

## **Goa Panchayat Raj (Conditions Of Service Of State Election Commissioner) Rules, 1997**

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## **Goa Panchayat Raj (Conditions Of Service Of State Election Commissioner) Rules, 1997**

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

(1) These rules may be called the Goa Panchayat Raj (Conditions of Service of State Election Commissioner) Rules, 1997.

(2) They shall come into force with immediate effect.

### **2. Definitions :-**

In these rules, unless there is anything repugnant in the subject or context,-

(a)"Act" means the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994);

(b)"Commission" means the State Election Commission constituted under section 237 of the Act;

(c)"Commissioner" means the State Election Commissioner appointed under section 237 of the Act;

(d)"Government" means the Government of Goa;

### **3. Qualifications for appointment as Commissioner :-**

3.<sup>1</sup>[Qualifications for appointment as Commissioner

A person shall not be qualified for appointment as Commissioner unless:-

(a)He is a citizen of India;

(b)He has completed forty years of age; and

(c)He has held any Group A post under the Government or Government of India or any other State Government for not less than five years and preferably holds a degree in Law from any recognized University.]

1 Rule 3 Substituted by the (Second Amendment) Rules, 2001.

### **4. Term of Office :-**

The Commissioner shall hold office for a period of <sup>2</sup>[six years] from the date on which he assumes his office or until he attains the age of <sup>3</sup>[sixty five years,] whichever is earlier.

2 substituted by the (Forth Amendment) Rules 2008

3 Substituted by the (Third Amendment) Rules 2006.

### **5. Pay and Allowances :-**

5.<sup>4</sup>[Pay and Allowances.-

<sup>5</sup> "The Commissioner shall be entitled to a monthly salary in the scale of Rs. 75700-80000 with the annual increment @ 3% and other allowances, emoluments and benefits like L.T.C. etc., as

admissible under the Central Civil Services (Revised Pay) Rules, 2008].

Provided that a person who was holding a post under the Government of India or any State Government at the time of his appointment as Commissioner shall, receive pay including personal pay which he would have drawn from time to time under the relevant rules in the scale of pay of the post which he was holding at the time of such appointment or shall receive the pay mentioned in this rule, whichever is higher:

Provided further that in the case of appointment as commissioner of a person who has retired from service under the Government, University or any other body wholly or substantially owned or controlled by the Government and who is in receipt of or has received or has become entitled to receive any retirement benefits by way of pension, gratuity, Contributory Provident Fund (CPF) or otherwise, the pay specified in this rule shall be reduced by the gross amount of pension including any portion of the pension which may have been commuted and the pension equivalent or other forms of retirement benefits, if any:

Provided further that in case of appointment as Commissioner of a person who holds any other statutory post in addition to being Commissioner, he will have the option to draw pay and other allowances either as Commissioner or as the other statutory authority.

4 Substituted by the (Second Amendment) Rules 2001.

5 Substituted by the (Fifth Amendment) Rules 2010.

## **6. Accommodation :-**

The Commissioner may, if he does not own a house at the headquarters of the Commission and if he so desires, be provided with an unfurnished residence subject to the payment of rent and other conditions in accordance with the rules applicable to Government buildings used as residence.

## **7. Leave :-**

(1) A person who at the time of his appointment as Commissioner, was in the service of the Central or any State Government, may be granted leave by the Governor under the Rules which were applicable to him immediately before his appointment and his service as Commissioner shall count for such leave and the leave at the credit of any such person in his leave account shall not lapse on the date of his appointment as Commissioner but shall be carried forward and may be availed of during his tenure as Commissioner. Out of the leave so carried forward, the Commissioner may be paid cash equivalent of leave salary in respect of the earned leave at his credit, to the extent permissible under the Rules applicable to him had he retired on superannuation on the date of his appointment as Commissioner.

(2) Any person who at the time of his appointment as Commissioner, was not in the service of the Central or any State Government may be granted leave as admissible to the Officers Grade I of the Government:

Provided that commuted leave on full pay not exceeding half the amount of half pay leave due, may be granted if the leave is taken on Medical Certificate and the authority Competent to sanction leave has reasons to believe that the Commissioner will return to duty on its expiry.

## **8. Travelling and Daily Allowance :-**

(1) The Commissioner shall be entitled to travelling and daily or other allowances admissible to Officers Grade I of the Government, while touring on duty connected with his office:

Provided that no daily allowance shall be admissible for days of halt exceeding thirty days at a time unless specially permitted by the Governor.

(2) No mileage or daily allowance shall be admissible for journeys

within the State.

(3)The Commissioner who, on the date immediately prior to the date of entering on his duties as such, was in the service of, or held a post under the Government of India or the Government of any State, may draw travelling allowance at the rates as laid down for journey on transfer by the rules which were applicable to him immediately before his appointment.

(4)Travelling allowance bills of the Commissioner shall not require counter signatures by any other authority. He shall be his own controlling officer.

(5)The Commissioner shall be entitled to advance of travelling and daily allowance in respect of the journey undertaken by him in the performance of his functions whether by road, rail, air, or steamer etc.

(6)An advance shall be adjusted in the appropriate travelling allowance bill before the end of the month following the month in which the advance is drawn.

## **9. Conveyance allowance :-**

There shall be paid to the Commissioner a conveyance allowance at the rate of one thousand and two hundred rupees per mensem inclusive of all allowances in no official chauffeur driven vehicle is provided for conveyance:

Provided that no conveyance allowance shall be admissible for days of journey for which road mileage has been claimed under Rule 8:

Provided further that during the period of leave, the Commissioner shall be paid conveyance allowance not exceeding two hundred and fifty rupees per mensem if he certifies that he continued to maintain a vehicle during the period of such leave.

## **10. Sumptuary Allowance :-**

The Commissioner shall be paid sumptuary allowance of rupees two hundred per month.

**11. Medical Attendance :-**

The Commissioner shall be entitled to the same medical attendance benefits as are laid down from time to time to Grade I Officers of the Government under the Central Civil Services (Medical Attendance) Rules, 1944, as in force.

**12. Pension :-**

Where a serving Government Officer is appointed as Commissioner, no pension for its previous service shall be payable during the period he holds the office of the Commissioner and on his ceasing to hold that office, the pension to which he was entitled shall be paid.