EMPLOYEES PENSION REGULATIONS

1988
PREFACE

It was under active consideration of the Board to introduce pension scheme for its all employees. Introduction of pension scheme by the Board is not only a new concept but would also be a milestone in the history of welfare activities of the Board.

With a view to apprise the officers/employees of the Board regarding the detailed provisions of the scheme, options available and the procedural requirements, it was decided to bring out this booklet. It is hoped that the maiden effort of the Publication Wing would be useful and educative for all those for whom it is meant. A Hindi version would soon follow.

(Rajendra Jain)
Secretary.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Short Title</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>Date of application</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>3</td>
<td>Definitions</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>Good conduct as a condition for the grant of pension.</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>5</td>
<td>Recoveries of losses from the Pension</td>
<td>5 &amp; 5 (A)</td>
<td>6</td>
</tr>
<tr>
<td>6</td>
<td>Claim to Pension when inadmissible</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>7</td>
<td>Misconduct or Inefficiency</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>8</td>
<td>Compulsory retirement as penalty</td>
<td>7 (a)</td>
<td>9</td>
</tr>
<tr>
<td>9</td>
<td>Claims of Widow</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>10</td>
<td>Limitation</td>
<td>9</td>
<td>10</td>
</tr>
</tbody>
</table>

Qualifying Service

11. Age at which qualifying service begins          10  10
12. Conditions of Qualification                    11  10
13. Board's Power to declare any service as qualifying service.  12  10
14. Appointment by Board and necessary condition for pension.  13  10
15. Apprentices                                     14  11
16. Probationers                                   15  11
17. Rules for Reckoning service                      16  11
<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>18.</td>
<td>Time spent on training</td>
<td>17</td>
<td>11</td>
</tr>
<tr>
<td>19.</td>
<td>Suspension</td>
<td>18</td>
<td>11</td>
</tr>
<tr>
<td>20.</td>
<td>Resignation, Dismissal or Removal for mis conduct etc.</td>
<td>19</td>
<td>12</td>
</tr>
<tr>
<td>21.</td>
<td>Interruption in service entails forfeiture of past service</td>
<td>20</td>
<td>12</td>
</tr>
<tr>
<td>22.</td>
<td>Condition of Interruptions</td>
<td>21</td>
<td>12</td>
</tr>
<tr>
<td>23.</td>
<td>Optional Retirement on completion of 20 years of qualifying service</td>
<td>22</td>
<td>12</td>
</tr>
<tr>
<td>24.</td>
<td>Compulsory Retirement after completion of 25 years of service</td>
<td>23</td>
<td>15</td>
</tr>
<tr>
<td>25.</td>
<td>Amount how Regulated</td>
<td>24</td>
<td>16</td>
</tr>
<tr>
<td>26.</td>
<td>Emoluments</td>
<td>25</td>
<td>16</td>
</tr>
<tr>
<td>27.</td>
<td>Scale of Pension</td>
<td>26</td>
<td>17</td>
</tr>
<tr>
<td>29.</td>
<td>Nominations (Family Defined)</td>
<td>28</td>
<td>17</td>
</tr>
<tr>
<td>30.</td>
<td>Family Pension: Condition for grant</td>
<td>29</td>
<td>18</td>
</tr>
<tr>
<td>31.</td>
<td>Application for grant of Pension &amp; Gratuity</td>
<td>30</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>(a) Applicability</td>
<td></td>
<td>18</td>
</tr>
<tr>
<td></td>
<td>(b) Preparation of list of Board's employees due to retire within next 12 months</td>
<td></td>
<td>19</td>
</tr>
<tr>
<td>32.</td>
<td>Procedure for submission of formal application of Pension</td>
<td>31</td>
<td>19</td>
</tr>
<tr>
<td>33.</td>
<td>Authority competent to sanction pension</td>
<td>32</td>
<td>19</td>
</tr>
<tr>
<td>34.</td>
<td>Revision of Pension due to detection of clerical error</td>
<td>33</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>35.</td>
<td>Commencement of Preparation of Pension papers</td>
<td>34</td>
<td>20</td>
</tr>
<tr>
<td>36.</td>
<td>Despatch of form of formal application for pension</td>
<td>35</td>
<td>21</td>
</tr>
<tr>
<td>37.</td>
<td>Issue of Pension Payment Order intimation of</td>
<td>36</td>
<td>21</td>
</tr>
<tr>
<td>38.</td>
<td>Pension and Gratuity payment provisionally</td>
<td>37</td>
<td>22</td>
</tr>
<tr>
<td>39.</td>
<td>Preparation of service statement after verifying service</td>
<td>38</td>
<td>23</td>
</tr>
</tbody>
</table>

