

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

No. F.12(3)FD/Rules/2021

Jaipur, dated : **11 2 OCT 2021**

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) (Amendment) Rules, 2021.

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

2. Amendment of rule 7.- In sub-rule (4) of rule 7 of the Rajasthan Civil Services (Pension) Rules, 1996, hereinafter referred to as the said rules,-

- (i) for the existing expression "a provisional pension as provided", the expression "a provisional pension and provisional retirement gratuity as provided" shall be substituted;
- (ii) for the existing punctuation mark ".", appearing at the end, the punctuation mark ":" shall be substituted; and
- (iii) the following proviso shall be added, namely:-

"Provided that in case of a Government Servant against whom departmental proceedings have been instituted under rule 17 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958, for imposing any of the penalties specified in clauses (i) and (ii) of rule 14 of the said rule, the hundred percent final gratuity shall be paid."

3. Amendment of rule 83.- In rule 83 of the said rules,-

- (i) in sub-rule (1), the existing expression "alongwith service book of the Government servant duly completed, upto-date, and any other document relied upon for the verification of service" shall be deleted; and
- (ii) the existing sub-rule (5) shall be deleted.

4. Amendment of rule 90.- In rule 90 of the said rules,-

- (i) the existing heading shall be substituted by the following, namely:-
"90. Provisional pension and provisional retirement gratuity where departmental or judicial proceedings are pending.-";
- (ii) in clause (b) of sub-rule (1),-
 - (a) for the existing punctuation mark ".", appearing at the end, the punctuation mark ":" shall be substituted; and



(b) the following new proviso shall be added, namely:-

“Provided that no recovery shall be made from provisional pension paid under sub-rule (1), where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.”

(iii) the existing clause (c) of sub-rule (1) shall be substituted by the following, namely:-

"(c) in respect of the Government Servant referred to in sub-rule (4) of rule 7, the provisional retirement gratuity may be paid as under,-

(i) fifty percent amount of gratuity to the Government Servant against whom departmental proceedings have been instituted under rule 16 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958 or against whom criminal case involving moral turpitude or offence relating to his official duty is pending; and

(ii) twenty percent of amount of gratuity to the Government Servant against whom amount of House Building Advance has been set apart for recovery out of retirement gratuity at the time of grant of House Building Advance or against house rent of Government Accommodation is due."; and

(iv) the existing sub-rule (2) shall be substituted by the following, namely:-

"(2) The provisional retirement gratuity paid under clause (c) of sub-rule (1),-

(i) shall be adjusted against final retirement gratuity sanctioned to such Government servant upon conclusion of departmental proceeding or Judicial proceedings and if amount paid is in excess of amount payable, such excess amount shall be recovered; and

(ii) shall be recovered from the Government servant who is removed or dismissed from the service on finalization of departmental proceedings under rule 16 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958 or criminal case involving moral turpitude or offence relating to his official duty."

5. Amendment of rule 98.- In sub-rule (1) of rule 98 of the said rules, the existing expression "along with the Government servant's service book duly completed up-to-date and any other documents relied upon for the verification of the service claimed" shall be deleted.

6. Amendment of rule 114.- In para 2 of guidelines below rule 114 of the said rules, the existing expression "alongwith service book of the employee" shall be deleted.

12/5/21

7. Amendment of Appendix VIII.- In Appendix VIII appended to the said rules,-

- (i) in sub-clause (ii) of clause (22), the existing expression ", Service Book" shall be deleted; and
- (ii) in clause (27), the existing expression "alongwith the Service Book duly completed and any other documents" shall be deleted.

8. Amendment of Form 8.- The existing serial number 5 and entries thereto of List of Enclosures of Form 8 appended to the said rules shall be deleted.

9. Amendment of Form 19.- The existing serial number 2 and entries thereto of List of enclosures of Form 19 appended to the said rules shall be deleted.

10. Substitution of Form 33.- The existing Form 33 appended to the said rules shall be substituted by the following, namely:-

**"FORM NO. 33
FORM FOR SANCTIONING PROVISIONAL
PENSION/FAMILY PENSION AND
RETIREMENT/DEATH GRATUITY
(See Rule 86, 90 and 99)**

1. Name of the Government servant
2. Father's Name (and also husband's name in the case of a female Government servant) Photograph attested by Head of Office
3. Date of birth (by Christian era)
4. Permanent residential address
5. Present or last appointment including name of establishment:
 - (i) Substantive
 - (ii) Officiating, if any.
6. Date of beginning of service
7. Date of ending of service/Date of Death (For Family Pension)
8. Total qualifying service which counts for pension.
9. Emoluments reckoning for Pension and Gratuity.

