

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

<sup>[1]</sup>RAJASTHAN RAJYA VIDYUT UTPADAN NIGAM LIMITED

### **EMPLOYEES' SERVICE REGULATIONS**

## **CHAPTER - I**

### **Extent of Application and Definition**

**1. Short title and date of effect:**

These Regulations may be called the "Rajasthan Rajya Vidyut Utpadan Nigam Limited Employees' Service Regulations, 1964" and shall come into force <sup>[2]</sup> with effect from 1st November, 1964.

**2. Extent of application:**

(i) These Regulations with such amendments, as may be made by the Nigam from time to time, shall apply to all employees of the Nigam, except:

- (a) Work charged employees,
- (b) Casual labour,
- (c) Persons for whose appointment and matters covered by these Regulations special provision is made by or under any law for the time being in force in regard to the matters covered by such law.
- (d) <sup>[3]</sup>Persons engaged on retention-cum-fee, part time or any other basis as consultants, advisors or counsels for legal profession or any other purpose.

(ii) The decisions and interpretations given by Government of Rajasthan and audit decision of the Comptroller and Auditor General of India in respect of Rajasthan Service Rules, which are similarly worded as these Regulations, shall apply mutatis mutandis to the employees of the Nigam, except in cases where the Nigam decides otherwise.

Provided that the permanent employees whose services were taken over from the Electrical & Mechanical Department of the Govt. of Rajasthan, w.e.f. the 1st July, 1957 vide Govt.

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

<sup>[2]</sup> Substituted vide order No. RSEB/ A&F/Rules/ESR/D.3721 dated 3.11.1965.

<sup>[3]</sup> Inserted vide order No. RSEB/ A&F/ D.3245 dated 17.11.1966.

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of Rajasthan P.W.(B) Department order No. 13 /OSD /Elec. BD -57 dated 12.2.1958, shall have the option either to:

- (a) Accept these Regulations or,
- (b) To continue in the grades and service conditions, as existed on the 1st July, 1957, except in regard to conduct & discipline rules. On promotion to higher grades after the 1st July, 1957, i.e. the date of formation of the Rajasthan State Electricity Board, they will be governed by these Regulations, except in regard to pension which will be governed by the rules of Rajasthan Government on the subject for equivalent posts, unless they opt for RVUN CPF scheme. In regard to conduct & discipline rules they will be governed by the Rules & Regulations framed by the Nigam in this behalf ; or
- (c) To obtain relief from Government service by claiming pension or gratuity, as may be admissible, on abolition of posts under the Rajasthan Service Rules (Rules 215 to 226).
- (i) The option must be exercised in the form prescribed within six months of the date of issue of these Regulations and option once exercised shall be final.
- (ii) The option shall be communicated by the Nigam's employees :
  - (a) if he is an employee belonging to class I and class II, as defined in Regulation 4 to the <sup>[4]</sup>Chief Accounts Officer.
  - (b) if he is an employee of the Nigam belonging to class III or class IV as defined in Regulation 4, to his Head of Office.

Provided further that these Regulations shall not apply to Govt. servants on deputation from Govt. of India or any state or those who have been appointed on contract with the Nigam, in respect of such matters as are specifically provided for in the terms of their deputation or contract for appointment.

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<sup>[4]</sup> Substituted vide order No. RSEB/F&R/F.11 (2)/D.10 dated 6/2/97

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### 3. Definitions:

In these Regulations unless the context otherwise requires or provides:

- (i) 'The Nigam' means the Rajasthan Rajya Vidyut Utpadan Nigam Limited.
- (ii) 'Cadre' means the strength of a class of employees or part of a class, sanctioned as a separate unit.
- (iii) 'Casual employee' means an employee whose employment is of a casual nature.
- (iv) 'Compensatory allowance' means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes a travelling allowance but it does not include sumptuary allowance.
- (v) 'Competent Authority' in relation to the exercise of any power means the Nigam or any authority or officer declared or designated as such by the Nigam for the purpose of these Regulations. A list of authorities under these regulations is given in <sup>[5]</sup> Appendix - I.
- (vi) 'Day' means a calendar day, beginning and ending at midnight but an absence from headquarters which does not exceed twenty four hours shall be reckoned for all purposes as one day at whatever hour the absence begins or ends.
- (vii) 'Duty' includes :
  - (a) Service as a probationer or apprentice, provided that such service is followed by confirmation.
  - (b) Joining time.
  - (c) A course of training or instruction declared by the Nigam to be duty.
  - (d) The time spent in training by the employees who join the Army in India Reserve of Officers.
  - (e) The time taken by an employee in undergoing an obligatory departmental examination which the

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<sup>[5]</sup> Substituted vide order No. RSEB/F&R/F. (ESR)/D.66 dated 24.11.1986

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employee has to pass a condition of service and any reasonable time required for the journey, if any to and from the place of the examination, or to take up an examination which he has been permitted to take and the passing of which is the condition of preferment in Nigam's service within the normal scope of the employee's Department or office.

- (f) The period of compulsory waiting by an employee returning from leave or after making over charge of his old post for orders of the competent authority, posting him to a particular post.
- (g) <sup>[6]</sup>Probationer - Trainee.
- (viii) 'Daily labour' means an employee employed at daily rates or wages.
- (ix) 'Employee' means any person who is in the service of the Nigam but does not include daily labour work charged or casual employee <sup>[7]</sup>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.
- (x) 'Family' means a Govt. servant's wife, legitimate children and step-children residing with and wholly dependent upon him. Except for purpose of transfer travelling allowance and medical facilities it also include his parents, sister and minor brothers if residing with and wholly dependent upon him. Not more than one wife is included in a family. In the case of female employee it include dependent husband also.
- (xi) 'Government' means the Government of Rajasthan.
- (xii) 'Holiday' means
  - (a) A holiday prescribed by or under the Negotiable Instruments Act and
  - (b) In relation to any particular office, a day on which such office is ordered to be closed under the orders

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<sup>[6]</sup> Inserted vide order no. RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006

<sup>[7]</sup> Inserted vide order No. RSEB/ A&F/ D.3245 dated 17.04.1966.

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of the Nigam for transaction of the Nigam's business without reserve or qualification.

- (xiii) 'Joining time' means the time allowed to an employee of the Nigam in which to join a new post or to travel to or from a station to which he is posted.
- (xiv) 'Lien' means the title of an employee to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post to which he has been appointed substantively i.e. in a permanent capacity.
- (xv) 'Month' means a calendar month. In calculation a period expressed in terms of months and days complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.
- (xvi) 'Officiate' means an employee officiates in a post when he performs the duties of the post on which another person holds a lien. The appointing authority may, if it thinks fit, appoint an employee to officiate in a vacant post on which no other employee holds a lien.
- (xvii) 'Overtime' payment is the remuneration in so far as it relates to employees governed by the factory law, payable for service beyond the normal spell of duty, at such rates as may be fixed by the Nigam from time to time.
- (xviii) 'Pay' means the amount drawn monthly by an employee as :
  - (a) The pay other than special pay and personal pay and pay granted in view of his personal qualifications which has been sanctioned for the post held by him substantively or in an officiating capacity, and
  - (b) Special pay and personal pay, and
  - (c) Any other emoluments which may be specially classed as pay by the Nigam.
- (xix) 'Personal Pay' means an additional pay granted to an employee :

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- (a) to save him from a loss of substantive pay due to a revision of pay or to any reduction of substantive pay otherwise than as a disciplinary measure, or
  - (b) in exceptional circumstances, on other personal consideration.
- (xx) 'Permanent Post' means a post carrying a definite rate of pay without limit of time.
- (xxi) 'Permanent employee' means an employee who has been engaged on a permanent basis substantively against a permanent post sanctioned without limit of time, or would hold a lien on a permanent post had the lien not been suspended.
- (xxii) 'Presumptive pay of a post' : When used with reference to any particular employee means the pay to which he would be entitled if he held the post substantively and were performing its duties, but it does not include special pay unless the employee performs or discharges the work or responsibility or is exposed to the unhealthy conditions, in consideration of which the special pay was sanctioned.
- (xxiii) 'Probationer' means an employee employed against a permanent post substantively vacant with definite condition of probation and is appointed provisionally pending satisfactory completion of the probationary period.
- (a) This term does not, however, cover an employee who holds, substantively a permanent post in a cadre and is merely appointed 'on probation' to another post.
  - (b) No person appointed substantively to permanent post on a cadre is a probationer unless definite conditions of probation have been attached to his appointment, such as the condition that he must remain on probation pending the passing of certain examination.

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- (xxiii)(A) <sup>[8]</sup> 'Probationer Trainee' means a person appointed through direct recruitment against a clear vacancy in the cadre of service and placed under training on fixed remuneration for a period of two years or extended period, if any.
- (xxiv) 'Special pay ' means an addition in the nature of pay, to the emoluments of a post or of an employee granted in consideration of :
- (a) Specially arduous nature of duties, or
  - (b) A specific addition to work or responsibility.
- (xxv) 'Sphere of duty' means the area to which normal duties of an employee are confined.
- (xxvi) 'Subsistence grant' means a monthly grant to an employee who is suspended from service for any misconduct or dereliction of duty and who is not in receipt of pay or leave salary.
- (xxvii) 'Substantive pay' means the pay other than special pay, personal pay or emoluments classed as pay to which an employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.
- (xxviii) 'Temporary post' means a post created temporarily for a specified period which may be extended from time to time.
- (xxix) 'Temporary employee' means an employee who has been engaged for work on a temporary post or is employed on a temporary basis against a permanent post.
- (xxx) 'Time scale' means pay which subject to any condition prescribed in these Regulations rises by periodical increments from a minimum to maximum.

Time scales are said to be identical if the minimum, maximum, the period of increment and the rate of increment of the time scale are identical.

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<sup>[8]</sup> Inserted vide order no. RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006

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A post is said to be on the same time scale as another post on a time scale if the two time scales are identical and the post fall within a cadre, such cadre having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility in a category or in an establishment so that the pay of the holder of any particular post is determined by his position in the cadre and not by the fact that he holds that post.

(xxx) 'Transfer' means the movement of an employee from one headquarter station in which he is employed to another such station either:

- (a) To take up the duties of a new post, or
- (b) In consequence of a change of his headquarters.



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### CHAPTER -II

#### General Conditions of Service

#### 4. Classification of Employees:

<sup>[9]</sup>Subject to any modifications that the Nigam may decide from time to time, the employees of the Nigam shall be classified as follows:-

- Class-I All Officers, running in the Pay Band -3 and whose Grade Pay is Rs. 6600/- and above or those specifically classed as such by the Nigam.
- Class-II All Officers, running in the Pay Band -3 and whose Grade Pay is Rs. 5400/- and above but less than Rs. 6600/- or those specifically classed as such by the Nigam.
- Class-III All employees not included in Class-I, II or IV.
- Class-IV All employees holding posts enumerated in appendix-II to these Regulations and other employees of similar level, and such other employees as the Nigam may, from time to time, determine.

#### <sup>[10]</sup>5. Age:

A candidate for direct recruitment to any post must have attained the age of 18 years and must not have attained the age of 31 years on the first day of January next following the last date fixed for receipt of applications except where otherwise prescribed in other regulations.

Provided:

- i) that the maximum age limit for women candidate or a candidate belonging to SC or ST shall be deemed to have been raised further by five years. There shall be no age limit for recruitment to service of the Nigam in case of widows and divorced women.

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<sup>[9]</sup> Substituted vide order no. RVUN/P&A/F./D.410 dated 28.03.2011 [P&A-119]

<sup>[10]</sup> Substituted vide order No. 68 dated 3.11.1989(ratified vide order no.25 dated 15.3.90)

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- ii) the upper age limit in the case of women candidate will be relaxed by 5 year for the post of Assistant Personnel Officer.
- iii) the upper age limit in the case of women candidate dependent on permanently disabled Nigam's employee shall be 35 Years.
- iv) that there shall be no restriction as to age in one service or cadre for a candidate already serving in connection with the affairs of the Nigam who is appointed to another service or cadre by direct recruitment or special selection in a substantive or temporary capacity having been appointed prior to his attaining the age of 31 years.
- v) that the upper age limit for the ex-service personnel and the reservists, namely, the Defense Service Personnel transferred to the reserve, shall be 50 years.
- vi) that there shall be no age limit in the case of persons repatriated from East African countries of Kenya, Tanganyika, Uganda and Zanzibar.
- vii) that the upper age limit mentioned above shall not apply in the case of an ex-prisoner, who had served under the Nigam on a substantive basis on any post before his conviction and was eligible for appointment under the regulations.
- viii) that in the case of other ex-prisoners, the upper age limit mentioned above, shall be relaxed by a period equal to the terms of imprisonment served by him provided he was not overage before his conviction and was eligible for appointment under the regulations.
- ix) That the upper age limit may be relaxed by the Managing Director in exceptional cases of experienced and qualified persons.

[<sup>11</sup>] Deleted.

### **[<sup>12</sup>] DECISION No.1**

A Nigam's employee wishing to adopt a new name or to effect any modification in his existing name should be asked to adopt the change formally

[<sup>11</sup>] The Exception was deleted vide order no. RSEB/F&R/F. 8(7)/D.4 dated 18.01.1999 effective from 31.03.1999

[<sup>12</sup>] Decision taken in Board's 182nd meeting held on 18-4-73 and communicated vide order no. 14 dated 16-5-73.

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by a deed changing his name. In order that the execution of the documents may not be in doubt, it is necessary that it should be attested by two witnesses preferably those known to the Head of Department/ Office in which the Nigam's employee is serving. A specimen of the deed form is given below. The execution of the deed should be followed by publication of the change in a prominent local newspaper as well as in the Rajasthan Rajpatra, publication being undertaken by the employee at his own expenses in both cases. For the publication of the advertisement in Rajasthan Rajpatra, the employee should be directed to approach the Superintendent, Government Central Press, Jaipur through proper channel.

It is only after the formalities described in the foregoing paragraph have been complied with and satisfactory evidence of identity and execution of the documents adduced by the employee that the adoption of the new name or change in the existing name should be recognized officially and entries in Nigam's records, as may be necessary, be amended accordingly. True copies of the relevant documents should be retained in the personal file of the employee and the Financial Advisor and Controller of Accounts and also to the Secretary, CPF Trust, Jaipur be informed accordingly.

### **FORM OF DEED CHANGING A NAME / SURNAME**

By this deed, I the undersigned, A.B.C. (New Name) of etc. now lately called A.C. (old name), employed as.....(Designation of the post held at the time by the Nigam employee concerned) at.....place where employed in the office/department.....of RVUN do hereby:

1. For and on behalf of myself and my wife and children and remoter issue wholly renounce, relinquish and abandon the use of my former name, A.C. surname of C. (only) and in place thereof do assume from the date thereof name A.B.C. the surname of B.C. and so that I and my wife and children and remoter issue may hereafter be called, known and distinguished not by my former surname of C (only) but by my assumed surname of B.C.
2. For the purpose of evidencing such my determination declare that I shall at all times hereafter in all records, deeds, writings and in all proceedings, dealings and transactions as well private as public and upon all occasions whatsoever use and sign A.B.C. as name and B.C. as my surname in place of and in substitution for my former name A.C. and surname of C.(only)

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3. Expressly, authorize and request all persons at all times hereafter to designate and address me and my wife and children and remoter issue by such assumed name A.B.C. surname of B.C. accordingly.

IN WITNESS WHEREOF I have hereunto subscribed my former and adopted name of A.C. and A.B.C. and affixed my seal this.....day of.....

Signed	Sealed & delivered by the	A.C.
ABC	above named formerly A.C.	A. B.C.
	in the presence of .....	

Witnesses:

- 1.
- 2.

**6. Probation on first appointment to Nigam's service:**

- (i) Persons appointed to post belonging to classes I and II, on first appointment in the Nigam's service shall be on probation for 6 months except in cases where longer period is provided in any case.
- (ii) Subject to the provision of any law for the time being in force the appointing authority may, at its discretion, dispense with, reduce or extend the probationary period but in no case shall the total period of probation exceed
  - (a) In case of employees belonging to Class I and II Two years
  - (b) In the case of Assistant Account Officer Gr.II (Accountants) and Internal Auditors Two years
  - (c) In other cases One year
- (iii) If an employee is not confirmed after the expiry of the period of his probation, or if the period of probation is not extended on account of his work being not found satisfactory, his services shall be liable to be terminated without notice.

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(iv) During the period of probation, an employee shall be liable to be discharged from service without assigning any reason or giving notice.

<sup>[13]</sup>6(A) Notwithstanding anything contained in any Regulation, all appointments in the Nigam's service on or after 20.1.2006 shall be made as a "Probationer-Trainee" for a period of 2 years and during the period of probation training, he/she will be paid fixed remuneration at such rates as may be prescribed by the Nigam from time to time. After successful completion of probation training he/she will be allowed minimum pay in the pay scale of the post and the period of probation training shall not count for grant of annual grade increment(s).

### 7. Probation on promotion:

<sup>[14]</sup>An employee promoted to a higher post shall be treated as on probation in the higher post for a period of one year unless a longer period is prescribed in any case. He shall be liable to be reverted without notice at any time during the period of probation, and on the expiry of the period of probation, if not confirmed in the higher post.

<sup>[15]</sup>Provided that such of them as have previous to their appointment by promotion officiated temporarily on a post encadred in the service, may be permitted by the Managing Director where Nigam is the appointing authority, otherwise by the appointing authority to count such officiating or temporary service towards the period of probation up to a maximum of 6 months.

<sup>[16]</sup>Provided that the Managing Director may waive the period of probation in case of an employee who has been satisfactorily working on adhoc/temporary capacity for a period of 2 years or more on the post to which he is promoted on the basis of recommendation of a duly constituted selection committee.

### <sup>[17]</sup>7(A). Exclusion of the period of suspension from the period of probation:

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<sup>[13]</sup> Inserted vide order no.RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006

<sup>[14]</sup> Substituted vide notification no. RSEB/Rules/D.66 dated 1.8.76

<sup>[15]</sup> Inserted vide order No. RSEB/Rules/F.5 (17)/D.26 dated 1.5.1976

<sup>[16]</sup> Inserted vide order No. RSEB/F&R/F./D.63 dated 9.5.1991

<sup>[17]</sup> Inserted vide order No. RSEB/F&R/F.5 (19)/D.40 dated 7.5.1993

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Where, on or after the date of commencement of this regulation, an employee remains in suspension during the whole or any part of the period of probation, such period of suspension shall be excluded in computing the period of probation, prescribed by regulation 7.

**8. Medical Certificate of Fitness:**

Except as provided in these Regulations every employee shall at the time of appointment or within six months from the date of appointment, as the appointing authority may decide produce a medical certificate of his health in the form given below and from the medical authority specified in Regulation 9. The medical certificate must be affixed to the first pay bill of an employee, except as otherwise ordered by the appointing authority.

**FORM OF MEDICAL CERTIFICATE OF FITNESS FOR  
RAJASTHAN VIDYUT UTPADAN NIGAM EMPLOYEES  
HEALTH CERTIFICATE**

- 1. I do hereby certify that I have examined.....a candidate for employment as.....in the R.V.U.N. and cannot discover that he has any disease, constitutional weakness or bodily infirmity, except.....
- 2. I do not consider this a disqualification for employment in the R.V.U.N. The candidate's age is, according to his own statement.....years and by appearance about .....years.
- 3. I have further to certify to the following findings on medical examination by me.
  - 1. Height.....Ft.....Inch.
  - 2. Weight lbs.....
  - 3. Whether the vision is corrected by glass or not should be clearly mentioned.  
 Vision - Right Eye : Left Eye  
 Distant.....  
 Near.....

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4. Urine colour : Albumen present.....Sugar present.....Specific Gravity..... Diastolic.....Systolic.....
5. B.P. Readings.
6. Condition of heart.....

Signature or left hand thumb                      Signature with Designation  
Impression of the candidate.                      of the Medical Officer

Place of Examination:

Date:

### 9. Medical Authority for Certificate of Fitness:

- i) The certificate prescribed in Regulation 8 should be signed by a Medical Officer of and above the rank of the Distt. Medical Officer of the District in which headquarters of the employee are situated or any other medical officer approved by the Nigam.

Provided that:-

- (a) In the case of a women candidate the appointing authority may accept a certificate by a registered woman medical practitioner.
  - (b) In the case of candidate to be appointed on a post a rate of pay not exceeding Rs.50/-p.m. the appointing authority may accept a certificate signed by a medical graduate or Licentiate, in Government Medical service or by any other medical graduate, or licentiate.
- ii) The fees for the Medical examination by the Medical Officers in Government service at the rates prescribed by Rajasthan State Government, if billed for, will be reimbursed to the candidate if initially paid by him provided he is declared fit for appointment. No travelling expenses shall be paid for undergoing medical examination.

### 10. Exemption from production of Medical Certificate:

The following classes of employee are exempted from the production of a medical certificate:-

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- i) An employee appointed in a temporary vacancy of less than six month's duration and who is not eligible for permanent appointment.
- ii) A retired Government Servant re-employed within six months of retirement.

The Nigam may in individual cases dispense with the production of a Medical Certificate.

### **11. The post on which lien is held:**

Unless his lien suspended under Regulation 12 or transferred under Regulation 14 an employee holding substantively a permanent post retains a lien on that post.

- a) While performing the duties of that post;
- b) While on foreign service or holding a temporary post, or officiating in another post;
- c) During joining time on transfer to another post, unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post;
- d) While on leave and
- e) While under suspension.

### **12. Suspension of lien:**

- (a) The Nigam shall suspend the lien of an employee on a permanent post which he holds substantively if he is appointed in a substantive capacity:
  - i) to a tenure post; or
  - ii) to a permanent post outside the cadre on which he is borne.
  - iii) Provisionally to a post on which another employee would hold a lien, had his lien not been suspended under this Regulation.
- (b) The Nigam may, at their option, suspend the lien of an employee on a post which he holds substantively if he is transferred to foreign service, or, in circumstances not



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covered by (a) of this regulation, is transferred, whether in a substantive or officiating capacity to a post in another cadre, and if in any of these cases there is reason to believe that he will remain absent from the post, on which he holds a lien for a period of not less than three years.

- (c) Notwithstanding anything contained in clause (a) or (b) of this Regulation, an employee's lien on a tenure post may in no circumstances be suspended. If he is appointed substantively to another permanent post his lien on the tenure post must be terminated.
- (d) If an employee's lien on a post is suspended under clause (a) or (b) of this Regulation the post may be filled substantively and the employee appointed to hold it substantively shall acquire a lien on it, provided that the arrangement shall be reversed as soon as the suspended lien revives.

**Note:** When a post is filled substantively under this clause, the appointment will be termed a provisional appointment, the employee concerned will hold a provisional lien on the post; and that lien be liable to suspension under clause (a) or (b) of this regulation.

- (e) Revival of suspended lien: An employee's lien which has been suspended under clause (a) of this Regulation shall revive as soon as he ceases to hold a post of the nature specified in sub-clause (i), (ii) or (iii), of that clause.
- (f) An employee's lien which has been suspended under clause (b) of this Regulation shall revive as soon as he ceases to be on deputation out of India, on foreign service or to hold a post in another cadre, provided that suspended lien shall not revive because the employee takes leave if there is reason to believe that he will on return from leave, continue to be on deputation out of India or on foreign service or to hold a post in another cadre and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in sub-clause (i),(ii) or (iii) of clause (a).

**Note:** When it is known that an employee on transfer to a post outside his cadre is due to retire on superannuation

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within three years of his transfer; his lien on the permanent post cannot be suspended.

### 13. Termination of Lien:

- (a) An employee's lien on a post may in no circumstances be terminated, even with his consent if the result will be to leave him without a lien or a suspended lien upon permanent post.
- <sup>[18]</sup>(b) An employee's lien on a post stand terminated on his acquiring a lien on a permanent post (whether under Nigam or Central/State Government) outside the cadre on which he is borne.

### 14. Transfer of Lien:

Subject to the provision of Regulation 15 Nigam may transfer to another permanent post in the same cadre, the lien of an employee who is not performing the duties of the post to which the lien relates, even if that lien has been suspended.

### 15. Transfers:

- (a) An employee may be transferred from one post of the same category within or outside the sphere of duty or place of employment, under the orders of the competent authority, provided that except:
  - (i) on account of inefficiency or misbehavior, or
  - (ii) on his written request, an employee shall not be transferred substantively to, or, except in a case covered by Regulation 37 appointed to officiate in, a post carrying less pay than the pay of the permanent post on which he holds a lien or could hold a lien had has lien not been suspended under Regulation 12.
- (b) Nothing contained in clause (a) of this Regulation or in clause(xiv) of Regulation 3 shall operate to prevent the re-transfer of an employee to a post on which he would hold a lien, had it not been suspended in accordance with the provision of clause (a) of regulation 12.

