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भाग ४ (ग)

उप-खण्ड (i)

राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

**PUBLIC WORKS DEPARTMENT
NOTIFICATION**

Jaipur, December 28, 2015

G.S.R. 130:- In exercise of the powers conferred by clause (zd) of sub-section (2) of section 102 of the Rajasthan State Highways Act, 2014 (Act No.22 of 2015), the State Government hereby makes the following rules, namely:-

1. Short title and commencement.-(1) These rules may be called the Rajasthan State Highways Authority (Conditions of Service of Chairperson and Full-time Members) Rules, 2015.

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

2. Definitions.- (1) in these rules, unless the context otherwise requires,-

(a) "Act" means the Rajasthan State Highways Act, 2014 (Act No.22 of 2015);

(b) "Authority" means the Rajasthan State Highways Authority constituted under section 44 of the Act; and

(c) "Chairperson" means the Chairperson of the Authority appointed under section 44 of the act.

(2) The words and expressions used, but not defined in these rules, shall have the same meaning as assigned to them in the Act.

3. Appointment of Chairperson and full-time Members.-The Chairperson and the Full-time Members shall be appointed by the State Government in accordance with the provisions of sub-section (4) of section 44 of the Act.

4. Qualification for appointment as Chairperson.-A person shall not be qualified for appointment as a Chairperson unless he is holding or has held the post in the rank of Secretary to the Government or an equivalent thereof for a period of at least five years and possesses professional knowledge and experience in

213(2) राजस्थान राज-पत्र, दिसम्बर 29, 2015 भाग 4 (ग)

all or any of the areas pertaining to Management, Administration, Law, Finance and Highways:

Provided that a retired person, who has not attained the age of 62 years, shall be eligible for appointment as chairperson of the Authority.

5. Qualification for appointment as a Full-time Member.- (1) A person shall not be qualified for appointment as a Full-time Member (Finance) unless he, -

- (i) is or has been employed for at least five years in the Central Government, any State Government, a Public Sector Undertaking or an Autonomous Body established under law;
 - (ii) has held, for a period of at least three years, a post carrying the pay scale and Grade pay equal to or more than the pay scale and Grade pay applicable to the position of Financial Advisor belonging to the Rajasthan Account Service ;
 - (iii) holds a post-graduate degree in economics, finance, commerce or management, or is a qualified chartered accountant; and
 - (iv) has professional knowledge and experience in finance and investment procedures, negotiations of loans or financial management.
- (2) A person shall not be qualified for appointment as a Full-time Member (Safety and Technology) unless he,-
- (i) is or has been employed for at least five years in the Central Government, any State Government, a Public Sector Undertaking or an Autonomous Body established under law;
 - (ii) has held, for a period of at least five years, a post carrying the pay scale and Grade pay equal to or more than the pay scale and Grade pay of a Superintending Engineer of Public Works Department;
 - (iii) holds a post-graduate degree in Civil Engineering or a relevant discipline;and
 - (iv) has worked, for at least three years, on a post primarily relating to planning, research, road safety or technology.
- (3) A person shall not be qualified for appointment as a Full-time Member (Works Contracts and Operations) unless he, -

- (i) is or has been employed for at least five years in the Central Government, any State Government, a Public Sector undertaking or an Autonomous body established under law;
- (ii) has held, for a period of at least five years, a post carrying the pay scale and Grade pay equal to or more than the pay scale and Grade pay of a Superintending Engineer of Public Works Department;
- (iii) holds a degree in Civil Engineering or a relevant discipline; and
- (iv) has experienced of at least five years in structuring, awarding and implementation of works contracts.

(4) A person shall not be qualified for appointment as a Full-time Member (Concessions and Public Private Partnerships) unless he,-

- (i) is or has been employed for at least five years in the Central Government, any State Government, a Public Sector undertaking or an Autonomous body established under law;
- (ii) has held, for a period of at least five years, a post carrying the pay scale and Grade pay equal to or more than the pay scale and Grade pay of a Superintending Engineer of Public Works Department; and
- (iii) has experienced of at least five years in structuring, awarding and implementation of concession agreements and Public Private Partnership Projects.

6. Salary.- (1) The Chairperson shall be paid a salary in a pay scale and Grade pay one level higher than the pay scale and Grade pay of his immediately preceding assignment but he shall not be entitled to draw pay scale and Grade pay exceeding to the pay scale and Grade pay applicable to Chief Secretary.

(2) The Full-time Member shall be paid a salary in a pay scale and Grade pay one level higher than the pay scale and Grade pay of his immediately preceding assignment, but not exceeding the pay scale and Grade pay applicable to Secretary to the Government.

(3) A person already drawing or has drawn Grade pay of Rs. 10000/- shall continue to draw his salary in his pay scale.

(4) Till attaining the age of superannuation, the Chairperson or Full-time Member, as the case may be, shall be paid as per sub-rule (1), (2) and (3) of rule 6 above and after the attainment of superannuation age, the Chairperson or Full-time Member, as the case may be, shall be entitled to draw salary of pay minus pension and allowances for the rest of the tenure as per the provisions of Chapter X (FIXATION OF PAY OF RE-EMPLOYED PENSIONERS) of Rajasthan Civil Services (Pension) Rules, 1996:

Provided that the Chairperson or Full-time Member, as the case may be, who attains the age of superannuation during the period of his appointment in the Authority shall be deemed to have retired while on deputation from the Authority and his pension shall be determined on the basis of provisions contained in Note 17 of rule 45 Rajasthan Civil Services (Pension) Rules, 1996. The payment of pension shall be made by the Government subject to condition that pension contribution for the period of service rendered as the Chairperson or Full-time Member, as the case may be, is deposited by the Authority to the Government. In such cases the payment of encashment of balance of privilege leave due on attaining the age of superannuation shall be made by the Authority as per Government of Rajasthan's decision inserted vide Finance Department Order No.F.7A(43)FD-A(Rules)/58 dated 21.01.1981 appearing below rule 145 of the Rajasthan Service Rules.

7. Other conditions of service.-The terms and other conditions of service of the Chairperson and Full-time Members, in respect of matters for which no express provisions has been made in these rules, shall be such as are admissible to an Officer of the State Government drawing an equivalent pay.

8. Power to relax.-Where the State Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

[No F.14(26)PW/2014/e-40303]

By Order of the Governor,

Antar Singh Nehra,

Joint Secretary to the Government.