**Payment of Pension**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>40.</td>
<td>Gratuity payable in lump-sum</td>
<td>39</td>
</tr>
<tr>
<td>41.</td>
<td>Procedure for payment of Pension</td>
<td>40</td>
</tr>
<tr>
<td>42.</td>
<td>Authorities for signing a life certificate</td>
<td>41</td>
</tr>
<tr>
<td>43.</td>
<td>Certificate of non-employment</td>
<td>42</td>
</tr>
<tr>
<td>44.</td>
<td>Renewal of Pension payment order</td>
<td>43</td>
</tr>
<tr>
<td>45.</td>
<td>When a Board servant dies before retirement or discharge</td>
<td>44</td>
</tr>
<tr>
<td>46.</td>
<td>Re-employment after compensation pension</td>
<td>45</td>
</tr>
<tr>
<td>47.</td>
<td>Re-employment after superannuation, or retiring pension</td>
<td>46</td>
</tr>
<tr>
<td>48.</td>
<td>Govt. of Rajasthan's decision</td>
<td>47</td>
</tr>
</tbody>
</table>
RAJASTHAN STATE ELECTRICITY BOARD
(Finance & Rules Section)

No. RSEB/F&R/F.3(10)/D. 1 Jaipur, dated 6.1.89

ORDER

Sub:—Introduction of Pension and G. P. F. Schemes in Rajasthan State Electricity Board

The Board in its 379th meeting held on 28.11.1988 has approved the “RSEB Pension Regulations, 1988” and the “RSEB G. P. F. Regulations, 1988” as attached at Annexure ‘A’ and ‘B’ and has also decided to introduce the Pension Scheme and G.P.F. scheme in the R. S. E. B. for regular employees of the Board who are willing to opt pensionary benefits in place of existing benefits under the ‘RSEB CPF Scheme’ and the ‘Jodhpur CPF Scheme’.

The Regulations will take effect from the date of decision of the Board i. e. 28. 11. 1988.

The post of Controller of Accounts (C&S) is hereby redesignated as Controller of Accounts (P&F) who in addition to other allotted work will consider and accept the options of the existing employees on behalf of the Board.

By order,
Sudarshan Chohda
Secretary
ANNEXURE 'A'

RAJASTHAN STATE ELECTRICITY BOARD

EMPLOYEES PENSION REGULATIONS, 1988

Preamble:

In exercise of the powers conferred by Section-79 of the Electricity (Supply) Act, 1948, the R. S. E. Board constituted by Rajasthan Government Notification No. F. 11/(OSD)/PWO/57 dated 28th June, 1957, is pleased to make the following Regulations for the matters provided in Section 79 (c) of the Act, viz. R.S.E.B. Employees Pension Regulations, 1988, for its employees and Officers.

CHAPTER-1

1. Short Title

These Rules shall be called the R.S.E.B. Employees Pension Regulations, 1988.

2. Date of Application

These shall come into force w.e.f. 28.11.1988.

3. Definitions

In these Regulations unless there is anything repugnant in the subject or context

(a) "Board" means Rajasthan State Electricity Board constituted under Section-5 of the Indian Electricity (Supply) Act, 1948.

(b) "Financial Adviser and Controller of Accounts" means Financial Adviser and Controller of Accounts appointed
by the Government of Rajasthan / Rajasthan State Electricity Board.

(c) **Controller of Accounts** means the Controller of Accounts appointed by the Rajasthan State Electricity Board.

Note:—The present post of Controller of Accounts (C & S) shall stand re-designated as the Controller of Accounts (Pension and Fund).

(d) **Deputy Controller of Accounts** means the Deputy Controller of Accounts appointed by the Rajasthan State Electricity Board.

Note:—The present post of Secretary (CPF-TRUST) shall stand re-designated as Deputy Controller of Accounts (Pension & Fund).

(e) **"P & F"** abbreviation wherever used means Pension and General Provident Fund of the Rajasthan State Electricity Board.

(f) **Children** means legitimate children and includes adopted children if the Controller of Accounts (P&F) of the Board is satisfied that under the Personal Law of the employee, adoption of the child is legally recognised.

(g) **Controlling Officer** means the Controlling Officer appointed by the Board for the purposes of these Regulations.

(h) **"Pay"** for the purpose of pension, Service Gratuity and D.C.R.G. shall mean pay as defined in Regulation 3(xviii) of the RSEB ESR, 1964 which the employee was drawing immediately before retirement.

Note:—Deputation pay or deputation allowance shall not be treated as pay for the purpose of these Regulations.
(i) "Employee" means any person who is in the service of the Board, but does not include daily labour, work-charged or casual employee and persons engaged on retention-cum-fee, part-time or any other basis as consultant advisor or counsels for legal, professional or any other purposes.

(ii) "Excluded employee" means an employee on regular time scale/service who is member of the RSEB CPF Scheme and opts to continue to be the member of the said scheme. Person employed on daily labour/work-charged and through Contractor shall also be considered as excluded employee.