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<sup>[18]</sup> Inserted vide order No. 37 dated 21.5.1971

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### <sup>[19]</sup>16. Notice for quitting service:

An employee shall not leave or discontinue the service in the Nigam without first giving one month's notice in writing to the authority competent to make appointment to the post he is holding at the time of his intention to leave or discontinue the service.

Provided that such notice may be waived in part or in full by the competent authority at its discretion.

**Note:** The Managing Director is authorized to decide the cases of resignation of the officers in whose cases the Nigam is the appointing authority.

<sup>[20]</sup> Regulation 16 of RVUN Employees Service Regulation, 1964 provides that the employee shall not leave or discontinue his service without first giving notice in writing to the authority competent to make appointment to the post he is holding at the time of his intention to leave or discontinue his services. Under the said regulations an employee is required to give one month notice <sup>[21]</sup>, if he resigns the Nigam's service. In case of default the incumbent is liable to pay the salary for the notice period falling short of one month.

Instances have come to the notice where the employees desire to be relieved within short period of 24 hours on payment of requisite amount of notice period. It becomes very difficult for appointing authority to relieve them within such short period of 24 hours as the arrangement of reliever within such short period is not possible. It is also very difficult to ascertain outstanding dues against such employees from respective offices. The matter has, therefore, been examined very carefully and it has been considered that retention of unwilling worker shall not be in the interest of the Nigam's work. It is possible that whenever an employee desires to resign with such short notice the appointing authority shall not accept the resignation but ask him to submit no dues certificate before he could be relieved. The resignation shall however be accepted on submission of no dues certificate by the incumbent.

In case of breach by an employee of the provisions of this regulation, he shall be liable to pay to the Nigam as compensation a sum equal to his salary for the period of notice required to him, which sum may be deducted from any moneys due to him.

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<sup>[19]</sup> Substituted vide order No. RSEB/F&R/F.5 (17)/D.58 dated 17.7.90

<sup>[20]</sup> Instructions issued vide No. RSEB/A&F/D.64 dt.6.10.1972.

<sup>[21]</sup> Deleted vide order No. RSEB/F&R/F.5 (17)/D.58 dated 17th July,90

## RVUN EMPLOYEES' SERVICE REGULATIONS

**Note:** For the purpose of Regulation 16 and 17, salary includes the employee's pay, personal pay and special pay and the dearness allowance, of the post held at the time of quitting the service and does not include any other allowance.

- <sup>[22]</sup>16(A) (i) An employee appointed as 'Probationer-Trainee shall not leave or discontinue his training/service or take-up another employment during the period of 'Probation Training' as well as within one year after completion of Probation-Training and during any other training period as well as after completion of such training, within a minimum period of 1 year if such training period is for a period exceeding 3 months but upto 6 months and within 2 years, if it exceeds 6 months.

Provided that in case of breach of these provisions by any employee, he shall be liable to pay all emoluments paid to him, including the expenses incurred by RVUN on such training(s) subject to the maximum of Rs. 1,50,000/- (Rupee One lac fifty thousand) only (excluding the amount paid to him by way of travelling and daily allowance under the relevant regulations) and any other amount that may be due to RVUN, together with interest @ 12% per annum from the date of demand to the date of payment in lump-sum.

<sup>[23]</sup> Provided further that the condition of refund of amount as per bond executed by employees shall be relaxed in those cases where employees want to shift from one Power Sector Company (Successor entities of erstwhile RSEB) to other Power Sector Company (Successor entities of erstwhile RSEB) and their revised options are accepted by the Company.

- (ii) After completion of 3 years' service including the period as Probationer-Trainee, an employee may

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<sup>[22]</sup> Inserted vide order no. RVUN/P&A/F/D.800 Dated: 13.10.2006.

<sup>[23]</sup> Substituted vide order no. RVUN/P&A/F.BOD/D.215 dated 23.01.2012 [P&A-149]

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leave or discontinue from services of RVUN by giving three month's notice in writing to the Appointing Authority of the post he is holding at the time of his intention to leave or discontinue the service.

However, in case of breach of these provisions by any employee, he shall be liable to pay the amount of salary for the notice period falling short of 3 months' as compensation to RVUN.

- (iii) Every employee will have to bring a surety of a Gazetted employee of Central/ State Government or RVUN, wherein it shall have to be mentioned that in case the employee appointed by RVUN, leaves services of RVUN without making compliance of conditions as stipulated above, that gazetted officer of government of Rajasthan or RVUN shall pay compensation, as above, to RVUN.

Notwithstanding anything contained in sub-regulations (i) and (ii), the concerned Appointing Authority may waive such notice period in part or in full at its discretion.

### **17. Refund of payment made during training period:**

Where an employee on appointment to a post, is required to undergo training for any specified period before he assumes independent charge of that post, such employee shall, if he resigns or takes up another employment during the period of such training or within two years after the completion thereof, refund to the Nigam the emoluments paid to him during the period of such training together with other expenses incurred by Nigam on such training but excluding the amounts paid to him by way of travelling and daily allowance under the relevant Regulation.

Provided that no such refund shall be required to be made if the training imparted to the employee is in the opinion of the Nigam, likely to prove useful in the new appointment also under the Nigam.

## RVUN EMPLOYEES' SERVICE REGULATIONS

### <sup>[24]</sup>18. Age of Retirement:

- <sup>[25]</sup>(1) Except as otherwise provided in these Regulations, the date of compulsory retirement of the employee shall be the afternoon of the last day of the month in which he attains the age of 60 years.

Provided that the provisions of age of compulsory retirement as contained in this rule shall not be applicable in the case of employees who are in service after attaining the age of compulsory retirement either on reemployment or on extension in service.

- (2) (i) A Nigam employee whose date of birth is the first of a month shall retire from the service on the afternoon of the last day of the preceding month on attaining the age of sixty years.
- (ii) In case the last day of the month happens to be a closed holiday, even then the Nigam employee should formally relinquish charge of the office in the afternoon of that day.

### (3) Retirement on completion of 15 years<sup>[26]</sup> qualifying service:

- (a) At any time after a Nigam employee has completed 15 years<sup>[26]</sup> qualifying service he may, by giving notice of not less than 3 months in writing to the Appointing Authority, retire from service.
- (b) The notice of voluntary retirement given under Clause (a) above shall require acceptance by the appointing authority.

Provided that where the appointing authority does not refuse to grant the permission for retirement before the expiry of the period specified in the said notice, the retirement shall automatically become effective from the date of expiry of the said period.

<sup>[27]</sup> Deleted.

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<sup>[24]</sup> Substituted vide Order No. RSEB/F&R/F.8 (7)/D.71 dated 25.8.1998

<sup>[25]</sup> Substituted vide Order No. RVUN/P&A/II/F./D. 422 dated 29.05.04

<sup>[26]</sup> Substituted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999

<sup>[27]</sup> Deleted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

### **EXPLANATION:**

A notice of voluntary retirement given after completion of 15 years<sup>[26]</sup> qualifying service will require acceptance by the appointing authority. Such acceptance may be generally given in all cases except that the Appointing Authority shall withhold permission to retire a Nigam Employee:

- i) Who is under suspension;
- ii) In whose case the 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 proceeding might result in imposition of the penalty of removal or dismissal from service;
- iii) In whose case prosecution is contemplated or may have been launched in a Court of law.

In such cases, if it is proposed to accept the notice of voluntary retirement approval of the Board of Directors in the cases where the <sup>[28]</sup>Chairman & MD is appointing authority and in other cases approval of the Chairman & MD should be obtained. Even where the notice of voluntary retirement given by the Nigam employee requires acceptance by the appointing authority, the Nigam employee giving notice may presume acceptance and the retirement shall be effective in terms of the notice unless the Competent Authority issues an order to the contrary before the expiry of the period of notice.

- (c) (i) A Nigam employee referred to in Clause (a) may make a request in writing to the appointing authority to accept notice of voluntary retirement of less than three months giving reasons there for;

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<sup>[28]</sup> Deleted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999

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- (ii) On receipt of a request under sub-clause (i) above, the appointing authority subject to the provisions of clause (b), may consider such request for the curtailment of the period of notice of 3 months on merits and if it is satisfied that the curtailment of the period of notice will not cause any administrative inconvenience, the appointing authority may relax the requirement of notice of 3 months.

<sup>[29]</sup> Deleted.

In case a Nigam employee seeks voluntary retirement under Regulation 18(3) of RVUN Employees Service Regulations, 1964, with a view to contest any election to Parliament/ State Assembly/ Municipalities/ Panchayati Raj Institutions, he may be retired by the competent authority under Regulation 18(3) of RVUN ESR, 1964 immediately without prejudice to the right of Nigam going into the genuineness of the reasons and verification of the qualifying service rendered, and the period of notice prescribed under Regulation-18(3)(a) of RVUN Employees Service Regulations, 1964 shall in such cases be deemed to have waived as a matter of course.

- (d) <sup>[30]</sup> A Nigam's employee, who has selected to retire under this regulation and has given the necessary notice to that effect to the appointing authority, can make a request to withdraw the notice during its currency and he may continue in service in such cases, it will be obligatory on the appointing authority to accept the request of withdrawing the notice of voluntary retirement of the employee. In cases, where the appointing authority has already issued the order for acceptance of voluntary retirement from the intended date of the employee,

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<sup>[29]</sup> Deleted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999

<sup>[30]</sup> Substituted vide Order No. RVUN/P&A/F./D. 400 dated 30.11.09 [P&A-73]



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such an order shall be cancelled by the appointing authority forthwith i.e. before the intended date of voluntary retirement.

- (e) This Sub-regulation shall not apply to a Nigam employee who retires from Nigam's service for being absorbed permanently in an autonomous body or a State Govt. or a Public Sector Undertaking to which he is on deputation at the time of seeking voluntary retirement.
- f) If a Nigam employee seeks retirement under this sub-regulation 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.
- g) A Nigam employee who gives notice of voluntary retirement under clause (a) of sub-regulation (3) 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 15 years<sup>[31]</sup> qualifying service.

<sup>[32]</sup>NOTE:-

In respect of employees appointed on or after 13.10.2006:-

- D) the existing figure and words "15 years" wherever appearing in this Regulation, shall be treated as "20 years";and

<sup>[33]</sup> Deleted.

<sup>[33]</sup> (h) & (i) Deleted.

### **(4) Compulsory retirement on completion of 15 years<sup>[31]</sup> qualifying service.**

- (a) At any time, after a Nigam employee has completed 15 years<sup>[31]</sup> qualifying service or has attained the age of 50 years, whichever is earlier, the authority

<sup>[31]</sup> Substituted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999

<sup>[32]</sup> Inserted vide Order No. RVUN/P&A/F/D. 800 dated 13.10.2006

<sup>[33]</sup> Deleted vide order no. RVUN/P&A/F.6PC/D.364 dated 1.10.2013 (effective from 1.07.2013) [P&A-200]

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competent to retire, upon having been satisfied that the concerned Nigam employee has on account of his indulgence or doubtful integrity or incompetence to discharge official duties or inefficiency in due performance of official duties, has lost his utility, may require the concerned Nigam employee to retire in public interest. In case of such retirement, the Nigam employee shall be entitled to retiring pension/ CPF benefits/ gratuity, as the case may be.

- (b) In such a case, the competent authority shall give a notice in writing to a Nigam employee atleast three months before the date on which he is required to retire in the public interest or three months pay and allowance in lieu of such notice.

**Note:-**1. The Nigam has the absolute right to retire a Nigam employee in public interest. This right is intended to be exercised against a Nigam employee whose efficiency is impaired, but against whom it is not desirable to make formal charges of inefficiency or who has ceased to be fully efficient but not to such a degree as to warrant his retirement on compassionate allowance. It is not the intention to use this rule as a financial weapon, that is to say, the provision should be used only in the case of Nigam employees who are considered unfit for retention on personal as opposed to financial grounds.

2. Participation in or abetting in any form of strike by a Nigam employee shall also be deemed to be included in "public interest" for the purpose of clause (a) of Sub-regulation (4) of Regulation 18.
3. The authority competent to retire a Nigam employee under Regulation 18(4) shall follow the procedure as prescribed or as may be prescribed by the Nigam from time to time where a Nigam employee is retired under this Regulation for reasons of impairment of efficient or doubtful integrity.
4. Compulsory retirement under this regulation does not attract the provisions of clause(2) of Article 311 of the Constitution of India because such retirement is not conceived as a penalty but as the exercise of a right reserved to Nigam of retiring a

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

Nigam employee after he has served for a certain length of time. Accordingly, the procedure laid down in the RVUN Employees (Classification, Control and Appeal) Regulation, 1962 for formal proceeding against Nigam employees before removing them from service is not meant to apply to such cases.

5. This regulation shall be applicable to all the employees of the Nigam including those employees of the Erstwhile E&M Deptt. who have explicitly or impliedly become Nigam's employees with one or the other benefits.
6. In the case of employees of the Nigam including those employees of the Erstwhile E&M Department who have explicitly or impliedly become Nigam's employees with one or the other benefits, the term 'qualifying service' used here-in above shall mean the qualifying service rendered under the Govt. and /or Nigam as the case may be as per provisions of the relevant Regulations prevailing on the date of retirement.
7. When the appropriate authority has come to the conclusion that a Nigam employee may be prematurely retired, the three months' notice referred to in clause (b) of Sub-regulation (4) may be given before the Nigam employee attains the age of 50 years or has completed 15 years<sup>[31]</sup> of service, as the case may be. But, the retirement should take place after the Nigam employee has attained the relevant age or has completed 15 years<sup>[31]</sup> of service, as the case may be.
8. Orders requiring a Nigam employee to retire after completing 15 years<sup>[31]</sup> qualifying service should, as a rule, not be issued until after the fact that the Nigam employee has indeed completed, or would be completing on the date of retirement, qualifying service of 15 years<sup>[31]</sup>, has been verified by the competent authority in consultation with the senior most Accounts Authority.
9. While computing the notice period of not less than three months, referred to in clause (b) of Sub-regulation (4), the date of service of the notice and the date of its expiry shall be excluded. The date of premature retirement of a Nigam employee should be on the forenoon of the day (which should

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be treated as a non working day) following the day of expiry of the notice.

10. It is necessary to give three months' notice in writing to a Nigam employee under suspension who is proposed to be retired under Clause (a) of sub-regulation(3).

### **CLARIFICATIONS:**

1. On orders of premature retirement:
  - (i) Date of retirement: The orders regarding retirement on the last day of the month will not apply to the cases of premature retirement.
  - (ii) Grant of leave due/admissible: Leave due and admissible may be allowed if applied for by the Nigam employee during the period of notice.
  - (iii) Undrawn increment: As the Nigam employee continues to be in service during the period of notice; he will be entitled to increment falling due during the period under regulation 30 of RVUN ESR-1964. If on the other hand, the official is retired by giving pay and allowances in lieu of the notice period, no increment will be admissible as the retirement in such cases takes immediate effect.
2. On admissibility of pension in addition to pay and allowances (inclusive of H.R.A. & C.C.A.) for the entire period in lieu of Notice.
  - i. As the Nigam employee concerned will retire immediately on payment of pay and allowances in lieu of notice, he would be entitled to pension from the date of such retirement and the pension shall not be deferred till after the expiry of the period of three months for which he is paid pay and allowances. In other words, pay and allowances given in lieu of the notice period would be in addition to pension for the said period.
  - ii. The Nigam employees who are given pay and allowances in lieu of the notice period are entitled to House Rent Allowance and City Compensatory

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- Allowances at the rates at which they were drawing the allowances immediately before retirement.
- iii. The payment of pay and allowances in lieu of the notice period should be made simultaneously with the order of retirement.
  - iv. The pay & allowances to be given in lieu of notice period would be the pay and allowances drawn by him immediately before retirement. Since he would stand retired immediately on payment of pay and allowances, the question of taking into consideration the date of increment does not arise.
  - v. The three months pay and allowances given in lieu of notice are salary and therefore, income tax is required to be deducted at source.
  - vi. The Nigam employees would stand retired immediately on payment of three months pay and allowances in lieu of the notice period and will not be in service thereafter. Therefore, the question of counting any period subsequent to the date of such retirement for purposes of retiral benefits e.g. pension & gratuity etc. does not arise.
3. On treatment of intervening period and admissibility of pay and allowances, in case of reinstatement:
- i. If, in any case, it is decided to reinstate a prematurely retired Nigam employee in a service after considering his representation in accordance with the laid down instructions, the period intervening between the date of premature retirement and the date of retirement may be regulated by the authority ordering reinstatement as duty or as leave or dession, as the case may be, taking into account the merits of each case.
  - ii. In the case of an employee who had been prematurely retired on grounds of inefficiency and by the time the competent authority to consider representations against such premature retirement came to the conclusion that premature retirement

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was unjustified, the date of superannuation of the employee has already arrived or had passed in such cases the authorities empowered to pass final orders may at their discretion reinstate the superannuated Nigam employee notionally with effect from the date of compulsory retirement and treat the period up to the date of superannuation as duty, leave or dies-non as may be considered appropriate by the competent authority.

- iii. Where a prematurely retired Nigam employee is reinstated in service and the intervening period beginning from the date of retirement and ending with date immediately before his rejoining duty has been treated as on duty in accordance with the provisions of item (i) or (ii) above or as a result of the orders of the competent Court the pay and allowances shall be regulated under Regulation 41 of RVUN ESR-1964. The pay and allowances shall be paid at the rates in force from time to time as if he has not been prematurely retired from service.

On reinstatement of the Nigam employee, he shall be required to refund three month's notice pay, amount of Retirement/Death Gratuity, pension including commutation and dearness relief on pension or CPF benefits and gratuity etc. if already paid to him in one lump sum within a period of one month from the date of rejoining the duty otherwise interest shall be charged @ 12% per annum, with regards to the refund of G.P.F. money or his own share of CPF, if any received by him, the action shall be taken in accordance with the relevant G.P.F./C.P.F. Regulations.

For making payment of pay and allowances for the intervening period, the Nigam employee would be required to furnish a certificate to the effect that he was not engaged in any other employment, business, profession or vocation. In case he was engaged in any employment etc. he will be paid an amount equal to the amount by which his earning during the intervening period fell short of the amount of pay and allowances now becoming due and payable. The details

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of refund should be mentioned in the Service Book giving reference of pay bills and voucher number and date under the attested signatures of the Head of Office.

<sup>[34]</sup>**Powers to retire Nigam employees after attaining the age of 50 years or after completion of 15 years qualifying service:**

Class I & II Officers	Board of Directors	Full powers
Class III employees	Managing Director	Full powers
Class IV employees	Head of Deptt.	Full powers

### 19. Pension:

The service of the employees of the Nigam shall be non-pensionable. Provided that such employees whose services were transferred to the Nigam vide Rajasthan Government order No. P.W. (B) Deptt. No-.13/OSD/Elec. Bd.57 dated 12.2.58 and who were holding permanent posts in substantive capacity on the 1st July, 1957, shall have a right to opt for pension. In respect of such employees who opt for pension, the pension will be regulated by the pension Rules of Rajasthan Government as amended from time to time, pension allocation may be done between the Nigam and the Government in accordance with the principles as may be mutually agreed upon.

### 20. Contributory Provident Fund:

The employees of the Nigam, except those who opt for pension under proviso to Regulation 19, shall be required to subscribe to the Contributory Provident Fund in accordance with the Rules of the Fund as prescribed by the Nigam.

### 21. Ceasing to be in Service:

<sup>[35]</sup>If an employee absents himself for more than 8 consecutive days without leave he shall be deemed to have left the services of the Nigam without notice, thereby terminating his contract of service.

Provided that if the concerned employee proves to the satisfaction of the competent authority that his absence was on account of sickness or other valid reasons, the competent authority at his own discretion may convert his absence into leave due or leave without pay.

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<sup>[34]</sup> Substituted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999

<sup>[35]</sup> Substituted vide Order No. RSEB/F&R/F.5 (17)/D.84 dated 25.9.1980

## RVUN EMPLOYEES' SERVICE REGULATIONS

### CHAPTER-III

#### PAY AND ALLOWANCES

**22. Scale of pay:**

The scale of pay applicable to the employees of the Nigam shall be as may be fixed by the Nigam from time to time.

<sup>[36]</sup>Provided further that a Probationer-Trainee will receive a fixed remuneration at such rates as may be prescribed by the Nigam from time to time and on completion of period of probation, minimum pay of the pay scale of the post shall be allowed under this regulation, from the day following the day of successful completion of the period of probation.

Provided further also that a Nigam's employee, who is already in regular service of Nigam, if appointed as probationer trainee for a period of two years on or after 20.1.2006 shall be allowed pay in his/her own pay scale of previous post or fixed remuneration at such rates as may be prescribed by the Nigam from time to time, whichever may be beneficial to him/her and after successful completion of period of probationer trainee, his/her pay shall be fixed in pay scale of the post as per provisions of Regulation-24.

However, for in service candidates, selected by way of limited direct recruitment, the term "pay" includes the existing basic pay, including all allowances admissible in the original cadre prior to such appointment and they shall be entitled to Annual Grade Increments in their pay scale corresponding to previous posts during such probation training.

**23. Commencement and Cessation:**

Subject to any exceptions specifically made in these Regulations, an employee shall begin to draw pay and allowances to his tenure of a post with effect from the date he assumes duties of that post and shall cease to draw them as soon as he ceases to discharge these duties, if the charge is transferred in the forenoon of that date. If the charge is transferred in the afternoon, he begins to draw or cease to draw them, as the case may be, from the following date.

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<sup>[36]</sup> Inserted vide order no. RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006.



## RVUN EMPLOYEES' SERVICE REGULATIONS

Provided that in the case of an employee who dies while in service, salary shall cease to be payable with effect from the day following that on which death occurs.

24. **Regulation of initial substantive pay on appointment to a post on a time scale:**

<sup>[37]</sup>(1) A Nigam employee already serving in one service or cadre who is appointed to another service or cadre by direct recruitment or special selection (including transfer other than by deputation from one service or cadre to another) and not by promotion according to service regulations shall have his initial pay fixed as follows:-

Category	Last pay on old post	Initial pay on new post
(a)	Substantive on a permanent post and not officiating on a higher post.	Persons in category (a) shall have their pay fixed in the manner stated below:  (i) If the maximum of the scale of the new post is higher than the maximum of the scale of old post, then pay shall be fixed at the stage of the time scale of the new post next above the last substantive pay in the old post.  (ii) If the maximum of the scale of the new post is equal to the maximum of the scale of old post, then pay shall be fixed at the stage of the time scale of the new post which is equal to his last substantive pay on the old post, or if there is no such stage the stage next below that pay plus personal pay equal to the difference.

<sup>[37]</sup> Substituted vide order No. RSEB (F&R) F.5 (7)/D.61 dated 29-11-96.

