

RVUN PAYMENT OF GRATUITY RULES

^[1] RAJASTHAN RAJYA VIDYUT UTPADAN NIGAM LIMITED

PAYMENT OF GRATUITY RULES, 1972

1. SHORT TITLE, EXTENT, APPLICATION & COMMENCEMENT

These Rules may be called as 'Rajasthan Rajya Vidyut Utpadan Nigam Limited Payment of Gratuity Rules, 1972 and shall apply to all the employees of the Nigam from 16.9.72 provided however, the benefits upon death or disablement as provided in these Rules will only apply from 7.7.1973 (the date of agreement with the Prantiya Vidhut Mazdoor Mandal Federation Rajasthan in this regard) provided further that cases of the employees covered under Group Gratuity-cum-Life Insurance Scheme of the Nigam will be settled in accordance with that Scheme and as provided in these rules.

Explanation (1)

The cases of employees of the Nigam who have not been covered under existing Nigam's Group Gratuity-cum-Life Insurance Scheme shall be settled as per the provision of these Rules.

Explanation (2)

These Rules will apply to all the employees of the Nigam whether on regular pay scale or not, but will not apply to those employees who though are working in the Nigam but are eligible for pension and Gratuity as per pension and the Gratuity Rules of the State Government and will not also apply to the employees covered under Jodhpur Provident Fund Scheme and are eligible to Gratuity as per the State Rules applicable to them.

Explanation (3)

These Rules except as hereunder specifically provided shall also not apply to those employees who have joined, the Group Gratuity-cum-Life Insurance Scheme of the Nigam made applicable from 01.04.1972 and became entitled to benefits provided therein. Provided however, all such employees shall also be entitled to the benefits provided in these rules from 16.09.1972 if at any time and for any reasons whatsoever the Nigam or Trustees as appointed under the said Scheme discontinue the said Scheme. While making payment

^[1] Substituted vide order No. RVUN/ P&A/II/F/D.621 dated 28.08.2004.

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of the Gratuity to the employees of the Nigam who have joined the Group Gratuity-cum-Life Insurance Scheme, and retired or resigned from the service of the Nigam on or after 16.09.1972 the calculation of the Gratuity amount payable to such employees shall be made as per Schedule 'A' attached to these rules and the difference, if any in the amount as received from the L.I.C. by the Trustees of that Scheme and the amount calculated as per Schedule 'A' attached to these rules shall be paid by the Nigam.

2. DEFINITION:

In these rules the headings shall not effect the construction and unless repugnant to the subject or content masculine shall include feminine and the following words and expressions shall have the meanings assigned to them as follows:

- (i) **'The Nigam or Employer'** shall mean, the Rajasthan Rajya Vidyut Utpadan Nigam Limited and shall include any successor, Organization, Company or other Corporation which may by purchases, amalgamation or otherwise take over in whole or in part the business of the Rajasthan Rajya Vidyut Utpadan Nigam Limited.
- (ii) **'Employee'** means any person (other than apprentice) in the service of the Nigam and shall include all the persons in the employment of the Nigam whether on regular pay scale or not but shall not include employees employed by the Nigam only as a part time or employed for carrying out the duties as substitute for Temporary period not exceeding 240 days.

NOTE: While taking any person in employment of the Nigam, whether on regular scale or work charged or on casual basis, the appointing authority shall appoint the person in service of the Nigam only when the person to be employed submits necessary Certificate indicating the date of Birth and Medical fitness certificate to the satisfaction of the appointing authority.

- (iii) **Family:**

'Family' in relation to an employee, shall be deemed to consist of:

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- (a) in the case of a male employee, himself, his wife, his children, whether married or un-married, his dependent parents and the widow and children of his **predeceased** son, if any;
- (b) in the case of a female employee, herself, her husband, her children, whether married or un-married, her dependent parents and the dependent parents of her husband and widow and children of her **predeceased** son, if any:

Provided that if a female employee, by a notice in writing to the Nigam or authorized Officer of the Nigam in this behalf expresses her desire to exclude her husband from her family, the husband and his dependent parents shall no longer be deemed, for the purposes of these rules to be included in family of such female employee unless the said notice is subsequently withdrawn by such female employees.

Explanation: Where the personal law an employee permits the adoption by him of a child, any child lawfully adopted by him shall be deemed to be included in his family, and where a child of an employee has been adopted by another person and such adoption is, under the personal law of the person making such adoption, lawful, such child shall be deemed to be excluded from the family of the employee.

- (iv) **'Completed year of service'** means continuous service for one year.
- (v) **'Continuous Service'** means un-interrupted service and includes service which is interrupted by sickness, accident, leave, lay-off, strike or a lock out or cessation of work not due to any fault of the employee concerned, whether such un-interrupted or interrupted service was rendered before or after the commencement of these rules.

Explanation: In the case of an employee who is not in un-interrupted service for one year, he shall be deemed to be in continuous service if he has been actually employed by the Nigam during the twelve months immediately preceding the year for not less than 240 days.

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- (vi) **'Salary or wages'** means all emoluments which are earned by an employee while on duty or on leave in accordance with the terms and conditions of his employment and which are paid or are payable to him in cash and includes dearness allowance, dearness pay, special pay and additional or variable D.A. but does not include any bonus, commission, house rent allowance, overtime wages and any other allowances.
- (vii) **'Retirement'** means termination of service of an employee otherwise than on superannuation.
- (viii) **'Superannuation'** in relation to an employee means the attainment by the Employee of such age as is fixed under the conditions of his service as the age on the attainment of which the employee shall vacate the employment or as may be fixed under an award or contract between the employer and the employees or employees Registered Union.