(iii) "Existing Employee" means an employee who is already in the regular time scales/service of the Board on or before the commencement of the RSEB Board Pension Regulations, 1988.

(iv) "Option" means a written consent of the existing regular employee for Pensionary and Gratuity benefits on the same lines/Rules as are being allowed to the employees of erstwhile employees of the E & M Department opted Board's service with Pensionary benefits or to continue to be the member of the CPF/EPF with benefits of RSEB Gratuity Rules, 1972 or Jodhpur CPF Scheme with benefit of gratuity under the Gratuity Act, 1972.

Note:—Any person who is not covered under the definition of employee shall not be entitled to opt for pensionary and gratuity benefits as per Board's/Govt. rules/regulations.

(m) "Family" means a Board servant's legitimate children and step-children residing with and wholly dependent upon him. Not more than one wife is included in a family. In the case of female employee, it includes dependent husband also.
(n) "Financial Year" means the year commencing on the first day of April.

(o) **Pension and Gratuity Payment orders**
The Controller of Accounts (P & F) shall be competent authority to issue Pension, Gratuity and Commutation of Pension orders as per rules for payment through the respective circle Accounts Officers/Banks on receipt of such cases from the O. S. D. (Pension), RSEB, Jaipur, duly sanctioned by the authority competent to sanction pension.

4. **Good conduct as a condition for the grant of Pension**

(1) Future good conduct shall be an implied condition of every grant of Pension. The pension sanctioning authority may, by an order in writing, withhold withdraw a pension or part thereof whether permanently or for a specified period, if the pensioner is convicted of a serious crime or is found guilty of grave misconduct provided that no order shall be passed under this clause by an authority subordinate to the authority competent to make an appointment to the post held by the Pensioner immediately before his retirement from his service.

(2) Where a pensioner is convicted of a serious crime by a court of law, action under clause (1) shall be taken in the light of judgement of the court relating to such conviction.

(3) In a case not falling under clause (2), if the competent authority under clause (1) considers that the pensioner is prima facie guilty of grave misconduct, it shall before passing an order under clause (1):

(a) serve upon the pensioner a notice specifying the action proposed to be taken against him and the ground on which it is proposed to be taken and
calling upon him to submit within fifteen days of the receipt of notice or such further time not exceeding fifteen days as may be allowed by the competent authority, such representation as he may wish to make against the proposal, and

(b) take the representation, if any, submitted by the pensioner under clause (a) into consideration.

(4) Where the authority competent to pass an order under clause (1) is the Chairman of the Board, the Chairman in consultation with the Member of the Board pass such orders on the appeal as he deems fit.

5. **Recoveries of Losses from the Pension**

The Chairman of the Board further reserves to himself the right of withholding or withdrawing a pension or any part of it, whether permanently or for a specified period and the right of ordering the recovery from a Pension of the whole or part of any pecuniary loss caused to Govt/Board, if in a departmental or judicial proceedings the pensioner is found guilty for grave misconduct or negligence during the period of his service including service rendered upon re-employment after retirement:

(a) Provided that such departmental proceedings, if instituted while the employee was in service, whether before his retirement or during his re-employment, shall after the final retirement of the employee be deemed to be a proceeding under this Regulation and shall be continued and concluded by the authority by which it was commenced in the same manner as if the officer had continued in service.

(b) Such departmental proceedings, if not instituted while the employee was in service, whether before his retirement or during his re-employment:

(i) shall not be instituted save with the sanction of the Chairman;
(ii) shall not be in respect of any event which took place more than 4 years before such institution; and

(iii) shall be conducted by such authority and in such place as the Chairman may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made in relation to the employee during his service;

(c) No such judicial proceeding, if not instituted while the employee was in service, whether before his retirement or during his re-employment, shall be instituted in respect of a cause of action which arose or an event which took place more than 4 years before such institution; and

(d) The Board/Member shall be consulted before final orders are passed.

(5)(A)(1) Where any departmental or judicial proceeding is instituted under the Regulations or where a departmental proceeding is continued under clause (a) of the proviso thereto against an employee who has retired on attaining the age of compulsory retirement or otherwise, he shall be paid during the period commencing from the date of his retirement to the date on which, upon conclusion of such proceedings, final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service up to the date of retirement, or if he was under suspension on the date of retirement upon the date or immediately proceeding the date on which he was placed under suspension; but no gratuity shall be paid to him until the conclusion of such proceeding and the issue of final orders thereon.

(2) Payment of provisional pension made under sub-rule (1) shall be adjusted against the final retirement benefits
sanctioned to such employee upon conclusion of the aforesaid proceedings but no recovery shall be made 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.

