

लिए निर्दिष्ट किए जाएंगे और केन्द्रीय सरकार का उन पर विनिश्चय पोस्टर्सन अधिकारी पर आवेदक होगा।

14. शिथिल करने की शक्ति केन्द्रीय सरकार को, इन नियमों के किन्हीं उपबंधों को किसी वगे या प्रथम के व्यक्तियों को बाबत शिथिल करने की शक्ति होगी।

[फा.सं. 18 (3)/93-समन्वय]

ए.के. जैन, संयुक्त सचिव

## MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 4th February, 1994

### NOTIFICATION

G.S.R. 62(A).—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, namely:—

1. Short title and commencement.—(1) These rules may be called the Debts Recovery Tribunal (Salaries, allowances and other terms and conditions of Service of Presiding Officer) Rules, 1993.

(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 Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (51 of 1993);

(b) 'Presiding Officer' means a person appointed as Presiding Officer of a Tribunal under section 4 of the Act;

(c) 'rules' means Debts Recovery Tribunal (Salaries, allowances and other terms and conditions of Service of Presiding Officer) Rules, 1993;

(d) all other words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Salary.—The Presiding Officer of a Tribunal shall be paid a salary in the scale of pay of Rs. 5900-200-6700:

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.

4. Deputation Duty Allowance.—If a person holding the post on a regular basis in the scale of pay of Rs. 5900-200-6700 is appointed as Presiding Officer of a Tribunal on tenure basis and holds lien in his parent cadre, he shall be paid a salary in the scale of pay specified in rule 3 plus a deputation duty allowance at a rate as are applicable to Group 'A' officers of the Central Government drawing an equivalent pay.

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 to be drawn 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 Contributory Provident Fund (India) Rules 1962.

9. Travelling allowances.—The Presiding Officer of a Tribunal 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 travelling allowances, daily allowances, transportation 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 Tribunal 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' officer of the Central Government who is working at the place where such Tribunal is located and drawing an equivalent pay on payment of the licence fee at the rates specified by 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 Services Scheme Rules, 1954 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 Attendance Rules, 1944.

13. Residuary provision.—Matters relating to the conditions 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 Government for its decision and the decision of the Central Government 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 respect of any class or categories of persons.

[No. F. 18(3)/93-Coord.]

A. K. JAIN, Secy.

- (ख) नियम 4 में, "5900—200—6700 रुपए" अंको और शब्दों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :— "18400—500—22400 रुपए"।
- (ग) नियम 5, के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—  
 "5, महंगाई भत्ता, नगर प्रतिकरात्मक भत्ता और यातायात भत्ता : किसी अधिकरण का पीठासीन अधिकारी ऐसी दर से महंगाई भत्ता, नगर प्रतिकरात्मक भत्ता और यातायात भत्ता प्राप्त करने का हकदार होगा, जो समतुल्य वेतन ले रहे केन्द्रीय सरकार के समूह "क" अधिकारियों को अनुज्ञेय है।"

[फा. सं. 6/13/97-डी.आर.टी.]

डी.आर.एस. चौधरी, संयुक्त सचिव

टिप्पण :— यह संशोधन पाँचवें वेतन आयोग के परिणामस्वरूप है जो 1 जनवरी, 1996 से लागू है और इस अधिसूचना को भूतलक्षी प्रभाव दिए जाने से किसी के हित पर कोई प्रतिकूल प्रभाव नहीं पड़ेगा।

मूल नियम सा.का.नि. 62(अ) तारीख 4 फरवरी, 1994 द्वारा प्रकाशित किए गए थे।

**MINISTRY OF FINANCE**  
**(Department of Economic Affairs)**  
**(Banking Division)**  
**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. (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) They shall come into force on the date of their publication in the Official Gazette.
2. In the Debt Recovery Tribunal (Salaries, allowances and other terms and conditions of service of Presiding Officer) Rules, 1993,—
  - (a) for rule 3, the following rule shall be substituted, namely :—  
 "3. Salary—The Presiding Officer of a Tribunal shall be paid a salary in the scale of of pay of Rs. 18400—500—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 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 employees contribution to the Contribution Provident Fund 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. 5900-200-6700" the following shall be substituted, namely:—"Rs. 18400-500-22400".
  - (c) for rule 5, the following rule shall be substituted, namely:—  
 "5. Dearness allowance, city compensatory allowance and transport allowance.—The Presiding Officer of a Tribunal shall be entitled to draw dearness allowance, city compensatory allowance and transport allowance at the rate applicable to Group 'A' officers of the Central Government drawing an equivalent pay."

[F.No. 6/13/97-DRT]

D.R.S. CHAUDHARY, Jt. Secy.

**Note:**—The amendment is consequent upon the 5th Pay Commission Report which is applicable with effect from 1st January, 1966 and nobody's interest will be affected adversely by the notification being given retrospective effect.

The principal rules were published vide G.S.R. 62(E) dated 4th February, 1994.

**स्पष्टीकारक ज्ञापन**

यह संशोधन छठे केन्द्रीय वेतन आयोग की सिफारिशों, जो 1 जनवरी, 2006 से लागू हैं के परिणामस्वरूप हुआ है और इसके अधिसूचना के भूतलक्षी प्रभाव के कारण किसी के हित पर प्रतिकूल असर नहीं होगा।

**पाद टिप्पणी :**—प्रधान नियमावली, दिनांक 4 फरवरी, 1994 के सा.का.नि. 62(अ) द्वारा भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उप-खण्ड (i) में प्रकाशित हुई थी। बाद में, 19 मार्च, 1998 के सा.का.नि. 139(अ) के तहत संशोधित की गई थी।

**MINISTRY OF FINANCE**

(Department of Financial Services)

**NOTIFICATION**

New Delhi, the 5th November, 2008

**G.S.R. 777(E).**—In exercise of 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 further to amend the Debts Recovery Tribunal (Salaries, allowances and other terms and conditions of service of Presiding Officer) Rules, 1993, namely:—

**1. Short title and commencement.**—(1) These rules may be called the Debts Recovery Tribunal (Salaries, allowances and other terms and conditions of service of Presiding Officer) (Amendment) Rules, 2008.

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

**2. Substitution of rule 3 for new rule.**—In the Debts Recovery Tribunal (Salaries, allowances and other terms and conditions of service of Presiding Officer) Rules, 1993 (hereinafter referred to as the said rule), for rule 3, following rule shall be substituted, namely:—

**“3. Salary.**—The Presiding Officer of a Tribunal shall be paid a salary in the Pay band/scale of Rs. 37,400—67,000 (PB-4) + Grade Pay Rs. 10,000 with effect from 1-1-2006.

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-11012/2008-DRT]

K. V. EAPEN, Jt. Secy.

**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.