

11.1 Tamil Nadu State Finance Commission Chairman and Other Members (Conditions of Service) Rules, 1994**(G.O. (Ms) No. 162 Rural Development (C-II) Department, dated 6th September 1994)**

In exercise of the powers conferred by sub-section (3) of Section 198 of the Tamil Nadu Panchayat Act, 1994 (Tamil Nadu Act 21 of 1994), the Governor of Tamil Nadu hereby makes the following Rules -

RULES

1. Short title and commencement - (1) These Rules may be called the Tamil Nadu State Finance Commission, Chairman and other Members (Conditions of Service) Rules, 1994.

(2) They shall come into force on the 7th September 1994.

2. Definition - In these Rules, unless the context otherwise requires,-

- a) "**Act**" means the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994);
- b) "**Commission**" means the Finance Commission constituted under Section 198 of the Act.

3. Composition of the Commission - The Commission shall consist of,-

- 1) Chairman;
- 2) Member - Secretary;
- 3) Director of Rural Development - ex officio member;
- 4) Director of Municipal Administration - ex officio member; and
- 5) One Non-official Member.

4. Appointment - The Chairman and other members shall be appointed by the Government.

5. Qualification of the Chairman and other Members - (1) A person shall not be qualified for appointment as Chairman of the Commission unless,-

- i) he is a serving or a retired Judge of the High Court; or
- ii) he is a serving or retired Government servant, who has served in senior capacities for a period of not less than ten years; or
- iii) he is a person of eminence with substantial experience in public life as a member of Parliament, State Legislature or in local self-government bodies; or
- iv) he is an eminent academician in economics or public finance or political science or a related area of studies.

2) A person shall not be qualified for appointment as a non-official member of the Commission unless,-

i) he is a person of eminence with substantial experience in public life as a Member of Parliament, State Legislature or in local self-Government bodies; or

ii) he is an eminent academician in economics or public finance or political science or a related area of studies.

3) A person shall not be qualified for appointment as a Member-Secretary of the Commission unless he is a serving Government officer for a period of not less than ten years and who has served as the Collector of a district or a Project Officer in the District Rural Development Agency.

6. Tenure of office - The Chairman and other members of the Commission other than exofficio member shall hold office from the date on which they respectively assume office till such period as may be fixed by the Government.

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7. Pay – 1) The Chairman shall receive a pay of rupees six thousand and five hundred per mensem:

Provided that a person who was holding a post under the Government at the time of appointment as Chairman shall on such appointment as Chairman, receive the pay which he would have drawn from time to time under the relevant Rules in the scale of pay of the post which he was holding at the time of such appointment or shall receive the pay mentioned in this sub-Rule, whichever is higher:

Provided further that in the case of appointment as Chairman, of a person who has retired from service under the Government and who is in receipt of or has received or has become eligible to receive any retirement benefits by way of pension, gratuity, general provident fund, or otherwise, the pay specified in this sub-Rule shall be reduced by the gross amount of pension (including any portion of pension which may have been commuted) and the pension equivalent or other terms of retirement benefits, if any:

Provided further that a person who was holding a post under the Government at the time of his appointment as Chairman happens to retire from government service on attaining the age of superannuation in the middle of his term as Chairman, shall on and from the date of his retirement, have his pay refixed and regulated in accordance with the second proviso to this sub-Rule.

2) The Chairman shall be entitled to draw dearness allowance, house rent allowance and city compensatory allowance and other allowances, if any at the rates applicable to the highest class of the State Civil Services from time to time:

Provided that the dearness allowance, house rent allowance, city compensatory allowance and other allowances, if any, received by a person who was holding a post under the Government at the time of his appointment as Chairman shall be not less than the dearness allowance, house rent allowance, city compensatory allowance or any other allowance admissible, which he would have drawn from time to time at the place of head quarters of the Commission, which shall be at Chennai under the relevant Rules in the scale of pay of the post which he was holding in the time of such appointment.

3) The Chairman may, if he does not own a house at the headquarters of the Commission, and if he so desires, be provided with an unfurnished residence subject to the payment of rent and other conditions in accordance with the Rules applicable to Government buildings used as residence.

4) The pay and allowance shall be paid from Government Funds and later on reimbursed from such authorities as the Government may direct.

5) A person who on the date of his appointment as Chairman, was in service of the Government shall be deemed to be on deputation on foreign service terms from such service from the date of his appointment as Chairman.

6) The non-official member shall be paid Rs.500/-per sitting.

7) The Member-Secretary shall continue to draw his pay and allowances as applicable to his grade in the service to which he belongs.

8) The ex officio members shall draw their pay and allowances in their respective posts.

8. Leave - 1) A person who at the time of his appointment to the Commission was in the service of the Government may be granted leave in accordance with the Rules applicable to persons on deputation on foreign service terms and conditions.

2) The person who at the time of his appointment as Chairman was not in the service of the Government may be granted leave admissible to the officers of the highest class of the State Civil Services.

3) The person who at the time of his appointment as Chairman happens to retire

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from such service held by him prior to the date of appointment as Chairman shall be eligible to have leave granted in accordance with sub-Rule (2) above.

9) **Travelling Allowance** - (1) The Chairman shall be entitled to draw travelling and daily or other allowances admissible to the officers of the highest class of the State Civil Services while touring on duty in connection with his office.

2) Travelling allowance bill of the Chairman shall not require the counter-signature of any other authority.

3) The Chairman may avail of leave travel concession admissible to the officers of the highest class of the State Civil Services;

Provided that a person who on the date immediately prior to the date of his appointment as Chairman was holding a post under the Central or State Government and has availed of the benefits of leave travel concession shall not be eligible for further concession until the expiry of the period specified in the relevant leave travel concession Rules, which was applicable to him.

10. Advance of travelling allowance and daily allowance - (1) The Chairman shall be entitled to an advance of travelling and daily allowance in respect of journeys undertaken by him in the performance of his functions, whether by road, rail or air.

2) An advance drawn shall be adjusted in the appropriate travelling allowance bill as per the Rule under Article 54 of the Tamil Nadu Financial Code, Volume 1.

3) In respect of the official members, the daily allowance, travelling allowance and other expenditure shall be debited to their respective head of account, wherein the travelling allowance, daily allowance are debited.

11. Medical Attendance - The Chairman and the non-official member shall be entitled to draw medical attendance benefit as is prescribed from time to time for the officers of the highest class of the State Civil Services.

12. Allowance to non-official member - In respect of the non-official member, the Commission shall be treated as first class Commission for the purpose of traveling allowance, daily allowance and other charges. The claim of daily allowance and traveling allowance and any other charges of the non-official member will be countersigned by the Member-Secretary of the Commission.