6. Claim to Pension when inadmissible

In the following cases, no claim to pension is admitted:

(a) When a Board employee is appointed for a limited time only, or for a specified duty, on the completion of which he is to be discharged.

(b) When a person is employed/temporarily on monthly wages without specified limit of time or duty, but a month’s notice of discharge should be given to such person, and his wages must be paid for any period by which such notice falls short of a month.

(c) When a person’s whole time is not retained for the Board’s service, but he is merely paid for work done for the Board.

(d) When a Board employee holds some other pensionable office, he earns no pension in respect of an office of the kind mentioned in clause (c) or in respect of duties paid for by a compensatory or other allowance.

(e) When a Board employee serves under a covenant which contains no stipulation regarding pensions, unless Board specially authorise a Board employee to count such service towards pension.

7. Misconduct or Inefficiency

No gratuity or pension may be granted to a Board employee dismissed or removed for misconduct, insolvency or inefficiency; but to Board employee so dismissed or removed compassionate allowances, may be granted when they are deserving of special
consideration; provided that the allowances granted to any Board employee shall not exceed two-thirds of the pension which would have been admissible to him if he had retired on medical certificate.

7. **(A) Compulsory Retirement as Penalty**

   (a) A Board employee compulsorily retired from service as a penalty may be granted by the authority competent to impose such penalty, pension, or gratuity or both at a rate not less than two-thirds and not more than full pension or gratuity or both admissible to him on the date of his compulsory retirement.

   (b) Whenever in the case of a Board employee the Chairman passes an order (whether original, appellate or in exercise of power of review) awarding pension less than the full pension admissible under these Regulations the Member (F & A) of the Board shall be consulted before such order is passed.

8. **Claims of Widow**

   (a) It being the duty of every Board employee himself to provide for his family, the Board recognises no claim by a widow on account of the services of her husband, and is almost invariably under the painful necessity of rejecting recommendations made in contravention of this Regulation.

   (b) The submission of such recommendations, save under very extraordinary circumstances, is disapproved as calculated only to give rise to hopes which cannot be fulfilled.

   (c) If a Board employee while travelling on duty in a Government Aircraft or while undertaking air journeys on duty by non-schedule flight in chartered plane dies as a result of accident to the aircraft, his family will be entitled to the grant of ex-gratia payment of Rupees one lakh.
9. **Limitation**

(a) A Board employee cannot earn two pensions in the same office at the same time, or by the same continuous services.

(b) Two Board employee may not simultaneously count service in respect of the same office.

10. **Age at which Qualifying Service begins**

(a) Superior service: Except for compensation gratuity, a Board employee’s service does not qualify till he has completed eighteen years of age.

(b) Other cases: In other cases, unless it be otherwise provided by special rule/regulation or contract, the service of every Board employee begins when he takes charge of the office to which he is first appointed.

11. **Conditions of Qualification**

The service of an employee does not qualify for pension unless it conforms to the following conditions;

First — the service must be under the Board,

Second — the employment may be in substantive/permanent/temporary and officiating capacity.

12. **Board’s Power to Declare any Service as Qualifying Service**

Board may, however, declare that any specified kind of service or service rendered by a Board employee shall qualify for pension subject to such conditions as the Board may think fit to impose.

13. **Appointment by Board and Necessary Condition for Pension**

The service of a Board employee does not qualify unless he is appointed and his duties and pay are regulated by the Board, or under conditions determined by the Board.
14. Apprentices

Service as an apprentice followed by regular appointment whether in temporary or substantive capacity shall qualify.

15. Probationers

The service rendered as a probationer shall qualify for the purpose of pension.

16. Rules for Reckoning Service

(1) Time passed on leave:

Time passed on leave with allowances shall count as service.

(2) Time passed on extraordinary leave (leave without pay and allowances) taken in any of the circumstances mentioned below shall count as service:

(i) if it is taken on medical certificate granted by the Authorised Medical Attendant;

(ii) if it is taken for prosecuting higher scientific and technical studies;

(iii) if it is taken due to the inability of the Board servant concerned to join or rejoin duty due to civil riots or a natural calamity provided that he has not any kind of leave to his credit.

17. Time Spent on Training

The Board may, at its discretion decide in the case of an employee (including a person in training for, but not actually appointed to Board service) who is selected to undergo a course of training, whether the time spent on training shall count as service qualifying for pension.

18. Suspension

Time passed under suspension pending enquiry into conduct shall count in full where, on conclusion of the enquiry, the Board employee has been fully exonerated or the suspension is held to have been fully unjustified; in other cases, the period of
suspension shall not count unless the authority competent to pass orders expressly declares that it shall only count to such extent.

19. Resignation, Dismissal or Removal for Misconduct, etc.

(a) Resignation from the service or dismissal or removal from it for misconduct, insolvency, inefficiency, not due to age or failure to pass a prescribed examination entails forfeiture of past service.

