

**MONOPOLIES AND RESTRICTIVE TRADE PRACTICES
COMMISSION (CONDITIONS OF SERVICE OF CHAIRMAN
AND MEMBERS) RULES, 1970**

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SCHEDULE 1 :- THE SCHEDULE

**MONOPOLIES AND RESTRICTIVE TRADE PRACTICES
COMMISSION (CONDITIONS OF SERVICE OF CHAIRMAN
AND MEMBERS) RULES, 1970**

In exercise of the powers conferred by section 27 of the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), the Central Government hereby makes the following rules, namely :-

1. Short title :-

These rules may be called the Monopolies and Restrictive Trade Practices Commission (Conditions of Service of Chairman and Members) Rules, 1970.

2. Definitions :-

In these rules,-

(a) "Act" means the Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969) ;

(b) "Chairman" means the Chairman of the Commission ;

(c) "Commission" means the Monopolies and Restrictive Trade Practices Commission, established under section 5 of the Act ;

(d) "form" means a form specified in the Schedule to these rules ;

(e) "Judge" includes the Chief Justice, an acting Chief Justice, an Additional Judge, and an acting Judge;

(f) "member" means a member of the Commission.

3. Remuneration, allowances, etc., of Chairman :-

(1) A retired Judge of the Supreme Court or of a High Court appointed as Chairman or member shall be paid such salary which together with his pension and pension equivalent of any other form of retirement benefits shall not exceed the last pay drawn by him before retirement. He shall be entitled to such allowances and other benefits as are admissible to a serving Judge of the Supreme Court or of a High Court as the case may be.

(2) Where the Chairman or a member retires from service as a Judge of the Supreme Court or of a High Court during the term of office of such Chairman or member, he shall be paid for the period he serves as Chairman or member after retirement, such salary which, together with his pension and pension equivalent of any other form of retirement benefits shall not exceed the last pay drawn by him before retirement.

(3) A person, not being a serving or a retired Judge of the Supreme Court or of a High Court, appointed as Chairman shall be paid a salary of rupees three thousand and five hundred per mensem and shall be entitled to draw such allowances as are admissible to a Government officer of the first grade :

1 [Provided that if such person at the time of his appointment as Chairman is in receipt of a pension in respect of any previous service under the Government or any local body or authority owned or controlled by the Government, such salary shall be reduced by the amount of pension and pension equivalent of any other form of retirement benefits.]

1. Inserted by the MRTPC (Conditions of Service of Chairman and Member) Amendment Rules, 1974.

4. Remuneration, allowances of members :-

A person, not being a serving or retired Judge of the Supreme Court or of a High Court, appointed as member shall be paid salary of rupees three thousand per mensem and shall be entitled to draw such allowances as are admissible to a Government officer of the first grade : **1** [Provided that if such person at the time of his

appointment as member is in receipt of a pension in respect of any previous service under the Government or any local body or authority owned or controlled by the Government, such salary shall be reduced by the amount of pension and pension equivalent of any other form of retirement benefits.]

1. Inserted by the MRTPC (Conditions of Service of Chairman and Member) Amendment Rules, 1974.

4A. Retirement during the term of Chairman or member :-

Where the Chairman or a member retires from service under the Government or any local body or authority owned or controlled by the Government during the term of office of such Chairman or member, his salary for the period he serves as Chairman or member after such retirement shall be reduced by the amount of pension and pension equivalent of any other form of retirement benefits.]

4B. Contributory provident fund :-

Where the salary of the Chairman or a member is fixed in accordance with rule 3 or rule 4 or rule 4A, he shall be eligible for the benefits admissible under the Contributory Provident Fund Rules (India), 1962.]

5. Travelling and daily allowances :-

(1) If the Chairman or a member is a serving or a retired Judge of the Supreme Court or of a High Court, he shall be entitled to draw travelling allowance under the Supreme Court Judges (Travelling Allowance) Rules, 1959, or, as the case may be, the High Court Judges (Travelling Allowance) Rules, 1956, in respect of journeys performed by him in connection with the work of the Commission at the rates as are admissible to a Judge of the Supreme Court or the High Court.

(2) If the Chairman or any member is not a serving or a retired Judge of the Supreme Court or of a High Court, he shall be entitled to draw travelling allowance in respect of journeys performed by him in connection with the work of the Commission at the same rates as are admissible to a Government officer of the first grade.

1 [(3) The Chairman and members of the Commission shall be entitled to the same travelling allowance in respect of journey to their home town, on completion of their tenure, as is admissible to Central Government officers or retirement.]

1. Inserted by the MRTPC (Conditions of Service of Chairman and Members) Amendment Rules, 1976, w.e.f. 12-7-1976.

6. Leave :-

(1) A serving Judge of the Supreme Court or of a High Court appointed as chairman or member shall continue to be governed in matters relating to as his rights in respect of leave by the provisions of the Supreme Court Judges (Conditions of Service) Act, 1958, or, as the case may be, the High Court Judges (Conditions of Service) Act, 1954, and the rules made thereunder :

Provided that where a serving Judge of the Supreme Court or of a High Court, appointed as Chairman or Member continues to be Chairman or Member after his retirement from service as a Judge of the Supreme Court or of a High Court, he shall be governed in matters relating to his rights in respect of leave by the Central Civil Services (Leave) Rules, 1972, from the date of his retirement as a Judge of the Supreme Court or, as the case may be, of a High Court, for the remaining period of his term of office.

(2) A person not being a serving Judge of the Supreme Court, or of a High Court, appointed as Chairman or member shall be governed in matters relating to his rights in respect of leave by the Central Civil Services (Leave) Rules, 1972 :

Provided that where an officer of Government to whom the Central Civil Services (Leave) Rules, 1972 are not applicable, is appointed as Chairman or member, he shall be governed in matters', relating to his rights in respect of leave by the rules applicable to him before such appointment.]

6A. Refusal of leave :-

Omitted by the MRTPC (Conditions of Service of Chairman and Members) Amendment Rules, 1981, w.e.f. 7-9-1981.]

6B. Leave travel concession :-

The Chairman and members shall be entitle to the grant of leave travel concession, as is admissible to a Government officer appointed on contract basis.

7. Oaths of office and of secrecy :-

(1) Every person appointed to be the Chairman shall, before entering upon his office, make and subscribe to an oath of office and of secrecy before the ¹ [Chief Justice of India or, in his absence, the senior most Judge of the Supreme Court available] in Form I and Form II respectively.

(2) Every person appointed to be a member shall, before entering upon his office, make and subscribe to an oath of office and of secrecy before the Chairman in Form I and Form II respectively.

1. Substituted for "President of India" by the MRTPC (Conditions of Service of Chairman and Members) Amendment Rules, 1979, w.e.f. 9-6-1979.

SCHEDULE 1

THE SCHEDULE