5. Dearness allowance and city compensatory allowance.—
The Presiding Officer of a Tribunal shall be entitled to draw
dearness allowance and city compensatory allowance at the rate admissible to Group ‘A’ officers of the Central
Government drawing an equivalent pay.

6. Leave.—The Presiding Officer of a Tribunal shall be
governed in matters relating to his rights in respect of leave
by the Central Civil Services (Leave) Rules, 1972.

7. Leave sanctioning authority.—The Presiding Officer of
an Appellate Tribunal exercising the jurisdiction, powers
and authority on the Tribunal shall be the authority competent
to sanction leave to the Presiding Officer of such
Tribunal.

8. Pension/Provident Fund.—In case a serving Judge or
an Officer of the Central Government or State Government
is holding the post of Presiding Officer, the service rendered
in the Tribunal will count for pension
in accordance with the rules of the service to which he belongs.
He shall also be governed by the provisions of the General
Provident Fund Central Services) Rules, 1960. In all other
cases, a person shall be entitled to
Provident Fund (India) Rules 1962.

9. Travelling allowances.—The Presiding Officer of a Tri-
bunal 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 (own) shall be
entitled to the travelling allowances, daily allowances, trans-
portation of personal effects and other similar matters at
the same scale and at the same rates as are applicable to
Group ‘A’ officers of the Central Government drawing an
equivalent pay.

10. Leave travel concession.—The Presiding Officer of a Tri-
bunal shall be entitled to leave travel concession at the
same rates and at the same scale as are applicable to
Group ‘A’ officers of the Central Government drawing an
equivalent pay.

11. Accommodation.—(1) Every person appointed as a
Presiding Officer of a Tribunal shall be eligible, subject to
availability, to the use of official residence from the general
pool accommodation of the type admissible to a Group ‘A’
oficer of the Central Government who is working at the
place where such Tribunal is located and drawing an equ-
ivalent pay on payment of the licence fee applicable to
the Central Government from time to time.

(2) Where the Presiding Officer of a Tribunal occupies
an official residence beyond permissible period, he shall be
liable to pay additional licence fee or penal rent, as the case
may be and he shall be liable to eviction in accordance with
the rules applicable to Central Government Servants.

(3) Where the Presiding Officer of a Tribunal does not
avail of facility of official residence under sub-rule (1), he
shall be entitled to House Rent Allowance as admissible to
Group ‘A’ officers of the Central Government drawing an
equivalent pay.

12. Facilities for medical treatment.—The Presiding
Officer of a Tribunal shall be entitled to medical treatment and hospital
facilities as provided in the Contributory Health Ser-
vice Scheme Rules, 1974 and in places where the Central
Health Services Scheme is not in operation, the said Presiding
Officer shall be entitled to the facilities as provided in the
Central Services Medical Allowance Rules, 1944.

13. Residency provision.—Matters relating to the con-
tinuation of services of the Presiding Officer of a Tribunal with
respect to which no express provision has been made in these
rules, shall be referred in each case to the Central Govern-
ment for its decision and the decision of the Central Gov-
ernment thereon shall be binding on the said Presiding
Officer.

14. Power to relax.—The Central Government shall have
power to relax the provisions of any of these rules in res-
pect of any class or categories of persons.
THE GAZETTE OF INDIA : EXTRAORDINARY

PART II—SEC. 30

Ministry of Finance

(Department of Economic Affairs)

Notification

New Delhi, the 19 March, 1998

G.S.R. 139(E).—In exercise of the powers conferred by section 13, read with clause (a) of sub-section (2) of Section 36 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (51 of 1993), the Central Government hereby makes the following rules to amend the Debts Recovery Tribunal (Salaries, allowances and other terms and conditions of service of Presiding Officer) Rules, 1993, namely:

1. These rules may be called the Debts Recovery Tribunal (Salaries, allowances and other terms and conditions of service of Presiding Officer) Amendment Rules, 1998.

2. In the Debts Recovery Tribunal (Salaries, allowances and other terms and conditions of service of Presiding Officer) Rules, 1993,

(a) for rule 5, the following rule shall be substituted, namely—

"5. Emoluments—The Presiding Officer of a Tribunal shall be paid a salary in the scale of pay of Rs. 18400—22400 with effect from 01-01-1996.

Provided that in the case of an appointment of a person as a Presiding Officer, who has retired as a District Judge, or who has retired from service, under the Central Government or a State Government and who is in receipt of or has received or has become entitled to receive any retirement benefit by way of pension, gratuity, employer's contribution to the Provident Fund or any other form of retirement benefit, the pay of such Presiding Officer shall be reduced by the gross amount of pension or any other form of retirement benefit, if any, drawn or to be drawn by him.

(b) in rule 4, the letters and figures "Rs. 5900-2000-6700" the following shall be substituted, namely—"Rs. 18400-22400"

(c) for rule 5, the following rule shall be substituted, namely—

"5. Emoluments—allowance, city compensatory allowance and transport allowance—The Presiding Officer of a Tribunal shall be entitled to draw emoluments allowance, city compensatory allowance and transport allowance at the rate applicable to Group 'A' officers of the Central Government drawing an equivalent pay."
Provided that in the case of an appointment of a person as a Presiding Officer, who has retired as a District Judge, or who has retired from service, under the Central Government or a State Government and who is in receipt of or has received or has become entitled to receive any retirement benefit by way of pension, gratuity, employer's contribution to the Contributory Provident Fund or other forms of retirement benefits, the pay of such Presiding Officer shall be reduced by the gross amount of pension or employer's contribution to the Contributory Provident Fund or any other form of retirement benefit, if any drawn or to be drawn by him.

3. Amendment of rule 4.—In rule 4 of the said rule, for the words, letters and figures "scale of pay of Rs. 18,400-500-22,400", the words, letters and figures, "pay band or scale of Rs. 37,400—67,000 (PB-4) + Grade Pay Rs. 10,000" shall be substituted.

4. Substitution of rule 5 for new rule.—For rule 5 of the said rule, the following rule shall be substituted, namely:

"5. Dearness allowance and Transport allowance—The Presiding Officer of a Tribunal shall be entitled to draw Dearness Allowance and Transport Allowance at the rate applicable to Group 'A' Officers of the Central Government drawing an equivalent pay."

[F. No. A-11012/2/2008-DRT]  
K. V. EAPEN, Jr. Seey.

EXPLANATORY MEMORANDUM

The amendment is consequent upon the Sixth Central Pay Commission's recommendations which is applicable with effect from 1st January, 2006 and nobody's interest will be affected adversely by notification being given retrospective effect.

Foot Note:—The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide, G.S.R. 62(E), dated 4th February, 1994, and subsequently amended, vide, G.S.R. 139(E), dated 19th March, 1998.