NOTIFICATION

In exercise of powers conferred by sub-section (1) of section 21 read with sections 14 and 18 of the Himachal Pradesh State Commission for Women Act, 1997 (22 of 1997), the Governor, Himachal Pradesh is pleased to make the following rules regulating the salaries and allowances payable to and other terms and conditions of service of the Chairperson and Members of the Himachal Pradesh State Commission for Women, namely:

1. Short title and commencement—(1) These rules may be called the Himachal Pradesh State Commission for Women (Salaries and Allowances and conditions of Service of Chairperson and Members) Rules, 1999.

(2) These shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. Definitions—(1) In these rules, unless the context otherwise requires,----

(a) "Act" means the Himachal Pradesh State Commission for Women Act, 1997 (22 of 1997).

(b) "Chairperson" means the Chairperson of the Commission;

(c) "State Government" means the Government of Himachal Pradesh.
(2) Other words and expressions used in these sub-rules, but not defined herein, shall have the same meanings as are assigned to them under the Act.

3. **Salaries and allowances:**

   (1) Save as otherwise provided in sub-rules (2) the Chairperson shall be paid a remuneration of Rs 7,600/- (Rupees seven thousand six hundred) only per month and every member (including a co-opted member) shall be paid rupees 450/- (Rupees four hundred fifty only) per sitting:

   Provided that where the Chairperson is a retired Govt. Officer or official of the Semi Govt. Body/or of a Public Sector Undertaking, recognised research Institution, the salary payable together with the pensionary value of the terminal benefits, or both received by him shall not exceed the last pay drawn by such person per month.

(2) If the Chairperson or a Member is in service of the Central or State Govt. his salary shall be regulated in accordance with the service rules applicable to him.
4. 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 categories specified in sub-section (2) or sub-rule (1) --

(a) a person who has held the office of Chairperson shall not be eligible for re-nomination, and

(b) a person who has held the office of a Member shall not be eligible for re-nomination on removal from office under a sub-section 4 of the Act.

(4) If the Chairperson is unable to discharge his/her functions owing to illness or other incapacity, the State Govt. shall nominate any other Member to act as Chairperson and the Member so nominated shall hold office of Chairperson until the Chairperson resumes office.
If a vacancy occurs in the office of the Chairperson by reason of death or resignation, the State Government shall nominate any other Member to act as Chairperson and the Member so nominated shall hold office of the Chairperson until the vacancy is filled up by fresh nomination under sub-section (4) of the section 4 of the Act.

The Chairperson shall be entitled to leave as follows:

(a) Earned leaves, half pay leave and commuted leave in accordance with the Central Service (Leave) Rules, 1972 as amended from time to time, in their application to the State of Himachal Pradesh.

(b) Extra-ordinary leave as admissible to the temporary government servants under the Central Civil Service (Leave) Rules, 1972 as amended from time to time, in their application to the State of Himachal Pradesh.

6. Travelling Allowance—(7) Chairperson and every member (including co-opted member) shall be entitled to draw travelling allowance and daily allowance at the rates admissible
to highest grade-I/Class-I Officers of the State Government.

The Chairperson shall be his/her own Controlling Officer in respect of his/her bills relating to travelling allowances and daily allowances and he/she will be Controlling Officer for Members also.

7. Residential Accommodation: (1) The Chairperson shall be entitled to the use of semi-furnished rent free accommodation at the expenses of the Commission or Rs 2500/- (Rupees two thousand five hundred) per month as rent in lieu thereof.

8. Facility of conveyance: - The Chairperson shall be entitled to the facilities of a car and a driver by the Commission.

9. Facility of medical treatment: - The Chairperson and every Member shall be entitled to medical treatment and hospital facilities as provided in the State Government to Grade-I officers.
10. **Pension:**

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

Provided that in such an event, his/her 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/she shall be entitled to draw pension and other retirement benefits separately.

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

11. Provident Fund. (1) The Chairperson or a Member who at the date of his/her 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/she retires according to rules applicable to him in his/her service. In the case of the Contributory Provident Fund, the employers contribution payable to that fund shall, as from the date of appointment as the Chairperson or Members to the Commission be payable by the Commission during the tenure of appointment as such Chairperson or Member.
Explaination-I: A member exercising his/her option under this sub-rule shall communicate his/her option in writing to the Governor during his/her tenure as such Member and the option so exercised shall be final.

Explaination-II: If a Member exercising his/her option has received any benefits of Contributory Provident Fund on retirement from service under the Central or State Government, he/she shall not become eligible for pension under these rules unless he/she refunds in lump 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/her 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/her pension and other retirement benefits under the rules applicable to the service to which he/she 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.

12. 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 State Government.

By Order

Commr.-cum-Secretary (Welfare)
to the Government of Himachal Pradesh.
No. W.L.F. A(3) - 2/97  Dated Shimla-171002, the 22nd 9 1999

Copy to:

1. Private Secretary to Hon'ble Chief Minister, H.P. Shimla
2. Private Secretary to Hon'ble Welfare Minister and other Ministers/State Ministers for information.
3. All the Administrative Secretaries to the Govt. of H.P.
4. All the Head of Departments in H.P.
5. All the Deputy Commissioners in H.P.
8. Secretary, Govt. of India, Ministry of Human Resource Development, Deptt. of Women & Child Development), Shastri Bhawan, New Delhi-110 001.
9. Chairperson, National Commission for Women, Govt. of India, 4-Deendayal Upadhyay Marg, New Delhi-110 002.
10. Chairperson, H.P. State Commission for Women, Kausbal Niwas, Stokes Place, Shimla-171002.
13. Secretary, H.P. Vidhan Sabha, Shimla-4.
14. Secretary to Governor, Raj Bhawau, Shimla-2.
15. Controller, Printing & Stationery Department, Shimla-5. for publication in Rajpatra (Ex. Ordinary). He is requested that a copy of the same be sent to this department for office record.

Addl. Secretary (Welfare) to the Government of Himachal Pradesh