

**MAHARASHTRA ELECTRICITY REGULATORY COMMISSION MUMBAI**

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**Industries, Energy and Labour Department,  
Mantralaya, Mumbai 400 032  
Dated the 2th March, 2000**

**NOTIFICATION**

No. ERC-1099/CR-1601/NRG-3.- In exercise of the powers conferred by clause (a) of sub-section (2) of section 57 read with sub-section (2) of section 19 of the Electricity Regulatory Commission Act, 1998 (14 of 1998), the Government of Maharashtra hereby makes the following rules, namely:-

1. *Short Title* - The Rules may be called the Maharashtra Regulatory Commission (Conditions of service of Chairperson and Members) Rules, 2000.
2. *Definitions* -In these Rule, unless the context otherwise requires;
  - a. "Act" means the Electricity Regulatory Commissions Act, 1998(14 of 1998)
  - b. "Commission" means the Maharashtra Electricity Regulatory Commission, established under section 17 of the Act;
  - c. "Compensatory Allowance" means an allowance granted to a member to meet his personal expenditure necessitated by the special circumstances of the duty which he performs;
  - d. "Government" means the Government of Maharashtra;
  - e. "Member means the Member of the Commission and includes the Chairperson.
3. *Pay and allowance to the Chairperson and Members* -

(1) The Chairperson shall be paid a salary of rupees of twenty six thousand per mensem:

Provided that, when the Chairman is a member or past member of the Union Service or of any State Service the sum total of his pay and allowances and the amount of pension due to him shall not exceed the amount of last pay drawn by him while he was in such service.

(2) A member shall be paid a monthly salary in the pay scale of rupees 22400-525-24500:

Provided that, the government may, depending upon the circumstances and solely at its discretion allow the salary of a member to be fixed at Rs. 26,000/- per mensem.

Provided further that, when a Member holds charge of the office of the Chairperson for a period of thirty days or more, such Member shall be paid a presumptive pay at the rate of five per centum of the presumptive pay of the post of Chairperson, in addition to his salary as a member:

Provided also that, when such member is a member or past member of the Union Service or of any State Service, the sum total of his pay and allowances and the amount of pension due to him shall not exceed the amount of last pay drawn by him while he was in such service.

(3) A Member shall be entitled to dearness allowance at the same rate admissible to the officers of the corresponding grade of the Government:

Provided that, the Member drawing his service pension shall not be entitled to any temporary increase in the dearness allowance in his pension so long as he draws dearness allowance under these Rules.

(4) A Member shall be entitled to a compensatory local allowance at the same rate admissible to the officers of the corresponding grade of the Government.

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4. Accommodation to Chairperson and Members -

(1) A Chairperson shall be entitled flat admeasuring 1750 square feet, or of more area subject to a limit of 3200 square feet, if available, free of rent.

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2 A Member shall be entitled to a rent free accommodation of the equal area admissible to the officers of the corresponding grade of the Government;

Provided that in the event of such accommodation not being available for any reason, the government may take a suitable accommodation on lease for such member.

Provided further that, if a member is staying in his own house, he shall be paid a house rent allowance at the same rate admissible to the officers of the corresponding grade of the Government.

Explanation: - For the purposes of this Rule the term "rent" shall not include the water and electricity charges.

5. Leave -

(1) A Member shall be entitled for earned leave, half pay leave permissible to the officers of the corresponding grade of the Government.

2. A Member shall be entitled for earned leave, half pay leave or commuted leave and extraordinary leave permissible to the officers of the corresponding grade of the Government, in accordance with the Pay Rules, applicable to the officers of the corresponding grade of the Government.

3. A Member shall be entitled for the leave encashment benefit as permissible to the officers of the corresponding grade of the Government.

4. The leave at the credit of the member shall lapse on the date on which he vacates his office:  
Provided that, if such member,-

i. has applied for leave and the same has been refused; or

ii. has ascertained, in writing from the sanctioning authority that, leave, if applied for will be refused, on the ground of the necessity of public services, the leave shall not lapse.

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5. Notwithstanding anything contained in the preceding Rules or the Maharashtra Civil Services (Leave) Rules, 1981, a Member shall be entitled to an allowance equivalent to the earned leave to his credit, on the date on which he vacates his offices, subject to the condition that, the payment of allowance equivalent to the leave salary shall be limited to earned leave for a maximum of one hundred fifty days. The allowances equivalent to the leave salary shall be paid in full in one lumpsum as one time settlement, on vacating the office.

Explanation: - For the purpose of computation of such allowance the compensatory local allowance or the house rent allowance shall not be counted.

6. Leave sanctioning authority -

In case of

- a. The chairperson, the Minister-in-charge of the Energy Department of the government.
- b. The Member, the Chairperson, shall be the leave sanctioning authority.

7. Pension and Gratuity -

- a) A member shall not be entitled for pension for the period of service rendered by him on the commission.
- b) A member shall be entitled to the benefit of gratuity at the rate of thirty days of pay for each completed year of service on the commission:

Provided that, such Member should have completed a minimum of two years of service on the commission.

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8. Conveyance -

1. A member shall be provided with a chauffer driven car at the cost of the commission;
2. A member shall be permitted to use the car provided to him for his private purposes on the same terms and conditions applicable to the officers of the corresponding grade of the government.

9. Traveling allowance -

1. A member shall be entitled to a traveling allowance at the same rate as applicable to the officers of the corresponding grade of the government.

2. A member shall be entitled to leave travel concession at the same rate as admissible to the officers of the corresponding grade of the government.

3. A member shall not go on foreign tour for his official purposes unless he has obtained prior permission of the Minister-in-charge of the Energy Department of Government. In addition to the same he shall obtain clearance from the central Government, as applicable to the officers of the corresponding grade of the Government. The daily allowance and other allowances payable to the member shall be such as are applicable to the officers of the corresponding grade of the Government.

10. Telephone facilities -

A member shall be provided with a telephone with S.T.D and I.S.D facilities at his residence, at the cost of the commission. He may be permitted to retain the same for a maximum period of two months, after he has vacated his office.

11. Medical Treatment -

A member shall be entitled to the medical treatment and hospital facilities permissible to the officers of the corresponding grade of the Government.

12. Expenses on official meetings and entertainment allowance -

1. The chairperson may authorize expenses to be incurred by the commission on meetings of which tea, coffee and refreshment might be provided.

2. The chairperson may authorize reasonable expenses on the entertainment of visitors to the commission.

13. Sumptuary allowance -

1. The chairperson shall be entitled to sumptuary allowance at the rate of rupees three thousand per mensem.

2. A member shall be entitled to sumptuary allowance at the rate of rupees two thousand per mensem.

14. Other allowances -

A member shall be entitled to such other allowances as are applicable to the officers of the corresponding grade of the

Government.

15. Miscellaneous -

s In case of any doubt regarding interpretation of the Rules, or when express provision has not been made in the Rules about a particular matter, the same shall be referred to the Government, whose decision shall be final.

By order and in the name of the Governor of Maharashtra.

(Dr.Promod Deo)  
Secretary to Government

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