BOARD FOR INDUSTRIAL AND FINANCIAL RECONSTRUCTION (SALARIES AND ALLOWANCES AND CONDITIONS OF SERVICE OF CHAIRMAN AND OTHER MEMBERS) RULES, 1987

In exercise of the powers conferred by clause (a) of sub-section (2) of section 36 of the Sick Industrial Companies (Special Provisions) Act, 1985 (1 of 1986), the Central Government hereby makes the following rules namely:—

1. Short title and commencement.—(1) These rules may be called the Board for Industrial and Financial Reconstruction (Salaries and Allowances and Conditions of Service of Chairman and other Members) Rules, 1987.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Sick Industrial Companies (Special Provisions) Act, 1985 (1 of 1986);

(b) "Board" means the Board for Industrial and Financial Reconstruction, established under section 4 of the Act;

(c) "Chairman" means the Chairman of the Board appointed under section 4 of the Act;

(d) "Member" means a Member of the Board appointed under section 4 of the Act.

3. Pay.—(1) The Chairman shall receive pay as admissible to a Judge of a High Court.

(2) A Member shall receive pay as admissible to the Secretary to the Government of India:

Provided that in the case of an appointment of a person as a Chairman, or as a Member, who was retired as a Judge of a High Court 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 Chairman or Member shall be reduced by the gross amount of pension and pension equivalent of gratuity or employer's contribution to the Contributory Provident Fund or any other form of retirement benefits, if any, drawn or to be drawn by him.

4. Dearness allowance and city compensatory allowance.—(1) The Chairman shall receive dearness allowance and city compensatory allowance at the rate admissible to a Judge of the Delhi High Court.

(2) A Member shall receive dearness allowance and city compensatory allowance at the rate admissible to a Group 'A' officer of the Central Government drawing an equivalent pay.

5. Leave.—(1) Person, on appointment in the Board as Chairman or a Member shall be entitled to have leave as follows:

(i) Earned leave at the rate of thirty days for every completed calendar year of service or a part thereof:

Provided that the leave account shall be credited with earned leave in advance, in two instalments of fifteen days each on the first day of January and July of every calendar year:

Provided further that the earned leave at the credit at the close of previous half year shall be carried forward to next half year, subject to the condition that the leave so carried forward plus credit for the half year do not exceed the maximum limit of one hundred and eighty days;

(ii) Half pay leave on medical certificate or on private affairs at the rate of twenty 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 may be commuted to full pay leave at the discretion of the Chairman or a Member, provided it is taken on medical grounds and is supported by a medical certificate by a competent medical authority;

(iv) Extraordinary leave without pay and allowances up to a maximum period of one hundred and eighty days in one term of office.

6. Leave sanctioning authority.—The Chairman shall be authority competent to sanction leave to a Member and the President of India shall be the authority competent to sanction leave to the Chairman.

7. Provident Fund.—The 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 provision of the General Provident Fund (Central Services) Rules.

8. Travelling Allowances.—(1) The Chairman while on tour or on transfer (including the journey undertaken to join the Board or on the expiry of his term with Board to proceed to his home town) shall be entitled to the travelling allowances, daily allowances, transportation of personal effects and other similar matters at the same scale and the same rates as are prescribed in the High Court Judge (Travelling Allowances) Rules, 1956.

(2) A Member while on tour or on transfer (including the journey undertaken to join the Board or on the expiry of his term with the Board to proceed to his home town) shall be entitled to the travelling allowances, daily allowances, transportation of personal effects and other similar matters at the same scales and at the same rates as are applicable to a Group 'A' officer of the Central Government drawing an equivalent pay.

9. Leave travel concession.—(1) The Chairman shall be entitled to leave travel concession at the same rates and at the same scales as are applicable to a Judge of the Delhi High Court.

(2) A Member shall be entitled to leave travel concession at the same rates and at the same scales as are applicable to Group 'A' officer of the Central Government drawing an equivalent pay.

10. Accommodation.—(1) Every person appointed to the Board as a Chairman or a Member 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' officer of the Central Government drawing an equivalent pay and stationed at Delhi on payment of the licence fee at the rates specified by the Central Government from time to time.

(2) Where a Chairman or a Member 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 will be liable to eviction in accordance with the rules applicable to Central Government servants.

11. Facility of conveyance.—(1) The Chairman shall be entitled to a staff car and one hundred and fifty litres of petrol every month or actual consumption of petrol per month whichever is less.

(2) A Member shall be entitled to get a conveyance allowance of rupees seven hundred and fifty per mensem.

12. Facilities for medical treatment.—The Chairman or other Members shall be entitled to medical treatment and hospital facilities as provided in the Contributory Health Services Scheme Rules, 1954 and in places where the Central Health Services Scheme is not in operation, the Chairman and Members shall be entitled to the facilities as provided in the Central Services Medical Attendance Rules.

13. Residuary provision.—Matter relating to the conditions of service of the Chairman or other Members with respect to which no express provision has been made in these rules shall be referred in each case to the Central Government for its decision and the decision of the Central Government thereon shall be binding on the Chairman or the other Member.

14. Powers to relax.—The Central Government shall have power to relax the provisions of any of these in respect of any class or categories of persons.