

**Terms and conditions of appointment of
Shri D. Rajagopalan, IAS (Retired), State
Chief Information Commissioner,
Gujarat Information Commission.**

Government of Gujarat,
General Administration Department,
Resolution No: MISC-2005-747-Terms-RTI Cell,
New Sachivalaya, Gandhinagar.
Date: 16-01-2012

RESOLUTION :

The Government has appointed Shri D. Rajagopalan, IAS (Retired) as the State Chief Information Commissioner for the Gujarat Information Commission vide Notification No. GS/22/MHK/2007/(67)/RTI Cell dated 22-11-2011. Accordingly he has assumed charge of this post with effect from 28-11-2011 (F/N). The terms and conditions of appointment of Shri D. Rajagopalan are as mentioned below:

1. TERMS OF OFFICE

Shri D. Rajagopalan shall hold office as the State Chief Information Commissioner till date 25-07-2014 (A/N) (i.e. the date on which he will complete the age of 65 years) in view of proviso of sub section (1) of Section 16 of the RTI Act, 2005. Shri D. Rajagopalan may, at any time, by writing under his hand addressed to the Governor, resign from his office.

2. PAY

Shri D. Rajagopalan shall be paid a salary which is equal to the salary of an Election Commissioner of India, in terms of provisions contained in sub section (a) of the sub section (5) of the Section 16 of the Right to Information Act, 2005, provided that if he, at the time of his appointment, is in receipt of a pension, other than a disability or wound pension in respect of any previous service under the Government of India or under the Government of a State, his salary in respect of the Service as the State Chief Information Commissioner shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity.

As per the Chief Election Commissioner and other Election Commissioner (Conditions of Service) Act, 1991 as amended from time to time, Salary and Perquisites of an Election Commissioner of India are the same as that of a Judge of the Supreme Court of India as provided in the Supreme Court Judges

(Salaries and Conditions of Service) Act, 1958 as amended from time to time. (The Ministry of Law & Justice (Legislative Department), Government of India has revised salaries & conditions of service of the Supreme Court Judges vide Ordinance No. 1 of 2009 which is published in the Gazette of India extraordinary (part II- section 1) dated the 9th June, 2009.)

3. **LEAVE**

Shri D. Rajagopalan shall be granted leave in accordance with the Rules as are for the time being applicable to a member of the Indian Administrative Service. The power to grant or refuse leave to him and to reduce or curtail leave granted to him shall vest in the Governor.

4. **DEARNESS ALLOWANCE & OTHER ALLOWANCES**

Shri D. Rajagopalan shall be entitled to receive the Dearness and other allowances like HRA & CLA as admissible to the Election Commissioner of India.

5. **RESIDENCE ACCOMMODATION**

(A) Shri D. Rajagopalan shall be entitled without payment of rent to the use of fully furnished Government bungalow befitting to his status as a residential accommodation.

(B) In case he does not avail himself of the use of an official residence, he shall be paid every month an allowance equivalent to an amount of 30% of the salary plus 30 % of the Dearness Pay / Allowance, as contained in Rule 23 (1A) of the Supreme Court Judges (Salaries and conditions of service) Act, 1958 (for short Act of 1958) as amended from time to time. (Which came to be amended vide Section 11 of the Ordinance No.1 of 2009.)

6. **CONVEYANCE ALLOWANCE**

Shri D. Rajagopalan shall be provided with a staff car and 200 liters or actual consumption of fuel per month, whichever is less, as per provisions contained in Section 23A of the Act of 1958.

7. **TRAVELLING ALLOWANCE**

Shri D. Rajagopalan shall receive such reasonable allowance to reimburse him for expenses incurred in travelling on duty within the territory of India and shall be accorded such reasonable facilities in connection with travelling as provided by the Supreme Court Judges (Travelling Allowances) Rules 1959 as amended from time to time.

8. LEAVE TRAVEL CONCESSION

- [1] Shri D. Rajagopalan shall be entitled to avail of L.T.C. with family, twice in a year, i.e. two parts in a calendar year, anywhere in India by air, as per the Supreme Court Judges (TA) Rules read with Central Civil Service (L.T.C.) Rules. The reimbursement for expenses of journey shall be allowed only on the basis of point to point journey on a through ticket over the shortest direct route.
- [2] Shri D. Rajagopalan will also be entitled to avail the benefit of additional (third) L.T.C. to visit permanent residence in home town as per Government of India, Ministry of Law, Justice and Company Affairs (Department of Justice) letter No. 111025/20-95-JUS dated 2-2-96.
- [3] Shri D. Rajagopalan and his family are entitled to 'Executive Class' for the purpose of availing L.T.C. as per Government of India, Ministry of Law & Justice (Department of Justice) letter No. L.11025/14/99-Jus dated 21-9-99.
- [4] As per Government of India, Ministry of Law & Justice and Company Affairs (Department of Justice) letter dated 14-5-95, he is entitled to carry forward unavailed L.T.C. to the next year.
- [5] As per Government of India, Ministry of Law & Justice and Company Affairs (Department of Justice) letter No. L-11016/3/93-Jus dated 14-5-95, he is entitled to use private cars as contained in letter "to. 24/1Q1/85-Jus dated 16-4--1986.