**RVUN EMPLOYEES' SERVICE REGULATIONS**

Category	Last pay on old post	Initial pay on new post
		<p>(iii) If the maximum of the scale of the new post is lower than the maximum of the scale of the old post, then the pay shall be fixed at the stage which he would have been entitled to as if the period of service rendered against the new post, subject to the condition that the pay fixed shall be restricted to the pay last drawn in the old post.</p> <p>(iv) If minimum pay on the new post is higher than pay admissible under clause (i) and (ii) above, then minimum pay shall be allowed.</p>
(b)	<p>(i) Substantive on a lower post but officiating on a higher permanent or temporary post in the same service or cadre provided that such officiation was in accordance with the provisions of service regulation relating to promotion promulgated under section 79(c) of the Electricity (Supply) Act, 1948.</p> <p>(ii) Temporary on a permanent or temporary post provided that appointment was made by direct recruitment, promotion, special selection emergency recruitment or as a part of initial constitution of a service or cadre in accordance with provisions</p>	<p>(b) Persons covered by any paragraph in category (b) shall have their pay fixed in the manner stated below:-</p> <p>(i) If minimum pay of the scale of the new post is equal to or higher than the last pay in the old post other than that held substantively then the minimum pay.</p> <p>(ii) If minimum pay of the scale of the new post is lower than last pay in the old post other than that held substantively, then pay shall be fixed at the stage of the time scale which is equal to his last pay in the old post or if there</p>

## RVUN EMPLOYEES' SERVICE REGULATIONS

Category	Last pay on old post	Initial pay on new post
	<p>of the Service Regulations relating to recruitment, promotion and initial constitution promulgated under Section 79(c) of the Electricity (Supply) Act, 1948.</p> <p>(iii) Temporary on a permanent or temporary post, provided that, if there are no Service Regulations promulgated under section 79 (c) of the Electricity (Supply) Act, 1948.</p> <p>(iv) Temporary on a permanent or temporary post, provided that appointment had been made in the process of absorption of persons declared 'Surplus' due to abolition of posts and that pay drawn on the abolished post was of the type described in paragraphs (a), (b) (i), (b) (ii) and (b) (iii) above.</p>	<p>is no such stage, then next below that pay plus personal pay equal to the difference.</p> <p>Provided that if the maximum of the scale of the new post is lower than the maximum of the scale of the old post, then the pay shall be fixed at the stage which he would have been entitled to as if the period of service rendered on the old post would have been counted as rendered against the new post, subject to the condition that the pay so fixed shall be restricted to the pay last drawn in the old post.</p> <p>Provided further that if fixation of pay on the basis of pay admissible on substantive post in accordance with paragraph (a) (i) or (a) (ii) or (a) (iii) above is more advantageous, pay shall be fixed under the said clauses.</p>
(c)	<p>(i) Temporary on a permanent or temporary post, having been appointed adhoc without following the procedure laid down in the Service Regulations promulgated under section 79(c) of the Electricity (Supply) Act-1948.</p> <p>(ii) Temporary on a permanent</p>	<p>Persons covered by any paragraph in category (c) shall have pay fixed in the manner stated below:-</p> <p>Minimum of the scale or at such higher stage as may be approved by the Nigam on recommendations of the selecting authority.</p>

## RVUN EMPLOYEES' SERVICE REGULATIONS

Category	Last pay on old post	Initial pay on new post
	<p>or temporary post, having been appointed in the process of absorption of persons declared 'Surplus' due to abolition of post but pay drawn on the abolished post was not of the type described in paragraphs (a),(b)(i),(b)(ii)and (b) (iii) above.</p> <p>(iii) Temporary on a permanent or temporary post appointment to which is not regulated by any Service Regulations promulgated under section 79(c) of the Electricity (Supply) Act-1948.</p> <p>(iv) Temporary on a permanent or temporary post, other than of the type described in paragraphs (i) to (iii) above.</p>	

[38] Provided that during probation training period the provisions of this Regulation shall not be applicable. The probationer trainee shall be allowed pay in his/her own pay scale of the previous post or fixed remuneration as per provisions of Regulation-22. After successful completion of probation training his/her pay shall be fixed under the provisions of this Regulation.

2. Pay for the purpose of sub-Regulation (1) shall mean substantive pay, officiating pay and pay on temporary post and shall not include special pay.
3. When appointment to the new post is made at the request of the Nigam employee under Regulation 15 and the maximum

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[38] Inserted vide order no. RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006.

## RVUN EMPLOYEES' SERVICE REGULATIONS

pay in the time scale of new post is lower than his last pay in the old post, he will draw that maximum of new post as initial pay.

4. (a) In respect of a Nigam employee whose initial pay is fixed under paragraph (a) (ii) (a) (iii) & b (ii) of sub-regulation-1 of this Regulation, the service rendered on his previous post since drawal of last increment shall be counted for purpose of grant of increment in the new post.

**Exception:** If a Nigam employee while in service as a probationer or on probation is appointed to a new post before completion of the prescribed period of probation satisfactorily, the period of service rendered on old post shall not be counted for this purpose on the new post.

- (b) In cases other than (a) above, the next increment shall be allowed on completion of the full requisite qualifying service counting for increment under regulation 30 of RVUN Employees Service Regulations,1964.

**Note:**1. Reversion to a post in the ordinary cadre or service from a special post not included in it or a tenure post included in that cadre or reversion from a temporary post held substantively to a permanent does not constitute substantive appointment to the post for the purpose of this regulation.

2. For the purpose of fixation of initial pay under the provisions of this Regulation a Nigam employee who has been recruited/ appointed on higher or equivalent post, while serving in the Nigam, shall be deemed to have become substantive on the date he completed probation period satisfactorily or completed two years of service, whichever is later, subject to the condition that no Departmental Enquiry/ Preliminary Enquiry is contemplated or pending against him.

3. However, in cases covered by Note 2 above the period of service rendered on the old post shall not be taken into consideration for computation of nine, eighteen or twenty seven years service for the purpose of granting selection grade.

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4. When a Nigam employee is appointed to a higher post on the date on which his increment in the lower substantive post falls due, his substantive pay for the purpose of fixing his initial pay in higher post shall be inclusive of his increment accruing on that date.
5. Fixation of pay on appointment to a tenure post will be regulated under this regulation and not under provisions of Regulation 27.

### <sup>[39]</sup>24 (A) **Pay during Probation**

Where Service Regulations promulgated under section 79(c) of the Electricity (Supply) Act, 1948 or orders and instructions of Nigam provide for appointment on probation or as a probationer, drawal of increments shall be regulated as follows:-

- (i) No increments shall be allowed during the period of probation.
- (ii) If the Service Regulation or orders of appointment prescribed a fixed period of probation and due to departmental examination not being held or assessment of suitability for confirmation not being completed or for any other reason, no specific order is issued regarding either confirmation or extension of probation, drawal of pay at the initial rate shall be allowed beyond the prescribed period of probation until issue of specific order of confirmation, extension of probation or termination of service.

<sup>[40]</sup>Provided that notwithstanding anything contained in paragraphs (iii) & (iv) below, the Managing Director in respect of class I and II officers and Appointing Authority in respect of others may after satisfactory completion of the period of probation, authorize drawal of increment if the confirmation order cannot be issued for reasons such as non-availability of permanent post, non-finalization of seniority etc.

- (iii) On issue of orders of confirmation effective from the completion of the prescribed period of probation increments

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<sup>[39]</sup> Inserted vide order No. RSEB/A&F/D.1017 dt. 27.4.67 effective from 1.1.67

<sup>[40]</sup> Inserted vide order No.83 dt. 6-12-1968 effective from 1.1.67

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as normally due shall be allowed retrospectively.

- (iv) On issue of orders of confirmation effective from the completion of the prescribed period of probation constituting thereby an extension in the period of probation increments, as normally due shall be allowed retrospectively except that the normal date of drawal of first increment shall be extended by the number of days equal to the period of extension of probation.

<sup>[41]</sup>(v) Deleted.

<sup>[42]</sup>**24 (B)** The provisions of Regulation-24 (A) shall not be applicable to the probationer trainee appointed on or after 20.1.2006. After successful completion of period of probation training, the probationer trainee shall not earn annual grade increment(s) for the period of probation training.

Provided that in service candidate who is appointed against limited direct recruitment quota vacancies and opts to draw pay in his/her own pay scale of the previous post, shall be entitled to Annual Grade increments as per provisions under Regulation-22.

### **25. Regulation of initial officiating pay of an employee:**

Subject to the provisions of Regulation 37 an employee who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post, other than a tenure post, unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attached to the post, other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended.

#### **Note:**

- (1) Nigam may by order specify the circumstances under which officiating promotion in the ordinary line may be given to the employee working outside the cadre.
- (2) For the purpose of this Regulation, the officiating

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<sup>[41]</sup> Deleted vide order No. 61 dt 29.11.96

<sup>[42]</sup> Inserted vide order no. RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006

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appointment shall not be deemed to involve the assumption of duties or responsibilities, of greater importance, if the post, to which it is made, is on the same scale of pay as the permanent post, other than a tenure post, on which he holds a lien or would hold a lien had his lien not been suspended, or on a scale of pay identical therewith.

26. (1) Subject to the provisions of Regulations 25 and 28 an employee who is appointed to officiate in a post will draw the presumptive pay of that post.
- (2) On an enhancement in the substantive pay, as a result of increment or otherwise the pay of such employees shall be refixed under sub-Rule (1) from the date of such enhancement as if he was appointed to officiate in that post on that date where such refixation is to his advantage.
- <sup>[43]</sup> (3) (A) Notwithstanding the provision contained in these Regulations, the pay of an employee whose promotion or appointment to a post is found to be or to have been erroneous shall be regulated in accordance with the general or special order issued by the Nigam in this behalf.
- (B) Under the aforesaid new regulation the following decisions shall also be inserted which explain the procedure for cancellation of erroneous confirmation orders.

### **Nigam's Decision**

- (a) An order of confirmation which is contrary to the instruction relevant statutory / service rule / executive orders / administrative instruction may be cancelled straightway by competent authority. The effect of cancellation would be to put the employee concerned in a position of never having been confirmed.

It would, however, be in consonance with the principles of natural justice that 'Show Cause Notice' why the orders of confirmation should not be cancelled be given to the affected employee.

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<sup>[43]</sup> Inserted vide order No. RSEB/ESR/A&F/D.71 dt.2.12.1972.



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- (b) The following provision shall govern the pay and increments of an employee whose promotion or appointment in a substantive or officiating capacity to a post is later found to be erroneous on the basis of fact:
- (1) The order of promotion or appointment of Nigam servant should be cancelled as soon as it is brought to the notice of appointing authority that such a promotion or appointment has resulted from a factual error and the concerned Nigam's employee should immediately be brought on such cancellation to the position which he would have held but for the incorrect order of promotion or appointment.
  - (2) In the case of an employee who has been erroneously promoted or appointed to a post in a substantive capacity the procedure prescribed in the above paragraph for reconfirming the employee should be followed and only the employee should be brought down to the position which he would have held but for his erroneous promotion/appointment by issue of order as mentioned above. Service rendered by the employee on that post to which he was wrongly been promoted/appointed as a result of the error should not be reckoned for the purpose of increment or for any other purpose in that grade/post to which he would not normally be entitled but for the erroneous promotion/appointment.
  - (3) Any consequential promotion or appointment of other employee made on the basis of incorrect promotion/appointment of particular employee will also be regarded as erroneous and such cases also will be regulated on the lines indicated in the preceding paragraph.
  - (4) Except where the appointing authority is the Nigam the question as to whether promotion/appointment of a particular employee to a post was erroneous or not, should be decided by an authority next higher than the appointing authority. In case where the appointing authority is Chief Engineer/ Controller

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of Accounts/Secretary/Director (IA) the final decision shall rest with the Managing Director, where the appointing authority is the Chairman/Managing Director, the final decision shall rest with the Board of Directors.

- <sup>[44]</sup>27. (1) When an employee holding post in a substantive, temporary or officiating capacity is promoted to a post in the regular line of promotion in his service, cadre or department, in a substantive temporary or officiating capacity, his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing the actual pay drawn by him in the lower post by one increment at the stage at which such pay is drawn provided.
- <sup>[45]</sup>(i) that where a Nigam's employee is immediately before his promotion to a higher post, drawing pay at the maximum of the time scale of the lower post, his initial pay in the time scale of the higher post, shall be fixed at the stage next above the pay notionally arrived at by increasing the pay drawn at the maximum by him in the lower post by an amount equivalent to the last increment in the lower post.
- (ii) that provisions of this regulation shall not apply in cases enumerated in the schedule below. In the case of the employees enumerated in schedule, the pay shall be fixed in accordance with the provisions contained in Regulation 24 of the RVUN ESR, 1964.
- (2) Where the pay of an employee is fixed under sub-regulation (1) above the next increment shall be granted on the date he would have drawn his increment, had he continued in the lower post, provided that where the pay is fixed at the minimum of the time scale and the pay so fixed exceeds the pay drawn in the lower post by the amount equal to the amount of the next increment in the lower post plus the first amount of increment in the higher post, the next increment shall be admissible after completion of service for the full

<sup>[44]</sup> Substituted vide order No. RSEB/A&F/ESR/D.101 dated 11-11-1970

<sup>[45]</sup> Substituted vide notification No. RSEB/Rules/D.30 of 5/8.4.1975 effective from 1.1.1975

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incremental period counting for increment under regulation 29 of the RVUN Employees Service Regulations.

### **<sup>[46]</sup> SCHEDULE-deleted**

<sup>[47]</sup>(3) Notwithstanding anything contained in these regulations where a Nigam employee has drawn a special pay granted for higher responsibilities or specially arduous nature of duties under Regulation 3 (xxiv) (a) continuously for a period of not less than two years and his pay, on promotion or appointment to a post carrying duties and responsibilities of greater importance than those attached to the post held by him, under the provisions of other regulations, plus special pay attached to the higher posts, if any, works out to less than the pay of the post held by him, the difference shall be allowed as personal pay to be absorbed in future increments.

### **<sup>[48]</sup>Note (1) In respect of employees whose pay scales are linked with Govt. pay scales.**

In the case of 1st promotion of an existing Nigam employee defined in Rule 5(2) of R.C.S. (RPS) Rules, 1983 and 1987 made on or after 1.9.81 and 1.9.86, as the case may be, under the recruitment regulations, the provisions contained in the note appearing below the fixation tables appended to Schedule-III of the aforesaid rules shall be applicable for the purpose of grant of notional increment admissible in the pay scale for the lower post only (i.e. not on the higher post) in the case of fixation of pay under Regulation 27(i) of RVUN Employees Service Regulations, 1964.

The provisions of note 1 above shall not be applicable in case of 1st promotion of an employee who has been newly appointed to a post/service on or after 1.9.81 and 1.9.86, as the case may be, because he is neither an existing Nigam's employee as defined in rule 5(2) of the R.C.S. (RPS) Rules, 1983 and 1987 nor his pay will be fixed in accordance with

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<sup>[46]</sup> Schedule deleted vide order no. 41 dt. 17.5.90

<sup>[47]</sup> Inserted vide order no. RSEB/F&R/F.5 (16)/D.46 dated 7th June, 1980.

<sup>[48]</sup> Inserted vide order no. RSEB/F&R/F.5(17)/D.73 dated 28.12.1989

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the fixation tables appended to Schedule -III of the aforesaid rules.

**Note (2) In respect of employees covered under Nigam's pay scale No.1 to 6.**

In the case of 1st promotion of an existing Nigam employee as defined in Rule 5(2) of R.C.S. (RPS) Rules, 1987 made on or after 1.9.1986, under the recruitment regulations, the provisions contained in the note appearing below the fixation tables appended to schedule-III of the aforesaid rules shall be applicable for the purpose of grant of notional increment admissible in the pay scale for the lower post only (i.e. not on the higher post) in the case of fixation of pay under Regulation 27(i) of RVUN Employees Service Regulations, 1964.

The provisions of note 2 above shall not be applicable in case of 1st promotion of an employee who has been newly appointed to a post/service on or after 1.9.1986 because he is neither existing Nigam employee as defined in rule 5(2) of the R.C.S. (RPS) Rules, 1987 nor his pay will be fixed in accordance with the fixation tables appended to Schedule-III of the aforesaid rules.

<sup>[49]</sup> **Note (3) In respect of Nigam's employees who are granted selection grade under the provisions of order No. RSEB/F&R/F.16(3)/D.II dated 6.3.1992.**

- (a) In case where a Nigam employee gets his regular promotion after getting the selection grade (identical to or lower than the pay scale of the promotion post) his pay shall be fixed in the pay scale of the promotion post at the equal stage and if there is no equal stage at the next higher stage.
- (b) In case where the selection grade (second or third) already granted to a Nigam employee is higher than the pay scale of the promotion post the Nigam employee shall continue to draw pay in the selection

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<sup>[49]</sup> Inserted vide order No. RSEB/F&R/F.16(3)/D.6 dated 28.01.1993 (effective from 06/03/1992)

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grade and his pay shall not be fixed in the pay scale of the promotion post.

### **27 (A) Fixation of pay of workcharged employees when brought on cadre post.**

The following provisions shall regulate the fixation of pay of workcharged employees in a time scale whether on consolidate monthly wage or on daily wage, when brought on cadre post.

1. The initial pay of an employee who has put in less than 2 years service on the date of appointment to the cadre post, shall be fixed at the minimum of the time scale of the post to which he is appointed.
2. The initial pay of an employee who on the date of appointment to the cadre post, had rendered two years continuous service in the Nigam without any interruption shall be fixed in the time scale of the post to which he is appointed as under:-
  - (a) If the monthly wage (daily wage multiplied by 30) after eliminating the element of dearness allowance and other allowances, is equal or more than the minimum of the time scale of the post to which the employee is appointed, the initial pay shall be fixed at the stage of the time scale next above such wage.
  - (b) If the monthly wage (daily wage multiplied by 30) after eliminating the element of dearness allowance and other allowances is more than the maximum of the time scale of the post to which the employee is appointed, the initial pay shall be fixed at the maximum of the time scale and the difference between the monthly wage worked out in aforesaid manner and the maximum of the time scale of the post shall be treated as personal pay to be absorbed in future increase of pay consequent upon the subsequent revision of the time scale of the said post.

**Note:** For purpose of this regulation an employee shall be deemed

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to have rendered two years continuous service if he has served in the Nigam for 605 days or more within a period of 24 calendar months preceding the date of appointing to the cadre post.

**28. Power to fix officiation pay at a lower rate:**

The appointing authority may fix the pay of an officiating employee at an amount less than that admissible under these Regulations.

**29. Increments:**

Subject to the provision of Regulation <sup>[50]</sup> 24-A, 27, 29-A and 30, an increment shall ordinarily be drawn as a matter of course, unless, it is withheld by the authority empowered to withhold such increment in accordance with the relevant provisions of the Classification, Control and Appeal Rules. Any order withholding an increment shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments.

<sup>[51]</sup>**29A.** Where an Efficiency Bar is prescribed in any time scale, the increment next above that bar shall not be given to an employee without specific sanction of the authority empowered to withhold increments. When an employee is allowed to cross an efficiency bar which has previously been enforced against him, he shall draw the pay in the time scale at such stage as the authority empowered to withhold increments may fix, provided that the pay so fixed shall not exceed the pay that he would have drawn had he not been stopped at the efficiency bar.

**Note:** (1) On each occasion on which an employee is allowed to pass an efficiency bar which had previously been enforced against him, he should come on the time scale at such stage as the authority competent to declare the bar removed may fix for him, subject to the pay admissible according to his length of service.

(2) The cases of all employees held up at an efficiency bar should be reviewed annually with a view to determine whether the quality of their work has improved and generally, whether the defects for which they were stopped at the bar have been

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<sup>[50]</sup> Inserted vide order No. 1017 dated 11.11.1970 (effective from 1.1.1970)

<sup>[51]</sup> Substituted vide order No. RSEB/A&F/D.3965 dated 1.12.1965 (effective from 1.11.1964)

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remedied to an extent sufficient to warrant the removal of the bar. If they are subsequently allowed to the bar it should not be a retrospective effect.

**30. The following provisions prescribe the conditions on which service counts for increments in a time-scale:**

(a) All duty in a post on a time-scale counts for increments in that time scale.

<sup>[52]</sup>(b) (i) Service in another post other than a post carrying less pay referred to in clause (a) of Rule 15, whether in a substantive or officiating capacity, service on deputation out of India and <sup>[53]</sup> all leave including extra-ordinary leave taken on medical grounds shall count for increment in the time scale applicable to the post from which the Nigam Servant hold a lien as well as in the time scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended.

(ii) <sup>[53]</sup>All leave including extra-ordinary leave taken on medical ground and the period of deputation out of India shall count in the time scale applicable to a post in which a Nigam Servant was officiating at the time he proceeded on leave or on deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India.

<sup>[54]</sup> Provided that the Nigam may direct, by a general order or by special order relating to individual cases, that extra-ordinary leave shall count for increment under clauses (i) or (ii) if such leave is availed of for any of the following reasons:

(i) Any cause beyond the Nigam Employee's control;

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<sup>[52]</sup> Substituted vide order No. RSEB/A&F/627 dated 28.02.1967 effective from 1.11.1964

<sup>[53]</sup> Substituted vide order No. RSEB/F&R/F.5(17)/D.19 dated 1.03.1978

<sup>[54]</sup> Substituted vide order No. RSEB/A&F/625 dated 8.02.1967

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- (ii) Prosecution of higher scientific study beyond the stage of Master's degree in Science or Arts by any Nigam Servant;
- (iii) Prosecution of higher technical or scientific study beyond the stage of Bachelor's degree in Engineering, Mines, Architecture, Agriculture, Veterinary Science, and Medicine.

(For procedure in regard to drawing of increment by (1) Class I and II Nigam employee (2) Class III & IV Nigam servants refer to Rule 162 and 196-198 of the General Financial and Account Rules respectively.)

- (c) The period of deputation out of India on full pay, the study leave or special leave granted under the order of the Nigam for studies abroad shall count for increment in the post in which the employee was officiating at the time of proceeding on deputation out of India, study leave or special leave subject to the condition that the employee would have so officiated in that post or a post on the same time-scale but for his proceeding on deputation, study leave or special leave.
- (d) The period of extra-ordinary leave without pay granted for prosecuting higher scientific and technical studies may be allowed by the Nigam to count for increment in the post in which the employee was officiating at the time of proceeding on extra-ordinary leave subject to the condition that the employee would have so officiated in that post or a post on the same time-scale but for proceeding on extra-ordinary leave.

Provided that the study leave, special leave or extra-ordinary leave shall count for increment under sub clause (c) or (d) only if the employee had put in at least three year's service under the Nigam at the time of proceeding on such leave.

- (e) If an employee while officiating in a post or holding a temporary post on a time scale of pay is appointed to officiate in a higher post or to hold a higher temporary post, his



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officiating or temporary service in the higher post shall, if he is re-appointed to the lower post or is appointed or re-appointed to a post on the same time-scale of pay, counts for increments in the time scale applicable to such lower post. The period of officiating service in the higher post which counts for increment in the lower post is, however restricted to the lower post but for his appointment to the higher post. This clause applies also to an employee who is not actually officiating in the lower post at the time of his appointment to the higher post but who would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.

- (f) Foreign service counts for increments in the time-scale applicable to:-
  - (i) the post in Nigam's service on which the employee concerned holds a lien as well as the post or posts, if any on which he would hold a lien had his lien not been suspended.
  - (ii) the post in Nigam's service in which the employee was officiating immediately before his transfer to foreign service, for so long as he would have continued to officiate in that post or a post on the same time-scale but for his going on foreign service; and
  - (iii) any post to which he may receive officiating promotion under Regulation 58 below for the duration of such promotion.
- (g) Joining time counts for increment:
  - (i) If it is under clause (a) of Regulation 72 in the time scale applicable to the post on which an employee holds a lien or would hold a lien had his lien not been suspended, as well as in the time-scale applicable to the post, the pay of which is received by a employee during the period; and

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- (ii) If it is under clause (b) of Regulation 72 in the time-scale applicable to the post/posts on which the last day of leave, before commencement of the joining time, counts for increments.

**31. Reduction of personal pay:**

Except when the authority sanctioning personal pay orders otherwise personal pay shall be reduced by any amount by which the recipients' pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

**32. Premature increments:**

Nigam may at its discretion fix pay, grant increment or sanction an allowance, in individual cases, in a manner different from that provided in these Regulations, and also in cases not covered by Regulations, provided that such additional benefit will be given only in recognition of outstanding work and/or technical qualifications.

**33. Permission for undertaking work other than that of Nigam and for acceptance of fee:**

The Nigam may permit in exceptional cases, and only when it is satisfied that this can be done without detriment to his official duties or responsibilities, an employee of the Nigam to perform specified service or series of service for a private person or body or for a public body or Government and to receive as remuneration therefor, if the service be material. Unless the Nigam otherwise directs by a special order, one third of any remuneration in excess of Rs. 100/- and if recurring in excess of Rs. 300/ - received by an employee under this Regulation, shall be credited to the funds of the Nigam.

<sup>[55]</sup>Regulation-33 shall not be applied to the income derived by a Nigam employee from sale or royalties of a Book written by him with the aid of the knowledge acquired by him during the course of his service, if such book is not a mere compilation of Government Nigam's Rules, Regulations or procedures, but it reveals the Author's Scholarly study of the subject. A certificate to the above effect may therefore, be furnished by the competent authority while recommending the relaxation of regulation 33 in such cases.

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<sup>[55]</sup> Inserted as Proviso vide order No. RSEB/F &R/F. 5(17) /D.7 dated 16.01.1979

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<sup>[56]</sup>CLARIFICATION : That in case an officer/ employee of the Nigam is called to undertake the work in connection with the examination(s) conducted by the following examining bodies he can accept the work and fee relating to such work provided that taking up such work does not interfere with normal duties of the Nigam employee. The provisions of Regulation - 33 will not operate in this case for depositing any percentage of such remuneration/fee, to the Nigam's account:-

- i) The Universities of Rajasthan
- ii) The R.P.S.C./U.P.S.C.
- iii) The Principal, Officers Training School.
- iv) Other Departments of the State Government.

**34. An employee is eligible to receive without special permission**

- (a) The premium awarded for any essay or plan in public competition;
- (b) Any reward offered for the arrest of a criminal or for information or special service in connection with the administration of justice;
- (c) Any reward payable in accordance with the provisions of any Act or Regulation or Rules framed thereunder;
- (d) Any reward sanctioned for services in connection with the administration of the Customs and Excise laws; and
- (e) Any fees payable to an employee for duties which he is required to perform in his official capacity under any special or local law or by order of the Nigam.