3. PAYMENT OF GRATUITY

- (1) Gratuity shall be payable to an employee on the termination of his employment after he has rendered continuous services for not less than five years
 - (a) on his superannuation; or
 - (b) on his retirement or resignation, or
 - (c) on his death or disablement due to accident or disease.

Provided that the completion of continuous service of five years shall not be necessary where the termination of the employment of any employee is due to death or disablement.

^[2] Provided further that in the case of death of the employee, gratuity payable to him shall be paid to the person(s) to whom CPF accumulations as per nomination are payable unless he has specifically nominated anyone else in this respect as required under Gratuity Rule No. 4. The indemnity bond be invariably obtained in such cases from the person to whom the gratuity amount is paid.

^[2] Substituted vide order No. RSEB/F&R/F.18(4)/D.30 Dated 19.03.1985

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- ^[3](2) The amount of Gratuity payable to an employee shall be as set forth in schedule 'A' (Attached to these Rules), provided that if the amount of gratuity calculated as per Schedule-A comes less than the amount admissible under the Payment of Gratuity Act, 1972, then the amount admissible under the Act shall be payable, subject to a ceiling of ^[4] Rs. 10 lacs (Ten lacs).
- (3) Notwithstanding anything contained in sub-clause (1) and (2) above :
- (a) The gratuity of an employee, whose services have been terminated, for any act, willful omission or negligence causing any damage or loss to, or destruction of property belonging to the Nigam shall be forfeited to the extent of the damage or loss so caused.
- (b) The Gratuity payable to an employee shall be wholly forfeited
- (i) if the services of such employee have been terminated for his riotous or disorderly conduct or any other act of violence on his part, or
- (ii) if the services of such employee have been terminated for any act which constitutes an offence involving moral turpitude, provided that such offence is committed by him in the course of his employment.

4. NOMINATION

1. (a) Each employee who has completed one year of service shall make a nomination in Form No. 'A' attached to these Rules for the purpose of payment of Gratuity to such nominee/nominees in case of death of the employee.

^[3] Substituted vide order No. RSEB/P&A/F./D.299 Dated 26.07.2007

^[4] The words & figure 'Rs. 10 lacs (Ten lacs)' were substituted for the words & figure 'Rs. 3.50 lacs (Three lac fifty thousand)' vide order No. RSEB/P&A/F./D.232 Dated 04.10.2010 effective from 24.05.2010. [P&A-100]

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- (b) A nomination in Form 'A' shall be submitted in duplicate within the period specified herein after by personal service by the employee, after taking proper receipt or by sending through Registered post acknowledgement due to his Head of Office/Controlling Officer, who within 30 days of the receipt of the nomination in Form 'A' shall get the service particulars of the employee as mentioned in Form of Nomination verified with reference to records of Establishment and service particulars as furnished by eligible employee under Rule 9 and shall forward the same in duplicate duly signed and verified to the Officer designated by the Nigam to deal with payment of Gratuity by personal service by obtaining proper receipt or by sending through Registered Post Acknowledgement, due.
- (i) In case of an Employee who is already in employment of the Nigam for a year or more on the date of commencement of these Rules, ordinarily, within 90 days from the date of receipt of notice from the Head of Office/Controlling Officer, and
- (ii) In case of an Employee who completes one year of service after the date of commencement of these rules, ordinarily, within 30 days of the completion of one year of service.

Provided that nomination in Form 'A' shall be accepted by the Officer designated by the Nigam to deal with the payment of Gratuity cases after the specified period, if filed with reasonable grounds for delay, and no nomination so accepted shall be invalid merely because it was filed after the specified period.

- (c) Within 30 days of the receipt of a nomination in Form 'A' from Head of Office/Controlling Officer, the Officer designated by the Nigam to deal with the payment of Gratuity cases, as a token of

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accepting of nomination by the Nigam shall return duplicate copy to the employee through his Head of Office/Controlling Officer duly Registered Acknowledgement due and original copy shall be recorded by him in his safe custody.

2. An employee may, in his nomination, distribute the amount of gratuity payable to him under this Act amongst more than one nominee.
3. If an employee has a family at the time of making a nomination, the nomination shall be made in favour of one or more members of his family, and any nomination made by such employees in favour of a person who is not a member of his family shall not be valid.
4. If at the time of making a nomination, the employee has no family, the nomination may be made in favour of any person or persons but if the employee subsequently acquires a family, such nomination shall forthwith become invalid and the employee shall make, within 90 days of acquiring a family, a fresh nomination in favour of one or more members of his family as per Rule 4(1) & (2).
5. A nomination may be modified by an employee at any time, after giving a written notice to the employer in form No. 'B' annexed to these Rules.
6. If a nomination **predeceases** the employee, the interest of the nominee shall revert to the employee who shall make a fresh nomination, in Form No. 'C' in respect of such interest.
7. Every nomination, fresh nomination or alternation/ modification of nomination as the case may be, shall be sent by the employee to his Head of Office/ Controlling Officer which shall be dealt with as prescribed herein before.
8. A nomination or a fresh nomination or alternation/ modification of nomination shall be signed by the employee, himself and if illiterate, shall bear his Thumb Impression done in the presence of two witnesses recording their full address. All nominations shall be submitted in duplicate in the prescribed forms to the Officer designated by the Nigam

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to deal with the payment of Gratuity cases through the employee's Head of Office/ Controlling Officer which shall be dealt in the manner specified in sub-rule 1 and thereafter the provisions as contained in rule 1(a) shall apply mutatis mutandis as if it was made under sub-rule 1 (a) and (b).

