

**GOVERNMENT OF RAJASTHAN
FINANCE DEPARTMENT
(RULES DIVISION)**

No. F.12(3)FD/Rules/2014

Jaipur, dated : 15 MAR 2017

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan hereby makes the following rules further to amend the Rajasthan Civil Services (Pension) Rules, 1996, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Civil Services (Pension) (First Amendment) Rules, 2017.

(2) They shall come into force with immediate effect.

2. Substitution of rule 75.- The existing rule 75 of the Rajasthan Civil Services (Pension) Rule, 1996, hereinafter referred to as the said rules, shall be substituted by the following, namely:-

"75. Ex-gratia grant to the family of a Government servant.-

(1) Subject to the provision of this chapter except as otherwise provided, an ex-gratia grant shall be admissible under sub-rule (2) to the family of a government servant who dies while on duty in one of the following circumstances, namely :-

- (a) in an accident;
- (b) due to injury intentionally inflicted or caused in consequence of the due performance of his/her official duties;
- (c) due to injury intentionally inflicted or caused in consequence of his/her official position;
- (d) by violence attributable to causes relative to his/her service; or
- (e) in connection with special assignments like "Election Duty", "Census work" and/or such other assignments which do not fall within normal duties of the post held by the government servant.

(2) The amount of ex-gratia grant to the family of a government servant who dies in one of the circumstances mentioned in sub-rule (1) shall be as under:-

S. No.	Clause / Rule	Amount of ex-gratia grant
1.	Under clause (a) to (d) of sub-rule (1)	Rs. 20 Lac
2.	Under clause (e) of sub-rule (1),- (i) unfortunate event of death of the official.	Rs. 10 Lac
	(ii) If the death is unfortunately caused due to any violent acts of extremist or unsocial elements like, road mines, bomb blasts, armed attacks, etc.	Rs. 20 Lac

Provided that no extra relief shall be granted from sundry government sources to families of deceased Government servants.

(3) The Ex-gratia grant under sub-rule (2) shall be admissible to the member of family who is entitled for grant of family pension subject to the fulfillment of the following conditions, namely:-

- (a) that the death has either taken place on the spot of the accident or during the course of treatment of injuries caused in such an accident prior to him / her being declared fit by the authorized medical attendant for resumption of duty;
- (b) that a government servant is killed due to his / her official position subject to the condition that there is a direct connection between occurrence of death and his / her official position;
- (c) that it is clearly established on record and certified in the sanction that the death of the government servant has taken place while on duty and this fact is not subject to any dispute; and

Explanation: (i) an accident means sudden and unavoidable mishap while government servant was on duty ;

(ii) in the case of death of a government servant while on duty by violence attributable to service, means death as a result of encounter with criminals or in the course of confrontation with mob or crowds of an unlawful assembly during agitation, riot or civil commotion or communal disturbances etc;

(iii) the death of a government servant in the circumstances other than that mentioned in sub-rule (1) shall not be treated as death on duty for this purpose.

(4) An application for grant of ex-gratia shall be submitted to the competent authority in Form 17 appended to these rules within a period of one year from the date of death.

(5) The competent authorities to sanction ex-gratia grant under sub-rule (2) shall be as under :-

S. No.	Under Clause	Competent Authorities
1.	Under clause (a) to (d) of sub-rule (1)	Head of the Department
2.	Under clause (e) of sub-rule (1)	District Collector/ District Election Officer

(6) Where a government servant sustains permanent disability, like loss of limb, eye sight etc., in connection with election related duties amount of Ex-gratia grant shall be as follows:-

S. No.	Kind of Mishaps	Amount of ex-gratia grant
1.	Permanent disability like loss of limb, eye sight etc., in normal conditions while performing election related duties.	Rs. 5 Lac
2.	Permanent disability like loss of limb, eye sight etc., while performing election related duties, if caused due to any violent act of extremist or unsocial elements like road mines, bomb blasts, armed attacks etc.	Rs. 10 Lac

(7) The amount of ex-gratia grant specified under sub-rule (6) shall be granted to the government servant by the District Election Officer on furnishing an application in Form 17A appended to these rules by the concerned government servant through his / her Head of Office within a period of one year from the date of permanent disability.

Explanation : "Election duty" and "Duty" for the purpose, this shall mean as explained in FD order No. F.1(5)FD/Rules/2010 dated 14.12.2012 under rule 7(8) of Rajasthan Service Rules.

3. Amendment of rule 76.- The existing proviso to rule 76 of the said rules shall be substituted by the following, namely :-

"Provided that no extra relief shall be granted from sundry government sources to families of deceased Government servants."

4. Deletion of rule 76A.- The existing rule 76A of the said rules shall be deleted.

5. Amendment of rule 105.- The existing sub-rule (f) of rule 105 of the said rules, shall be deleted.

6. Amendment of rule 106.- In rule 106 of the said rules,-

- (i) in sub-rule (a) and (b) of rule 106 of the said rules, for the existing expression "Director General of Police/Director, Civil Defence & Commandant General, Home Guards", the expression "Director General of Police / Director General, Home Guards / Director, Civil Defence" shall be substituted; and
- (ii) the existing sub-rule (f) shall be deleted.