**35. Payment of Honoraria:**

The Nigam may grant to an employee an honorarium from its own funds as remuneration for work performed which is occasional in character and either so labourious or of such special merit as to justify such a reward. The grant of an honorarium is not justified to an

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<sup>[56]</sup> Inserted vide order no. RSEB/F&R/F.5(17)/D.56 dated 06.11.1985

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employee merely because there is a temporary increase in his work. The reasons for the grant of an honorarium should always be recorded in the sanction.

### 36. **Combination of Appointments:**

When an employee is called upon to hold one or more independent posts in addition to his own duties, his pay will be regulated as follows:-

- (a) The highest pay to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure of that post.
- (b) For each other post, he draws such reasonable pay, in no case exceeding <sup>[57]</sup>3 percent of the presumptive pay of the post, as the Nigam may fix.
- (c) If any compensatory allowance is attached to one or more of the posts, he may draw such compensatory allowance as the Nigam may fix, provided that such allowances shall not exceed the total of compensatory allowances attached to all the posts.

### 37. **Two persons not to be appointed to a post at the same time:**

Except as otherwise provided in these Regulations, no two persons may be appointed to draw the pay and allowances of a post at the same time.

### 38. **Compensatory local allowance, Dearness allowance and House rent Allowance:**

An employee will be eligible to such compensatory, dearness and house rent allowance as may be prescribed by the Nigam from time to time.

**Note:** Pending issue of orders of the Nigam under this Regulation, the Rules this regard made by the Rajasthan Government for their employees will apply mutatis-mutandis to the employees of the Nigam.

<sup>[57]</sup> Substituted vide order no. RVUN/P&A/F.6PC/D.544 Dated 01/10/2008 effective from 01/01/2007. [P&A-21]

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### 39. Rent free accommodation:

The Nigam may from time to time specify the posts the holders of which will be entitled to rent free accommodation provided such accommodation, being the property of the Nigam, is available near place of duty.

### <sup>[58]</sup>40. Subsistence grant:

(1) An employee under suspension shall be entitled to the following payments, namely:

- (a) A subsistence allowance at an amount equal to the leave salary which the employee would have drawn if he had been on leave on half-pay and in addition dearness allowance based on such leave salary.

Provided that where the period of suspension exceeds <sup>[59]</sup>six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first <sup>[59]</sup>six months as follows:-

- (i) the amount of subsistence allowance may be increased by a suitable amount not exceeding 50% of the subsistence allowance admissible during the period of the first <sup>[60]</sup>six months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the employee;
- (ii) The amount of subsistence allowance may be reduced by suitable amount not exceeding 50% of the subsistence allowance admissible during the period of the first<sup>[60]</sup> six months, if in the opinion of the said authority, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the employee;

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<sup>[58]</sup> Substituted vide order no. RSEB/A&F/D.3469 dated 6.10.1975

<sup>[59]</sup> Substituted vide order no. RSEB/A&F/D.32 dated 11.05.1972

<sup>[60]</sup> Substituted vide order No. RSEB/A&F/D.32 dated 11.05.1972

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- (iii) the rate of dearness allowance will be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under sub-clause (i) and (ii) above.
  - (b) Any other compensatory allowance admissible from time to time on the basis of pay of which the employee was in receipt of on the date of suspension provided that the employee shall not be entitled to compensatory allowance unless the said authority is satisfied that the employee continues to meet the expenditure for which they are granted.
- <sup>[61]</sup>(2) Payment under sub-clause (1) can be withheld unless:
- (i) a suspended employee remains continuously at the headquarters during the suspension period and makes his attendance daily in the attendance Register kept for the purpose by the controlling authority.
  - (ii) the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation.

Provided in the case of an employee dismissed, removed or compulsory retired from service, who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement under Regulation-9 of RVUN Employees (C.C.&A.] Regulations, 1962 and who fails to produce such a certificate for any period during which he is deemed to be placed or to continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances, equal to the amount by which earnings during such period or periods, as the case may be, fall short of the amount of subsistence and other allowances that would otherwise be admissible to him where the subsistence allowance and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

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<sup>[61]</sup> Substituted vide order No. 38 dated 18/06/1988

<sup>[62]</sup> Substituted vide order no. RSEB/A&F/D.32 dated 11.05.1972

## RVUN EMPLOYEES' SERVICE REGULATIONS

CLARIFICATION: The period of <sup>[62]</sup>six months referred to in sub-para (1) of the Regulation shall be reckoned from the date on which an employee was placed on suspension.

Note: The authorities competent to suspend an employee are given in the RVUN Employees (C.C.&A) Regulations, 1962.

### 41. **Re-instatement after suspension, removal or dismissal:**

When an employee who has been dismissed, removed or suspended is re-instated, the authority competent to order the re-instatement shall consider and make a specified order.

1. (a) Regarding the pay and allowance to be paid to the employee for the period of his absence from duty, and
- (b) Whether or not the said period shall be treated as a period spent on duty.
- (c) Whether or not the suspension, removal or dismissal was wholly unjustifiable.
2. Where such competent authority holds that the employee has been fully exonerated or in the case of suspension that it was wholly unjustified, the employee shall be given the full pay and dearness allowance to which he would have been entitled had he not been dismissed, removed or suspended, as the case may be.
3. In other cases, the employee shall be given such proportion of such pay and allowances not exceeding one half as such competent authority may decide.
4. In a case falling under clause (2), the period of absence from duty shall be treated <sup>[63]</sup> period of duty for all purposes including the purpose for the computation of the period of probation during which the employee remained under suspension.
5. In a case falling under clause (3), the period of absence from duty shall not be treated as period on duty except under order

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<sup>[63]</sup> Substituted vide order no. 40 dated 07/05/1993

<sup>[64]</sup> Substituted vide order no. 40 date 07/05/1993

## RVUN EMPLOYEES' SERVICE REGULATIONS

of such competent authority <sup>[64]</sup>only for any specific purpose including the purpose for the computation of the period of probation during which the employee remained under suspension.

Provided that if the employee so desired, such authority may direct that period of absence from duty shall be converted in to leave of any kind due and admissible to the employee.

- <sup>[65]</sup>6. In cases where punishment order does not indicate as to whether the suspension period is to be counted for the purpose of pension or not, the period of suspension shall be counted for the purpose of pension. In all other cases, action shall be taken as punishment order.
- <sup>[65]</sup>7. Any payment made under this Regulation to a Nigam employee on his re-instatement shall be subject to adjustment of the amount, if any, earned by him through an employment, business, profession or vocation during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of re-instatement. Where the emoluments admissible under this regulation are equal to or less than the amounts earned during the employment, business, profession or vocation elsewhere, nothing shall be paid to the Nigam employee.

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<sup>[65]</sup> Inserted vide order no. 49 dated 04/11/1996



## CHAPTER-IV

### Leave

**42. Kinds of leave:**

Subject to the provisions of these Regulations, the following kinds of leave may be granted to an employee:

1. Casual leave.
2. Privilege leave.
3. Half pay leave, commuted leave and leave not due.
4. Terminal leave.
5. Extraordinary leave.
6. Maternity leave.
7. Study leave.
8. Special disability leave.
9. Hospital leave.

<sup>[66]</sup>Provided that the "Probationer Trainee" shall be entitled to the following kinds of leave:

- a) Casual Leave
- b) Privilege Leave
- c) Terminal Leave
- d) Maternity Leave
- e) <sup>[67]</sup>Paternity Leave

**43. General conditions governing grant of leave:**

The following general principles shall govern the grant of leave to the employee:

- (a) Leave is earned by duty only.
- (b) It cannot be claimed as a matter of right.

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<sup>[66]</sup> Inserted vide order no. RVUN/P&A/F./D.533 Dated: 09.06.2006 and effective from 20.1.2006

<sup>[67]</sup> Inserted vide order no. RVUN/P&A/F./D.53 Dated: 25.05.2012 [P&A-157]

**RVUN EMPLOYEES' SERVICE REGULATIONS**

When the exigencies of services of the Nigam so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

**Explanation:** Sanction of leave may not be presumed and leave asked for should not be availed of unless it has been specifically sanctioned.

- (c) All leave lapses at the time of discharge, dismissal, retirement or death.
- (d) An employee on leave may not take up any service or accept any employment. During leave preparatory to retirement an employee may take up any service or accept any employment with the prior permission of the Nigam which shall be granted only in rare cases.
- (e) An employee is expected to avail of leave granted fully, before resuming duty. An employee on leave cannot return to duty before the expiry of such leave except with the permission of the authority sanctioning leave.

<sup>[68]</sup> (f) Grant of leave on medical grounds:

**(i) Employee who is covered under Nigam's Pay Scales No. 1 to 6:**

- (1) (a) An application for leave on medical certificate made by an employee covered under Nigam's Pay Scales No.1 to 6 shall be accompanied by a medical certificate in the form prescribed below, given by an authorized medical attendant defining as clearly as possible the nature and probable duration of illness.

**Medical Certificate for an employee covered under Nigam's Pay Scale no. 1 to 6.**

I.....after careful personal examination of the case hereby certify that.....whose

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<sup>[68]</sup> Substituted vide order no. RSEB/F&R/F.5 (17) D.21 dated 22.3.82

## RVUN EMPLOYEES' SERVICE REGULATIONS

signature is given below, is suffering from.....and I consider that a period of absence from duty of .....with effect from is absolutely necessary for the restoration of his health.

Date:

Signature of Nigam servant

Name

Designation

Department

Government Medical Attendant/  
other registered practitioner  
with registration number

- (b) An application for leave on medical certificate under clause (a) above may be accompanied by a certificate given by a registered medical practitioner, <sup>[69]</sup>if a Government Medical Officer/ Vaidya/ Hakim is not stationed at the place where he falls ill. The certificate from the registered medical practitioner should invariably indicate his registration number.

<sup>[70]</sup>**Note-1 :** The expression 'Authorised Medical Attendant' in item (1) (a) shall mean:

- (i) An authorized medical attendant shall be as defined in sub-rule (1) of Rules 3 of Rajasthan Civil Services (Medical Attendance) Rules, 2008.
- (ii) In respect of treatment under Medi-claim Scheme applicable to Nigam's employees appointed on or after 01.01.2004, the Medical

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<sup>[69]</sup> Deleted vide order no. 31 dated 31.10.87

<sup>[70]</sup> Substituted vide order no. RVUN/P&A/F./D.290 dated 30.11.2010 [P&A-109]

## RVUN EMPLOYEES' SERVICE REGULATIONS

Officer of the hospitals approved by the Commissioner, State Insurance and General Provident Fund Department.

- (iii) In the case of treatment taken as indoor patient in a private hospital/ hospital run by trust in an emergent circumstance in which reimbursement of medical claim is allowed, the Medical Officers of that hospital.
- (iv) Nigam's Homeopathic / Allopathic doctor on duty in a Nigam's Homeopathic / Allopathic Dispensary or Head of Department of hospital / Institution, which have been approved/ recognized by the Nigam from time to time.
- (v) The expression 'registered medical practitioner' includes Allopathic/ Ayurvedic / Unani practitioner registered under law in force from time to time.

<sup>[71]</sup> 2. The certificate of sickness and fitness from the authorized Medical Attendant of Government/Nigam's Homeopathic/ Allopathic Chikitsak/Doctor or the Head of Department of Hospitals/Institution, which have been recognized by the Nigam, from time to time, for taking treatment at employee's choice/option shall be accepted for the purpose of sanction of leave by the competent authority.

<sup>[72]</sup> 3. However, for taking outdoor treatment for more than 45 days, Medical Certificate of only Medical Board shall be entertained.

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<sup>[71]</sup> Submitted vide order No. RVUN/P&A/F./D. 782 dated 7.11.2003

<sup>[72]</sup> Inserted vide order No. RVUN/P&A/F./D.135 dt. 29.05.2007

## RVUN EMPLOYEES' SERVICE REGULATIONS

- (2) The authority competent to grant leave, at his discretion, may secure a second medical opinion by requesting a Government Medical Officer not below the rank of Chief Medical Officer to have the applicant medically examined on the earliest possible date.
  - (3) The Government Medical Officer referred to at item (2) above shall express opinion both as regards the fact of illness and as regards necessity for the amount of leave recommended, and for this purpose he may either require the applicant for leave to appear before himself or before a medical officer nominated by himself.
  - (4) The grant of Medical certificate under this regulation does not itself confer upon the employee concerned any right to leave.
- (ii) **Employee whose pay scale is linked with Government Pay Scales:**

- (1) An employee whose pay scale is linked with Government Pay Scales may be granted leave by the competent authority for a period not exceeding 60 days on the basis of medical certificate given by the authorized medical attendant in the form prescribed below:

<sup>[73]</sup> **Medical Certificate for an employee whose pay scale is linked with Government Pay Scales**

Statement of the case of \_\_\_\_\_ Name (to be filled in by the applicant in the presence of the Authorised Medical Attendant).

Appointment \_\_\_\_\_

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<sup>[73]</sup> Substituted vide order no. RVUN/P&A/F./D.290 dated 30.11.2010 [P&A-109]

**RVUN EMPLOYEES' SERVICE REGULATIONS**

Age \_\_\_\_\_

Total Service \_\_\_\_\_

Previous periods of leave if absence on medical certificate.

Habits \_\_\_\_\_

Disease \_\_\_\_\_

Authorised Medical Attendant of

\_\_\_\_\_  
(Name of Medical Officer)

I \_\_\_\_\_ after careful

(Name of the Patient)

personal examination of the case certify that \_\_\_\_\_ is in a bad state of health and I solemnly and sincerely declare that according to the best of my judgment the period of absence from duty is essentially necessary for the recovery of his health and recommend that he may be granted \_\_\_\_ days/ month's leave with effect from \_\_\_\_\_. In my opinion it is / it is not necessary for the officer to appear before a Medical Board.

Dated \_\_\_\_\_

Place \_\_\_\_\_

Signature of  
Nigam's  
Employee

Signature of  
Authorised  
Medical Attendant  
with Seal and  
Registration Number

Name

Designation

Department

## RVUN EMPLOYEES' SERVICE REGULATIONS

- (2) When leave to an employee whose pay scale is linked with Government Pay Scales on Medical grounds exceeds a period of 60 days, leave may be granted by the competent authority on the basis of a medical certificate given by a medical officer of or above the rank of Chief Medical & Health Officer.
- (3) When the applicant is hospitalized as indoor patient and the leave is recommended by the Medical Officer Incharge of the case in the hospital not below the rank of Chief Medical and Health Officer, leave for the period of hospitalization shall be sanctioned by the competent authority.

<sup>174]</sup>**Note-1** : The expression 'Authorised Medical Attendant' in item (1) shall mean:

- (i) An authorized medical attendant shall be as defined in sub-rule (1) of Rule 3 of Rajasthan Civil Services (Medical Attendance) Rules, 2008.
- (ii) In respect of treatment under Medi-claim Scheme applicable to Nigam employees appointed on or after 01.01.2004 the Medical Officer of the hospitals approved by the Commissioner, State Insurance and General Provident Fund Department.
- (iii) In the case of treatment taken as indoor patient in a private hospital/ hospital run by trust in an emergent circumstance in which reimbursement of medical claim is allowed, the Medical Officers of that hospital.

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<sup>[74]</sup> Substituted vide order no. RVUN/P&A/F./D.290 dated 30.11.2010 [P&A-109]

**RVUN EMPLOYEES' SERVICE REGULATIONS**

(iv) Nigam's Homeopathic / Allopathic doctor on duty in a Nigam's Homeopathic / Allopathic Dispensary or Head of Department of hospital / Institution, which have been approved/ recognized by the Nigam from time to time.

[75]2. The certificate of sickness and fitness from the authorized Medical Attendant of Government/Nigam's Homeopathic/ Allopathic Chikitsak /Doctor or the Head of Department of Hospitals/Institution, which have been recognized by the Nigam, from time to time, for taking treatment at employee's choice/option shall be accepted for the purpose of sanction of leave by the competent authority.

[76]3. However, for taking outdoor treatment for more than 45 days, Medical Certificate of only Medical Board shall be entertained.

(iii) A Nigam employee who has taken leave on medical certificate may not return to duty until he has produced a medical certificate of fitness in the following form:

I Civil Surgeon/  
Medical Officer at .....  
(Name of Hospital/Dispensary)

do hereby certify that I have carefully examined Shri.....Designation.....of the.....Department and find that he has recovered from his illness and is now fit to resume duties. I also certify that before arriving at this decision, I have examined the original medical certificate (s) and Statement (s) of the case on which leave was granted or extended and have taken these into consideration in arriving at my decision.

Signature of Authorised Medical Attendant/  
Civil Surgeon.

[75] Substituted vide order No. RVUN/P&A/F./D. 782 dated 7.11.2003

[76] Inserted vide order No. RVUN/P&A/F./D. 135 dated 29.05.2007



## RVUN EMPLOYEES' SERVICE REGULATIONS

<sup>[77]</sup>(iv) When a medical authority has reported that there is no reasonable prospect that a particular Nigam employee will ever be fit to return to duty, leave should not necessarily be refused to such a Nigam employee. It may be granted if due by a competent authority on the following conditions:-

- (a) If the medical authority is unable to say with certainty that the Nigam employee will never again be fit for service, leave not exceeding 12 months in all may be granted. Such leave should not be extended without further reference to a medical authority.
- (b) If a Nigam employee is declared by medical authority to be completely and permanently incapacitated for further service, leave or an extension to leave may be granted to him after the report of the medical authority has been received provided that the amount of leave as debited against the leave account together with, any period of duty beyond the date of the medical authority's report does not exceed 6 months.

<sup>[78]</sup>43 (g) **Absence After Expiry of Leave:**

- (i) A Nigam employee who is absent from duty without leave or before leave applied for has been sanctioned by the competent authority shall be treated to have remained willfully absent from duty and such absence shall amount to interruption in service involving forfeiture of past service, unless, on satisfactory reasons being furnished, the absence is regularised by grant of leave due or is commuted into extra-ordinary leave by the authority competent to sanction leave.
- (ii) A Nigam employee who remains absent from duty after the expiry of the sanctioned leave or after

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<sup>[77]</sup> Inserted vide order No. RSEB/F&R/D.13 dated 29.01.1993

<sup>[78]</sup> Substituted vide order No. 61 dated 26.11.88

## RVUN EMPLOYEES' SERVICE REGULATIONS

communication of refusal of extension of leave is not entitled to any pay and allowances for the period of such absence and the period of such absence shall be commuted into extra-ordinary leave unless on satisfactory reasons being furnished, the period of absence is regularised by grant of leave due by the competent Authority to grant leave.

- (iii) Notwithstanding the provisions contained in paras (i) and (ii) above, the disciplinary authority may initiate departmental proceedings under the RVUN Employees (CC&A) Regulations, 1962 against a Nigam employee who willfully remains absent from duty and if the charge of willful absence from duty is proved against him, he may be removed from service.

**NOTE:** The cases which do not fall under the purview of Regulation 21 shall be dealt with under the provisions of this Regulation.

- (h) Leave may be prefixed and/or suffixed to a holiday, subject to the following conditions:
  - (i) the transfer or assumption of charge does not involve the handing or taking over securities or of moneys other than a permanent advance;
  - (ii) The early departure does not entail a corresponding early transfer from another station of an employee to perform his duties, and
  - (iii) The delay in return does not involve a corresponding delay in the transfer to another station of an employee who was performing the duties of the employee on leave during his absence or in the discharge from Nigam's Service of a person temporarily appointed to it.

On the condition that the departing employee remains responsible for the moneys in his charge, the authority sanctioning leave may declare that condition (i) above is not applicable to any particular case.

## RVUN EMPLOYEES' SERVICE REGULATIONS

<sup>[79]</sup>Unless the Competent Authority in any case otherwise directs:

- (a) If holidays are prefixed to leave, the leave and any consequent re-arrangement of pay and allowance take effect from the first day after the holidays, and
- (b) If holidays are affixed to leave or joining time, the leave or joining time is treated as having terminated on, and any allowances take effect from, the day on which the leave or joining time would have ended if holidays had not been affixed.
- (c) The holidays prefixed and affixed to leave should be included in computing the period of dual arrangement and accordingly additional pay should be granted.

### ORDER

**No. RSEB/F&R/F.5(17)/D.112**

**Dated: 20.11.90**

**Sub: RVUN ESR, 1964 - Regulation 43(h) Treatment of Restricted Holidays.**

It is observed that a restricted holiday is not exactly covered under Regulation 3(xii) of RVUN Employees Service Regulation, 1964, as it stands at present, because on a restricted holiday the office is not closed for transaction of the Nigam's business without reserve or qualification. However, as the restricted holidays are akin to other closed holidays, it has been decided that restricted holiday can be prefixed or suffixed to regular leave or casual leave.

<sup>[80]</sup>(i) Leave may not be granted to an employee under suspension. Provided that permission to leave headquarters to a Nigam employee under suspension may be given in the event of serious illness in the family etc. by the authority competent to fill the post, for reasonable period in unavoidable circumstances, keeping in view the state of enquiry and the possible effect of Nigam employee's absence on its progress.

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<sup>[79]</sup> Inserted vide order No. RSEB/F&R/D.3 dated 03/02/1977

<sup>[80]</sup> Substituted vide order No. RSEB/F&R/F.ESR/D.44 dated 5.9.86

## RVUN EMPLOYEES' SERVICE REGULATIONS

- (j) Leave ordinarily begins on the day from which charge is handed over and ends on the day preceding that on which charge is resumed, if in the forenoon of that day. If the charge is transferred in the afternoon, the leave begins or ends, as the case may be from the following day.
- (k) The leave due to an employee is the period which he has earned diminished by the period of leave actually taken.
- (l) Casual leave may normally be availed of only after sanction by the Head of the office but one day's casual leave may be availed without prior sanction in case of unforeseen emergency provided the Head of office is promptly advised of the circumstances in which prior sanction could not be obtained. Casual leave to Heads of offices may be sanctioned by the next higher authority.
- (m) Application for leave other than casual leave shall ordinarily be submitted 30 days before the date from which the leave is required. Application which do not satisfy this requirement may be refused without assigning any reason.
- (n) An employee shall, before proceeding on leave, intimate to the authority sanctioning leave his address while on leave and shall keep the said authority of any change in the address previously furnished.
- (o) Combination of leave:  
Casual leave cannot be availed of in conjunction with any other kind of leave. Any kind of leave, except causal leave, under these Regulation can be granted in combination with or in continuation of any other kind of leave.
- (p) No leave shall be granted beyond the date on which an employee must compulsorily retire.

<sup>[81]</sup> Provided that if in sufficient time before the date of compulsory retirement an employee has been denied in whole or in part on account of the exigencies of service of the Nigam any leave applied for and due as leave preparatory to retirement then he may be granted after the date of

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<sup>[81]</sup> Inserted vide notification no. RSEB/Rules/ESR/D.97 dated 17/19.09.1975 effective from 1.12.1974.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

compulsory retirement the amount of privilege leave which was due to him on the said date of compulsory retirement subject to maximum limit of 120 days as prescribed in Regulation No. 45. So long as the leave so granted, including the leave granted to him between the date from which the leave preparatory to retirement was to commence and the date of compulsory retirement does exceed the amount of leave preparatory to retirement actually denied the half pay leave if any applied for by an employee preparatory to retirement and denied in the exigencies of service of the Nigam being exchanged with privilege leave to the extent such leave was earned between the date from which the leave preparatory to retirement was to commence and the date of compulsory retirement.

Provided further that an employee whose service has been extended in the interest of the service of the Nigam beyond the date of his compulsory retirement may be granted privilege leave as under :

- (i) During the period of extension, any privilege leave due in respect of the period of such extension and to the extent necessary, the privilege leave which could have been granted to him under the preceding proviso had he retired on the date of compulsory retirement.
- (ii) After the expiry of the period of extension:
  - (a) The privilege leave which could have been granted to him under the preceding proviso, had he retired on date of compulsory retirement diminished by the amount of such leave availed of during the period of extension.
  - (b) Any leave earned during the period of extension as preparatory to final cessation of his duties in sufficient time during the extension and refused to him on account of the exigencies of service of the Nigam.
- (iii) In determining the amount of privilege leave due in respect of the extension with reference to Regulation

## RVUN EMPLOYEES' SERVICE REGULATIONS

45, the privilege leave, if any, admissible under the preceding proviso shall be taken in to account.

- (q) A leave account in the form prescribed will be maintained for each employee. The leave accounts, other than that of casual leave of officers of Class I and II, shall be maintained by <sup>[82]</sup> Chief Accounts Officer who will verify the title to leave before leave to such an officer, is sanctioned.