9. A nomination or a fresh nomination or alternation/ modification of nomination shall take effect from the date of receipt thereof by the Officer designated by the Nigam to deal with the payment of Gratuity cases.

5. DETERMINATION OF THE AMOUNT OF GRATUITY

- (i) An employee who is eligible for payment of Gratuity under these rules or any person authorized, in writing to act on his behalf, shall apply, ordinarily within 30 days from the date the gratuity became payable, in Form 'D' to his Controlling Officer/Head of Office by personal service or post acknowledgement due.

Provided that where the date of superannuation or retirement of an employee is known, the employee may make an application to his Controlling Officer/Head of Office before 30 days of the date of superannuation or retirement.

Provided further that in the case of death of an employee the nominee of the employee who is eligible for payment of Gratuity or in absence of any nomination in this regard, the heir or heirs shall make an application ordinarily within 30 days from the date the Gratuity became payable to him/them in Form No. 'E' or 'F' as the case may be to the Head of Office/Controlling Officer where the deceased employee last served the Nigam.

- (ii) The employer Head of Office/Controlling Officer may obtain such particulars from the nominee or heirs as may be deemed necessary by him.
- (iii) An application for payment of gratuity filed after the expiry of the periods specified in this Rule shall also be entertained by the Head of Office/Controlling Officer. If the applicant adduces sufficient cause for the delay in preferring his claim, and no claim for gratuity under these Rules shall be invalid

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merely because the claimant failed to present his application within the specified period.

- (iv) All applications received for the payment of Gratuity by the Controlling Officer/Head of office in the prescribed forms shall be verified by the Controlling Officer/Head of office under his dated signatures and shall be forwarded to the officer designated by the Nigam to deal the matters relating to the payment of Gratuity.

6. NOTICE FOR PAYMENT OF GRATUITY

- (1) Within fifteen days of the receipt of any application under Rule 5 for payment of Gratuity the officer designated by the Nigam to deal with the payment of Gratuity cases shall:
 - (i) if the claim is found admissible on verification issue a notice in Form 'G' to the applicant employee or nominee or legal heir, as the case may be, specifying the amount of gratuity payable and fixing a date, not being later than the thirtieth day after the date of receipt of the application, for payment thereof, or
 - (ii) if the claim for gratuity is not found admissible issue a notice in Form 'H' to the applicant employees nominee or legal heir, as the case may be, specifying the reasons why the claim for gratuity is not considered admissible.

In either case a copy of the notice shall be endorsed to the Head of Office/Controlling Officer of the employee concerned.

- (2) The payment of Gratuity if became due to be made and application made under the rules for payment of Gratuity has been found in order and admissible, the officer designated by the Nigam for making the payment of Gratuity to the employee or the nominee or legal heir as the case may be, shall send the payment to the employee's Head of office/ Controlling Officer where the employee last served for arranging the payment to him or nominee or heir as the case may be, who immediately on receipt of the payment shall

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arrange to make the payment forthwith without any further delay and send stamped acknowledgement thereof an intimation of payment made, to the officer sending the payment to him. If the claimant for Gratuity is the nominee or legal heir, the employer or the aforesaid Head of office/ Controlling Officer, may ask for such witness or evidence as may be deemed relevant for establishing his identity or maintainability of his claim as the case may be. In that case the time limit specified for issuance of notice and payment shall be operative with effect from the date such witness or evidence as the case may be, called for by the employer or Head of office is furnished to the employer or Head of office.

7. MODE OF PAYMENT OF GRATUITY

The gratuity payable under these rules shall be paid in cash or, if so desired by the payee, in demand draft or bank cheque to the eligible employee nominee or legal heir, as the case may be:

Provided that in case the eligible employee, nominee, or legal heir, as the case may be, so desires and the amount of gratuity payable is less than one thousand rupees, payment may be made by postal money order after deducting the postal money order commission therefore from the amount payable.

8. REFERENCE OF DISPUTE ARISING TO ACCEPT THE NOMINEE OR OTHER MATTERS PROVIDED FOR IN THESE RULES.

(i) Every employee or his nominee or his legal heir as the case may be, shall have the right to refer any matter or dispute either in respect of the acceptance of nomination or heir or calculation of the amount of gratuity or making the payment thereof or any other matter provided in these rules to the committee comprising of:

- (1) The secretary, RSEB, Jaipur (Convenor)
- (2) The Dy. Director (Personnel) RSEB, Jaipur and
- (3) The Dy. Controller of Accounts, (Control & Inspection), RSEB, Jaipur

to deal such reference and the said committee after going into the merit of each case shall give its decision within 30

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days from the date of receipt of such reference. Even after the decision of the said committee, the applicant is not satisfied a further reference may be made to the Labour Commissioner, Government of Rajasthan who may examine such reference and if necessary hear the person concerned and will give his decision within 30 days from the date of receipt of such reference and his decision will be final and binding on the person concerned.

- (ii) If for any reason the payment of gratuity amount as is due and admissible as per these Rules, is delayed at the employer's level, the aggrieved person may make an application in this behalf to the said Committee of 3 Officers of Nigam to settle such reference, who will examine the application and if it is established that delay is on the part of the officers of the Nigam, it shall arrange to make the payment with compound interest thereon @9% per annum from the date of expiry of the prescribed time to the applicant and thereafter the said committee shall fix the responsibility of delay in such cases.