9. SUMPTUARY ALLOWANCE

Shri D. Rajagopalan shall be entitled to get sumptuary allowance at the rate of Rs.15000/- per month as per provisions contained in section 23B of the Act of 1958 as amended from time to time. (Which came to be amended vide section 12 of the Ordinance No.1 of 2009.)

10. ELECTRICITY CHARGES

Shri D. Rajagopalan is entitled to reimbursement of Electricity charges to the extent of 10000 units per annum.

11. TELEPHONE CHARGES

Shri D. Rajagopalan is entitled to have land line telephone facility as residence without any limit on calls. He is also entitled for

cellular phone with national roaming facility with a limit of Rs. 2000/- per month or Rs. 24000/- per annum.

12. **MEDICAL FACILITY**

He shall be entitled facilities of medical treatment and reimbursement amount of medical claim as per the provisions contained in the Act of 1958 as amended from time to time or the All India Services Medical Rules at his discretion.

13. **MAGAZINE CHARGES**

He shall be provided with 4 news papers and 2 magazines at his residence.

14. **FACILITY OF PEONS AT THE RESIDENCE**

He shall be entitled to two peons at his residence or Rs.4000 per month per peon as allowance in lieu of the peons at his discretion.

15. **PROVIDENT FUND**

He shall be entitled to subscribe to the Provident Fund to which he was subscribing before his appointment as the Chief Commissioner/any other similar Provident Fund to be decided by the State Government if he so desires. The Deposit Linked Insurance Scheme for the time being in force under the General Provident Fund (Central Services) Rules, 1960, shall apply.

16. **EXEMPTION FROM LIABILITY TO PAY INCOME-TAX ON CERTAIN PERQUISITES RECEIVED**

As provided in the Act of 1958, (a) the value of rent-free official residence, the value of the conveyance facilities (c) the sumptuary allowance, (d) the value of leave travel concession shall not be included in the computation of his income chargeable under the head "Salaries" under section 15 of the Income-tax Act 1961.

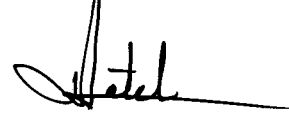
17. **POST RETIREMENT BENEFITS**

Shri D. Rajagopalan, after retirement from the post of Chief Information Commissioner of the State, shall be entitled to Rs. 14000/- (Rupees Fourteen Thousand) per month during his life time for defraying expenses of peon's services (orderly) and for meeting the expenses incurred towards secretarial assistance on contract basis at residence and also shall be entitled to residential telephone free of cost during his life time and the number of calls limited to 1500 per month over and above the free calls of the telephone department. The Secretary to the State Information

Commission will arrange payments, on behalf of the Commission, of these allowances on furnishing a monthly certificate by Shri D. Rajagopalan.

This issues with the concurrence of the Finance Department dated 14-12-2011 on this department's file of even number.

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



(B.C. Patel)

Deputy Secretary to the Government
General Administration Department

To,

- The Principal Secretary to the Governor of Gujarat, Raj Bhavan, Gandhinagar (By letter).
- The P.S. to Hon. Chief Minister, Sachivalaya, Gandhinagar.
- Shri D.Rajagopalan (Retd. IAS), State Chief Information Commissioner, Gujarat State, Office of the Gujarat State Information Commission, Sector- 18, Gandhinagar.
- The Secretary to the State Chief Information Commissioner, Gujarat State, Office of the Gujarat State Information Commission, Sector- 18, Gandhinagar.
- The P.S. to the Hon. Leader of Opposition, Gujarat Vidhansabha Sachivalaya, Gandhinagar.
- The P.S. to the Hon. Minister of Revenue, Road & Building, Capital Project & Women & Child Welfare, Sachivalaya, Gandhinagar.
- The Deputy Secretary to Chief Secretary, Sachivalaya, Gandhinagar.
- The Principal Secretary(ARTD), G.A.D., Sachivalaya, Gandhinagar.
- The Accountant General(A & E), Rajkot / Ahmedabad.
- The Accountant General(Audit), Ahmedabad / Rajkot
- The Superintending Engineer, Capital Project Circle, Gandhinagar.
- The Pay and Accounts Officer, Gandhinagar.
- The Resident Audit Officer, Gandhinagar.
- The District Treasury Officer, Gandhinagar.
- The Finance Department/M branch, Sachivalaya, Gandhinagar.
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