(b) Resignation of an appointment to take up, with proper permission, another appointment, whether permanent or temporary, service in which counts in full or in part is not a resignation of Board service.

(c) A Board employee who is dismissed, removed or compulsorily retired from public service, but is reinstated on appeal or revision, is entitled to count his past service on regularisation by the competent authority.

(d) The period of break in service between the date of dismissal, removal, or compulsory retirement, as the case may be, and the date of reinstatement, and the period of suspension (if any) shall not count unless regularised as duty or leave by specific order of the authority which passed the order of reinstatement.

20. Interruption in Service Entails Forfeiture of Past Service

An interruption in the service of an employee entails forfeiture of his past service, except in the case of authorised leave of absence.

21. Condonation of Interruptions

Upon such conditions as it may think fit to impose, in each case, the Board may condone interruption in service of Board's employee.

22. Optional Retirement on Completion of 20 years of Qualifying Service

(a) A Board employee may, after giving at least 3 months
previous notice in writing to the appointing authority, retire from service on the date on which he completes 20 years of qualifying service or attains the age of 45 years whichever is earlier or any date thereafter to be specified in the notice:

Provided that it shall be open to the Appointing Authority to withhold permission to retire a Board employee:

(i) who is under suspension;

(ii) in whose case disciplinary proceedings are pending or contemplated for the imposition of a major penalty and the disciplinary authority having regard to the circumstances of the case is of the view that such disciplinary proceedings might result in imposition of the penalty or removal or dismissal from service;

(iii) in whose case prosecution is contemplated or may have been launched in a court of law;

(b) A Board employee who has given notice for seeking retirement under clause(a) of this sub regulation, may presume acceptance of the notice of retirement and the retirement shall be effective in terms of the notice automatically unless an order in writing to the contrary has been issued by the competent authority and served upon the Board employee before the expiry of the period of the notice.

(c) If a Board employee seeks retirement while he is on leave not due, without returning to duty, the retirement shall take effect from the date of commencement of the leave not due and the leave salary paid in respect of such leave shall be recovered from him.

(d) A Board employee who seeks voluntary retirement shall be entitled to a weightage of 5 years qualifying
service which shall be given as an addition to the qualifying service actually rendered by him. The grant of weightage upto 5 years shall, however, be subject to the following conditions:—

(i) The service qualifying for retirement benefits shall be enhanced by the addition of five years in such cases. The resultant length of service after taking into account the addition of notional service shall in no case be more than 33 years qualifying service or the qualifying service, the Board employee concerned could have counted had he retired on attainment of superannuation age, whichever is less.

(ii) In cases where qualifying service is increased under (i) above, the emoluments which the Board employee was receiving immediately before the date of retirement shall be taken into account for the purpose of calculation of pension and gratuity.

(iii) In respect of Board employee governed by the Contributory Provident Fund Scheme Board’s contribution shall be enhanced by the amount which would have accrued by the addition of five years notional service.

(iv) The notional contribution shall be added on the basis of the amount of subscription made immediately before the date of retirement without subscribing to the Fund on or after the date of his retirement.

(v) The resultant increase in the aforesaid manner shall in no case be more than the contribution which would have been credited to his provident fund account had he retired on completing 33 years qualifying service or on attainment of the age of superannuation, whichever is less.
(vi) The benefit of five years notional qualifying service mentioned in this clause shall not be admissible to a Board employee who is retired under sub-regulation (4) of Regulation 18 of the RSEB E. S. R., 1964.

(e) A Board employee who gives notice of voluntary retirement under clause(a) of sub-regulation(1) shall satisfy himself by means of a reference to the appointing authority who is competent to retire him to the effect that he has, in fact, completed 20 years qualifying service for pension.

(f) A Board employee may with the approval of the Appointing Authority withdraw the notice given under clause(a) of this sub regulation provided the request for such withdrawal is made before the expiry of the notice.

(g) The authority competent to retire a Board employee may, in deserving cases, accept the notice contemplated under clause(a) of this sub-reg. for a period of less than 3 months with the concurrence of the Chairman, RSEB.

23. Compulsory Retirement After Completion of 25 years of Service

The appointing Authority shall have the absolute right to retire in public interest any Board employee by giving him at least three months previous notice in writing, from service on the date of which he completes 25 years of qualifying service or on the date on which he attains the age of 50 years whichever is earlier, or on any date thereafter;

Provided that such Board employee may be retired from service forthwith, and on such retirement from service the Board employee shall be entitled to claim three months pay and allowances in lieu of notice.
24. Amount how Regulated

The amount of pension that may be granted is determined by length of service. Fractions of a year are not taken into account in the calculation of pension. The figures of the amounts of pension as finally calculated as also the amounts of anticipatory pension should be rounded off to the next higher rupee.