9. PARTICULARS OF SERVICE TO BE FURNISHED BY EACH EMPLOYEE ELIGIBLE FOR GRATUITY UNDER THE SCHEME.

Each employee shall furnish the following particulars to his Head of office/Controlling Officer within one month from the date of receipt of the notice in writing in Form No. 1 to furnish his particulars:

1. Name in Block letters.
2. Father's name in Block letters.
3. Date of joining the Nigam's service, and
4. Date of birth duly supported by the Matriculation Certificate, Municipal Certificate or any other admissible certificate, verifying his date of birth.

10. RECOVERY OF NIGAM'S DUES FROM THE EMPLOYEE'S GRATUITY AMOUNT

The Nigam shall not recover any outstanding against the employee which could not be recovered during his service period from the amount of Gratuity payable to him or to his nominee or heirs as the

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case may be unless the employee of the Nigam gives his option for making recovery of any loan and advance taken by him from the Nigam as per the provisions contained for such option in various rules and regulations of the Nigam and the employee or his nominee or heir or heirs shall not in any way assign the amount of gratuity payable to him.

- 11.** The Nigam may appoint any of its officer or officers for proper administration and implementation of these Rules and to receive all applications, claims, notices etc. as prescribed in these rules and make payment of Gratuity as due and admissible under the rules and notice of such appointment shall be published in one of the leading newspapers in circulation in Rajasthan and such publication shall be sufficient notice to all concerned under these Rules.
- 12.** Nigam may make suitable amendments in these Rules from time to time so as to provide further benefits which are in no way be less beneficial than the benefits accruing to the employee as per the amount of Gratuity Act, 1972 as amended from time to time provided, however, that such amendments shall be in no case be less favorable to the employee than provided for in these Rules.

Provided further that if by virtue of the amendment made by the Central Government in the Payment of Gratuity Act, 1972 in regard to amount of Gratuity or any other matter effecting the amount of Gratuity the same shall be deemed to have been incorporated in these rules from the date such amendment of the Central Government comes into force whether these rules are amended by Nigam or not. Provided that if such amendments of the Central Government are less favourable than the present Gratuity Rules of the Nigam, the same shall not be applicable.

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SCHEDULE-'A'

[See Rules -3(2)]

The benefits payable as per these rules will be as under:

1. Applicable to the employees who at the time of retirement or death are on the regular pay scales of the Nigam:

- | | |
|--|--|
| (a) Upon retirement on or after superannuation age and after completion of 15 years of continuous service or more. | (a) One Month's salary preceding the date of retirement for each year of completed service for 15 years of service plus half month's salary for additional number of years of service subject to a maximum of 20 months salary or ^[4] Rs. 10,00,000/- whichever is less. |
| (b) Upon death whilst in Service of the Nigam or on becoming incapable of further service by reason of total or permanent disablement. | (b) One Month's salary preceding the date of death for each year of completed service for 15 years of service plus half months salary for additional number of years of service subject to a maximum of 20 months salary or ^[4] Rs. 10,00,000/- whichever is less. For purpose of calculating the amount, his anticipated service till retirement age will also be counted. |
| (c) Upon retirement or on leaving the service of the Nigam before rendering 15 years of service. | (c) Half month's salary for each year of completed service. |
| (d) Upon retirement or on leaving the service before rendering 5 years of service. | (d) NIL |

^[4] The words & figure 'Rs. 10 lacs (Ten lacs)' were substituted for the words & figure 'Rs. 3.50 lacs (Three lac fifty thousand)' vide order No. RSEB/P&A/F./D.232 Dated 04.10.2010 effective from 24.05.2010. [P&A-100]

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2. Applicable to employees who at the time of retirement or death are not on regular scales of the Nigam:

- | | |
|---|--|
| <p>(a) Upon retirement on or after superannuation age but after completing at least 5 years continuous service of the Nigam.</p> <p>(b) Upon death or permanent total disablement whilst in service of the Nigam whether 5 years of service completed or not.</p> | <p>(a) Half month's salary preceding the date of retirement for each year of completed service subject to maximum of 20 months salary.</p> <p>(b) Half month's salary preceding the date of death or disablement as the case may be, multiplies by number of years of his anticipated service upto normal retirement date but for his earlier death or permanent disablement to maximum of 20 months salary.</p> |
|---|--|

Note-1

In case an employee is put on regular pay scale with retrospective effect he will also be entitled to gratuity on the basis of the regular employee.

Note-2

Benefits upon death or disablement will only apply from 07.07.1973 (the date of agreement with the Federation), but upto this date, cases will be settled in accordance with the existing Group Gratuity cum Life Insurance Scheme and these rules as the case may be.

Explanation-1

Salary/Wage for the purpose of calculating Gratuity shall be pay plus D.A. including D.P. and Additional variable D.A. last drawn by the employee in the post in the Nigam to which he is appointed/promoted in the normal course. The intention is that the pay allowed to him due to fortuous circumstances is not to be taken into account for calculating gratuity e.g. pay allowed for holding charge of two posts, promotion given in a short term vacancy without taking into account the claims of the seniors' deputation pay.

Explanation-2

For the purpose of calculating the amount of gratuity payable to an employee his past service rendered including service rendered by him on daily rated,

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workcharged basis in the Nigam/in the RSEB/in the E&M department of Government of Rajasthan before the formation of the Nigam, will be counted.

Explanation-3

Anticipated service shall mean the service which the employee would have completed had he lived upto his normal retirement date.

Explanation-4

Permanent total disablement shall mean such disablement as incapacitates an employee for the work which he was capable of performing before the accident or disease resulting to such disablement.

