service if they have completed not less than two and half years of service in the Commission.

8. Application of rules in respect of other allowances and matters.—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 members and Chairman shall be governed by the rules and orders for the time being applicable to a High Court Judge.

9. Journeys.—(1) All journeys shall be performed by the Chairman and members under intimation to, or with the prior approval of the Governor for journeys within the country or outside the country respectively.

(2) The Chairman and members shall be the controlling officers, in respect of their own travelling allowance bills.

10. Resignation.—(1) The Chairman or a member may resign his office by giving three months notice in writing to the State Government.

(2) The State Government may, however, waive this condition at its discretion.

11. Relaxation of provision of rules in certain cases.—When the 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.