

WATER RESOURCES DEPARTMENT

Mantralaya, Mumbai 400 032, dated 21st August 2006

NOTIFICATION**MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY ACT, 2005.**

No. Salary-2005/(111/05) WRI.—In exercise of the powers conferred by sub-section (1) of section 30 read with section 6 of the Maharashtra Water Resources Regulatory Authority Act, 2005 (Mah. XVIII of 2005), and all other powers enabling it in this behalf, the Government of Maharashtra hereby makes the following rules the same having been previously published as required by sub-section (1) of the said section 30, namely :—

1 *Short Title*.—These rules may be called the Maharashtra Water Resources Regulatory Authority (Conditions of Service of Chairperson and Members) Rules, 2006.

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

(a) “Act” means the Maharashtra Water Resources Regulatory Authority Act, 2005 (Mah. XVIII of 2005);

(b) “Authority” means the Maharashtra Water Resources Regulatory Authority established under section 3;

(c) “Compensatory local allowance” means an allowance granted to a Member to meet his personal expenditure necessitated by the special circumstances of the duty which he performs;

(d) “Government” means the Government of Maharashtra;

(e) “Member” means a Member of the Authority and includes the Chairperson.

(2) Words and expressions used but not defined herein shall have their respective meanings, as assigned to them in the Act.

3. *Pay and allowances to Chairperson and Members*.—(1) The Chairperson of the Authority shall be paid a salary of rupees twenty-six thousand per month. The Chairperson shall be entitled to receive dearness allowance and compensatory local allowance at the same rate as are admissible to the officers of the corresponding grade of the Indian Administrative Service :

Provided that, when the Chairperson is a member or past member of the Union Service or of any State Service the sum total of his pay and allowances and the amount of pension due to him shall not exceed the amount of last pay drawn by him while he was in such service.

(2) A Member of the Authority shall be paid a monthly salary in the pay scale of rupees 22,400-525-24,500. A member shall be entitled to dearness allowance and other allowance and compensatory local allowance at the same rate as are admissible to a member of the corresponding grade of the Indian Administrative Service :

Provided that, when the such member is a member or past member of the Union Service or of any State Service, the sum total of his pay and allowances and the amount of pension due to him shall not exceed the amount of last pay drawn by him while he was in such service.

4. *Accommodation to Chairperson and Members.*—(1) A Chairperson shall, throughout his term of office and immediately thereafter for a period not exceeding fifteen days be entitled to an official residence free of rent i.e. a flat admeasuring 1750 square feet, or of more area, subject to the maximum limit of 3200 square feet, if available.

(2) A Member shall, throughout his term of office and immediately thereafter for a period not exceeding fifteen days be entitled to an official residential accommodation, free of rent, of the equal area admissible to a member of the Indian Administrative Service of the corresponding grade in the State :

Provided that, in the event of such accommodation not being available for any reason, the Government may take a suitable accommodation on lease for such member :

Provided further that, if a Chairperson or a Member is staying in his own house, he shall be paid a house rent allowance at the same rate admissible to the officers or to a member of the Indian Administrative Service of the corresponding grade in the State :

Provided also that, for any overstay beyond the permissible limit of fifteen days, a Chairperson or a Member shall be liable to pay rent and other charges calculated in accordance with rules applicable in that behalf to the member of the Indian Administrative Service of the corresponding grade in the State.

Explanation.—For the purpose of this rule,—

(i) “official residence” means an accommodation owned or taken on lease or requisitioned or otherwise, by the Government ;

(ii) “rent” shall not include water and electricity charges.

5. *Leave*.—(1) The Chairperson and a Member shall be entitled to a leave as follows :—

(i) Earned Leave of Thirty days for every completed 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 leave account at the credit of the close of previous half-year shall be carried forward to the next half-year subject to the condition that the leave so accrued including the leave credited in accordance with the first proviso shall not exceed three hundred days.

(ii) Half Pay Leave on medical certificate of Twenty days in respect of each completed year of service. The leave salary for Half Pay Leave shall be equivalent to half of the leave salary admissible during the Earned Leave :

Provided that, the leave accrued shall be credited with Half Pay Leave in advance in two instalments of ten days each on the first day of January and July, of every calendar year :

Provided also that, such Half Pay Leave may be commuted to Full Pay Leave (twice of Half Pay Leave) at the discretion of the Government, provided it is taken on Medical Ground and is supported by a Medical Certificate by a registered Medical Practitioner.

(iii) Casual Leave and other leave as admissible to a member of the Indian Administrative Service of the corresponding grade in the State.

