

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification No.24/37—91 Karmik-2, dated January 20, 1992 :

No.24/37—91-Karmik-2

January 20, 1992

In exercise of the powers conferred by section 7 of the Uttar Pradesh Public Services (Tribunal) Act, 1976 (U.P. Act No.17 of 1976), the Governor is pleased to make the following Rules :

THE UTTAR PRADESH PUBLIC SERVICES TRIBUNAL (SALARIES AND ALLOWANCES AND CONDITIONS OF SERVICE OF CHAIRMAN, VICE-CHAIRMAN AND MEMBERS) RULES, 1991 (as amended)

Short title and commencement	1. (1) These rules may be called the Uttar Pradesh Public Services Tribunal (Salaries and Allowances and Conditions of Service of Chairman, Vice-Chairman and Members) Rules, 1991. (2) They shall come into force on the date of their publication in the Gazette.
Definitions	2. In these rules, unless the context otherwise requires, "Act" means the Uttar Pradesh Public Services (Tribunal) Act, 1976.
Pay	¹[3. The Chairman shall receive a pay of rupees ninety thousand per mensem; a Vice-Chairman shall receive a pay of rupees eighty thousand per mensem and a Member shall receive pay in the scale of Rs.67,000/- annual increment @ 3% -79000/- : Provided that the salary of a person appointed as Chairman, Vice-Chairman or a Member who has retired as a Judge of the High Court or who has retired from Service under the Central or a State Government shall not be less than the salary paid or payable to him at the time of such retirement : Provided further that a person referred to in the first proviso who is in receipt of or has received or has become entitled to receive any retirement benefits by way of pension, the aforementioned pay shall be reduced by the gross amount of pension including commuted portion of pension, if any.]
Dearness allowance and city compensatory allowance Leave	4. The Chairman, a Vice-Chairman and a Member shall receive dearness allowance and city compensatory allowance appropriate to their pay at the rates admissible to Group 'A' officers of the Central Government. ²[5. (1) A person, on appointment in the Tribunal as a Chairman, Vice Chairman or a Member shall be entitled to leave as follows : (i) earned leave at the rate of Twenty days for every completed calender year of service or a part thereof ;

1 sub. by Uttar Pradesh Public Services Tribunal (Salaries & allowances and condition of service of Chairman, Vice-Chairman and Members) (Third Amendment) Rules, 2016. A-52/VII-Nyaya-8-2016-24/34/91TC-1 dated march 21, 2016.

2 sub. by Uttar Pradesh Public Services Tribunal (Salaries & allowances and condition of service of Chairman, Vice-Chairman and Members) (Second Amendment) Rules, 2001. A-213/VII-Nyaya-8-2000-24/34/91TC-1 dated December 24, 2001.

		(ii) half pay leave on medical certificate or on private affairs at the rate of thirty 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) extra-ordinary leave without pay and allowances up to a maximum period of one hundred eighty days in one term of office.
	(2)	On the expiry of his term of office in the tribunal the Chairman, the Vice-Chairman or a 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 together with any leave encashment to which he was entitled prior to his appointment in the Tribunal shall not exceed 300 days.]
Leave sanctioning authority	6.	The Chairman shall be the authority competent to sanction leave to the Vice-Chairman and a Member and the Governor shall be the authority competent to sanction leave to the Chairman.
Pension	¹ [7.	(1) Every person appointed to the Tribunal as the Chairman, a Vice-Chairman or a Member shall be entitled to pension provided that no such pension shall be payable : (i) if he has put in less than two years of service; or (ii) if he has been removed from an office in the Tribunal under sub-section (10) of section 3 of the Act. (2) Pension under sub-rule (1) shall be calculated at the rate of Rs. 14532/- (Fourteen Thousand Five hundred Thirty Two only) per annum for each completed year of service or a part thereof. This total pension shall be in addition to total pension (including commutation amount) drawn by the Chairman, any Vice-Chairman or Member for the service rendered before appointment in the Tribunal. Provided that where benefit of additional service for pension purpose has been granted to the Chairman, any Vice- Chairman or Member as the case may be under the proviso to fundamental rule 56 (E) of financial handbook Vol. 2, part 2 to 4 or any other rule or regulation, during such additional period of services, the service rendered in the Tribunal shall not be counted for the purpose under this sub-rule; Provided further that the aggregate amount of pension payable to any person under this rule together with the amount of any pension (including commuted portion of pension), if any, admissible, to him in respect of the service rendered by him as High Court Judge or as Government servant prior to his appointment in the Tribunal, shall not exceed the maximum amount of pension admissible to a Judge of High Court or secretary to Government of India, which ever is higher.]