Explanation-5

For the purpose of calculating the Gratuity payable to an employee who is employed, after his disablement, on reduced wages, his wages for the period preceding his disablement shall be taken to be the wages received by him during that period, and his wages for the period subsequent to his disablement shall be taken to be the wages as so reduced.

Explanation-6

For the purpose of calculating the gratuity a period of 6 months or more shall be reckoned as one year.

Explanation-7

In the case of piece rated/Muster-Roll/Workcharged employees, daily wages shall be computed on the average of total wages received by him for a period of 3 months immediately preceding the termination of his employment, and for this purpose, the wages paid for any overtime work shall not be taken into account.

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FORM 'A'

[See Rule (1) of Rule-4]

NOMINATION

(IN DUPLICATE)

To _____ Rajasthan Rajya Vidyut Utpadan Nigam Ltd.

I _____ (name in full)

whose particulars are given in the statement below, hereby nominate the person(s) mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s)

1. I hereby certify that the person(s) mentioned is/are member(s) of my family.
2. I hereby declare that I have no family as defined in these rules.
3. (a) My Father/Mother/parents is/ are not dependent on me.
(b) My Husband's father/mother/parent is/are not dependent on my husband.
4. I have excluded my husband from my family by a notice dated the _____ to the Nigam in terms of the proviso to Rule-2 (iii) (b).
5. Nomination made herein invalidates by previous nomination.

NOMINEE(S)

Name in full with full address of nominee (s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared.
1. _____	2. _____	3. _____	4. _____
1. _____			
2. _____			
3. _____			
4. _____			
5. so on			

STATEMENT

1. Name of employee in full.
2. Sex.
3. Religion.
4. Whether un-married/married/widow/widower.

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- 5. Office where employed.
- 6. Post held, CPF. No. if any.
- 7. Date of appointment.
- 8. Permanent address.

Village _____ Thana _____ Sub-Division _____
Post Office _____ District _____ State _____
Date _____

Signature/Thumb impression of the employee.

DECLARATION BY WITNESSES

Nomination signed/Thumb impressed before me.

Name in full and full address
of witnesses

Signature & Address
of witnesses.

1. _____
2. _____
Place _____
Date _____

1.
2.

Particulars verified.
Signature of Head of Office/
Controlling officer.

CERTIFICATE BY THE EMPLOYER

Certified that the particulars of the above nomination have been verified and recorded in this establishment.

Employer's reference No. if any.

Signature of the employer/officer
authorised Designation
Name and address of the establishment
or rubber stamp thereof.

Dated _____

ACKNOWLEDGEMENT BY THE EMPLOYEE

Received the duplicate copy of the nomination in Form 'A' filed by me on _____
duly certified by the employer.

Date _____

Signature of the employee.

Note : Strike out words and paragraphs not applicable.

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FORM 'B'

(See Sub rule 5 of rule-4)

MODIFICATION OF NOMINATION

(IN DUPLICATE)

To _____ Rajasthan Rajya Vidyut Utpadan Nigam Ltd.

I _____

whose particulars are given in the statement below, hereby give notice that the nomination filed by me on _____ and recorded under your reference No. _____ dated _____ shall stand modified in the following manner :

(Details of the modifications intended)

STATEMENT

1. Name of the employee in full.
2. Sex.
3. Religion.
4. Whether un-married/married/widow/widower.
5. Office where employed.
6. Post held, CPF. No. if any.
7. Date of appointment.
8. Address in full.

Place _____

Signature/thumb impression of the employee

Date _____

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DECLARATION BY WITNESSES

Modification of nomination signed/thumb impressed before me.

Name in full and full address
of witnesses

Signatures of witnesses

1.

2.

Place _____

Date _____

Particulars verified.
Signature of Head of Office/
Controlling officer.

CERTIFICATE BY THE EMPLOYER

Certified that the above nomination have been recorded employer's
reference No., if any.

Signature of the employer/officer authorised
Designation

Name and address of the establishment
or rubber stamp thereof.

ACKNOWLEDGEMENT BY THE EMPLOYEE

Received the duplicate copy of the notice for modification in Form 'B' filed
by me on _____ duly certified by the employer.

Date _____

Signature of the employee

Note : Strike out the words not applicable.

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FORM 'C'

(See sub rule 6 of rule 4)

FRESH NOMINATION

(IN DUPLICATE)

To _____ Rajasthan Rajya Vidyut Utpadan Nigam Ltd.

I _____
whose particulars are given in the statement below, have acquired a family within the meaning of sub-rule 6 of rule 5 of the payment of gratuity rules 1972 with effect from the _____ in the manner indicated below and therefore nominate a fresh the persons mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid, direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

2. I hereby certify that the person(s) nominated is/are number(s) of my family within the meaning of Rule 2 (iii) (a&b).
3. (a) My father/mother/parents is/are not dependent on me
(b) My husband's father/mother/parents is/are not dependent on my husband,
4. I have excluded my husband from my family by a notice dated the _____ to the controlling authority in terms of the proviso to rule-2 (iii) (b).

NOMINEE(S)

Name in full with full address of nominee(s)	Relationship with the employee	Age of nominee	Proportion by which the gratuity will be shared.
1.	2.	3.	4.

- 1.
- 2.
- 3.
- 4.
5. So-on

Manner of acquiring a 'FAMILY'

(here give details as to how a family was acquired i.e. whether by marriage or parents being rendered dependent or through other process like adoption)

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STATEMENT

1. Name of employee in full.
2. Sex.
3. Religion.
4. Whether un-married/married/widow/widower.
5. Office where employed.
6. Post held, C.P.F. No., if any.
7. Date of appointment.
8. Permanent address.

