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## **Railway Rates Tribunal (Salaries and Allowances and Conditions of Service of Chairman and Members) Rules, 1995**

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## **Railway Rates Tribunal (Salaries and Allowances and Conditions of Service of Chairman and Members) Rules, 1995**

Ministry of Railways (Railway Board), Noti. No. G.S.R. 566, dated October 17, 1995, published in the Gazette of India, Part II, Section 3(i). dated 23rd December, 1995, pp. 2785- 2787, No. 51 [?. 90/E(0) ii/2S/I] In exercise of the powers conferred by Section 198 read with sub-section (7) of Section 33 of the Railways Act, 1989 (24 of 1989) the Central Government hereby makes the following rules, namely :-

### **1. Short title and commencement :-**

(1) These rules may be called the Railway Rates Tribunal (Salaries

and Allowances and Conditions of Service of Chairman and Members) Rules, 1995.

(2) They shall come into force on the date of their publication in the Official Gazette.

## **2. Definitions :-**

In these rules unless the context otherwise requires,-

(a) "Act" means the Railways Act, 1989 (24 of 1989):

(b) "Tribunal" means the Railway Rates Tribunal established under Section 33 of the Act.

## **3. Appointment of the Chairman and the other Members :-**

Appointment of the Chairman and the other Members of the Tribunal shall be made in accordance with the provisions of Section 33 of Chapter VII of the Act.

## **4. Pay :-**

(1) The Chairman shall receive a pay of Rs. 8000 per month if he is or has been a High Court Judge and Rs. 9000 per month if he is or has been Chief Justice of a High Court or a Judge of the Supreme Court before such appointment : Provided that in the case of appointment of a person as the Chairman, who has retired as a Judge of the Supreme Court or a High Court and who is in receipt of, or has received or has become entitled to receive any retirement benefits, by way of pension, gratuity, employer's contribution to Contributory Provident Fund or other forms of retirement benefits, the pay shall be reduced by the gross amount of pension or pensionary equivalent of employer's contribution to the Contributory Provident Fund to any other forms of retirement benefits, if any, drawn or to be drawn by him.

(2) A Member shall receive pay in the Senior Administrative Grade in the scale of Rs. 5900-6700 (RPS) per month : Provided that in the case of appointment of a person as Member, who has retired from service under Central Government or a State Government and who is in receipt of or has received or has become entitled to receive any retirement benefits, by way of pension, gratuity, employer's contribution to Contributory Provident Fund or other forms of retirement benefits, the pay shall be reduced by the gross amount of pension or pensionary equivalent of employer's contribution to the Contributory Provident Fund, if any drawn, or to

be drawn by him.

**5. Dearness Allowance and City Compensatory Allowance :-**

The Chairman, and a Member shall receive dearness allowance and city compensatory allowance appropriate to their pay at the same rates as are admissible to a Group 'A' officer in the same scale of pay under the Central Government drawing an equivalent pay.

**6. Retirement from parent service on appointment as Chairman or a Member :-**

( 1 ) In the case of a sitting Judge of the Supreme Court or a High Court who is appointed as Chairman, his service in the Tribunal shall be treated as actual service within the meaning of sub-clause (i) of clause (b) of Paragraph 11 of Part D of the Second Schedule to the Constitution of India.

(2) A Member who on the date of his appointment to the Tribunal, was in the service under the Central Government or a State Government shall seek retirement from such service before his appointment to the Tribunal.

**7. Leave :-**

(1) A person, on appointment in the Tribunal as Chairman or Member shall be entitled to leave as follows :

(a) earned leave at the rate of fifteen days for every completed year of service and proportionate leave for a part thereof:

(b) 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:

(c) leave on half pay can be commuted to full pay leave at the discretion of the Chairman or Member, provided it is taken on medical grounds and is supported by a medical certificate from the competent medical authority;

(d) extraordinary leave without pay and allowances up to a maximum period of one hundred and eighty days in one term of office.

(2) If the Chairman, or a Member is unable to enjoy full vacation on account of his occupation with the Tribunal, he shall be entitled to add the unenjoyed period of vacation to his leave account:

Provided that the total period of earned leave including the unenjoyed period of vacation shall not exceed 30 days in a year.

(3) On the expiry of his term of office in the Tribunal, the Chairman or Member shall be entitled to receive cash equivalent of leave salary in respect of the earned leave standing to his credit: Provided that the quantum of leave encashed under this sub-rule shall not exceed 240 days, including the period of leave already encashed while in previous service.

(4) The cash equivalent of such leave salary shall include dearness allowance on leave salary at the rates in force on the date of relinquishment of office in the Tribunal but shall not include Compensatory (city) allowance or any other allowances.