¹sub. by Uttar Pradesh Public Services Tribunal (Salaries & allowances and condition of service of Chairman, Vice-Chairman and Members) (Third Amendment) Rules, 2016. A-52/VII-Nyaya-8-2016-24/34/91TC-1 dated march 21, 2016.

Provident Fund	8.	The Chairman, a Vice-Chairman or a Member shall be entitled to subscribe to the General Provident Fund at his option and in case of his so opting shall be governed by the provisions of the General Provident Fund (Uttar Pradesh) Rules, 1985 : Provided that if the Chairman, a Vice-Chairman or a Member was Judge of a High Court or was a Member of an All India Service immediately before his joining the Tribunal, he shall be governed by the rules which were applicable to him immediately before joining the Tribunal.
Travelling Allowances	9.	The Chairman, a Vice-Chairman or other Member while on tour or on transfer (including the journey undertaken to join the Tribunal or on the expiry of his term with the Tribunal to proceed to his home town) shall be entitled to the traveling allowances daily allowance, transportation of personal effects and other similar matters at the same scales and at the same rates as are prescribed in the High Court Judges (Traveling Allowances) Rules, 1956 or as are admissible to a Secretary to the Government of India, whichever, are better.
Leave Travel Concession	¹ [10.	The Chairman, or a Vice-Chairman or a Member shall be entitled to leave travel concession at the same rates and the same scales and on the same conditions are applicable to Group 'A' officer of the Central Government drawing a pay in the scale of Rs.67,000/- with annual increment @ 3% Rupees 79000/-or above.]
Accommodation	¹ [11.	(1) Every person appointed to the Tribunal as Chairman, Vice-Chairman or Member shall be provided with an official accommodation of the type admissible to an officer of the rank of a Secretary to the State Government free of rent. (2) When the Chairman, a Vice-Chairman or a Member is not provided with or does not avail himself of the accommodation referred to in sub-rule (1) he shall be paid house rent allowance at the same rate as determined by the state Government from time to time on the basis of pay admissible under rule 3. (3) Where the Chairman, a Vice-Chairman or a Member occupies an official residence beyond the permissible period he shall be liable to pay licence fee or penal rent, as the case may be and liable to eviction in accordance with rules and orders in force.]
Facility of conveyance	12.	The Chairman, Vice-Chairman and a Member shall be entitled to the facility of staff car for journeys for official and private purposes in accordance with the orders of the State Government in this behalf.
Facilities for Medical Treatment	13.	The Chairman, Vice-Chairman or other Member shall be entitled to medical treatment and hospital facilities as provided in the Uttar Pradesh Medical Attendance Rules, 1946 and the orders of the State Government issued in this behalf from time to time.

¹-sub.by Uttar Pradesh Public Services Tribunal (Salaries & allowances and condition of service of Chairman, Vice-Chairman and Members) (Third Amendment) Rules, 2016. A-52/VII-Nyaya-8-2016-24/34/91TC-1 dated march 21, 2016.

- Residuary provision** 14. The conditions of service of the Chairman, Vice-Chairman or other Member for which no express provision is available in these rules shall be determined by the rule and orders for the time being applicable to a Secretary to the Government of India belonging to the Indian Administrative Service.
- "Special Provisions for the Chairman who has been judge of a High Court"** ¹ [14-A Notwithstanding anything contained in rules 5 to 14, the Chairman, who has been a judge of a High Court, shall be governed by the provisions of the High Court Judge (Condition of Service) Act, 1954, as amended from time to time, High Court Judges rules 1956 as amended from time to time, and High Court Judges (Traveling Allowance) Rules, 1956 and such Government orders as are applicable to a Judge of a High Court, and shall be entitled to all the privileges, amenities and perquisites as are admissible to a Judge of a High Court.]
- Powers to relax rules** 15. Where the State Government is satisfied that the operation of any of these rules causes undue hardship in any particular case, it may, by order relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary for dealing with the case in a just and equitable manners.

¹ Rule 14-A inserted vide Uttar Pradesh Public Services Tribunal (Salaries, and allowances and Conditions of Services of Chairman, Vice-Chairman and Members (First Amendment) Rules, 1997, dated 17.7.1997

¹ sub. by Uttar Pradesh Public Services Tribunal (Salaries & allowances and condition of service of Chairman, Vice-Chairman and Members) (Third Amendment) Rules, 2016. A-52/VII-Nyaya-8-2016-24/34/91TC-1 dated march 21, 2016.