

Haryana Finance Commission Rules, 1994
Published vide notification No. GSR36/Const./Arti.43-1/94, dated
5th May, 1994

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No. GSR36/Const./Arti/43-1/94 - In exercise of the powers conferred by article 243-I of the Constitution of India and section 213 of the Haryana Panchayati Raj Act, 1994, the Governor of Haryana hereby makes the following rules providing for the Constitution of State Finance Commission and regulating the qualifications and appointment of its Chairman and other members, namely :-

1. Short title. - These rules may be called the Haryana Finance Commission Rules, 1994.

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

- (a) "Finance Commission" means the Haryana Finance Commission for Panchayats constituted under section 8 of the Haryana Panchayati Raj Act, 1994 and municipalities constituted under section 2A of the Haryana Municipal Act, 1973;
- (b) "Government" means the State Government of Haryana;
- (c) "Governor" means the Governor of the State of Haryana;
- (d) "Member" means a member of the Finance Commission and includes its Chairman;
- (e) the expression "Panchayat" and "Municipality" shall have the same meaning as assigned to them under clause (d) of article 243 and clause (e) of article 243P of the Constitution of India, respectively.

3. Constitution of Finance Commission. - (1) The Finance Commission shall consist of a Chairman and four other members to be appointed by the Governor.

(2) The Finance Commission shall have its head-quarters at Chandigarh.

4. Qualifications for appointment as Chairman of Finance Commission. - The Chairman of the Finance Commission shall be appointed from among persons who have had experience in public affairs and the other four members shall be appointed from among persons who, -

- (a) have experience of public administration at a very senior level; or
- (b) have special knowledge of law or public finance or accounts of the Government;
- (c) have wide experience of the functioning of Panchayati Raj System;

- (d) have wide experience of Municipal Administration;
- (e) have special knowledge of Economics.

5. Personal interest to disqualify members. - Before appointing a person to be a member of the Finance Commission the Governor shall satisfy himself that the person to be so appointed has no financial or any other interest as is likely to effect prejudicially his functions as member of the Finance Commission. The Governor shall also in order to satisfy himself from time to time with respect to every member required him to furnish such information as the Governor shall consider necessary for the performance by the member of his duties under the rules.

6. Disqualifications from being a member of Finance Commission. - A person shall be disqualified for being appointed as or for being a member of the Finance Commission-

- (a) if he is of unsound mind;
- (b) if he is undischarged insolvent;
- (c) if he has been convicted of an offence involving moral turpitude; or
- (d) if he has such financial or any other interest as is likely to affect prejudicially his functions as a member of the Finance Commission.

7. Terms of offices of members and eligibility for re-appointment. -

(1) Every member of Finance Commission shall hold office for such period as may be specified in the order of the Governor appointing him as such and shall also be eligible for re-appointment.

(2) A member may be letter addressed to the Governor resign his office.

8. Conditions of service and salaries and allowances of members. - the members of Finance Commission shall render whole time or part time service to the Commission, as the Governor may in each case specify. The status, salaries or honorarium and other allowances payable to the Chairman and members shall be as under:-

- (a) The Chairman and full time non-official members shall enjoy the status and will be entitled the salary or honorarium and other allowances as may be specified by the Governor at the time of their appointment;
- (b) The official members will have the same rank as they enjoy in the Government and will draw the same pay and allowances;
- (c) The part time members shall be paid an honorarium @ Rs. 250/- per day for the day they participate in the functioning of the commission.