Provided that in respect of Board employee retiring from service on or after commencement of these Regs., fractions of a year equal to six months and above shall be treated as a completed six monthly period for the purpose of calculation of any pension admissible to such Board employee.

25. Emoluments

Definition of "Emoluments"—The term "Emoluments" when used in this part of the service regs. means the emoluments which the Board employee was receiving immediately before his retirement and includes:

(a) Substantive pay in respect of a permanent post other than a tenure post held in a substantive capacity.

(b) Special pay drawn by a Board employee in consideration of the specially arduous nature of duties or of increased work and responsibility or for discharge of duties which do not properly belong to his office for which there is no sanctioned post.

(c) Officiating pay of a Board employee without a substantive appointment.

(2) In the case of Board employee with a substantive appointment who officiates in another appointment or holds a temporary appointment, "emoluments" means:

(a) the emoluments which would be taken into account under this reg. in respect of the appointment in which he officiates or of the temporary appointment as the case may be, or
(b) the emoluments which would have been taken into account under this regulation had he remained in his substantive appointment, whichever are more favourable to him.

26. **Scale of Pension**

Subject to the Regulations in this behalf the amount of superannuation, retiring, invalid and compensation pension admissible to a Board servant would be calculated on the lines as is being allowed to the officers/employees of the Erstwhile Electrical & Mechanical Department opted for pensionary benefits under the specific provisions of Pension Rules as contained in chapter XVII to XXVIII of Rajasthan Service Rules as amended from time to time.

27. **Death-Cum-Retirement Gratuity**

(1) A Board employee who has completed five years qualifying service may be granted an additional gratuity when he retires from service and is eligible for a gratuity or pension.

(2) If a Board employee who has completed 5 years qualifying service dies while in service, a gratuity not exceeding the amount specified may be paid to the persons on whom the right to receive the gratuity is conferred by exercising option, or if there is no option, it may be paid in the manner as prescribed through Board's circular No.8787 Dt. 5.11.83.

(3) The amount of gratuity payable to a Board employee would be calculated on the lines as is being allowed to the officers employees of the erstwhile E&M Department opted for pensionary benefits under the specific provisions of the pension rules as contained in Chapter XVII to XXVIII of the Rajasthan Service Rules as amended from time to time.

28. **Nominations**

(A) **Family Defined:**

(1) for the purpose of this regulation:
(a) 'family' shall include the following relations of the officer:—

(i) wife, in the case of a male employee,
(ii) husband, in the case of a female employee
(iii) Sons;
(iv) Unmarried and widowed daughters;
(v) Father;
(vi) Mother and will include step children also if legally adopted.

(B) A Board servant shall as soon as he completes five years qualifying service may make a nomination conferring on one or more persons, the right to receive any gratuity that may sanctioned under reg. Provided that if at the time of making the nomination, the employee has family, the nomination shall not be in favour of any person other than the members of his family.

29. Family Pension—Condition for Grant

A family pension to a Board's employee would be calculated on the similar lines as is being allowed to the families of officers/employees of the erstwhile Elec. & Mech. Department who opted for pensionary benefits under the specific provisions of Govt. of Rajasthan Pension Rules as amended from time to time.

30. Application for Grant of Pension & Gratuity

(a) Applicability

(1) These regs. shall apply to all Board's employees eligible for pension.

(2) For the purpose of these regs "Gratuity" means death-cum-retirement gratuity and includes service gratuity, if admissible under the regulations.
(b) Preparation of List of Board's Employees due to retire within Next 12 Months

Every Head of Department shall have a list prepared every six months, i.e. on the 1st January and the 1st July each year of all gazetted and non-gazetted officers/employees who are due to retire within the next two years of that date. A copy of every such list shall be supplied to the Controller of Accounts (P&F), RSEB, Jaipur not later than 31st January or 31st July, as the case may be, of that year. In the case of persons retiring for reasons other than by way of superannuation, the Head of Department shall promptly inform the Controller of Accounts (P&F) as soon as such retirement becomes known to him.

31. Procedure for Submission of Formal Application of Pensions

Every Board's employee shall directly submit a formal application for pension in the already prescribed form for employees of E&M Department to his respective Head of Department and non-gazetted Board employee through the Head of office to their respective Head of the Departments at least one year in advance of their anticipated retirement. In cases in which the date of retirement cannot be foreseen one year in advance, the application shall be submitted immediately after the date of retirement is settled; and a Board employee proceeding, on leave preparatory to retirement in excess of one year shall submit application at the time of proceeding on such leave.

32. Authority Competent to Sanction Pension

The authorities competent to sanction Pension/DCRG shall be the Chairman, Secretary, FA & COA & C.E. (O&M) as under:

1. Chairman — In respect of Head of Departments.

2. Secretary — In respect of employees of the GAB of Board Secretariat including Commercial Circle.
3. FA & COA — In respect of all categories of employees of the Accounts Organisation including Internal Audit.