The leave accounts of other employees shall be maintained by Head of Office concerned.

- <sup>[83]</sup>(r) (i) In the event of death of a Nigam employee while in service, a lump sum amount equal to the amount of leave salary admissible in respect of privilege leave that may be due the deceased Nigam employee on the date of death, not exceeding <sup>[84]</sup>300 days privilege leave, may be paid to the widow/ Children of the deceased Nigam employee.
- (ii) Subject to provisions of paragraph (i) above a lumpsun payment may also be allowed to the widow/ children of a Nigam employee who dies in any of the following circumstances:
- (a) While availing of refused leave, the lump sum payment shall be restricted to the amount of refused leave not actually availed of due to death, reduced by the amount of family pension admissible if any.
- (b) While in extension in service.
- (c) While on re-employment immediately after retirement if he did not avail of refused leave during the period of re-employment till death.

### 44. Casual Leave:

- (1) An employee may be granted casual leave for a sufficient and valid reason upto a maximum of 15 days during the period of 12 months from 1st January to 31st December. Not more than 10 days of casual leave may be granted at a

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<sup>[82]</sup> Substituted vide order no. D.10 dated 6.02.1997

<sup>[83]</sup> Substituted vide order no. RSEB/F&R/F./D.23 dated 25.02.1995

<sup>[84]</sup> Substituted vide order no. RSEB/CAO/F&R/F./D.45 dated 15.06.1998

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time. The unavailed portion of the casual leave shall lapse at the end of the period.

Provided that an employee joining service during the course of year should be granted casual leave in the following manner subject to normal rules:-

- (a) Up to 5 days to those who join in October or thereafter.
- (b) Up to 10 days to those who join in July to September.
- (c) Up to 15 days to those who join before July.

Casual leave may be sanctioned by the Head of the office and if the applicant is himself the Head of office by the next superior officer. The work of the employee going on casual leave should not be allowed to suffer and necessary arrangement for it should be made.

- <sup>[85]</sup>(i) Sundays, Gazetted holidays and weekly off which immediately precede a period of casual leave or come at the end may be prefixed or suffixed to such leave and those falling within a period of casual leave will not be counted as part of the casual leave.
- (ii) A Nigam employee may be allowed half-a-day's casual leave if he applies for it.

**Note:** For this purpose, 'Half-a-day' in the forenoon session shall be considered to be the period upto the end of the lunch time and in the afternoon it shall be inclusive of the period of lunch i.e. an employee who takes half-a-day casual leave in the forenoon session will be required to attend office by 2.00 p.m. and in the case of half-a-day casual leave in the afternoon session, he may be allowed to leave at 1.30 p.m. During morning office hours i.e. 7 A.M. to 1.00 P.M., 10 A.M. will be the dividing line.

<sup>[86]</sup> Provided further that the casual leave to an employee retiring during the course of the year shall be admissible to the extent given below subject to normal rules:-

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<sup>[85]</sup> Substituted vide order no. RSEB/Rules/ESR/D.130 dated 15.12.1975

<sup>[86]</sup> Inserted vide order no. RVUN/FA&CAO/F(ESR)/D.1 Dated: 10.02.2003 and effective from 1.01.2003

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- (a) Up to 5 days for service of 3 months or less in the year of retirement,
- (b) Up to 10 days for service of more than 3 months but up to 6 months in the year of retirement, and
- (c) Up to 15 days for service of more than 6 months in the year of retirement.

However, this proviso shall not be applicable in the cases of death while in service.

Casual leave, however, must not be given so as to cause evasion of the Regulations regarding :-

- (i) Date of reckoning pay and allowances.
- (ii) Charge of office.
- (iii) Commencement & end of other kinds of leave.
- (iv) Return to duty, or so as to extend the terms of leave beyond the time admissible.

- <sup>[87]</sup>44 (1) (A) Probationer Trainee can be granted Casual Leave upto maximum of 12 days in a Calendar year and for a period of less than a calendar year, it shall be admissible in proportion, on the basis of completed months.

<sup>[88]</sup>(2) **Compensatory casual leave in lieu of attendance on holiday:**

A Member of the Ministerial establishment (other than personal staff of the officers) and Junior Engineer class I and Junior Engineer II may be allowed Compensatory Casual leave for the number of holidays he is required to attend office/duty for some urgent work under the orders of an officer or Head of office, but not clearance of arrears, provided that such Compensatory Casual Leave does not exceed more than ten days in a calendar year.

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<sup>[87]</sup> Inserted vide order no.RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006

<sup>[88]</sup> Substituted vide order no. RSEB/F&R/F.5 (17)/0.88 dated 29.11.1979



## RVUN EMPLOYEES' SERVICE REGULATIONS

<sup>[89]</sup> Provided that the Assistant Engineer posted on Grid Sub-Stations and the Executive Engineers/ Assistant Engineers posted on Load Dispatch Divisions and 400 KV, Heerapura (Jaipur) and performing shift duties may be allowed to earn compensatory Casual leave for shift duties upto a total period of 20 days in a calendar year but such compensatory casual leave will not be allowed to be accumulated for more than 10 days at a time.

<sup>[90]</sup> Provided further that the JENs working in shifts may be allowed to earn Compensatory Casual Leave for shift duties upto a total period of twenty days in a calendar year but such Compensatory Casual Leave will not be allowed to be accumulated for more than ten days at a time.

<sup>[91]</sup> Provided further that XENs/AENs/JENs working in shifts at Power Stations of RVUN may be allowed to earn Compensatory Casual Leave for shift duties upto a total period of Twenty (20) days in a calendar year but such Compensatory Casual Leave will not be allowed to be accumulated for more than ten (10) days at a time.

On earning a Compensatory Casual Leave (CCL) by an employee, the same can be availed in the month in which such CCL is earned or within next two months immediately following that month.

The question of grant of Compensatory (Casual) Leave in lieu of holiday to class IV servant of the Nigam has been under consideration for some time past. The chairman is pleased to decide that class IV employees of the Nigam (including employees on deputation) may also be granted Compensatory (Casual) leave in lieu of attendance of holidays on the same terms and conditions as mentioned in Regulation 44(2) of the RVUN Employees Service Regulations, 1964.

The Compensatory leave earned under this instruction will be in addition to the casual leave ordinarily admissible in a year.

No claim for conveyance charges will be admitted for attendance on holiday when compensatory casual leave is sanctioned.

### <sup>[92]</sup> 45 Admissibility of Privilege Leave:

1. a) A Nigam employee whether temporary or permanent shall be entitled to privilege leave of 30 days in a

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<sup>[89]</sup> Inserted vide order no. RSEB/F&R/D.13 dated 31.01.1995

<sup>[90]</sup> Inserted vide order no. RSEB/F&R/F.5 (17)/0.6 dated 10.02.92

<sup>[91]</sup> Inserted vide order no. RVUN/P&A/Estt./F/D.148 Dated: 28.06.2013 [P&A-190]

<sup>[92]</sup> Substituted vide order no. RSEB/F&R/F.5 (17)/D.50 dt. 18.10.84

## RVUN EMPLOYEES' SERVICE REGULATIONS

calendar year.

- b) A Nigam employee shall be entitled to accumulate leave upto a maximum period of <sup>[93]</sup> 300 days.
  - <sup>[94]</sup>c) Probationer Trainee shall be entitled to earn Privilege Leave at the rate of 1 (one) day's leave for every 20 days i.e. upto maximum of 18 days in a Calendar year.
2. a) The leave account of every Nigam's employee shall be credited with the privilege leave, in advance, in two installments of 15 days each on the first day of January and July of every calendar year irrespective of whether it is an even or uneven year.
- <sup>[95]</sup>Provided that where the privilege leave at the credit of an employee as on the last day of December or June is 300 days or less but more than 285 days, the advance credit of 15 days privilege leave on the first day of January or July shall be made as per provisions contained in sub-clause (i) of clause (a) above and the leave account of such advance credited privilege leave shall be kept separately and against which privilege leave taken by an employee during the half year shall first be adjusted during that half year and balance, if any, shall be credited to the leave account at the end of the half year, subject to the condition that balance of such advance credited privilege leave plus privilege leave already at credit do not exceed the maximum limit of 300 days.
- b) No deduction in leave balance shall be made if Nigam's employee remains on any kind of leave other than extraordinary leave. If a Nigam's employee remains on extra-ordinary leave in a half

<sup>[93]</sup> Substituted vide order No. RSEB/CAO/F&R/F./D.45 dt. 15.06.1998 (effective from 1.1.1998)

<sup>[94]</sup> Inserted vide order no.RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006

<sup>[95]</sup> Inserted vide order no. RVUN/P&A/F.BOD(65)/D.543 dated 14.03.2013 effective from 1.01.2013 [P&A-177]

## RVUN EMPLOYEES' SERVICE REGULATIONS

year, deduction shall be made at the rate of one tenth of the period of extra-ordinary leave during that half year subject to a maximum of 15 days each on the first day of January and July of every calendar year irrespective of whether it is an even or uneven year.

3. Subject to the provision of Regulation 43 (b) the maximum amount of privilege leave that may be granted to a Nigam employee at a time shall be 120 days, but in case the privilege leave is taken for the purpose of undergoing treatment for T.B., Leprosy or Cancer or Mental disease in recognized Sanatorium/Hospital, the maximum period for which privilege leave can be granted shall be<sup>[93]</sup> 300 days at a time.

- <sup>[96]</sup>4. (a) A Nigam's employee shall earn privilege leave at the rate of 2 ½ days for each completed month of his service in a half year in which he is appointed.
- (b) In case of resignation, termination, discharge, removal or dismissal from service or death while in service or on retirement from service, the privilege leave shall be re-reckoned w.e.f. 1st January or 1st July, as the case may be, in the half year of occurrence of event and credited to his leave account at the rate of 2 ½ days for each completed calendar month upto the end of the month in which he ceases to be in service.

### <sup>[97]</sup>45(A) **Encashment of Privilege Leave while in Service:**

- (i) All employees of the Nigam governed by RVUN Employees Service Regulations, 1964 may, on surrender of privilege leave not exceeding 15 days once in a financial year commencing from first of April, be granted leave encashment equal to the period of leave surrendered.

Provided that no encashment of privilege leave may be allowed to a temporary Employee of the Nigam

<sup>[96]</sup> Substituted vide order no. RSEB/F&R/F.5(17)/D.21 dated 13.02.1985

<sup>[97]</sup> Substituted vide order no. RVUN/P&A/F.BoD/D.204 dated 27.08.2010 [P&A-93]

## RVUN EMPLOYEES' SERVICE REGULATIONS

unless he has completed one year of service.

Provided further that encashment of privilege leave shall only be allowed to an employee of the Nigam who has made application for this purpose within the respective financial year.

- ii) Technical employees governed by the Technical Employees Leave Rules may, on surrender of privilege leave not exceeding <sup>[98]</sup>15 days once in a financial year commencing from first of April, be granted leave encashment equal to the period of leave surrendered.

Provided that no encashment of privilege leave may be allowed to a temporary Employee of the Nigam unless he has completed one year of service.

Provided further that encashment of privilege leave shall only be allowed to an employee of the Nigam who has made application for this purpose within the respective financial year.

- iii) The number of days of privilege leave surrendered shall not be referred to any particular period but may be reckoned as surrendered on the date of submission of application for leave encashment benefit and debited against the leave account of the employee.
- iv) The Authority, who is competent to sanction privilege leave shall be competent to accept surrender of privilege leave and to grant leave encashment benefit thereof.
- v) The amount of leave salary for the period for which leave is surrendered shall be calculated in accordance with the provisions of Regulation-55 plus Dearness Allowance thereon on the date of submission of application for leave encashment benefit. A month for the purpose of calculation of leave salary and allowance shall mean 30 days."
- vi) A Nigam employee may be paid leave salary in lieu of the privilege leave surrendered in the month he makes an application after issuing the formal

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<sup>[98]</sup> Substituted vide order no. RVUN/P&A/F.BoD/D.328 dated 6.11.2012 [P&A-171]

## RVUN EMPLOYEES' SERVICE REGULATIONS

sanction in this regard.

- vii) This leave salary is not liable to deductions on account of State Life Insurance Premium, Life Insurance Corporation Premium, Contributory Provident Fund Subscription, repayment of advances etc. to the Nigam, house rent and repayment of any dues to cooperative societies etc. However, the income tax should be deducted on this additional income.
- viii) The concession shall also apply to Nigam employees, who are on foreign service or deputation to the Government of India or Rajasthan Government or other State Government or any non-Government Body or Institution or have been sent on training within the Country or Abroad.
- ix) The benefit of surrender of privilege leave will not be allowed to re-employed persons or those under extension of service.

<sup>[99]</sup>45(B)

### **Cash payment in lieu of un-utilised privilege leave on date of retirement.**

- (1) A Nigam employee, who is either covered under CPF Scheme or under pension Scheme as admissible under RSR on retirement from service of the Nigam on attaining the age of superannuation, invalid, compensation or retirement pension under regulation 18 (3) of RVUN, Employees Service Regulations, 1964 shall be paid cash equivalent to leave salary in respect of the period of un-utilised privilege leave not exceeding <sup>[100]</sup> 300 days at his credit at the time of retirement.
- (2) The cash payment of leave salary admissible under sub-regulation (1) above shall be paid on retirement in one lump sum as one time settlement.
- (3) The cash payment under this regulation shall be

<sup>[99]</sup> Substituted vide order no. RSEB/F&R/F.5(17)/D.50 dated 18.10.1984

<sup>[100]</sup> Substituted vide order No. RSEB/F&R/CAO/D. 45 dated 15.06.1998 effective from 1.01.1998

## RVUN EMPLOYEES' SERVICE REGULATIONS

equal to leave salary as admissible for privilege leave and dearness allowance admissible on that leave salary at the rates in force on the date of retirement. No Compensatory Allowance or House Rent Allowance shall be payable on cash payment of leave salary.

- (4) The cash payment for un-utilised privilege leave shall be calculated as follows:

<b>Cash payment =</b>	Pay admissible on		Number of un-
	the date of		utilised P.L. at
	retirement plus		credit on the date
	Dearness	x	of retirement
	allowance		subject to a
	admissible on that		maximum of
	date		<sup>[101]</sup> 300 days
	30		

- (5) The Head of office or Head of Department, as the case may be, shall be competent to grant leave and permit cash equivalent of privilege leave not exceeding <sup>[101]</sup> 300 days at the credit of a Nigam employee on the date of retirement.

- (6) The benefit of cash payment under this regulation shall also be admissible to the Nigam employees, who are granted extension in service after attaining the age of superannuation. In such cases the benefit shall be granted on the date of final retirement on the expiry of extension.

- <sup>[102]</sup> (7) The authority competent to grant leave may withhold whole or part of cash equivalent of privilege leave in case of Nigam employee who retired from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view

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<sup>[101]</sup> Substituted vide order No. RSEB/F&R/CAO/D. 45 dated 15.06.1998 effective from 1.01.1998

<sup>[102]</sup> Inserted vide order no. RSEB/F&R/F.(P.L.)/D.72 Dated: 28.10.1999

## RVUN EMPLOYEES' SERVICE REGULATIONS

of such authority there is a possibility of some money becoming recoverable from him on conclusion of the proceeding against him. On conclusion of the proceeding, he will become eligible to the amount so withheld after adjustment of Nigam dues, if any.

### <sup>[103]</sup> **Decision**

In order to avoid delay in getting cash payment in lieu of un-utilised privilege leave on the date of retirement, it has been decided that competent authority may issue order for cash payment one month in advance of the date of retirement on receipt of application from the concerned Nigam employee, but the payment of the same shall be made only after the actual retirement of the Nigam employee has come into effect.

During the period from the date of sanctioning cash payment and actual retirement, ordinarily no Privilege Leave shall be sanctioned to him. If in emergent circumstances, any leave is required to be sanctioned, the orders earlier issued for cash payment shall be simultaneously revised by the leave sanctioning authority.

### <sup>[104]</sup> **46. Half Pay Leave, Leave not due and Commuted leave.**

- (1) (a) A Nigam employee shall be entitled to half pay leave of 20 days in respect of each completed year of service.
- (b) The leave under clause (a) may be granted on medical certificate or on private affairs.
- (2) (i) Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate of an authorised medical attendant to a permanent Nigam employee to the following conditions:
  - (a) When commuted leave is granted twice the amount of leave shall be debited to half pay

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<sup>[103]</sup> Inserted vide order no. 32 dated 31.03.95

<sup>[104]</sup> Substituted vide order no. RSEB/F&R/F.5(17)/D.50 dated 18.10.1984

## RVUN EMPLOYEES' SERVICE REGULATIONS

leave due.

- (b) That the authority competent to grant leave is satisfied that there is reasonable prospect of the Nigam employee's returning to duty on its expiry.
  - (ii) Half pay leave upto a maximum of 180 days may be allowed to be commuted during the entire service without production of medical certificate where such leave is utilised for an approved course of study certified to be in the public interest by the leave sanctioning authority.
- (3) Save in the case of leave preparatory to retirement, leave not due may be granted to a Nigam employee in permanent employment subject to the following conditions:
- (a) The authority competent to grant leave is satisfied that there is reasonable prospect of the Nigam employee returning to duty on its expiry:
  - (b) The leave not due shall be limited to the half pay leave he is likely to earn thereafter;
  - (c) Leave not due during the entire service shall be limited to a maximum of 360 days, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate of the authorised medical attendant;
  - (d) Leave not due shall be debited against the half pay leave the Nigam employee may earn subsequently.
- (4) A temporary Nigam employee, who has been appointed in accordance with the Rules regulating recruitment and conditions of service framed under the Section 79(c) & (k) of the Electricity Supply Rules-1948 or where such recruitment rules have not been framed, the appointment has been in accordance with the orders issued by the Nigam from time to time prescribing academic qualification, experience etc. shall on completion of three years service



## RVUN EMPLOYEES' SERVICE REGULATIONS

be entitled to commuted leave and leave not due under sub-regulation (2) & (3) respectively.

- (5) No leave salary shall be recovered where a Nigam employee, who has been granted commuted leave or leave not due under sub-regulation (2) & (3) as the case may be, dies or is retired under regulation 18(4). In other cases like resignation, voluntary retirement, removal, dismissal etc. the recovery of leave salary shall be made.

<sup>[105]</sup>47. (deleted).

<sup>[106]</sup>48. **Admissibility of Terminal Leave:**

- (1) Terminal leave to the extent of privilege leave not exceeding <sup>[107]</sup>300 days may be sanctioned at the discretion of the authority competent to grant of leave even when it has not been applied for and refused in the public interest to the following categories of Nigam employees on termination of their employment:
- (a) a temporary Nigam employee whose services are terminated by Nigam on account of retrenchment or on the abolition of the post before attaining the age of superannuation.
  - (b) re-employed pensioners:
  - (c) persons employed for a period exceeding one year on contract basis:
  - (d) unqualified persons who have to vacate their temporary posts to make room for qualified candidates and;
  - (e) persons whose services may have to be disposed with as a matter of administrative convenience as an alternative to the initiation of disciplinary proceeding against them.
- (2) A temporary Nigam employee, who resigns on his own may at the discretion of the sanctioning authority be granted

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<sup>[105]</sup> Deleted vide order no. 61 dated 26.11.88

<sup>[106]</sup> Substituted vide order no. RSEB/F&R/F.5 (17)/D.50 dated 18.10.84

<sup>[107]</sup> Substituted vide order no. RSEB/F&R/CAO/D.45 dated 15.06.1998 effective from 1.01.1998

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terminal leave not exceeding half the amount of privilege leave at his credit subject to a maximum of<sup>[108]</sup> 150 days.

- (3) The cash payment of leave salary under sub-regulation (1) and (2) shall be paid in lump sum as one time settlement in accordance with method of computation laid down in sub-regulation (3) & (4) of Regulation 45 (B).
- (4) Terminal leave under sub-regulation (1) & (2) above shall not be admissible to
  - (a) apprentice and persons not in the whole time employ of the Nigam;
  - (b) Nigam employees dismissed or removed from service; and
  - (c) Nigam employees whose services have been terminated for taking part in any anti national movement.

### **49. Leave to a temporary employee appointed permanent without interruption in duty:**

An employee not in permanent employ appointed without interruption of duty substantively to a permanent post will be credited with the privilege leave which could have been admissible if his previous duty had been duty as a permanent employee diminished by any leave already taken. Leave is not an interruption of duty for the purpose of this Regulation.

### **<sup>[109]</sup>50. Extra-ordinary Leave:**

- (1) (a) Extra-ordinary leave may be granted to an employee of the Nigam in special circumstances:
  - i) When no other leave is admissible, or
  - ii) When other leave is admissible, but the employee concerned applies in writing for the grant of extra-ordinary leave.
- (b) Except in the case of a permanent employee the duration of extra-ordinary leave shall not exceed three or eighteen months on anyone occasion, the

<sup>[108]</sup> Substituted vide order no. RSEB/F&R/CAO/D.45 dated 15.06.1998 effective from 1.01.1998

<sup>[109]</sup> Substituted vide order no RSEB/F&R/ESR/64/D.97 dated 02/12/1969

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conditions as the Nigam may by general or special order prescribe, only when the employee concerned is undergoing treatment for:-

- i) Pulmonary Tuberculosis in recognized sanatorium or
- ii) Tuberculosis of any other part of the body by a qualified tuberculosis Specialist or a Civil Surgeon or a District Medical Officer.
- iii) Leprosy in a recognized Leprosy Institution or by a Civil Surgeon or a Distt. Medical Officer or a Specialist in leprosy recognized as such by the Rajasthan State Administrative Medical Officer concerned.

[110] Extra-ordinary Leave to Probationer Trainee can be sanctioned as follows:-

Sl. No.	Extra-ordinary Leave (EOL) Period	Competent Authority to sanction EOL
1	Upto three months.	Appointing Authority.
2	Beyond three months but not more than one year.	Chairman & MD in consultation with Director (Finance)

Extra-ordinary Leave beyond the period of one year, in exceptional and unavoidable circumstances, shall be granted only with prior approval of Whole Time Directors.

In case Extra-ordinary Leave is taken for a period exceeding one month, the probation period shall be extended for the period of extra-ordinary leave taken beyond one month.

- (c) Where an employee, who is not in a permanent employ, fails to resume duty on the expiry of the maximum period of extra-ordinary leave granted to him, or where such an employee who is granted a lesser amount of extra-ordinary leave, than the

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[110] Substituted vide order no. RVUN/P&A/F.BOD(105)/D.492 dated 12.11.2014 effective from 11.06.2014 [P&A-216]

## RVUN EMPLOYEES' SERVICE REGULATIONS

maximum amount admissible, remains absent from duty for any period which together with the extra-ordinary leave granted exceeds the limit upto which he could have been granted such leave under sub-regulation (b) he shall, unless the Nigam in view of the exceptional circumstances of the case otherwise determines, be deemed to have resigned his appointment, and shall accordingly cease to be in Nigam's employ.

- (d) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extra-ordinary leave.
- (3) When other leave admissible, but the employee concerned applies in writing for the grant of extra-ordinary leave.

### <sup>[111]</sup>ORDER

Sub : Power to grant Extra-ordinary leave to the temporary employees-Delegation of powers to the Chairman.

The Board in its 339th meeting held on 27.12.84 has delegated the powers to the Chairman to grant extra-ordinary leave to the temporary employees beyond the period of 3 months on grounds other than those mentioned in Regulation 50 (1) (b) of RVUN Employees Service Regulations, 1964 in justified cases.

### <sup>[112]</sup>51. Maternity Leave:

Maternity Leave may be granted to a female employee of Nigam with less than two surviving children upto a period of <sup>[113]</sup>180 days from the date of its commencement. However, if there is no surviving child even after availing it twice, Maternity Leave may be granted on one more occasion.

During such period she will be entitled to leave salary equal to pay drawn immediately before proceeding on leave. Such leave shall not

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<sup>[111]</sup> Inserted vide order no. RSEB/F&R/F.5 (17) D.9 dated 19.01.1985

<sup>[112]</sup> Substituted vide order no. RVUN/P&A/AS1/D.266 dated 22.03.2005 effective from 06.12.2004

<sup>[113]</sup> Substituted vide order no. RVUN/P&A/F.ESR/D.601 dated 13.10.2008 [P&A-37]

## RVUN EMPLOYEES' SERVICE REGULATIONS

be debited to the leave account but such entry should be made in the service book separately.

<sup>[114]</sup>**Note:-** (i) Maternity leave may also be granted to a Nigam's female employee with less than two surviving children, in case of miscarriage including abortion, either once or twice subject to total of six weeks during the entire service provided that the application for leave is supported by a certificate from the authorized medical Attendant.