Village _____ Thana _____ Sub-Division _____

Post Office _____ District _____ State _____

Place _____

Date _____

Signature/Thumb impression of the employee.

RVUN PAYMENT OF GRATUITY RULES

DECLARATION BY WITNESSES

Fresh nomination signed/thumb impressed before me.

Name in full and full address
of witnesses

Signature of witnesses.

- 1.
- 2.

- 1.
- 2.

Particulars verified.

Place _____

Date _____

Signature of Head of Office/
Controlling officer.

CERTIFICATE BY THE EMPLOYER

Certified that the particulars of the above nomination have been verified and recorded in this establishment.

Employer's reference No. if any.

Signature of the employer/officer
authorised

Designation

Name and address of the establishment
or rubber stamp there of.

Dated _____

ACKNOWLEDGEMENT BY THE EMPLOYEE

Received the duplicate copy of the nomination in Form 'C' filed by me on
_____ duly certified by the employer.

Date _____

Signature of the employee.

Note : Strike out words and paragraphs not applicable.

RVUN PAYMENT OF GRATUITY RULES

FORM 'D'

[See Rule-5(i)]

APPLICATION OF GRATUITY BY AN EMPLOYEE

(IN DUPLICATE)

To _____ Rajasthan Rajya Vidyut Utpadan Nigam Ltd.

Sir,

I beg to apply for payment of gratuity to which I am entitled under Rule 5(i) of the Payment of Gratuity Rules, 1972 on account of my superannuation/retirement/resignation after completion of not less than five years of continuous service/total disablement due to accident/total disablement due to disease with effect from the _____. Necessary particulars relating to my appointment in the establishment are given in the statement below:

STATEMENT

1. Name in full.
 2. Address in full.
 3. Office where last employed.
 4. Post held, C.P.F. No., if any.
 5. Date of appointment.
 6. Date and cause of termination of service.
 7. Total period of service.
 8. Amount of wages last drawn.
 9. Amount of Gratuity claims.
2. I was rendered totally disabled as a result of (here give the details of the nature of disease or accident)

The evidence/witnesses in support of my total disablement are as follows :
(here give details)

RVUN PAYMENT OF GRATUITY RULES

3. Payment may please be made in cash/Demand draft or crossed bank cheque.
4. As the amount of gratuity payable is less than Rupees one thousand, I shall request you to arrange for payment of the sum due to me by postal money order at the address mentioned above after deducting postal money order commission therefrom.

Yours faithfully,

Place _____

Date _____

Signature/thumb impression of
the applicant employee.

**CERTIFIED BY THE HEAD OF OFFICE/
CONTROLLING OFFICER**

Certified that the above particulars of the above named employee have been checked with the record maintained by this office and are verified as correct.

Signature of
Controlling Officer/Head of Office

Date _____

-
- Note : 1. Strike out the words not applicable.
2. Strike out paragraph or paragraphs not applicable.

RVUN PAYMENT OF GRATUITY RULES

FORM 'E'

[See Rule-5(i)]

APPLICATION FOR GRATUITY BY A NOMINEE

[IN DUPLICATE]

To _____ Rajasthan Rajya Vidyut Utpadan Nigam Ltd.

Sir,

I beg to apply for payment of gratuity to which I am entitled under Rule 5(i) of the Payment of Gratuity Rules, 1972 as a nominee of late _____ (Name of the employee) who was an employee of your establishment and died on the _____. The gratuity is payable on account of the death of the aforesaid employee while in service/ superannuation of the aforesaid employee on _____ retirement or resignation of the aforesaid employee on _____, after completion of _____ year of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from the _____, necessary particulars relating to my claim are given in the statement below :-

STATEMENT

1. Name of applicant nominee.
2. Address in full of the applicant nominee.
3. Marital status of the applicant nominee.
(Unmarried/married/widow/widower)
4. Name in full of the employee.
5. Marital status of employee.
6. Relationship of the nominee with the employee.
7. Total period of service of the employee.
8. Date of appointment of the employee.
9. Date and cause of termination of service of the employee.
10. Office where the employee last worked.

RVUN PAYMENT OF GRATUITY RULES

11. Post last held by the employee, CPF. No., if any.
12. Total wages last drawn by the employee.
13. Date of death and evidence/witness as proof of death of the employee.
14. Reference No. of recorded nomination, if available.
15. Total gratuity payable to the employee.
16. Share of gratuity claimed.
17. Date of birth.
2. I declare that the particulars mentioned in the above statement are true and correct to the best of my knowledge and belief.
3. Payment may please be made in cash/Demand Draft/crossed bank cheque.
4. As the amount payable is less than rupees one thousand, I shall request you to arrange for payment of the sum due to me by postal Money Order at the address mentioned above after deducting postal money order commission therefrom.

Place _____
Date _____

Yours faithfully,
Signature/thumb impression of
applicant nominee

CERTIFIED BY THE HEAD OF OFFICE/CONTROLLING OFFICER

Certified that the above particulars of the above named employee have been checked with the record maintained by this office and are verified as correct.

Signature of
Controlling Officer/Head of Office

Note : Strike out the words not applicable.

RVUN PAYMENT OF GRATUITY RULES

FORM 'F'

APPLICATION FOR GRATUITY BY A LEGAL HEIR

(IN DUPLICATE)

To _____ Rajasthan Rajya Vidyut Utpadan Nigam Ltd.