4. C. E. (O&M) — In respect of all employees not covered under (1), (2) and (3) above.

These authorities shall, having due regard to the provisions of the rules/regulations shall record orders in the form prescribed as to whether service rendered by the Board's employee is approved for the grant of full pension or gratuity or both. If the service rendered is not approved, he/she should for that reason make such reduction from the amount of full pension or gratuity or both, admissible under the rules/regulations as they think proper.

33. Revision of Pension due to Detection of Clerical Error

(1) Subject to the provisions of the regulations, pension once sanctioned after final assessment, shall not be revised to the disadvantage of the Board employee, unless such revision becomes necessary on account of detection of a clerical error subsequently. Revision of pension to the disadvantage of pensioner shall be ordered by the pension sanctioning authority only after formal consultation with the Financial Adviser & Controller of Accounts within a period of two years from the date of sanction.

(2) For the purpose of Sub-rule (1), the Board employee concerned shall be served with a notice by the pension sanctioning authority, requiring him to refund the excess payments drawn within a period of two months from the date of receipt of the said notice. On his failure to comply with the notice, the authority sanctioning the pension shall order that such excess payment shall be adjusted by short payment in future, in one or more instalments as the said authority may order.

34. Commencement of Preparation of Pension Papers

The officer on Special Duty (Pension) shall undertake the work of preparing pension papers in the prescribed form
one year before the date on which a Board employee is due to retire on superannuation or on the date on which he proceeds on leave preparatory to retirement whichever is earlier.

35. Despatch of form of Formal Application for Pension

(1) The Officer on Special Duty (Pension) shall send to every gazetted Board employee, under intimation to the appointing authority, or where the retiring Board employee himself is the Head of Department, to the concerned Administrative Department, a formal application form for pension one year in advance of the date on which the Board employee attains the age of superannuation or before the date of his anticipated retirement, if earlier, with the request that it should be returned to him duly completed as promptly as possible but in no case later than the actual date of retirement. The O. S. D. (Pension) shall also draw attention of the retiring Board employee to the provisions of the regulations for timely action.

(2) On receipt of a copy of formal application for pension from the O. S. D. (Pension) the retiring Board employee shall return it duly completed to the O. S. D. (Pension) under intimation to the respective Head of Department and the C. O. A. (P&F), RSEB, Jaipur.

36. Issue of Pension Payment Order-Intimation of

As soon as the pension and gratuity are finally assessed by the C. O. A. (P&F) and the pension is payable he shall prepare pension payment order after taking into account the orders of pension sanctioning authority and the audit enfacement in Part-III of the form but shall not issue the said order more than a fortnight in advance of the date on which the Board employee is due to retire. The fact of issue of pension Payment Order shall be promptly reported to the pension sanctioning authority/retiring Board employee. If the payment of pension is desired in another circle, the COA (P&F) shall send necessary payment authority to the Accounts Officer of that circle for arranging payment under intimation to the C. O. A. (P&F).
37. Pension And Gratuity Payment Provisionally

(1) A Board's employee should begin to draw pension from the date he retires from service irrespective of the fact whether the pension papers have been prepared and sent to the COA (P&F) for issue of pension or not. In case where pension papers have not been prepared and sent to the COA (P&F), the Head of Department shall, after the most careful summary investigation, authorise payment of provisional pension to the extent of 75% of the maximum amount of pension and also of the gratuity to which he is entitled under these Reg. under intimation to the O.S.D. (Pension) and the C.O.A. (P&F). If pension papers have been prepared and sent to the COA (P&F) before the date of retirement of a Board’s employee the payment of provisional pension not exceeding the maximum amount of pension shall be sanctioned and 85% of the gratuity to which he is entitled under these Reg. shall be sanctioned as the case may be and as may be admissible in each case. The sanction for provisional pension shall invariably be issued by the Head of department under these Reg. immediately before or latest by the date of retirement of a Board employee which shall remain valid till the pension case is finalised by the O.S.D. (Pension)/COA (P&F).

(2) The Head of office in which the Board’s employee was last employed at the time of retirement shall draw provisional pension and gratuity for each pensioner separately at the circle Accounts Office at which pay and allowances was last drawn and arranged to disburse pension on the 1st day of the month following the month in which the employee was retired. If the pensioner desires pension payment through money order or bank draft at the place at which he is residing, the same shall be remitted to him through money order or bank draft at his cost. The date on which payment of the provisional pension and gratuity is made to the pensioner shall be intimated to the O.S.D. (Pension) and the C.O.A. (P&F).