(ii) Maternity leave is also admissible to temporary female employees under this Regulation.

(iii) Maternity leave is not admissible in case of incomplete abortion.

### CLARIFICATION

'Abortion' does not include 'threatened abortion' and Maternity Leave cannot be granted in the case of thereatened abortion.

Order No. RSEB/Rules/D.26

Dated 16.8.1973

### ORDER

The Board in its 186th meeting held on 31st July, 1973 has decided that the women workers who are so far not governed by the E.S.I. Scheme, Maternity Benefit Act and RVUN Employees Service Regulations, 1964 and in whose case the Maternity leave and other benefits for the purpose of maternity are not available, be allowed the facilities of the Maternity Benefit Act.

### <sup>[115]</sup>**51(A) Paternity Leave:**

A male employee of the Nigam with less than two surviving children may be granted Paternity Leave (maximum two times) for a period of 15 days during confinement of his wife i.e. 15 days before to three months after childbirth; and if such leave is not availed of within this period it shall be treated as lapsed.

During the period of such leave male employee of the Nigam shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. Paternity Leave shall not be debited against

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<sup>[114]</sup> Substituted vide order no. RVUN/F&A/F./D. 894 dated 15.12.2006

<sup>[115]</sup> Inserted vide order no. RVUN/P&A/AS-II/266 dated 22.03.2005 effective from 6.12.2004

## RVUN EMPLOYEES' SERVICE REGULATIONS

the leave account but such entry should be made in the service book separately.

Such leave shall not be allowed in case of miscarriage including abortion of the wife of the employee of the Nigam.

### <sup>[116]</sup>51(B) Child Adoption Leave :

- 1) A female employee of the Nigam, with fewer than two surviving children, on valid adoption of a Child below the age of one year may be granted Child Adoption Leave, by an authority competent to grant leave, upto a period of 180 days immediately after the date of valid adoption.
- 2) During the period of child adoption leave, she will be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- 3) Child adoption leave may be combined with leave of any other kind.
- 4) Child adoption leave shall not be debited against the leave account but such entry should be made in the service book separately.

### 52. Study Leave :

<sup>[117]</sup>(1) The Nigam may grant study leave to a permanent employee to study scientific, technical or similar problems or to undergo special course of instructions or training in or outside India provided such study course or training is in the Nigam's interest and on such terms and conditions as the Nigam may consider necessary. Study leave may be combined with such other leave as the employee is entitled to, provided that total absence from duty shall not exceed 24 months.

<sup>[118]</sup>(2) Notwithstanding the provisions contained in sub-regulation (1) study leave will also be admissible to a temporary employee who has completed 3 years continuous service provided that the initial appointment has been made by the competent authority according to regulations of the Nigam.

<sup>[116]</sup> Inserted vide order no. RVUN/P&A/F./D. 187 dated 4.01.2012 [P&A-144]

<sup>[117]</sup> Substituted vide order no. 80 dated 20.10.1970

<sup>[118]</sup> Inserted vide order no. 48 dated 9.9.1986

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- (3) In case of a temporary Nigam employee who has completed three years continuous service and is not covered by provisions of sub-regulation (2) above, extra-ordinary leave may be granted for a period of 2 years for purpose of prosecuting higher studies certified to be in Nigam's interest in relaxation of provision contained in regulation 50(1) (a) of RVUN Employees Service Regulations, 1964.
- (4) Application for study leave should state the course or courses of study contemplated and any examination which the candidate proposes to undergo. It should be submitted with a certificate from <sup>[119]</sup>the Chief Accounts Officer. In the event of any change in the course of study or examination, the prior approval of the Chairman should be obtained.
- (5) If an employee who is granted study leave resigns and does not return to duty after the period of study leave or resigns at any time before the expiry of the period stipulated to serve after training, will have to refund to the Nigam double the amount of leave salary, and other payments to him during the period of study leave together with interest thereon. To achieve this purpose the employee shall be required to execute a bond of agreement as in the Annexure to this chapter.

### 53. Special Disability Leave:

- i) Subject to the conditions specified in this Regulation, Nigam may grant special disability leave to an employee who is disabled by injury intentionally inflicted or caused in or in consequence of the performance of his duties or in consequence of his position in the Nigam's service.
- ii) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed and the person disabled acted with due promptitude in bringing it to notice. But the Nigam if it is satisfied as to the cause of the disability, may permit leave to be granted in cases where the disability manifested itself, more than three months after occurrence of its cause.

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<sup>[119]</sup> Substituted vide order no. 10 dated 6.2.1997

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

- iii) The period of leave granted shall be such as is certified by a Medical Authority, specified by the Nigam, to be necessary.
- iv) It shall not be extended except on the certificate of a Medical Authority specified by the Nigam and shall in no case exceed 24 months. Such leave may be combined with leave of any other kind.
- v) Special disability leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of anyone disability.
- vi) Such leave shall be counted as duty in calculating service for pension or Contributory Provident Fund Rules.
- vii) Leave salary during such leave to employees other than Class IV shall be equal to:-
  - a) for the first 120 days, of any such leave including a period of such leave granted under clause(v) of this Regulation to leave salary in accordance with clause 2 of Regulation 55.
  - b) for the remaining period of any such leave to half pay in accordance with clause 3 of the Regulation 55 or at the employee's option, for a period not exceeding the period of privilege leave which would otherwise be admissible to him, to average pay. In the later case half of such leave shall be debited to his privilege leave account.
- viii) Leave salary to class IV employee shall be equal to :-
  - a) for the first sixty days, of any such leave including a period of such leave granted under clause(v) of this Regulation, to leave salary equal to his pay on the day before the leave commences, and
  - b) for the remaining period of such leave to half pay or at the employee's option, for a period not exceeding the period of privilege leave which would otherwise



## RVUN EMPLOYEES' SERVICE REGULATIONS

be admissible to him, to pay equal to pay on the day before the commencement of leave. In the later case half of such leave shall be debited to his privilege leave account.

### 54. Hospital leave-admissibility and extent:

- i) A competent authority may grant hospital leave to an employee while undergoing treatment in a hospital for illness or injury if such injury or illness is caused by shock received from high electric voltage in attending to electric installation or to lines at power crossing or for charging plant, to those employees of the Nigam whose pay does not exceed <sup>[120]</sup> Rs. 12000/- p.m. and who are employed on generating or distribution of electricity or on the working of machinery of the Nigam.
- ii) The amount of hospital leave is limited to three months on average pay in any period of three years. It may be combined with leave of any other kind. Hospital leave on half average pay counts for the purpose of this limit as half the amount of leave on average pay.

### 55. Leave Salary :

- (1) Casual leave: An employee on casual leave shall be treated as on duty and his pay is not intermitted.
- <sup>[121]</sup>(2) A Nigam employee on privilege leave is entitled to leave salary:
  - (a) Equal to the pay to which he is entitled to on the day before the leave commences:

Provided that, if on that day he was in receipt of special pay granted in consideration of additional work or was in receipt of additional pay on account of holding a post in addition to his own post under regulation 36, such special pay and additional pay shall not be taken into account for computing leave salary.

<sup>[120]</sup> Substituted vide order no. RVUN/P&A/F.6 PC/D.544 dated 1.10.2008 effective from 1.1.2007 [P&A-21]

<sup>[121]</sup> Substituted vide order no. RSEB/F&R/F.5 (17) D.1 dated 3.02.1977

## RVUN EMPLOYEES' SERVICE REGULATIONS

- (3) An Officer/employee on half pay leave or leave not due will be entitled to leave salary equal to half the amount specified in sub-regulation (2) above subject to a maximum of<sup>[122]</sup> Rs. 23,000/-

Provided that this limit shall not apply if the leave is taken on medical certificate or for pursuing an approved course of study otherwise than on study leave terms.

- (4) An officer/employee on commuted leave will be entitled to leave salary as admissible during the privilege leave.
- (5) A Nigam employee on extra-ordinary leave is not entitled to any leave salary.
- (6) Maternity leave: An employee on maternity leave shall draw leave salary equal to the salary she drew on the day preceding that on which she proceeds on such leave.
- (7) Study leave: An employee on study leave shall draw leave salary as may be determined by the Nigam but it will not exceed half of the average substantive pay of the employee on the date preceding that on which he proceeds on leave.
- (8) Hospital leave: Hospital leave may be granted on leave equal to either average pay or half average pay, as the authority sanctioning it may consider necessary.

**Note:** In respect of any period spent on deputation foreign service out of India, the pay which an employee would have drawn if on duty in India shall be substituted for the pay actually drawn while calculating average pay.

### **Explanation:**

For purposes of this Regulation substantive pay means the substantive pay of the permanent post which an employee holds substantively or on which he holds a lien or would hold a lien had the lien not been suspended provided that the leave salary of an employee who is in permanent employ and who had been continuously officiating in another post for more than three years at the time he proceeds on leave shall be calculated as if he was the substantive holder of the post in which he was so officiating or in which he would have so officiated but for his officiating appointment in an equivalent or a still higher post.

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<sup>[122]</sup> Substituted vide order no. RVUN/P&A/F.6 PC/D.544 dated 1.10.2008 effective from 1.1.2007 [P&A-21]

**RVUN EMPLOYEES' SERVICE REGULATIONS**

The three years limit shall include:

- (a) all period of leave during which the employee would have officiated in the post but for proceeding on such leave and,
- (b) all period of officiating service rendered in an equivalent or a still higher post but for appointment to which he would have officiated in that post.

(Annexure to Chapter IV)

Regulation 52(5)

**RAJASTHAN VIDYUT UTPADAN NIGAM LIMITED**

*Bond for permanent employee proceeding on study leave.*

KNOW ALL MEN BY THESE PRESENTS That I .....  
Resident of .....in the Distt. of ..... at present  
employed as ..... in the office of the .....do hereby  
bind myself and my heirs, executors and administrators to pay to the Rajasthan  
Vidyut Utpadan Nigam Limited (hereinafter called the RVUN) on demand  
the sum of Rs..... (Rupees .....) together with  
interest thereon from the date of demand at the rates for the time being in  
force on Government loans or, if payment is made in a country other than  
India the equivalent of the said amount in the currency of the country converted  
at the official rate of exchange between that country and India, AND  
TOGETHER with all costs between attorney and client and all charges and  
expenses that shall or may have been incurred by the Nigam

Dated this ..... day of ..... two thousand  
and .....

WHEREAS the above bounded .....is granted study  
leave by Nigam.

AND WHEREAS for the better protection of the Nigam the above  
bounded has agreed to execute this Bond with such condition as hereunder is  
written:-

NOW THE CONDITION OF THE ABOVE WRITTEN  
OBLIGATIONS IS THAT in the event of the above bounded..... resigning  
or retiring from service without returning to duty after the expiry of  
termination of the period of study leave or at any time within a period  
of..... years after his return to duty he shall forthwith pay to  
the Nigam or as may be directed by the Nigam Rs. ....

**RVUN EMPLOYEES' SERVICE REGULATIONS**

(Rupees.....) together with interest thereon from the date of demand at the rates for the time being in force on Government loans.

AND upon the above bounded..... making such payment the above written obligation shall be void and of no effect. Otherwise it shall be made remain in full force and virtue.

Signed and delivered by the above bounded ..... in the presence of .....

ACCEPTED for and on behalf of the RVUN.

(Annexure to Chapter IV)  
BOND FOR TEMPORARY EMPLOYEE  
PROCEEDING ON STUDY LEAVE

[Regulation 52(5)]

KNOW ALL MEN BY THESE PRESENTS That WE .....Resident of .....in the Distt. of .....at present employed as ..... in the office of.....(hereinafter called the 'obliger') and Shri.....S/o Shri..... of.....and Shri .....S/o ..... of sureties on his behalf do hereby jointly and severally bind ourselves and our respetive heirs, executors and administrators to pay to the Rajasthan Vidyut Utpadan Nigam Limited (hereinafter called the RVUN) on demand the sum of Rs. .... (Rupees .....) together with interest thereon from the date of demand at the rates for the time being in force on Government loans or, if payment is made in a country other than India the equivalent of the said amount in the currency of the country converted at the official rate of exchange between that country and India, AND TOGETHER with all costs between attorney and client and all charges and expenses that shall or may have been incurred by the Nigam

Dated this .....day of .....two thousand and .....

WHEREAS the above bounded granted study leave by Nigam.

AND WHEREAS for the better protection of the Nigam the above bounded has agreed to execute this Bond with such condition as hereunder is written:-

NOW THE CONDITION OF THE ABOVE WRITTEN OBLIGATIONS IS THAT in the event of the above bounded obliger Sh..... resigning

**RVUN EMPLOYEES' SERVICE REGULATIONS**

or retiring from service without returning to duty after the expiry of termination of the period of study leave or at any time within a period of.....years after his return to duty to obliger and the sureties shall forthwith pay to the Nigam or as may be directed by the Nigam Rs..... (Rupees .....) together with interest thereon from the date of demand at the rates for the time being in force on Government loans.

And upon the above bounded obliger Shri .....and, or Shri ..... and, or Shri .....the sureties aforesaid making such payment the above written obligation shall be void and of no effect otherwise it shall be made remain in full force and virtues.

PROVIDED ALWAYS THAT the liability of the sureties hereunder shall not be impaired or discharged by reason of time being granted or by any forbearance act or omission of the Nigam or any person authorized by them (whether with or without the consent or knowledge of the sureties) nor shall it be necessary for the Nigam to sue the said obliger before using the above bounded sureties Shri ..... and Shri ..... or any of them for amounts due hereunder.

Signed and delivered by the surety above named Shri .....in presence of .....

Signed and delivered by the surety above named Shri .....in presence of .....

Signed and delivered by the surety above named Shri .....in presence of .....

Accepted

for and on behalf of the Rajasthan Rajya Vidyut Utpadan Nigam Limited

## RVUN EMPLOYEES' SERVICE REGULATIONS

### CHAPTER-V

#### Foreign Service

**56. Employee's consent necessary for transfer to foreign service:**

<sup>[123]</sup>No employee may be transferred to foreign service against his will provided that this condition shall not apply to the transfer of an employee to Rajasthan Government or to the service of a body incorporated or not, which is wholly or substantially owned or controlled by the Government of Rajasthan or in which the Nigam has any interest.

**57. When transfer to foreign service admissible:**

A transfer to foreign service is not admissible unless :

- (a) the duties to be performed after the transfer are such as should be rendered by an employee of the Nigam, and
- (b) the employee transferred holds, at the time of transfer, a post paid from the fund of the Nigam or holds lien on such a post has his lien not been suspended.

<sup>[124]</sup>APPENDIX 'A'

**Terms and conditions of deputation of Nigam's employees sent on transfer to foreign service to other Govt. Public Sector Undertakings, Autonomous bodies, Government Companies and Corporations etc. on deputation.**

- (1) The term 'Deputation' will cover only appointments made by transfer on a temporary basis. It does not cover permanent appointments made by transfer for final absorption or by direct recruitment in competition with open market candidates to the aforesaid bodies.

**(2) Deputation (Duty) Allowance:**

- <sup>[125]</sup>(i) the deputation (duty) allowance shall be @ 2.5% of the basic pay i.e. sum of pay in the Running Pay Band and Grade Pay of the employee subject to a maximum of Rs.600/- per month.

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<sup>[123]</sup> Substituted vide notification No. RSEB/ESR/D.12 dated 22/28.01.1975

<sup>[124]</sup> Substituted vide order no. 61 dated 26.11.1988

<sup>[125]</sup> Substituted vide order no. RVUN/P&A/F.6 PC/D.544 dated 1.10.2008 effective from 1.1.2007 [P&A-21]

## RVUN EMPLOYEES' SERVICE REGULATIONS

- ii) The 'Basic Pay' for the above purpose shall mean pay drawn in the scale of pay of the substantive appointment held or the pay in the scale of pay of the officiating appointment in an employee's parent cadre provided that it is certified by the appointing authority that but for the deputation the employee would have continued to hold officiating appointment indefinitely.
- iii) <sup>[126]</sup>Personal pay, if any, drawn by an employee in his parent department may be allowed in addition. This will not be absorbed in deputation (duty) allowance but will be absorbed in other increases of pay, for example, increment or increase in pay on promotion or for any other reason.

### 3) Pay and D.A. on Deputation

- i) An employee sent on deputation / foreign services shall be allowed his pay in the pay scale of the Parent Department plus personal pay, if any, plus deputation (duty) allowance at the rates mentioned in para 2 above.
- ii) D. A. will be regulated under the rules/regulations/orders of the parent department.

### EXCEPTIONS

Pay and D. A. to the Nigam's employees sent on deputation/ foreign service to Bhakra Beas Management Board, Water and Power Compulsory Services (India) Ltd. and other Central and Inter State Organisation shall be allowed as under, namely :

- (1) (a) Nigam employee on deputation / foreign service may elect to draw pay in the pay scales of the posts of deputation to which he is deputed as may be fixed under Regulation-24 of the RVUN Employees Service Regulations, 1964.

<sup>[127]</sup>(b) with a view to ensuring that an employee of Nigam

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<sup>[126]</sup> Substituted vide order no. 6 dated 10.01.1990 effective from 1.04.1989

<sup>[127]</sup> Substituted vide order no. RVUN/P&A/F.6 PC/D.544 dated 1.10.2008 effective from 1.1.2007 [P&A-21]

## RVUN EMPLOYEES' SERVICE REGULATIONS

on deputation does not get abnormal increase in the pay because of option exercised as at Clause (a) above, it has been decided that where the minimum of the scale of pay of the deputation post is substantially in excess of the deputationist basic pay i.e. sum of pay in Running Pay Band and Grade Pay plus Deputation (duty) Allowance @ 2.5%, the appointing authority may restrict the pay of the deputationist even below the minimum of the deputation post under Regulation-28 of ESR, 1964. In such a case, the pay allowed under Regulation-28 of ESR, 1964 should not exceed by 3.5% of basic pay i.e. sum of pay in the Running Pay Band and Grade Pay of the deputationist.

- (2) D.A. will be regulated under the rules/ regulations/ orders of the parent department or under the rules of borrowing authority/ foreign employer according as pay is drawn in the parent pay scale or in pay scale of the post held on deputation.
- (3) However, in the case of employees, who are already on deputation and drawing pay higher than that admissible under clause 1 (b) of exception above, they shall have to deposit the difference from the date of this order till the commencement of further extension, if any, of the period of deputation when their pay shall be fixed in accordance with the provision of this order.
- (4) **Other Allowances & Concessions:**
  - i) **House Rent Allowance** shall be admissible according to the rules of borrowing authority / foreign employer or under the rules / regulations of Nigam whichever is more beneficial.
  - ii) **Travelling Allowance** shall be admissible according to the rules of borrowing authority / foreign employer or under the rules of the Nigam whichever is more beneficial.
  - iii) **Compensatory (City) Allowance** shall be admissible according to the rules of the Nigam or borrowing authority whichever is more beneficial.



## RVUN EMPLOYEES' SERVICE REGULATIONS

- iv) **Medical Concession:** Medical Concession shall be admissible according to the rules of borrowing authority / foreign employer or under the rules of the Nigam whichever is more beneficial.
- v) **Project Allowance:** Project Allowance admissible in a project area shall be admissible in addition to the deputation (duty) allowance in accordance with the RVUN Project Allowance Regulations, if admissible.
- vi) **Conveyance Allowance :** Conveyance Allowance shall be admissible in accordance with the orders issued by the Nigam from time to time or according to the rules/ regulations/ orders of the foreign employer whichever is more beneficial.
- vii) **Facility of Orderly:** The Officers entitled to have orderly under the orders of the Nigam shall continue to have the same with them on deputation to foreign service. The payment of wages of orderly will be made by the foreign employer.

### (5) General Conditions:

- i) **Joining Time Pay and Transfer T.A. :** He will be entitled to TA and joining time both on joining the post on deputation or on reversion to the parent department under the rules/regulations/orders of the Nigam/foreign employer to which he is deputed. The expenditure on this account shall be borne by the borrowing authority/foreign employer.
- ii)
  - a) **Leave Salary :** During the period of deputation he will be governed by leave rules of the Nigam applicable to him before such transfer. Payment of leave salary during foreign service shall be regulated in accordance with Finance Deptt. order No. F.7(A)/Rules/58 dated 21.1.81 as may be amended from time to time.
  - b) **Pension Contribution :** The pension contribution shall be paid by the borrowing

## RVUN EMPLOYEES' SERVICE REGULATIONS

authority/ foreign employer in accordance with the provisions contained in R.S.R.

- c) **C.P.F. Contribution** : Actual contribution to CPF shall be paid in accordance with the RVUN CPF Rules, by the foreign employer.
- d) **Special Contribution** : Special contribution shall be paid by the borrowing authority at the rate of one month's pay for each completed year of service i.e., 1/12 of the pay, as defined in the RVUN Payment of Gratuity Rules - 1972 on account of Gratuity payable to a Nigam employee under the RVUN Payment of Gratuity Rules- 1972.

**(6) Beginning and End of Deputation:**

The deputation will commence from the date on which a Nigam employee hands over the charge of post under the Nigam and shall end on the date he assumes charge of a post under the Nigam.

<sup>[128]</sup>**(7) Payment of Bonus or Ex-Gratia:**

A Nigam employee on deputation shall have an option to elect between the deputation allowance plus bonus if admissible in terms of the order issued by the Nigam for the Nigam employees for relevant year (if bonus for Nigam employees is not admissible, deputation allowance only) and the bonus and/or ex-gratia payable to the employees of the borrowing organisation in terms of the order issued by the borrowing organisation for the relevant year. Such an option would be exercised within one month of declaring bonus and/or ex-gratia by the borrowing organisation. Deputation Allowance would be payable with salary but if an employee opts for bonus and/or ex-gratia as above, the amount of difference would be paid/ recovered, as the case may be.

<sup>[129]</sup>**(8) Duration for Deputation:-** The maximum period for which a Nigam employee may remain on deputation shall be four(4) years.

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<sup>[128]</sup> Substituted vide order no. 6 dated 10.01.1990 effective from 1.04.1989

<sup>[129]</sup> Substituted vide order no. RVUN/P&A/F./D.518 dated 05.06.2006

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

**NOTE:** Nigam employees who are already on deputation beyond the period of three years with the approval of competent authority and have not completed 4 years period on the date of application of these conditions shall be allowed deputation allowance upto the date they complete four years period of deputation including the period for which no deputation allowance was admissible to them in accordance with the provisions in force at that time.

### **Clarification**

1. The maximum ceiling of 4 years deputation would be for at a time for one or more than one organisation. No deputation allowance beyond this period would be admissible in any case.
  2. Continued deputation even on promotion in parent cadre will be considered as part of the total maximum period of four years on deputation at a time.
- (9) A Nigam employee who has already served on deputation/ foreign service to other Government Public Sector Undertakings, Autonomous bodies, Corporation etc. shall not be allowed, except in very exceptional circumstances with the prior permission of Managing Director to proceed on deputation to some other Government/Foreign Organisation again unless he has worked for a minimum period of one year on a post in his parent department subsequent to reversion.
- (10) A Nigam employee on deputation shall only draw pay and allowances as permitted by the lending authority in accordance with the terms and conditions of deputation prescribed in his case, and any payment in the nature of pay or allowances or remuneration or fee or compensation etc. by whatever name called, which is not authorised by his terms and conditions of deputation, shall not be received by him without prior sanction of the competent authority.
- (11) **Other Conditions:**
- (i) The foreign employer will also be liable to pay salary and leave in respect of disability leave arising from

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

disability incurred by the officer on deputation in and through foreign service even though such disability manifests itself after termination of foreign service.

- (ii) The foreign employer will be responsible for payment of any compensation or pension that may be admissible under the RVUN rules, if any, injury was sustained or death occurs on this account during the foreign service.
- (iii) The whole expenditure in respect of any compensatory allowance for the period of leave during or at the end of foreign service shall be borne by the foreign employer.
- (iv) The foreign employer/borrowing authority may allow such other concessions as may be allowed by the RVUN to its employees from time to time while the officer / official is on deputation. This order shall also apply to the Nigam employees already on deputation.

### **58. Consequences of transfer to foreign service during leave:**

If an employee is transferred to foreign service while on leave, he ceases from the date of such transfer, to be on leave and to draw leave salary.

An employee transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer and may be given such substantive or officiating promotion in these cadres as the authority competent to order promotion may decide. In given promotion such authority shall take into account :

- i) the nature of the work performed in foreign service, and
- ii) the promotion given to juniors in the cadre in which the question of promotion arises.