Sir,

I beg to apply for payment of gratuity to which I am entitled under Rule 5(i) of the Payment of Gratuity Rules, 1972 as a legal heir of late _____ (Name of the employee) who was an employee of your establishment and died on the _____ without making any nomination. The gratuity is payable on account of death of the aforesaid employee while in service/superannuation of the aforesaid employee on the _____ after completion of _____ years of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from the _____. Necessary particulars relating to my claim are given in the statement below :-

STATEMENT

1. Name of applicant legal heir.
2. Address in full of applicant legal heir.
3. Marital status of the applicant legal heir
(Unmarried/married/widow/widower)
4. Name in full of the employee.
5. Relationship of the applicant with the employee.
6. Religion of both the applicant and the employee.
7. Date of appointment and total period of service of the employee.
8. Office where the employee worked last.
9. Post last held by the employee, CPF. No., if any.
10. Total wages last drawn by the employee.
11. Date and cause of termination of service of the employee (death or otherwise)

RVUN PAYMENT OF GRATUITY RULES

12. Date of death of the employee and evidence/witness in support thereof.
13. Total gratuity payable to the employee.
14. Percentage of the gratuity claimed.
15. Basis of the claim and evidence/witness in support thereof.
16. Date of birth.
2. I declare that the particulars mentioned in the above statement are true and correct to the best of my knowledge and belief.
3. Payment may please be made in cash/Demand Draft or crossed bank cheque.
4. As the amount payable is less than Rupees one thousand, I shall request you to arrange for payment of the sum due to me by postal money order at the address mentioned above, after deducting postal money order commission therefrom.

Yours faithfully,

Place _____
Date _____

Signature/Thumb impression of
applicant legal heir.

CERTIFICATE BY THE HEAD OF OFFICE/
CONTROLLING OFFICER

Certified that the above particulars of the above named employee have been checked with the record maintained by this office and are verified as correct.

Signature of
Controlling Officer/Head of Office.

Note : Strike out the words not applicable.

RVUN PAYMENT OF GRATUITY RULES

FORM 'G'

[See Rule-6(1) (i)]

NOTICE FOR PAYMENT OF GRATUITY

To,

Shri _____ CPF. No. if any, You are hereby informed as required under Rule-6(1) (i) of the Payment of Gratuity Rules, 1972 that a sum of Rs. _____ (Rupees _____) is payable to you as gratuity/as your share of gratuity in terms of nomination made by _____ on _____ and _____ received in this _____ as a legal heir of _____ an employee of the _____ Nigam.

2. Please call at _____ (here specify place) on _____ at _____ for collecting your payment in cash/Demand Draft or crossed cheque.
3. Amount payable shall be sent to you by postal money order at the address given in your application after deducting the postal money order commission, as desired by you.

BRIEF STATEMENT OF CALCULATION

1. Total period of service of the employee concerned :
_____ Years _____ Months.
2. Wages last drawn.
3. Proportion of the admissible gratuity payable in terms of nomination/ as a legal heir.
4. Amount payable.

Place _____

Date _____

Signature of employer/
authorised Officer.
Name or description of establishment
or rubber stamp thereof.

Copy to : The _____

Note : Strike out the words not applicable.

RVUN PAYMENT OF GRATUITY RULES

FORM 'H'

[See Rule-6(1) (ii)]

**NOTICE REJECTING CLAIM FOR
PAYMENT OF GRATUITY**

To,

Shri _____ CPF. No. if any.

You are hereby informed as required under Rule-6(1) (ii) of the Payment of Gratuity Rules, 1972 that your claim for payment of gratuity as indicated on your application in form _____ under the said Rules is not admissible for the reasons stated below.

1. REASONS
- 2.
- 3.

(here specify the reasons)

Place _____

Date _____

Signature of the employer/
Authorised Officer (Rubber stamp)

Copy to : _____

Note : Strike out the words not applicable.

RVUN PAYMENT OF GRATUITY RULES

FORM 'I'

(See Rule-9)

APPLICATION FORM

(IN DUPLICATE)

Particulars of Service of the Employees

To _____ Rajsthan Rajya Vidhyut Utpadan Nigam Ltd.

-
1. Name in Block letters.
 2. Father's name in Block letters.
 3. Date of joining the Nigam's service.
 4. Date of birth duly supported by the Matriculation Certificate, Municipal Certificate or any other admissible certificate, verifying his date of birth.
 5. C.P.F. No. _____

Place _____

Date _____

Signature/Thumb impression
of the applicant.

Signature or Thumb impression attested by

Head of Office/Controlling Officer of the applicant.

Signature of Head of Office/
Controlling Officer
(Rubber Stamp)

RVUN PAYMENT OF GRATUITY RULES

FOOTNOTES IN DETAIL

^[1] These Rules were initially made by the erstwhile RSEB in exercise of the powers conferred to it by Section 79(c) & (k) of the Electricity (Supply) Act, 1948 and, thereafter, these were made applicable in Nigam under the provisions of sub-rule 6 of Rule 6 of the Rajasthan Power Sector Reforms Transfer Scheme, 2000. Subsequently, the words "RSEB", "Board" and "Rajasthan State Electricity Board" wherever appearing in the Regulations have been substituted by the words "RVUN", "Nigam" and "Rajasthan Rajya Vidyut Utpadan Nigam Limited" vide order No. RVUN/ P&A/II/F/D.621 Dated 28.08.2004.