(3) The payment of provisional pension and gratuity shall be adjusted against the final payment of pension and gratuity. If the amount of provisional pension or gratuity granted and disbur-
sed to a Board’s employees found to be in excess of final pension or gratuity assessed by the COA (P&F), he shall be called upon to refund such excess amount.

38. Preparation of Service Statement after verifying Service

As a first step, the Head of office shall prepare a statement of the applicant’s service in Part II of the Form and thereafter proceed as follows:

(a) He shall go through the service book and the service roll, if any, and satisfy himself as to whether the annual certificates of verification for the entire service are recorded therein. In respect of the unverified portion or portions of service, he shall arrange to verify it or them, as the case may be, with reference to pay bills, acquittance rolls or other relevant records and record the necessary certificate in the service book or service rolls, as the case may be.

(b) If the service for any period is not capable of being verified in the manner specified in clause (a) that period of service having been rendered by the Board employee in another office or department, a reference shall be made to the Head of that office or, as the case may be, of that department in which the employee is shown to have served during that period for the purposes of verification;

(c) If any portion of service rendered by a Board employee is not capable of being verified in the manner specified in clauses (a) and (b), the Board employee shall file a written statement on plain paper stating that he had in fact rendered that period of service and shall at the foot of the statement make and subscribe to a declaration as to the truth of that statement and shall, in support of such declaration produce all documentary evidence and furnish all information which is in his power to produce or furnish. The authority competent
to sanction to that Board employee shall, after taking into consideration the facts in the written statement and the evidence produced and the information furnished by that Board employee in support of the said period of service, if satisfied, admit that portion of service as having been rendered for the purposes of calculating the pension of that Board employee.

39. Gratuity Payable in Lumpsum

A gratuity is paid in a lumpsum, and not by instalments, on receipt of gratuity payment order from the C. O. A. (P&F), RSEB, Jaipur.

40. Procedure for Payment of Pension

A pension is payable monthly on or after the first day of the following month in accordance with the pension Reg. of the Board and instructions as may be issued from time to time.

41. Authorities for Signing a Life Certificate

A pensioner of any description, shall produce a life certificate signed by some person exercising the powers of a Magistrate under the Criminal Procedure Code, or any officer of the RSEB, not below the status of Asstt. Engineer/Accounts Officer or by a Bank Manager of the State Bank of Bikaner & Jaipur.

42. Certificate of Non-employment

(a) A pensioner drawing pension in India is required to append to his bill a certificate as follows:

"I declare that I have not received any remuneration for serving in any capacity, either under Government or under a Local Fund, during the period for which amount of pension claimed in this bill is due"

(b) In the case of pensioner is permitted to draw pension after the re-employment, this certificate should be modified according to the facts.
43. **Renewal of Pension Payment Order**

When a reverse of a pension payment order is filled up or when the pensioner's half is found to be worn or torn both halves may be renewed by the concerned Circle Accounts Officer/COA (P&F).

44. **When a Board Servant dies before Retirement or Discharge**

If a Board employee dies before actually retiring or being discharged, his heirs have no claim to anything in respect of his pension except to the extent and subject to the conditions specified in these Reg. i.e. his legal heirs should be entitled to the benefit of Gratuity if admissible under the Rules.

45. **Re-employment after Compensation Pension**

(a) A Board employee who has obtained a compensation pension, if re-employed, may retain his pension in addition to his pay, provided that he is re-employed in a post paid from the consolidated fund, the pension shall remain wholly or partly in abeyance if the sum of the pension and the initial pay on re-employment exceeds his substantive/officiating pay at the time of his discharge, that is, a Board employee can draw so much of pension only as will make his initial pay plus pension equal to his substantive/officiating pay at the time of discharge. Once the amount of the pension has been fixed in conformity with the above condition, the employee shall be entitled to receive the benefits of increments in his new scale or promotion to another scale or post without a further corresponding reduction in pension, nor shall the amount of pension so fixed be varied during leave.

(b) If his re-employment is in qualifying service, he may either retain his pension (subject to the proviso above cited), in which case his former service will not count for future pension, or cease to draw any part of his pension and count his previous service.
46. Re-employment after Superannuation or Retiring Pension

A Board employee who is in receipt of a superannuation or Retiring pension shall not be re-employed or continue to be employed in service paid from the Consolidated fund or from a local fund except on public grounds.

Sanction to re-employment or extension of the term of employment may be given as follows:

(i) By the Board when the pensioner served before retirement in a gazetted appointment.

(ii) By any authority subordinate to the Board to whom the Board may delegate its powers under this Reg. in respect of pensioners re-employed in establishments under the control of such authority.

47. Government of Rajasthan’s Decision

The decision and interpretations given by the Government of Rajasthan in respect of pension and Gratuity Rules, with amendments from time to time, being similarly worded as these regulations, shall apply mutatis mutandis to the employees of the Board who have opted for pensionary benefits.