

## **Rajasthan Civil Services (Pension) (Amendment) Rules, 2008**

**[01 September 2006]**

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## **Rajasthan Civil Services (Pension) (Amendment) Rules, 2008**

**[01 September 2006]**

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. These rules may be called the Rajasthan Civil Services (Pension) (Amendment) Rules, 2008 :-**

**2. These rules shall be deemed to have come into force with effect from 01.09.2006 excepting where otherwise specifically provided :-**

**3. In the said rules :-**

(i) in the second proviso to Rule 7, in sub-rule (3) of Rule 42, in sub-rule (2) of Rule 43 and in clause (b) of sub-rule (2) of Rule 54, the existing words "Rupees One thousand two hundred seventy five per mensem" shall be substituted by the words "Rupees Three thousand twenty five per mensem ". (ii) the existing Rule 45 (excluding existing Notes, GRD and clarification appearing there under) shall be substituted by the following namely:- "The expression "emoluments" used for the purposes of Pension, Service Gratuity and Retirement/Death Gratuity means sum of pay in the

running pay band plus grade pay and NPA/ NCA, if any, which a Government servant was receiving / or to which he was entitled to immediately before his retirement or on the date of his death or on the basis of average of last ten months immediately before the date of retirement, whichever is beneficial. Provided that the amount of Dearness Allowance admissible on sum of running pay band plus grade pay and NPA / NCA, if any at the time of retirement/ death of a Government servant, as the case may be, shall be treated as part of emoluments for the purpose of grant of retirement gratuity/ death gratuity. GOVERNMENT OF RAJASTHANS

DECISION For the purpose of computing average emoluments in the case of Government servants who have opted for fixation of pay in the revised pay and retire within 10 months from the date of coming over to the revised pay, basic pay for 10 months period preceding retirement shall be calculated by taking into account pay as follows: (i) For the period during which pay is drawn in revised pay - Pay drawn in the prescribed pay band plus the applicable grade pay. (ii) For the remaining period during which pay is drawn in pre-revised scale of pay- Basic Pay plus dearness pay and actual D.A. appropriate to the basic pay at the rates in force on 01.01.2006 drawn during the relevant period." (iii) in clause (a) of sub-rule (2) of Rule 54, the existing words and figures "(the highest pay in the Government is Rs.24,850/- since 1.7.1996)" shall be substituted by the words and figures "(the highest pay in the Government is Rs.77,000/- since 01.09.2006)". (iv) below existing Rule 54, the following new Rule 54A shall be inserted, namely: - "54A. Amount of Additional Pension / Family Pension -- The quantum of pension / family pension available to the old pensioners/ family pensioners, on attaining the age of 80 years or above shall be increased as follows. -- 80 years or above shall be increased as follows. -- Age of Pensioner/ Family Pensioner

Additional Quantum of Pension / Family Pension	From 80 years to less than 85 years	From 85 years to less than 90 years	From 90 years to less than 95 years	From 95 years to less than 100 years	100 years or more
	20% of basic pension / family pension	30% of basic pension / family pension	40% of basic pension / family pension	50% of basic pension / family pension	100% of basic pension / family pension

The Pension Sanction Authorities should ensure that the date of birth and the age of a pensioner / family pensioner is invariably indicated in the pension payment order and in the form of details of family to facilitate payment of additional pension / family pension by the Pension Disbursing Authority as soon as it

becomes due. The amount of additional pension / family pension will be shown distinctly in the pension payment order. For example, in case where a pensioner / family pensioner is more than 80 years of age and his pension / family pension is Rs.10,000/- p.m., the pension / family pension will be shown as (i) Basic Pension/ Family Pension = Rs.10,000/- and (ii) Additional Pension / Family Pension = Rs.2,000/- per month. The pension / family pension on his attaining the age of 85 years will be shown as (i) Basic Pension / Family Pension = Rs.10,000/- and (ii) Additional Pension / Family Pension = Rs.3,000/- per month." (v) the existing figures and words "3.5 lacs rupees" appearing in first proviso of sub-rule (1) of Rule 55 shall be substituted by the figures and words "10.00 lacs rupees" w.e.f. 01.01.2007. (vi) the existing clause (i) of Rule 62 shall be substituted by the following, namely: - "(i) Family pension shall be admissible @ 30% of emoluments subject to a minimum of Rs.3025/- per month and maximum of 30% of the highest pay in the Government (the highest pay in the Government is Rs.77000/- since 01.09.2006.)" (vii) in Government of Rajasthan's Decision No. 1 appearing below Rule 127, the existing words and figures "carrying pay in pay scales where the maximum does not exceeds Rs.8000" shall be substituted by the words and figures "whose sum of pay in the running pay band and grade pay does not exceed Rs.18100". (viii) in clause (e) of Rule 152, 153, 155 and 157, the existing words and figures "Rs.26000/-" shall be substituted by the words and figures "Rs.80,000/-". (ix) in Appendix - V - Rules regulating the compassionate fund of the Government of Rajasthan, the existing sub-rule (6) of Rule 4 shall be substituted by the following, namely: - "(6) As a general rule, a grant will not be given if the sum of pay in the running pay band and grade pay of the deceased government servant exceeded Rs.35000/- per mensem. Provided that in case of family not entitled to family pension, grant from the Fund may be sanctioned in deserving cases even though the sum of pay in the running pay band and grade pay exceeded Rs.35000/- per mensem."

#### **4. Non-accrual of arrears :-**

The State Government has revised the pay scales of Government servants with effect from 01.09.2006 with the conditions that no arrears would accrue for the period from 01.09.2006 to 31.12.2006. Accordingly on the same lines in respect of Government servants retired / died while in service during the period 01.09.2006 to 31.12.2006, no arrear of pension shall accrue

upto 31.12.2006. Pension / Family Pension calculated on pre-revised pay shall only be payable upto 31.12.2006 and the pension / family pension on revised notional pay and as per the above mentioned amendments shall be payable with effect from 01.01.2007. The Commutation and Gratuity to these Government servants shall not be admissible on the revised notional pay and the amount of Commutation / Gratuity already paid / payable on the pre-revised pay shall be treated as final.

**5. Payment of arrear :-**

(a) 50% of the arrear for the period from 01.01.2007 to 31.08.2008 shall be payable in cash during the current financial year 2008-2009; and (b) remaining 50% amount of arrear shall be payable during the next financial year 2009-2010, for which specific orders will be issued by the Government at appropriate time. Provided that in the case of death of a pensioner/ family pensioner, as the case may be, the entire amount of arrear shall be paid in cash during the current financial year 2008-2009. By Order of the Governor, Subhash Garg, Principal Secretary to the Government