^[2] Substituted vide order No. RSEB/F&R/F.18(4)/D.30 Dated 19.03.1985 for the following:

"Provided further that in the case of death of the employee, gratuity payable to him shall be paid to his nominee or, if no nomination has been made, to his heirs."

^[3] Substituted vide order No. RSEB/P&A/F./D.299 Dated 26.07.2007 for the following:

"The amount of Gratuity payable to an employee shall be as set forth in schedule 'A' (Attached to these Rules)."

^[4] The words & figure 'Rs. 10 lacs (Ten lacs)' were substituted for the words & figure 'Rs. 3.50 lacs (Three lac fifty thousand)' vide order No. RSEB/P&A/F./D.232 Dated 04.10.2010 effective from 24.05.2010 [P&A-100]

Maximum limits of Gratuity from time to time

With effect from 16.09.1972 to 11.06.1980	Rs.24,000/-
With effect from 12.06.1980 to 14.07.1987	Rs.30,000/-
With effect from 15.07.1987 to 27.03.1988	Rs.50,000/-
With effect from 28.03.1988 to 24.05.1994	Rs.75,000/-
With effect from 25.05.1994 to 25.07.2007	Rs.1,00,000/-
With effect from 26.07.2007 to 23.05.2010	Rs.3,50,000/-
With effect from 24.05.2010 and Onwards	Rs.10,00,000/-

RVUN PAYMENT OF GRATUITY RULES

IMPORTANT ORDERS/CIRCLULARS ISSUED ON THE SUBJECT

No. RSEB/F&R/F.18(4)/D.17

Jaipur, dt. 15 March, 1983

CIRCULAR

Sub : Payment of Gratuity - Nomination.

As per rule 4 of Payment of Gratuity Rules, 1972, every employee who has completed one year of service is required to make a nomination in Form 'A' indicating nominee/nominees to whom payment of gratuity is to be made in the event of death of an employee. It has, however, been brought to the notice of this office that a number of employees have not made such nomination for pyament of gratuity distinct from the nomination made by them for CPF amount under rule 6.5 of RSEB Contributory Provident Fund Rules.

In this connection it is emphasised that separate nominations are required to be made for CPF amount & Gratuity amount. In absence of such nominations, the payment of gratuity can be made only to legal heirs on production of succession certificate. This leads to avoidable delay in release of gratuity payment.

It is, therefore, enjoined upon all heads of offices/Controlling Officers of the employee(s) subscribing towards the RSEB Contributory Provident Fund Scheme, to impress upon the employee(s) to submit nomination for gratuity, in the interest of their own family, in accordance with the provisions laid down in regulation-4 of the RSEB Payment of Gratuity Rules 1972 within the period stipulated therein and to forward the same in duplicate duly signed and verified to the officer with the payment of gratuity against proper acknowledgement.

RVUN PAYMENT OF GRATUITY RULES

No. RRVUN/F. /D.1

Jaipur, dt. 22.7.2000

ORDER

Sub : Rules/Regulations & delegation of powers for the employees of Corporation.

In order to conduct day-to-day business of Corporation, the Board of Directors have decided that all the Rules & Regulations including Service Rules, GPF/CPF Rules, Pension Rules etc. etc. & also the delegation of powers (including financial powers) in respect of various matters as prevailing in erstwhile Rajasthan State Electricity Board as on the date of transfer i.e. 19th July, 2000 shall, mutatis mutandis, be applicable in Corporation till the Corporation promulgates its own Rules/Delegation of Powers.

However, the powers delegated to “Whole Time Member” in the erstwhile Rajasthan State Electricity Board shall be exercised by the “CMD in consultation with the FA&COA” and powers delegated to “Chairman” shall be exercised by the “CMD”

This order shall be deemed to be effective from 20th July, 2000.



No. RRVUN/P&A/II/F/ D.621

Jaipur, August 28, 2004

ORDER

The Board of Directors, in its 62nd meeting held on 16.08.2004, has decided to substitute the words “RSEB”, “Board” and “Rajasthan State Electricity Board” by the words “RVUN”, “Nigam” and “Rajasthan Rajya Vidyut Utpadan Nigam Ltd.”, respectively, wherever appearing in any Rule(s), Regulations(s), Delegation of Powers, etc., including titles thereof, framed and applicable in the erstwhile Rajasthan State Electricity Board as on 19.07.2000 and subsequently adopted by the Company (RVUN), provided that any action/decision taken by or in pursuance to any of the said Rule(s), Regulation(s), Delegation of Powers, etc., shall be deemed to have been taken under these Rule(s), Regulation(s) Delegation of Powers, etc.

RVUN PAYMENT OF GRATUITY RULES



**RAJASTHAN RAJYA VIDYUT UTPADAN
NIGAM LIMITED**

PREFACE

In view of a number of amendments issued since last publication of **Payment of Gratuity Rules, 1972** and also constitution of Rajasthan Rajya Vidyut Utpadan Nigam Limited, it was felt that an updated edition of above **Rules** should be made available incorporating all the amendments and RSEB/Nigam's decision on the subject issued upto 31st March, 2017.

Every possible care has been taken to avoid errors and omissions; however, if any error or omission is detected in this edition, which has inadvertently remained, the same may please be brought to the notice of the Personnel Officer (Estt. I), RVUNL, Jaipur. For authentic text, especially in the matters involving legal and financial implications, a reference to the original Circulars/Orders/Instructions should, invariably, be made.

Suggestions, if any, for improvement to make the update more useful would be appreciated.

ALOK SHARMA
Joint Director (P&A)
Rajasthan Rajya Vidyut
Utpadan Nigam Limited

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