7. Substitution of Form 17.- The existing Form 17 appended to these rules, shall be substituted by the following, namely:-

"FORM 17
[See rule 75 and rule 76]
Form of Application for Ex-gratia grant in case of death of the Government servant while on duty in certain circumstances.
(To be submitted in duplicate)

To
The.....
.....
(Head of Department/Collector)

(To be submitted through the Head of Office in which the deceased was last employed).

Sir,

I have to state that my (relationship) Shri/Smt was serving in the (Office/Department) (designation) who died while on duty.

PARTICULARS

1. Name of the applicant (entitled for family pension/death gratuity)
2. Details of the family pension if sanctioned (PPO No. and Amount).
3. Name of the deceased Government servant.
4. Relationship of the applicant to the deceased Government servant.
5. Date of death of the Government servant while on duty.
6. Circumstances in which death took place —

Rule 75 -

- (a) in an accident;
- (b) due to injury intentionally inflicted or caused in consequence of the due performance of his/her official duties;
- (c) due to injury intentionally inflicted or caused in consequence of his/her official position;
- (d) by violence attributable to causes relative to his/her service; or
- (e) in connection with special assignments like "Election Duty", "Census work" and/or such other assignments which do not fall within normal duties of the post held by the government servant.

Rule 76 -

- (a) Injury intentionally inflicted while on duty by a terrorist in case of Police / Civil Defence and Home Guard personnel.
- (b) Attack by poachers on Forestry personnel.

(Note:-Write "Yes" against the circumstance which is applicable and strike out which is not applicable.)

7. Emoluments of the deceased Government servant on the day of death :
8. Amount of Ex-gratia grant admissible
9. Full address of the applicant

It is requested that ex-gratia grant as admissible under rule 75 or 76 of Rajasthan Civil Services (Pension) Rules, 1996 may be sanctioned.

Yours faithfully,

Place :
Date :

Signature of the applicant
or left hand thumb impression
in case of illiterate

Witness : 1.....
.....
2.....
.....

Attested by a Gazetted Officer
(Seal)

Note : In case of application under rule 76, the Head of the Department shall forward the same to the Secretary to the department concerned for sanction."

8. Addition of new Form 17A.- After the existing Form 17, so submitted and before the existing Form 18, a new Form 17A shall be inserted, following namely:-

"FORM 17A
(See sub-rule (6) of rule 75)

Form of Application for Ex-gratia grant to the polling personnel / Government Servant who sustain permanent disability while on Election Duty.

To,
The _____

(Collector of the concerned District)

(To be submitted through the Head of Office/Department from which the Government Servant has been deputed for polling)

1. Name of the Government Servant
2. Designation
3. Name of Office from which deputed for polling
4. Full Residential Address
5. Name of Election
6. Details of Polling party:-

(i) Polling party number

(ii) Date of Election

(iii) Place of Polling

(iv) Enclose Copy of order of deputing for Election.

7. Brief particular of the permanent disability.

8. Write 'Yes' against the circumstances of permanent disability which is applicable

S. No	Kind Of Mishaps	
i.	Permanent disability like lose of limb, eye sight etc in normal conditions	
ii.	Permanent disability like loss of limb, eye sight etc., while performing election related duties, if caused due to any violent act of extremist or unsocial elements like road mines, bomb blasts, armed attacks etc.	

9. Circumstances which resulted Permanent Disability.

10. Enclose Certificate of permanent disability issued by competent medical authority.

11. Any other information relevant to the claim.

It is requested that ex-gratia grant as admissible under rule 75 of Rajasthan Civil Services (Pension) Rules, 1996 may be sanctioned.

Your Faithfully

Signature of the applicant

Place:

Date:

Witness: 1

2 "

By order of the Governor,



(Naveen Mahajan)

Secretary to Government
Finance (Budget)

Copy forwarded to -

1. Secretary to Hon'ble Governor.
2. Secretary to Hon'ble Chief Minister.
3. All Special Assistants / Private Secretaries to Ministers / State Ministers.
4. All Additional Chief Secretaries/ Principal Secretaries/ Secretaries/ Special Secretaries to the Government.
5. Sr. D.S. to Chief Secretary.
6. Principal Accountant General Rajasthan, (A & E) Jaipur
7. All Heads of the Departments.
8. Director, Treasuries & Accounts, Rajasthan, Jaipur
9. Director, Pension & Pensioners' Welfare Department, Rajasthan, Jaipur.
10. Deputy Director (Statistics), Chief Ministers' Office.
11. All Treasury Officers.
12. All Sections of the Secretariat.
13. Administrative Reforms (Gr.7).
14. Vidhi Rachana Sanghathan, for Hindi translation.
15. Additional Director, Finance Department (Computer Cell).

Copy also to the -

1. Secretary, Rajasthan Legislative Assembly, Jaipur with 20 extra copies for Subordinate Legislative Committees.
2. Registrar General, Rajasthan High Court, Jodhpur / Jaipur.
3. Secretary, Rajasthan Public Service Commission, Ajmer.
4. Secretary, Lokayukta Sachivalaya, Rajasthan, Jaipur.



(Kirti Jain)

Joint Secretary to the Government

(Pension - 02/2017)