

further to amend the Union Public Service Commission (Members) Regulations, 1969, namely :—

1. (1) These regulations may be called the Union Public Service Commission (Members) Amendment Regulations, 2007.

(2) They shall be deemed to have come into force on the 1st day of May, 2007.

2. In the Union Public Service Commission (Members) Regulations, 1969 (hereinafter referred to as the said regulations) for regulation 4, the following regulation shall be substituted, namely :—

“4. Pay.—There shall be paid to the Chairman a salary which is equal to the salary of the Chief Election Commissioner and to the other Members a salary which is equal to the salary of an Election Commissioner :

Provided that if a person who, immediately before the date of assuming office as the Chairman, or as the case may be, a Member, was in receipt of, or, being eligible so to do, had elected to draw, a pension (other than a disability or wound pension) in respect of any previous service under the Government of the Union or under the Government of a State, his salary in respect of service as the Chairman or, as the case may be, a Member shall be reduced—

- (a) by the amount of that pension; and
- (b) If he had, before assuming office, received, in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension”.

3. In the said regulations, regulation 4A shall be omitted.

4. In the said regulations, for regulation 6, the following regulation shall be substituted, namely :—

“6 Leave.—(1) A person who, immediately before the date of assuming office as the Chairman or a Member, was in service of Government may be granted during his tenure of office but not thereafter, leave in accordance with the rules for the time being applicable to the service to which he belonged before such date, and he shall be entitled to carry forward the amount of leave standing at his credit on such date notwithstanding anything contained in regulation 8.

(2) Any other person who is appointed as the Chairman or a Member may be granted leave in accordance with such rules as

**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS**

(Department of Personnel and Training)

NOTIFICATION

New Delhi, the 28th June, 2007

G.S.R. 450(E).—In exercise of the powers conferred by clause (a) of article 318 of the Constitution, the President hereby makes the following regulations

are for the time being applicable to a member of the Indian Administrative Service.

- (3) The power to grant or refuse leave to the Chairman or a Member and to revoke or curtail leave granted to him, shall vest in the President”.

5. In the said regulations, regulation 7 and the Schedule shall be omitted.

6. In the said regulations, for regulation 8, the following regulation shall be substituted, namely:—

“8. **Pension payable to the Chairman and Members.**—(1) A person who, immediately before the date of assuming office as the Chairman or a Member was in service of Government, shall be deemed to have retired from service on the date on which he enters upon office as the Chairman or a Member but his subsequent service as the Chairman or a Member shall be reckoned as continuing approved service counting for pension in service to which he belonged.

(2) Where the Chairman or a Member demits office [whether in any manner specified in sub-regulation (3) or by resignation], he shall on such demission be entitled to—

(a) a pension which is equal to the pension payable to the Chief Election Commissioner or an Election Commissioner in accordance with the provisions of the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Act, 1991 (11 of 1991) as amended from time to time, for the period he served as the Chairman or Member, as the case may be; and

(b) such pension (including commutation of pension), family pension and gratuity as are admissible to the Chief Election Commissioner or an Election Commissioner under the said Act and the rules made thereunder, as amended from time to time.

(3) Except where the Chairman or a Member demits office by resignation, he shall be considered for the purpose of these regulations, to have demitted his office if, and only if—

(a) he has completed the term of office; or

(b) he had attained the age of sixty five years; or

(c) his demission of office is medically certified to be necessitated by ill health”.

7. In the said regulations, for regulation 9 the following regulation shall be substituted, namely:—

“9. **Right to subscribe to General Provident Fund.**—Every person holding office as the Chairman or a Member shall be entitled to subscribe to the General Provident Fund (Central Services).”

8. In the said regulations, for regulation 10 the following regulation shall be substituted, namely:—

“10. **Other conditions of service.**—Save as otherwise provided in these regulations, the conditions of service relating to travelling allowance, provision of rent-free residence and exemption from payment of income-tax on the value of such rent-free residence, conveyance facilities, sumptuary allowance, medical facilities, post-retirement benefits and such other conditions of service as are for the time being applicable to the Chief Election Commissioner or an Election Commissioner in accordance with the provisions of the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Act, 1991 (11 of 1991) and the rules made thereunder as amended from time to time, shall, so far as may be, apply to the Chairman and other Members”.

9. In the said regulations, Regulations 11, 11A, 12, 13, 14 and 14A shall be omitted.

10. In the said regulations, for regulation 15, the following regulation shall be substituted, namely:—

“15. **Applicability of rules and orders.**—(1) The conditions of service of the Chairman and other Members for which no express provision has been made in these regulations shall be determined by the rules and orders for the time being applicable to the Chief Election Commissioner and other Election Commissioners.

(2) Nothing in these regulations shall be construed as rendering the conditions of service of the Chairman or any other Members less favourable than that existed on the date of his appointment”.

[No. 39019/05/96-Est.(B)(Vol. IV)]

C. B. PALIWAL, Jt. Secy.

"Note :—The Principal regulations were published in the Gazette of India, *vide* notification number G.S.R. 1402, dated the 11th October, 1969 and subsequently amended *vide*—

| S. No. | G.S.R. No. | Date of Publication |
|--------|------------|---------------------|
| 1. | 1230 | 6-10-79 |
| 2. | 1418 | 1-12-79 |
| 3. | 357 | 8-3-80 |
| 4. | 977 | 27-9-80 |
| 5. | 832 | 12-8-81 |
| 6. | 388 | 21-5-83 |
| 7. | 640 | 3-9-83 |
| 8. | 584 | 30-5-84 |
| 9. | 692 | 6-9-86 |
| 10. | 344 | 30-4-88 |
| 11. | 583 | 30-7-89 |
| 12. | 379 | 4-6-90 |
| 13. | 667(E) | 4-7-92 |
| 14. | 496(E) | 30-6-93 |

| 1 | 2 | 3 |
|-----|--------|-----------|
| 15. | 373 | 2-7-93 |
| 16. | 150(E) | 26-3-96 |
| 17. | | 3-12-97 |
| 18. | 221 | 17-7-99 |
| 19. | 230 | 28-4-2001 |

EXPLANATORY MEMORANDUM

Under clause (a) of Article 318 of the Constitution, the President is empowered to make regulations, *inter-alia*, to regulate the conditions of service of the Members of the Union Public Service Commission. In exercise of this power, the President has framed the Union Public Service Commission (Members) Regulations, 1969. These regulations are reviewed from time to time and necessary amendments are made. It has been decided by the Government to give parity in pay perquisites and allowances with the Chief Election Commissioner/Election Commissioner to the Chairman and Members of the Union Public Service Commission with effect from 1st May, 2007.

2. It is certified that no one is being adversely affected by giving retrospective effect to these regulations.

2932 GI/07-2