Nothing in this regulation shall prevent an employee of class III from receiving such other promotion in the Nigam as the authority would have been competent to grant the promotion had he remained in the Nigam's service and decide.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

**59. Date from which an employee in foreign service draw pay from foreign employer:**

An employee in foreign service will draw pay from the employer from the date on which he relinquishes charge of his post in Nigam's service, subject to any restrictions which the Nigam may, by general or special order impose. The amount of his pay, the amount of joining time admissible to him and of his pay during such joining time will be fixed by the authority competent to sanction transfer to foreign service in consultation with the foreign employer.

<sup>[130]</sup>**59(A) Pay and Allowances of Nigam employees on deputation to Ex-India to be regulated according to Central Rules:**

The pay and allowances of a Nigam employee sent on deputation to Ex-India shall be regulated under the provisions of Rule 51 of Rajasthan Service Rules as amended from time to time.

**60. Conditions of deputation on foreign service:**

(a) While an employee is in foreign service, contribution towards the cost of leave salary, his pension or employer's contribution in respect of employee governed by Contributory Provident Fund as the case may be, must be paid to the Nigam on his behalf.

<sup>[131]</sup>(b) The holder of CPF account will be required to pay special contribution @ one month's pay for each completed year of service i.e. 1/12 of the pay including deputation allowance, special pay, personal pay, dearness allowance etc. which form part of wages as defined in the RVUN Payment of Gratuity Rules, 1972 drawn by the employee while on deputation/foreign service payable by the employer/ borrowing authority to meet the expenditure incurred on account of gratuity payable to a Nigam employee under the RVUN Payment of Gratuity Rules, 1972.

(c) Contribution due under clause (a) & (b) above shall be paid by the employee himself, unless the foreign employer consents to pay them. They shall not be payable during leave taken while in foreign service.

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<sup>[130]</sup> Inserted vide order No. 61 dated 26.11.88

<sup>[131]</sup> Inserted vide order No. 51 dated 18.10.84

## RVUN EMPLOYEES' SERVICE REGULATIONS

**61. Rate of Contribution:**

The rate of contribution payable on account of pension and leave salary shall be such as the Nigam may by general orders prescribe.

**62. How Contribution is calculated:**

The rate of pension contribution prescribed under Regulation 62 will be designed to secure to the employee the pension or employer's contribution in the case of Contributory Provident Fund.

Rates of contribution for leave salary will be designed to secure to the employee leave salary on the scale and under the conditions applicable to him. In calculating the rate of leave salary admissible, the pay drawn in foreign service less, in the case of employees paying their contributions, such part of pay as may be paid as contribution, will count as pay for the purpose of these Regulations.

**Note:** Till the Nigam prescribes the rates of contribution under Regulation 62, the rates prescribed by Government of Rajasthan for their employees of the appropriate status from time to time, shall apply.

**63. Remission of Contribution:**

Nigam may while sanctioning a transfer to foreign service remit the contributions due in any specified case or class of cases.

<sup>[132]</sup>**64. Interest on arrears of contribution :**

Contribution for leave salary or pension, due in respect of a Nigam employee on foreign service, may be paid annually within one month from the end of each financial year or the end of the foreign service, if the deputation on foreign services comes to end before close of financial year. If the payment is not made within the said period, interest must be paid to the Nigam on the unpaid contribution, unless it is specifically remitted by the Nigam @ 1% per month for the period of delay. A fraction of month exceeding 15 days would be treated as full month and delay upto 15 days would be ignored.

**65. Contribution cannot be withheld by an employee in foreign service:**

An employee in foreign service may not elect to withhold

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<sup>[132]</sup> Substituted vide order no. 39 dated 15.05.90

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

contributions and to forfeit the right to count as duty in Nigam's service the time spent in foreign employment. The contribution paid on his behalf maintains his claim to pension or to employer's contribution to C.P.F. and leave salary as the case may be, in accordance with Regulations of the RVUN as applicable to him. Neither he nor the foreign employer has any property in a contribution paid and no claim for refund can be entertained.

**66. Sanction required to accept pension, gratuity from foreign employer:**

An employee transferred to foreign service may not without the sanction of Nigam accept a pension or gratuity from foreign employer in respect of such service.

**67. Leave to an employee on foreign service**

An employee in foreign service may not be granted leave otherwise than in accordance with the Regulations applicable to him while in service of the Nigam and may not take leave or receive leave salary from the Nigam unless he actually quits duty and goes on leave.

**68. Pay of an employee in foreign service how regulated if appointed to officiate in a post in Nigam.**

An employee in foreign service if appointed to officiate in a post in Nigam's service will draw pay calculated on the pay of the post in the Nigam's service on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

**69. Date of reversion from foreign service:**

An employee reverts from foreign service to the service of the Nigam on the date on which he takes charge of his post in the Nigam's service provided that if he takes leave on the conclusion of foreign service before rejoining his post, his reversion shall take effect from such date as the Nigam may decide.

**70. Date from which pay and contribution by foreign employer end:**

When an employee reverts from foreign service to Nigam's service, his pay will cease to be paid by the foreign employer, and his contribution will be discontinued, with effect from the date of reversion.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

**Government of Rajasthan**  
**Finance (Group-2) Department**  
**ORDER**

No. F.7A(43)FD-A (Rules)/58

Jaipur: Dated 21-01-81

**Sub: Payment of pension and leave salary in respect of Government Servants transferred on deputation/foreign service to Central Government or other State Governments, Public Sector-Undertakings, Autonomous bodies, Government Companies, etc.**

1. The undersigned is directed to invite attention to provisions contained in Rule 145 of Rajasthan Service Rules, which provide for payment of pension and leave salary contribution in respect of Government servants transferred on deputation/foreign service to Central Government or other State Governments, Public Sector Undertakings, Autonomous bodies (incorporated or not) and other Bodies wholly or substantially owned or controlled by the Government. The recovery of pension and leave salary contribution extinguishes the liability of the borrowing authority in regard to cost of pension and leave salary. The amount of pension contribution and leave salary payable by the foreign employer or borrowing authority is determined in accordance with the provisions of Rule 146 of Rajasthan Service Rules read with Appendix V in Rajasthan Service Rules - Volume II.
2. Despite of various administrative instructions and circulars issued by the Government from time to time impressing upon the necessity to pay the contributions in time prescribed under Rule 149 of Rajasthan Service Rules, there have been abnormal delays in determining and payments of these contributions by foreign employer and borrowing authorities. Consequently Government Servants are required to face considerable hardship in the finalisation of their pension cases at the in time of retirement because the period of service rendered on deputation / foreign service counts for pension only if the contribution for pension has been paid.
3. With a view to simplify the existing system and procedure for calculation of the leave salary and pension contribution, the matter has been examined and the Governor has been pleased to order that recovery of leave salary contribution in respect of Government servants sent on deputation to Public Undertakings, Universities,



## RVUN EMPLOYEES' SERVICE REGULATIONS

Autonomous Bodies, Corporations, Municipalities, Government Companies, and other bodies etc. wholly or substantially owned or controlled by Government shall henceforth be not made. Consequently the payment of leave salary including leave encashment benefit in respect of leave taken by a Government servant while on deputation/foreign service shall be made by the borrowing authority/foreign employer in discharge of their liability to pay the cost of leave salary to the Government. The reversion of Government servant on deputation takes effect from the date on which he takes charge of the post under Government. Thus in case of a Government servant who takes leave on the conclusion of his foreign service before re-joining his post under Government, the liability for payment of leave salary in such cases shall be borne by the borrowing authority. If a Government servant attains the age of superannuation while on deputation and is consequently relieved of his duties on retirement the cash payment in respect of unutilized privilege leave at the credit of the Government servant on the date of retirement shall also be made by the borrowing authority or the foreign employer.

- \*4. It has been further decided that the pension contribution for each month of deputation, shall be paid @ 12% of the maximum of the pay scale of the post which the deputationist would have held in his parent cadre at the end of the financial year concerned or at the end of foreign service if reverted before close of the financial year. For the aforesaid purpose a fraction of month exceeding 15 days would be treated as full month and a fraction upto 15 days would be ignored. The rate of contribution so payable by the borrowing authority or foreign employer shall invariably be indicated in the order issued by

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\* Substituted vide-order No. 39 dated 15.05.1990 for the following : (effective from 21-09-1989)

"It has been further decided that the pension contribution shall be paid @ 12% of the maximum monthly pay of the grade substantively held by the Government servant in his parent cadre. The rate of contribution so payable by the borrowing authority or foreign employer shall invariably be indicated in the order issued by the competent authority regulating his terms and conditions of deputation so that contribution for pension due in respect of Government servant in foreign service is paid within 15 days from the end of the month in which the pay of a Government servant is drawn as envisaged in Rule 149 of Rajasthan Service Rules."

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

the competent authority regulating his terms and conditions of deputation so that contribution for pension due in respect of a Government servant in foreign service is paid within one month from the end of each financial year of the end of foreign service, if the deputation on foreign service comes to an end before close of the financial year as envisaged in Rule 149 of Rajasthan Service Rules.

5. These orders shall take effect from 1st January, 1981 and also apply to the Government servants who are already on deputation on the date of issue of these orders. These orders shall not be applicable to Government servants whose services are placed on deputation with the Central Government or other State Government.
6. The rules contained in Chapter XIII - Foreign Service of Rajasthan Service Rules Volume - I and the rates of contribution payable on account of pension and leave salary during foreign service given in Appendix V of Rajasthan Service Rules Volume - II shall be deemed to have been modified to the extent indicated above. Formal amendments to relevant rules contained in Rajasthan Service Rules shall be issued in due course.

By Order of the Government

SD/-

(M.L. Gaur)

Dy. Secretary to Government

(Endorsed vide Order No. RSEB/F&R/D.44 dated 20-10-81 effective from 05-02-1981)

## RVUN EMPLOYEES' SERVICE REGULATIONS

### [133] CHAPTER - VI

#### Joining - Time

#### 71. Admissibility of Joining Time:

- (i) Joining time shall be granted to an employee on transfer in public interest to enable him to join the new post either at the same or a new station. No joining time is admissible in case of temporary transfer for a period not exceeding 180 days. Only the actual transit time, as admissible in case of journey on tour, may be allowed.

<sup>[134]</sup> **Note :** Nigam employees who are transferred at their own request and not in public interest may be permitted to avail Gazetted Holiday(s) including Sunday if falling between the period immediately after relinquishing the charge of the old post and before assuming the charge of the post.

- (ii) Employees declared surplus and posted in other offices of the Nigam under the orders by the competent authority from time to time, shall be eligible for joining time on their transfer from one post to another.
- (iii) For appointment to post under the Nigam on the results of competitive examination and/or interview open to the Nigam employees and others, Nigam employees will be entitled to joining time under these Regulations. But temporary employees of the Nigam who have not completed 3 years of regular continuous service, though entitled to joining time would not be entitled to joining time pay.

#### 72. Amount of Joining Time :

- (1) The joining time shall commence from the date of relinquishment of charge of the old post if the charge is made over in the forenoon or the following date if the charge is made over in the afternoon.
- (2) The joining time shall be calculated from old headquarters

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<sup>[133]</sup> Regulation 71 to 74 was repealed vide order No. RSEB/F&R/D.7 dated 10.02.88

<sup>[134]</sup> Inserted vide order No. 59 dated 17.08.95

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

in all cases including where an employee receives his transfer orders or makes over charge of the old post in a place other than his old headquarters or where the headquarters of an employee while on tour is changed to the tour station itself or where his temporary transfer is converted into permanent transfer.

- (3)
  - (a) Not more than one day's joining time shall be allowed to an employee to join a new post within the same station or which does not involve a change of residence from one station to another. For this purpose, the term 'same station' will be interpreted to mean the area falling within the jurisdiction of the municipality or corporation including such of Sub-Urban Municipality; Notified areas of cantonments as are continuous to the name of municipality etc.
  - (b) In the case of a transfer of an employee within the same station which does not involve a change of residence from one station to another station, the transfer should involve the change of office building at the same station at the distance exceeding 2 Kms. for the purpose of admissibility of one day's joining time to join a new post under clause (a) of this Sub-Regulation. If an employee hands over charge in the forenoon/ afternoon, he shall be required to take over charge of the new post at the same station in the forenoon of the next working day.
- (4) In case involving transfer from one station to another and also involving change of residence, the employee shall be allowed joining time with reference to the distance between the old headquarters and the new headquarters by direct route and ordinary mode(s) of travel indicated in the following schedule. When holiday(s) follow(s) joining time, the normal joining time may be deemed to have been extended to cover such holiday(s):-

## RVUN EMPLOYEES' SERVICE REGULATIONS

Distance between the old headquarters and the new headquarter.	Joining time admissible	Joining time admissible where the transfer necessarily involves continuous travel by road for more than 200 Kms.
1000 Kms. or less	10 days	12 days
More than 1000 Kms.	12 days	15 days
More than 2000 Kms.	15 days	15 days

Provided that when an employee under Awaiting Posting order is transferred from one station to another station and involving change of residence, the employee shall be allowed 4 day's joining time including journey period, irrespective of distance and mode of travel.

**NOTE:**

1. Distance means actual distance charged by the Railways or Roadways, as the case may be.
  2. In cases where transfer of charge of an office consists of several stores or scattered works which the relieving and the relieved employees are required to inspect together before the transfer of charge is completed, the time taken for this purpose should not in any case exceed 7 days and the period so spent shall be treated as joining time extended under sub-regulation (5) of this regulation.
- (5) Extension of joining time beyond the limits indicated in Regulation 72(4) can be granted upto the maximum limit of 30 days by the Head of Department and beyond 30 days by the Managing Director. The guiding principle being that the total period of joining time should be approximately equal to 8 days for preparation plus reasonable transit time plus holidays, if any following the extended joining time. While computing the transit time, allowance could be made for the time unavoidably spent due to disruption of transport arrangements caused by strike or natural calamities or the period spent awaiting departure of the steamer.

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- (6) (1) Where an employee joins the new post without availing of the full joining time, the number of days of joining time, so admissible in sub-Regulation (4) of Regulation 72, subject to a maximum of 15 days, reduced by the number of days actually availed of, shall be credited to his leave account as privilege leave.
- (2) Joining time may be combined with any kind of leave except casual leave.
- (3) If an employee in transit on transfer is directed to proceed to a place different from that indicated in the initial transfer orders, he shall be entitled to joining time already availed of upto the date of receipt of revised orders plus fresh spell of full joining time from the date following the date of receipt of the revised orders. The fresh spell of joining time in such cases shall be calculated from the place at which he received orders as if he is transferred from that place.

### 73. Joining Time Pay:

- (i) An employee on joining time shall be regarded as on duty during that period and shall be entitled to be paid joining time pay equal to the pay which was drawn before relinquishment of charge in the old post. He will also be entitled to Dearness Allowance, if any, appropriate to the joining time pay. In addition he can also draw compensatory allowance like City Compensatory Allowance, House Rent Allowance as applicable to the old station from which he was transferred. He shall not be allowed conveyance allowance or permanent travelling allowance.
- (ii) Penalty for exceeding Joining Time :  
An employee, who does not join his duty within his joining time, is not entitled to pay after the end of joining time. The period of absence from duty after the expiry of joining time admissible under these regulations shall amount to interruption in the service involving forfeiture of past service unless, on satisfactory reasons being furnished, such absence

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

is regularised by grant of extension in the normal period of joining time under these Regulations in the circumstances narrated in Regulation 72(5) is commuted into extra-ordinary leave by the authority competent to extend the joining time.

74. (i) All Regulations, orders and instructions on the subject of joining time in force immediately before insertion of Regulation 71 to 73 of these regulations and applicable to the employees to whom these Regulations apply, are hereby repealed. If any doubt arises as to the interpretation of these Regulations, it shall be referred to the Secretary.
- (ii) Joining time may be curtailed at the discretion of the authority ordering the transfer, but period of such curtailment in the joining time shall be credited to the leave account of the employee, as per Regulation 72 (6) (1).
- (iii) Joining time will not be admissible to an employee who is transferred at his own request.

## CHAPTER VII

### 75. Record of Service :

- (1) A record of the service of officers of Class I and II will be kept in the Office of the <sup>[135]</sup>Chief Accounts Officer.
- (2) A Service Book in such form as may be prescribed by the Nigam must be maintained for every employee of Class III and IV holding substantive post in permanent establishment or officiating in a post or holding temporary post except in the case of employees officiating in a post or holding temporary posts who are recruited for purely temporary or officiating vacancies for short periods and are not eligible for permanent appointment.

Service Book shall be maintained from the date of first appointment of an employee. It must be kept in the custody of the Head of the Office in which an employee is serving and transferred with him from time to time.

### 76. Entries in Service Book :

- (i) Every step in an employee's official life must be recorded in his service book and each entry must be attested by the Head of his office, or if he himself is the Head of an office, by his immediate superior. The Head of the Office must see that all entries are duly made and attested and that the book contains no erasure or overwriting, all corrections being neatly made and properly attested.

**Note:** A Head of office may, in respect of the employee under his control, delegate his authority of attestation to an officer of Class I or II.

- (ii) Every period of suspension from employment and every other interruption of service must be noted, with full details of its duration in an entry made across the page of the Service Book and must be attested by the attesting officer. It is the duty of the attesting officer to see that such entries are promptly made.

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<sup>[135]</sup> Substituted vide order No. 10 dated 06.02.1997



## **RVUN EMPLOYEES' SERVICE REGULATIONS**

- (iii) Personal certificates of character must not, unless the Head of the Department so directs, be entered in Service Book but, if an employee is reduced to a lower post, the reason of the reduction must be briefly stated.
- (iv) It is the duty of every employee to see that his service book is properly maintained as prescribed in this chapter.  

The Head of office should therefore permit an employee to examine his service book, should be at any time desire to do so.
- (v) The form of the service book also requires that every entry in it should be signed by the employee concerned. The entries in the service book should be posted upto the 31st March every year and must be shown to the employee concerned and his signatures obtained by the 30th of June each year.
- (vi) If an employee is transferred to foreign service, the Head of his office must send his service book to the <sup>[136]</sup> Chief Accounts Officer who will return it after noting in it, under his signatures, the order sanctioning the transfer the effect of transfer in regard to leave during foreign service and any other particulars considered necessary. On the employee's re-transfer to the Nigam's service book must again be sent to <sup>[136]</sup> Chief Accounts Officer who will then note in it, over his signatures all necessary particulars connected with the foreign service. No entry in the Service Book relating to the time spent in foreign service may be attested by any authority other than the <sup>[136]</sup>Chief Accounts Officer.

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<sup>[136]</sup> Substituted vide order No. 10 dated 06.02.1997

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

### **CHAPTER VIII**

77. (a) The employees of the Nigam and their families shall be entitled to such medical facilities, as may be laid down by the Nigam.
- (b) For the purpose of providing medical facilities, the Nigam may make arrangements with authorised medical practitioners and such Hospitals and Dispensaries and Pharmacies as may be considered necessary.
- Note : Pending issue of the orders of the Nigam under this Regulation, the Rajasthan Service (Medical Attendance) Rules, 1958 and any orders relating thereto, issued by Government of Rajasthan amended from time to time and subject to any modification issued by the Nigam shall apply.
- (c) The medical facilities under these Regulations will not be admissible to those employees who are covered by contributory Health scheme under the Employees State Insurance Scheme.

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[137] Appendix - I

### List of Authorities Competent To Exercise Powers Of Competent Authorities Under The RVUN Employees Service Regulations, 1964

(Reference : Regulation 3(v))

<b>Sl. No.</b>	<b>Service Regulation No.</b>	<b>Nature of Power</b>	<b>Competent Authority</b>	<b>Extent</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
1.	12(b)	Power to suspend lien	Managing Director	Subject to the provision of Regulation 12.
2.	14	Power to transfer the lien	Managing Director	Subject to the provision of Regulation 14.
3.	15	Power to transfer Officers of Class I and II	(i) Managing Director (ii) Chief Engineer	Full powers

[137] Substituted vide order No. RVUN/P&A/F./D.125 dated 31.07.2012 [P&A-160]

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			(ii) Director (Technical/ Projects)	Full powers in the case of all officers of Technical Wing.
			(iii) Director (Finance)	Full powers in the case of all officers of Accounts Wing.
4.	15	Power to transfer class III staff technical	(i) Chief Engineer	Full powers when transfer is within his jurisdiction.
			(ii) Superinte- nding Engineer of a Circle.	Full powers when transfer is within his jurisdiction.
5.	15	Power to transfer :- 1. Sr. Administrative Officer 2. Personal Asstt. 3. A.A.O. Gr. II 4. Statistician 5. Administrative Officer 6. Steno Gr.-I	(i) Managing Director.	Full powers.
			(ii) Jt. Director (P&A)	Full powers in respect of posts under his respective administrative control or for which he is cadre controlling authority and for other posts in consultation with the Head of Department when transfer is from the jurisdiction of one HOD to another HOD.

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			(iii) Director (Finance)/ Chief Engineer.	In case of transfer from and to posts under their respective administrative control.
6.	15	<p>Power to transfer following staff class III Non-technical other than A.A.O. Gr. II and Internal Auditors:-</p> <ol style="list-style-type: none"> <li>1. Jr. Admn. Officer</li> <li>2. Steno Gr.-II</li> <li>3. Stock Verifier</li> <li>4. Clerk Gr. I (including Store Keepers and Cashiers)</li> <li>5. Junior Accountant</li> <li>6. Statistical Assistant</li> <li>7. Computer</li> <li>8. Assistant Personal Officer</li> <li>9. Clerk Gr. II (including Assistant Store Keepers, Cashiers, Telephone Operator and Tele-printer Operators).</li> </ol>	(1) Jt. Director (P&A)	Full powers in respect of posts under his respective administrative control or for which he is cadre controlling authority and for other posts in consultation with concerned Head of Department when transfer is from the jurisdiction of one HOD to another HOD.
			(2) Chief Engineer	Full powers when transfer is within his jurisdiction.
			(3) Director (Finance)	In the case of staff in his respective offices
			(4) Superintending Engineer	Full powers when transfer is within his jurisdiction.

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7.	16	To waive the period of notice for quitting service/for terminating service	Managing Director	Full powers
8.	30	To sanction annual grade increments	(i) Managing Director	Full powers in case of Jt. Director (Personnel), Dy. Director (Personnel), Personnel Officer, Dy. Secretary (GAB), Assistant Secretary (GAB), PS to MD.
			(ii) Director (Tech.)	Full powers in case of Chief Engineers
			(iii) Chief Engineer	Full powers in case of SE's, Statistical Officer, Chemist, Estate Officer, Personnel Officer/Labour Welfare Officer and other officers of class I and II in CE's Office.
			(iv) Director (Finance)	Full powers in the case of Chief Accounts Officer, Director

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				(IA), Deputy Chief Accounts Officer, AO, AAO.
			(v) Superintending Engineer	Executive Engineers under them.
			(vi) Executive Engineers	Asstt. Engineers under them.
			(vii) Chief Accounts Officer	Accountants working under his control.
			(viii) Head of Office	In case of class III and IV employees.
9.	30(b)	Power to allow an employee to count extraordinary leave for increments	Managing Director	(i) Full powers in respect of class III and IV staff
				(ii) Full powers when extraordinary leave is availed of on grounds beyond the control of the Nigam's employee
10.	33	To permit an employee to undertake work other than that of the Nigam and to accept fees for that work.	Managing Director	Full powers

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11.	35	Power to sanction specifically the undertaking of work of occasional character or of special merit, where extraordinary long working hours have to be observed by particular class III and IV employees and to grant of honorarium.	(i) Managing Director	Full powers
			(ii) Chief Engineer/ Jt. Director (P&A)/ COA	Full powers in respect of class III and IV staff
			The amount of honorarium granted under (i) and (ii) above shall not exceed the following limits in each case :-	
			1. For extra work of less than 24 hours	Nil
			2. For extra work of 24 hours and above but less than 60 hours, provided that extra hours on a particular date is above one hour.	1% of basic pay i.e. sum of pay in Running Pay Band and Grade Pay.
			3. For extra work of 60 hours and above but less than 120 hours.	2% of basic pay i.e. sum of pay in Running Pay Band and Grade Pay.
			4. For extra work of 120 hours and above but less than 180 hours.	4% of basic pay i.e. sum of pay in Running Pay Band and Grade Pay.