PART-I

10. Amount of Pension:

$$\frac{\text{Emoluments last drawn}}{2} \times \frac{\text{Completed six monthly period of qualifying service (Maximum 56)}}{56} = \text{Pension Amount}$$

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11. Amount of Retirement gratuity:

$$\frac{\text{Emoluments last drawn} \times \text{Completed six monthly period of qualifying service}}{4} = \text{Amount of retirement gratuity}$$

OR

16½ times of emoluments at the time of retirement, whichever is less (This amount should not exceed the maximum ceiling prescribed under these rules.).

12. Provisional Pension = 100% of amount arrived at item No.10.

13. Provisional Gratuity = Rs....

1.Upto 75% of the amount arrived at item No.11 if no amount of HBA has been set apart for recovery out of gratuity otherwise not exceeding 20% (as per rule 86)

2.Upto 50% of the amount arrived at item No.11 if no amount of HBA has been set apart for recovery out of gratuity otherwise not exceeding 20% (as per rule 90)

14. (a) Details of amount recoverable from gratuity under sub-rule (3) of rule 94

= Rs.....

(b) Net amount payable of provisional Gratuity (item No.13 minus item No.14(a))

= Rs.....

PART-II

15. Amount of Family Pension

(i) Emoluments at the time of death

X 30 percent = Rs.....

(ii) Minimum Family pension as per rules

= Rs.....

(iii) Family pension (whichever higher between (i) or (ii) above

= Rs.....

= Rs.....

16. Amount of family pension at enhanced rates (if service rendered is 7 years or more)

(a) (i) Fifty percent of emoluments

= Rs.....

12/12/21

(ii) Double the amount of pension determined at item No.15(i) above = Rs.....

Amount of family pension at enhanced rate (amount of (i) or (ii) whichever is less) = Rs.....

(b) where workmen's Compensation Act is applicable

(i) Fifty percent of emoluments = Rs.....

(ii) One and half time the amount of pension determined at item No.15 (i) above = Rs.....

Amount of Family pension at enhanced rate (amount at (i) or (ii) whichever is less) = Rs.....

Note:- The amount under (a) or (b) shall not exceed as per applicable rules.

**17. Amount of Death Gratuity
Length of qualifying service:**

Less than one year emoluments X 2 = Rs.....

One year or more but less than five years emoluments X 6 = Rs.....

Five years or more but less than twenty years emoluments X 12 = Rs.....

Twenty years or more half of emoluments X completed six monthly period of qualifying service subject to maximum of 33 times of emoluments. = Rs.....

Note: This amount should not exceed the maximum ceiling prescribed under rule 55 of the RCS (Pension) Rules, 1996.

18. Provisional Family Pension = 100% of amount determining at item No.15/16 as the case may be.

19. Provisional Death Gratuity = 75% of amount determined at item No.17.

20. Details of amount recoverable Out of Gratuity under sub-rule (4) of rule 98 = Rs.....

21. Net amount payable of provisional Death Gratuity (item No.19 minus item No.20) = Rs.....

12/11/12

PART III

In exercise of the powers conferred under rule of the Rajasthan Civil Services (Pension) Rules, 1996, the undersigned having satisfied that the pension case has been sent/not sent to the Director, Pension Department and the same has not been finalized so far hereby sanction the provisional pension/family pension w.e.f.as above in Part I/II and Provisional Retirement/Death Gratuity to Shri/Smt./Ku.

Signature Designation of the

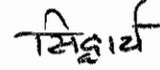
Head of Office with Rubber Stamp

Copy forwarded to the-

1. Director, Pension Department, Rajasthan, Jaipur.
2. Concerned Head of Department.
3. Sh./Smt./Ku.
- 4.
- 5.
- 6.
- 7.

Signature and Seal of Head of Office"

By Order of the Governor,



(Siddharth Mahajan)

Secretary to the Government.

Copy forwarded to the -

1. Secretary to Hon'ble Governor
2. Principal 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. Senior DS to Chief Secretary
6. Accountant General, Rajasthan, Jaipur
7. All Heads of the Departments
8. Director, Treasuries & Accounts, Rajasthan, Jaipur
9. Deputy Director (Statistics), Chief Ministers' Office
10. All Treasury Officers
11. All Sections of the Secretariat
12. Administrative Reforms (Gr.7)
13. Vidhi Rachana Sanghthan for Hindi translation
14. Technical Director, Finance Department (Computer Cell)
15. Guard File

Copy also to the -

1. Secretary, Rajasthan Legislative Assembly, Jaipur
2. Registrar General, Rajasthan High Court, Jodhpur / Jaipur
3. Secretary, Rajasthan Public Service Commission, Ajmer
4. Secretary, Lokayukta Sachivalaya, Rajasthan, Jaipur


(S.Z. Shahid)

Joint Secretary to the Government

(Pension 07 / 2021)