(2) Any leave at the credit of the Chairperson or a Member shall lapse on the date on which such Chairperson or Member vacates his office :

Provided that, the leave shall not lapse if such Chairperson or Member has,—

(i) applied for leave and the same has been refused; or

(ii) ascertained, in writing, from the sanctioning authority that the leave, if applied for, will be refused on the ground of the necessity of public services.

(3) Notwithstanding anything contained in the Maharashtra Civil Services (Leave) Rules, 1981, a Chairperson and a Member shall be entitled to an allowance equivalent to the Earned Leave to his credit, on the date on which he vacates his office, subject to the condition that, the payment of allowance equivalent to the leave salary shall be limited to Earned Leave for a maximum of One hundred and fifty days. The leave salary shall be paid in full in lump sum, as one time settlement, upon vacating office.

Explanation.—For the purpose of computation of such allowance, the compensatory local allowance or the house rent allowance shall not be counted.

6. *Leave sanctioning authority.*—In case of,—

(a) the Chairperson, the Minister-in-charge of the Water Resources Department of the Government ; and

(b) the Members— the Chairperson,

shall be the authority competent to sanction leave.

7. *Pension and Gratuity.*—(1) The Chairperson or, as the case may be, the Member, shall not be entitled for pension for the period of service rendered by him on the Authority.

(2) The Chairperson and the Member, shall be entitled to the benefit of gratuity at the rate of thirty days of pay for each completed year of service on the Authority :

Provided that, such Chairperson and Member should have completed a minimum of two years of service on the Authority to be entitled for gratuity :

Provided further that, no gratuity shall be payable to the Chairperson or the Member on his removal from the office on any of the grounds specified in clause (a), (b), or (e) of sub-section (3) of section 7 of the Act.

8. *Conveyance.*—(1) A Chairperson and a Member shall be provided with a chauffeur driven car for official purposes at the cost of the Authority :

Provided that, in the event the official vehicle is not available for any reason, a Chairperson and a Member may, for the purpose of travel in connection with his duty at the headquarters, shall be entitled to the reimbursement of the taxi-fare incurred.

(2) A Chairperson and a Member shall be permitted to use the car provided to him for his private purposes on the same terms and conditions as applicable to a member of the Indian Administrative Service of the corresponding grade in the State Government.

9. *Travelling allowance.*—(1) The Chairperson and the Member while on tour (including the journey undertaken or on expiry of his term to proceed to his hometown) shall be entitled to travelling allowances, daily allowances, transportation of personal effects and other similar matters at the same rates as applicable to a member of the Indian Administrative Service of the corresponding grade in the State :

Provided that, in the event of Government accommodation not being available, the daily allowance on the basis of actual expenditure incurred by such Chairperson or a Member, supported by necessary vouchers, may be granted :

Provided further that, the Chairperson and Member shall be entitled to a daily allowance for the entire period of absence from the headquarter of the Authority, the absence being reckoned from the time of departure from the headquarter till the time of return.

(2) A Chairperson and Member shall be entitled to Leave Travel Concession (L.T.C.) at the same rate as are applicable to a member of the Indian Administrative Service of the corresponding grade in the State.

(3) A Chairperson and Member shall not go on foreign tour for his official purposes, unless he has obtained prior permission of the Minister-in-charge of the Water Resources Department of Government. In addition to the same he shall obtain clearance from the Central Government, as applicable to the officers of the Indian Administrative Service or members of the corresponding grade in the State.

10. *Telephone facilities.*—The Chairperson and the Member shall be provided with a telephone with S.T.D. and I.S.D. facilities at his residence, at the cost of authority. He may be permitted to retain the same for a maximum period of two months, after he has vacated his office.

11. *Medical treatment.*— The Chairperson and the Member shall be entitled to medical treatment and reimbursement of medical expenses as applicable to an officer of the State Government of the corresponding grade in the State as per the Maharashtra State Medical Attendance Rules, 1961 and the Orders of the Government issued, from time to time.

12. *Expenses on official meetings and entertainment allowance.*—
(1) The Chairperson may authorise expenses to be incurred by the Authority in meetings in which tea, coffee and refreshment might be provided.

(2) The Chairperson may authorise reasonable expenses on the entertainment of visitors to the Authority.

13. *Other allowances.*—The Chairman and the Member shall be entitled to such other allowances as are applicable to a member of the Indian Administrative Service of the corresponding grade in the State.

14. *Miscellaneous.*—In case of any doubt regarding interpretation of the Rules or when express provision has not been made in the Rules about a particular matter, the same shall be referred to the Government, whose decision shall be final.

By order and in the name of the Governor of Maharashtra,

M. K. KULKARNI,
Principal Secretary to Government.