**8. Leave sanctioning authority :-**

The Chairman shall be the authority competent to sanction leave to a Member, and the President of India through the Ministry of Railways (Railway Board) shall be the authority competent to sanction leave to the Chairman.

**9. Provident Fund :-**

The Chairman, or a Member shall be entitled to subscribe to the General Provident Fund at his option and. in the case of his so opting shall be governed by the provisions of the General Provident Fund Rules : Provided that if the Chairman, was a Judge of Supreme Court or of a High Court, he shall continue to be governed by the Rules as were applicable to him before his joining the Tribunal.

**10. Journeys on tour/transfer :-**

(1) A Chairman who was a Judge of Supreme Court or of a High Court shall continue to be governed by the provisions of the Supreme Court or High Court Judges (Travelling Allowances) Rules for serving or retired Judges as the case may be regards his entitlements under this rule

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(2) A Member of the Tribunal shall, while on tour/transfer, be entitled to travelling allowance, daily allowance, transportation of personal effects and other similar matters at the same scales and at the same rates as are applicable to a Group 'A' officer of equivalent pay scale in the Central Government.

## **11. Leave Travel Concession/Privilege Passes/PTOs for Chairman and Members :-**

(1) On the analogy of the travel concessions extended by the Ministry of Finance the Chairman and the other member appointed from a source other than the Railways will be granted one set of First Class 'A' Complementary Privilege Ticket Orders per annum, which will include the family also, to be availed of at any time in the year exclusively for visiting the home town.

(2) On the expiry of the term of office the Chairman and the other Member appointed from a service other than the Railways will be allowed one First Class 'A' complimentary pass for self and wife only for journey from the headquarters of the Tribunal to the home town and a kit pass for transportation of household effects and car, if any, as admissible under the normal rules.

(3) The other member appointed from the Railways will continue to be eligible for post retirement passes as a retired Railway officer.

## **12. Accommodation :-**

(1) Every person appointed to the Tribunal as Member shall be entitled to the use of an official residence from the Central Government if available, on payment of license fee at the rates prescribed by the Central Government from time to time provided that the Chairman shall be entitled to accommodation on terms as admissible to the serving/re-employed Judges of High /Supreme Court, as the case may be.

(2) Residential accommodation for the Chairman or a Member at such stations where Central Government accommodation is not available may be hired on leave by the Central Government subject to such ceiling on hire-charge as may be specified by the Central Government from time to time.

(3) When the Chairman, or a Member is not provided with, or does not avail himself of the accommodation referred to in sub-rules (1) and (2) he may be paid, every month, house rent allowance as may be admissible from time to time to an officer of equivalent pay scale in the Central Government if he is a Member and at the rate admissible to re-employed retired Judges of High Court or Supreme Court if he is the Chairman.

(4) When the Chairman, or a Member occupies an official residence

beyond the permissible period, he shall be liable to pay such additional license fee or other charges as are leviable under corresponding rules of the Central Government governing allotment of Central Government accommodation in addition to being liable to eviction in accordance with the rules applicable to the officers drawing equivalent pay in the Central Government.

**13. Facility of official transport :-**

(1) Chairman of the Tribunal shall be entitled to a staff car on the terms as admissible to re-employed Judges of Supreme/High Court.

(2) The Members shall be entitled to the facility of staff car for journeys for official and private purposes in accordance with the rules governing use of staff car facilities applicable to officers of the Central Government drawing equivalent pay.

**14. Facilities for medical treatment :-**

The Chairman, or Member shall be entitled to Medical treatment and hospital facilities as provided in the Central Government Health Scheme and in places where the Central Government Health Scheme is not in operation, as provided in the Central Services Medical Attendance Rules, 1944. The Chairman and Members shall be entitled to avail of the Health Service facilities applicable to the officers of equivalent pay scale under the Central Government or where there are no equivalent pay scales, to facilities applicable to officers drawing the highest pay under the Railway Administration.

**15. Conditions or service etc. of the Chairman :-**

Notwithstanding anything contained in these rules the conditions of service and other perquisites available to the Chairman shall be the same as admissible to a serving Judge of the High Court or Supreme Court, as the case may be.

**16. Appearance before the Tribunal after completion of tenure of office :-**

On completion of their tenure of office, the Chairman or the Member shall not plead or act before the Railway Rates Tribunal in any case referred to the said Tribunal.

**17. Residual provision :-**

Any condition of service of the Chairman, or Member for which no express provision has been made in these rules shall be determined by the rules and orders for the time being applicable to a Secretary to the Government of India in the case of Chairman and by the

Rules and orders applicable to Railway officers of Senior Administrative Grade in the case of Members.

**18. Powers to relax rules :-**

The Central Government shall have power, for reasons to be recorded in writing, to relax the provisions of any of these rules in respect of any class or category of persons.