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			5. For extra work of 180 hours and above but less than 240 hours.	5% of basic pay i.e. sum of pay in Running Pay Band and Grade Pay.
			6. For extra work of 240 hours and above.	7% of basic pay i.e. sum of pay in Running Pay Band and Grade Pay.
<p>Subject to the overall condition that a Nigam's employee shall not be granted honorarium exceeding 12% of basic pay i.e. sum of pay in the Running Pay Band and Grade Pay under Revised Pay Scale, 2008 in all during a financial year.</p>				
12.	36	Power to appoint employees and to permit them to hold one or more independent posts in addition to their own duties.	Managing Director	Full powers for a period not exceeding 8 months.
			HODs	For a period not exceeding 4 months provided that the posts have a clear and well defined charge or sphere of responsibility.
<p><b>Note: 1.</b> Pay and allowances for Dual charges or the charge allowance for performing duties of additional post shall be regulated in accordance with Government clarification No. F 18(28)/F.11/55 dated 9.8.62 appearing below Rule 35 and 50 of Rajasthan Service Rules as amended from time to time.</p> <p><b>Note: 2.</b> Ordinarily, a Nigam's employee posted at a particular station shall not be permitted to take over charge of another post at a station or place different from his own headquarters and to discharge the functions and responsibilities of the additional post at that station in addition to duties of his own post. However, in case of employees equivalent to Asst. Engineers and above, if in exceptional circumstances it is considered necessary to</p>				

## RVUN EMPLOYEES' SERVICE REGULATIONS

make such arrangements in the interest of the Nigam's work, such arrangements shall be permitted by the authority competent to make arrangements at same station. Notwithstanding anything contained in the relevant regulations, the charge allowance and travelling allowance for the journeys performed by the employee shall be regulated as below:-

- (a) Charge allowance for performing duties of additional posts shall be allowed in accordance with the provisions of Govt. clarification dated 9.8.62 appearing below Rule 35 and 50 of Rajasthan Service Rules as amended by Govt. from time to time.
- (b) For the journeys undertaken from the headquarters of his regular post to the other station for performing duties of additional post, only mileage allowance (including incidental charges) shall be admissible. No halting allowance for the days of his stay/halt at another station shall be admissible.

12. (A)	43(d)	Power to grant permission to take up employment during leave preparatory to retirement.	Managing Director	Full powers
13.	45 to 51	Powers to sanction all kinds of leave admissible under these regulations, except Study Leave and Special Disability Leave.	1. Managing Director	Full powers
			2. Director (Finance)	Full powers in respect of officers and staff of Accounts Wing.
			3. Jt. Director (P&A)	Full powers in respect of DDP/ Deputy Secretary/ Asst. Secretary / OSD / Personnel Officer / Law Officer /

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				Statistical Officer / Class III employees of GAB.
			4. Chief Engineer/ Addl. Chief Engineer/ Dy. Chief Engineer	1. Full powers in respect of officers up to the rank of Executive Engineers.  2. Full powers in respect of class III employees under their respective jurisdiction and up to 30 days in respect of A.A.O. Gr. II/ Jr. Accountant.
			5. CAO	Full powers in respect of class III employees of the Accounts Wing under their respective jurisdiction.
			6. Superintending Engineer.	1. Full powers in respect of officers upto and equivalent to the rank of Assistant Engineers.

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				2. Full powers in respect of Class III employees under their respective jurisdiction and upto 30 days in respect of A.A.O. Gr.II/ IA under their control.
			7. Executive Engineers & other Heads of office.	Upto two months in respect of class III & IV employees and upto 30 days in respect of A.A.O. Gr. II/ IA under their jurisdiction.
			8. Appointing Authorities.	Full powers in respect of class IV employees.
14.	44(i)	To sanction leave to an employee during pendency of disciplinary proceedings.	Managing Director.	To the extent of leave admissible under the regulation.
15.	52 and 53	To Sanction Study Leave and Special Disability Leave.	(i) Managing Director  (ii) Jt. Director (P&A)/	Full powers.  Full powers in respect of class

## RVUN EMPLOYEES' SERVICE REGULATIONS

### Appendix - II (See Regulation - 4)

1. Gestetnor Operator
2. Asstt. Bradma Operator
3. Daftaries
4. Jamadar / Gate Sargent
5. Peon-Gate-Keeper
6. Chowkidar
7. Watchman
8. Guards
9. Gunman
10. Sweeper
11. Telephone Boy
12. Cook
13. Attendant -Cum-Cook
14. Orderlies
15. Cycle Sawar
16. Gardner
17. Waterman
18. Record Lifter
19. Binders/ Asstt. Binders
20. Amonia Machine Operator
21. Farrash
22. Ward Boy
23. Attendant
24. Library Boy
25. Cleaner
26. Bill Distributor

**Note :** The above will also include the post, if any, not included and the post to be created in future as may be classified in class IV cadre.

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### FOOTNOTES IN DETAIL

- [<sup>1</sup>] 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.
- [<sup>2</sup>] Substituted for the words "From such date as may be fixed by the Board" vide order No. RVUN/ A&F/Rules/ESR/D.3721 dated 3.11.1965.
- [<sup>3</sup>] Inserted vide order No. RVUN/ A&F/ D.3245 dated 17.11.1966.
- [<sup>4</sup>] Substituted for the words "Controller of Accounts" vide order No. RSEB/ F&R/F.11 (2)/D.10 dated 6/2/97 and this was substituted for the words "Chief Accounts Officer" vide order No. RSEB/A&F/Rules/ESR/ D.155 dated 19.11.1966.
- [<sup>5</sup>] The word 'Appendix' substituted by the word 'Appendix- I' vide order No. RSEB/F&R/F. (ESR)/D.66 dated 24.11.1986
- [<sup>6</sup>] Inserted vide order no.RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006
- [<sup>7</sup>] Inserted vide order No. RSEB/ A&F/ D.3245 dated 17.04.1966.
- [<sup>8</sup>] Inserted vide order no.RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006
- [<sup>9</sup>] Substituted vide order no. RVUN/P&A/F./D.410 dated 28.03.2011 for the following:
- "Class-I All Officers, the minimum of whose pay scale is \*Rs. 10,000/- per mensem and above or those specifically classed as such by the Nigam.
- Class-II All Officers, the minimum of whose pay scale is \*Rs. 8,000/- and above but less than \*Rs. 10,000/- or those specifically classed as such by the Nigam.
- Class-III All employees not included in Class I, II or IV.
- Class-IV All employees holding posts enumerated in appendix-II to these Regulations and other employees of similar level, and such other employees as the Nigam may from time to time determine."
- (\*Rs.10,000/- and 'Rs. 8,000/-' were Substituted for Rs. 3000/- and

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Rs. 2200/- vide order no. RSEB/CAO/F&R/F/D.45 dated 15.06.1998 and 'Rs.3000/-' and 'Rs.2200/-' were substituted for 'Rs.2540/-' and 'Rs.1720/-' vide order no.17 dated 19.2.90 and 'Rs.2540/-' & 'Rs.1720/-' were substituted for 'Rs.1500/-' & 'Rs.1000/-' vide order no. 61 dated 26.11.88. 'Rs.1500/-' and 'Rs.1000/-' were substituted for 'Rs.1150/-' and 'Rs.750/-' vide order no.68 dated 20.11.84 and 'Rs.1150/-' & 'Rs.750/-' were substituted for 'Rs.550/-' & 'Rs.285/-' vide order No. 84 dated 2.9.77 (This order was effective from 1.9.1976).

<sup>[10]</sup> Substituted vide order No. 68 dated 3.11.1989(ratified vide order no.25 dated 15.3.90) for the following:

"Age: i) The age of a person at the time of his initial appointment to the service of the Board shall not be less than 18 years or more than 31 years except where otherwise prescribed in other Regulations.

- ii)
  - (a) The upper age limit in the case of candidates belonging to Scheduled Castes and Scheduled Tribes will be relaxed up to 5 years.
  - (b) The upper age limit for appointment of reservists of Indian Armed Forces to various posts under the Board shall be 50 years.
  - (c) The upper age limit in the case of women candidate may be relaxed by 5 years for the post of Asstt. Personnel Officer. (Inserted vide Order No.74 dated 27.7.76)
  - (d) The upper age limit in the case of women candidate dependent on the deceased/permanently disabled Board's employee shall be 35 Years. (Inserted vide Order No.77 dated 4.8.80)
- iii) The Board may, by special or general order, relax the age of entry into service in the case of specified posts, provided that in the case of engineering posts requiring special qualifications and experience, the Board may relax the upper age limit. iv) Age, for the purpose of these Regulations, shall be computed from the date of birth, as given in the higher secondary, Matriculation and/or other School Leaving Certificates. Other evidence in proof of age shall be

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

considered only if the appointing authority is satisfied that in the particular circumstances Higher Secondary, Matriculation and/ or School leaving certificate would not be available.

- v) If the year of birth of an employee is known but not the exact month and date, 1st July of the year should be treated as the date of birth for the purpose of this Regulation. If the year and month of the birth of an employee are known but not the exact date the 16th of the month will be taken as the date of his birth for the purposes of these Regulations.
- vi) If neither the year nor the month is known a certificate from the Principal Distt. Medical Officer of the Govt. of Rajasthan or any medical practitioner approved by the RSEB, specifying the approximate year, may be accepted by the competent authority under Regulation 5(v) above for the purpose of fixing age.
- vii) The evidence in proof of age should be produced immediately at the time of joining. No representation for corrections of age recorded at the time of joining service shall be entertained if it is not made within three years of joining the service.

(This was substituted vide order no.RSEB/F&R/F.5 (17)/D.49 dated 16.10.84 for the following:

The age of a person at the time of his initial appointment to the service of the Board shall not be less than 16 or more than 28 years except where otherwise prescribed in other Regulations. Minors or persons who have not attained the age of 18 years should not be appointed to the post for which security is required.

(This was substituted vide order No. RSEB/A&F/F.64/D.44 dated 26.6.71 for the following:

'The age of a person at the time of his initial appointment to the service of the Board shall not be less than 16 or more than 25 years in case of Engineers and Chartered Accountants in whose case the upper age limit shall be 27 years. Minor persons who have not attained the age of 18 years should not be appointed to the post for which security is required.')



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[11] The following 'Exception' was deleted vide order no. RSEB/F&R/F.8(7)/D.4 dated 18.01.1999 (effective from 31.03.1999):

"Exception: The maximum age for entry in to Board's Service shall be "33 years" instead of "31 years" during the period from 30.06.1998 to 29.06.2000."

[12] Decision taken in Board's 182nd meeting held on 18-4-73 and communicated vide order no. 14 dated 16-5-73.

[13] Inserted vide order no.RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006

[14] Substituted for the following paragraph vide notification no. RSEB/Rules/D.66 dated 1.8.76

"An employee promoted to a higher post shall be treated as on probation in the higher post for a period of one year in the case of promotions to posts belonging to Classes I & II and to the posts of Accountants & Internal Auditors and 6 months in other cases unless a longer period is prescribed in any case. He shall be liable to be reverted without notice at any time during the period of probation, and on the expiry of the period of probation, if not confirmed in the higher post."

[15] Inserted vide order No. RSEB/Rules/F.5 (17)/D.26 dated 1.5.1976

[16] Inserted vide order No. RSEB/F&R/F./D.63 dated 9.5.1991

[17] Inserted vide order No. RSEB/F&R/F.5 (19)/D.40 dated 7.5.1993

[18] Inserted vide order No. 37 dated 21.5.1971

[19] Regulation 16 along with provision and note substituted vide order No.RSEB/F&R/F.5 (17)/D.58 dated 17.7.90 for the following:

An employee, shall not leave or discontinue his service in the Board without first giving notice in writing to the authority competent to make appointment to the post he is holding at the time of his intention to leave or discontinue the service. The period of notice required shall be:

- (a) Three months in the case of an employee of class I.
- (b) One month in the case of other employees.

Provided that such notice may be waived in part or in full by the competent authority at its discretion.

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Note: The Chairman is authorized to decide the cases of resignation of the officers in whose cases the Board is the appointing authority. (This note was inserted vide order no.56 dt.30.6.90)

- [20] Instructions issued vide No. RSEB/A&F/D-64 dt.6.10.1972.
- [21] The word in case of class I officers, three months notice' deleted vide order No. RSEB/F&R/F.5 (17)/D.58 dated 17th July'90
- [22] Inserted vide order no.RVUN/P&A/F/D.800 Dated: 13.10.2006.
- [23] Substituted vide order no. RVUN/P&A/F.BOD/D.215 dated 23.01.2012 for the following:
- "Provided further that the aforesaid provision regarding refund of amount may be relaxed in those cases only wherein a person is working in one of the five State Power Sector Companies formed upon unbundling of the erstwhile RSEB, including their subsidiary companies and due to appointment of his/ her spouse in any of the other Power Sector Companies of Rajasthan (including their subsidiary companies), he/ she wants to shift to that Company. In any other case, no such relaxation shall be granted." (This was inserted vide order no. RVUN/P&A/F.BOD-77/D.715 dated 05.02.2009)
- [24] Regulation 18 "Age of Retirement" was substituted, as a whole, vide Order No. RSEB/F&R/F.8 (7)/D.71 dated 25.8.1998.
- [25] Substituted vide Order No. RVUN/P&A/II/F. /D. 422 dated 29.05.04 for the following:

"(1) Except as otherwise provided in these Regulations, the date of compulsory retirement of Board employees would be the afternoon of the last day of the month in which he attains the age of 58 years.

Provided that the Board employees who have crossed the age of 58 years or will attain the age of 58 years on or before 1st March, 1999 shall also be compulsorily retired on 31st March, 1999." (This was substituted vide order no. RSEB/F&R/F.8(7)/D.4 dated 18.01.99 [effective from 31.03.1999] for the following: "(1) Except as otherwise provided in these Regulations, the date of compulsory retirement of Board employees would be the afternoon of the last day of the month in which he attains the age of 60 years.

Provided that the provisions of age of compulsory retirement as contained in this rule shall not be applicable in the case of Board

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

employees who are in service after attaining the age of compulsory retirement either on re-employment or on extension in service. ) This was substituted vide order no. RSEB/F&R/F.8(7)/D.71 dated 25.8.1998 for the following:

Except as otherwise provided in these Regulations, the date of compulsory retirement of Board employees would be the afternoon of the last day of the month in which he attains the age of 60 years. Provided that the provisions of age of compulsory retirement as contained in this rule shall not be applicable in the case of Board employees who are in service after attaining the age of compulsory retirement either on re-employment or on extension in service.

NOTE:

1. A Board employee whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of sixty years.
2. In case the last day of the month happens to be a closed holiday, even then the Board employee should formally relinquish charge of the office in the afternoon of that day.

(This was substituted vide order no.RSEB/F&R/F.8 (7)/D.52 dated 30.6.1998 for the following: "(1) Except as otherwise provided in these Regulations the date of compulsory retirement of Board employee is the date on which he attains the age of 58 years. He may be retained in service after the date of compulsory retirement with the sanction of the Board in the case of employees of Class I and II and the sanction of the Chairman in all other cases up to the age of 60 years on public ground which must be recorded.

Provided that the period for which an employee has been retained in service after the date of compulsory retirement may be altered by the Board at any time by an order recorded in writing.

<sup>[26]</sup> The existing figure and word '20 years' wherever appearing was substituted by the figure and word '15 years' vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999

<sup>[27]</sup> The following 'Note' was deleted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999:

'The Chairman shall be the authority to decide the case of officers seeking voluntary retirement in whose cases the Board is the appointing authority. '

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[28] The word and punctuation 'Board/' was deleted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999

[29] The following proviso was deleted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999:

Provided that in case of officers seeking voluntary retirement in whose case the Board is appointing authority, the Chairman in consultation with Member (F&A) may relax the requirement of notice of 3 month as per above provisions.

[30] Substituted vide Order No. RVUN/P&A/F. /D. 400 dated 30.11.09 for the following:

"(d) A Board employee, who has elected to retire under this Sub-regulation (3) and has given the necessary notice to that effect to the appointing authority, shall be precluded from withdrawing his notice except with the specific approval of such authority.

Provided that the request for withdrawal shall be made before the intended date of his retirement.

### **EXPLANATION:**

A Board employee who has given to the appropriate authority, notice of retirement has no right subsequently (but during the currency of the notice) to withdraw the same and return to duty. There would, however, be no objection to permission being given to such a Board employee, on consideration of the circumstances of his case, to withdraw the notice given by him, but ordinarily such permission should not be granted unless he is in a position to show that there has been a material change in the circumstances in consideration of which the notice was originally given.

[31] The existing figure and word '20 years' wherever appearing was substituted by the figure and word '15 years' vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999

[32] Inserted vide Order No. RVUN/P&A/F. /D. 800 dated 13.10.2006

[33] The following provisions deleted in terms of adoption of Govt. order no. F.12(3)FD (Rules)/OS-I dated 6.04.2013 in RVUN vide order no. RVUN/P&A/F.6PC/D.364 dated 1.10.2013 (effective from 1.07. 2013):

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h) A Nigam employee who seeks voluntary retirement under clause (a) of this sub-regulation shall be entitled to a weightage of five years qualifying service which shall be given as an addition to the qualifying service actually rendered by him.

i) The grant of weightage upto five years shall, however, be subject to the following conditions:

**A. In respect of Nigam's Employees governed by RVUN Employees Pension Regulations, 1988 including the employees of the Erstwhile E&M Department who have opted Nigam's service with pensionary benefits:**

i) The service qualifying for retirement benefits shall be enhanced by the addition of five years in such case. 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 of the qualifying service, the Nigam employee concerned could have counted had he retired on attainment of superannuation age, whichever is less.

ii) In case where qualifying service is increased under (i) above, the emoluments which the Nigam employee was receiving immediately before the date of retirement shall be taken into account for the purpose of calculation of pension and gratuity and the increase not extending five years in his qualifying service under (i) above shall not entitle him to any notional fixation of pay for the purpose of calculating pension and gratuity.

**B. In respect of Nigam employees governed by the Contributory Provident Fund Scheme including employees of the Erstwhile E & M Department, who have opted Nigam's service with C.P.F. benefits including gratuity:**

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- i) Nigam's contribution shall be enhanced by the amount which would have accrued by the addition of 5 years notional service.
- ii) 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.
- iii) The resultant increase in the aforesaid manner shall in no case be more than the contribution which could have been credited in his provident fund account had he retired on completing 33 years qualifying service or on attainment of the age of superannuation, whichever is less.
- iv) The weightage of five years notional qualifying service shall not be admissible in case of those Nigam employees who are prematurely retired by the Nigam in public interest under Regulation 18( 4).

[34] Substituted vide Order No. RSEB/F&R/F.5 (17)/D.89 dated 29.12.1999 for the following: "Powers to retire Board employees after attaining the age of 50 years or 25 years of Service."

[35] Substituted vide Order No. RSEB/F&R/F.5 (17)/D.84 dated 25.9.1980 for the following:

"Unless Board in view of the special circumstances otherwise determines, an employee after two years' Continuous absence from duty shall cease to be in the employ of the Board."

[36] Inserted vide order no. RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006.

[37] Substituted vide order No. RSEB (F&R) F.5 (7)/D.61 dated 29-11-96 for the following.

24. Regulation of initial substantive pay on appointment to a post on a time scale:

@(1) A Board employee already serving in one service or cadre who

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is appointed to another service or cadre by direct recruitment or special selection (including transfer other than by deputation from one service or cadre to another ) and not by promotion according to service regulations shall have his initial pay fixed as follows:-

Category	Last pay on old post	Initial pay on new post
(a)	Substantive on a permanent post and not officiating on a higher post.	<p>Persons in category (a) shall have their pay fixed in the manner stated below:</p> <p>(i) If the maximum of the scale of the new post is higher than the maximum of the old post, then pay shall be fixed at the stage of the time scale of the new post next above the last substantive pay in the old post.</p> <p>(ii) If the maximum of the scale of the new post is equal to or lower than the maximum of the old post, then pay shall be fixed at the stage of the time scale of the new post which is equal to his last substantive pay on the old post, or if there is no such stage the stage next below that pay plus personal pay equal to the difference.</p> <p>(iii) If minimum pay on the new post is higher than pay admissible under clause (i) and (ii) above, then minimum pay shall be allowed.</p>

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<p>(b)</p>	<p>(i) Substantive on a lower post but officiating on a higher permanent or temporary post in the same service or cadre or department provided that such officiation was in accordance with the provisions of service regulations relating to promotion promulgated under section 79(c) of the Electricity (Supply) Act, 1948.</p> <p>(ii) Temporary on a permanent or temporary post provided that appointment was made by direct recruitment, promotion, special selection, emergency recruitment or as a service or cadre in accordance with provisions of the Employee Service Regulations, 1964 relating to recruitment, promotion and initial constitution promulgated under Section 79 (c) of the Electricity (Supply) Act, 1948.</p> <p>(iii) Temporary on a permanent or temporary post, provided that, if there are no Service Regulations promulgated</p>	<p>(b) Person covered by any paragraph in category (b) shall have their pay fixed in the manner stated below:-</p> <p>(i) If minimum pay of the scale of the new post is equal to or higher than the last pay in the old post other than that held substantively then the minimum pay.</p> <p>(ii) If minimum pay of new post is lower than last pay in the old post, than that held substantively, then pay shall be fixed at the stage of the time scale which is equal to his last pay in the old post or if there is no such stage, the stage next below that pay plus personal pay equal to the difference.</p> <p>Provided that if fixation of pay on the basis of pay admissible on substantive post in accordance with paragraph (a) (i) or (ii) above is more advantageous, pay shall be fixed under the said clauses.</p>
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<p>(c)</p>	<p>under section 79 (c) of the Electricity (Supply) Act, 1948.</p> <p>(iv) Temporary on a permanent or temporary post, provided that appointment had been made in the process of absorption of persons declared 'Surplus' due to abolition of posts and that pay drawn on the abolished post was of the type described in paragraphs (a),(b) (i),(b) (ii) and (b) (iii) above.</p> <p>(i) Temporary on a permanent or temporary post, having been appointed adhoc without following the procedure laid down in the Service Regulations promulgated under section 79(c) of the Electricity (Supply) Act-1948.</p> <p>(ii) Temporary on a permanent or temporary post, having been appointed in the process of absorption of persons declared 'Surplus' due to abolition of post but pay drawn on the abolished post was not of the type described in paragraphs (a),(b)(i),(b)(ii)and (b) (iii) above.</p>	<p>Persons covered by any paragraph category ( c) shall have fixed in the manner stated below:- Minimum of the scale or at such higher stage as may be approved by the Board.</p>
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	<p>(iii) Temporary on a permanent or temporary post appointment to which is not regulated by any Service Regulations promulgated under section 79(c) of the Electricity (Supply) Act-1948.</p> <p>(iv) Temporary on a permanent or temporary post, other than of the type described in paragraphs (i) to (iii) above.</p>	
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2. Pay for the purpose of sub-Regulation (1) shall mean substantive pay, officiating pay and pay on temporary post and shall not include special pay.

3. When appointment to the new post is made at the request of the Board employee under Regulation 15 and the maximum pay in the time scale of new post is lower than his last pay in the old post, he will draw that maximum of new post as initial pay.

Note: Fixation of pay on appointment to a tenure post will be regulated under this regulation and not under provisions of Regulation 27.

(This was substituted vide order No. RSEB/A&F/D/1017 dated 27th April'67 effective from 1.1.67. The initial substantive pay of an employee who is appointed substantively to a post on a time scale of pay is regulated as follows:

(a) If he holds a lien on a permanent post, other than a tenure post or would hold a lien on such a post had his lien not been suspended:-

(i) When appointment to the new post involves the assumption of duties or responsibilities of greater importance than those attaching

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to such permanent post he will draw as initial pay the stage of the time scale next above his substantive pay in respect of the old post.

- (ii) When appointment to the new post does not involve such assumption, he will draw as initial pay the stage of the time-scale which is equal to his substantive pay in respect of the old post, or post, or if there is no such - stage, the stage next below that pay plus personal pay equal to the difference and in either case will continue to draw that pay until such time as he would have received an increment in the time scale of the old post or for the period after which an increment is earned in the time-scale of the new post, whichever is less. But if the minimum pay of the timescale of the new post is higher than his substantive pay in respect of the old post, he will draw that minimum as initial pay;
  - (iii) When appointment to the new post is made on his own request under Regulation 15 (a) (ii) and the maximum pay in the timescale of that post is less than his substantive pay in respect of the old post, he will draw that minimum as initial pay.
- (b) If the conditions prescribed in clause (a) are not fulfilled, he will draw as initial pay the minimum of the time-scale;

Provided that, both in cases covered by clause (a) and in cases, other than cases of re-employment after resignation or removal or dismissal from the Board's service, covered by clause (b) if he either.

- (1) Has previously held substantively or officiated in-
  - i) The same post, or
  - ii) A permanent or temporary post on the same time scale, or

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- iii) A permanent post on an identical time-scale such post being on the same time-scale as a permanent post; or
- (2) is appointed substantively to a tenure post on a time scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated; then the initial pay shall not be less than the pay other than special pay, personal pay or emoluments specially classed as pay, which he drew on the last such occasion, and he shall count the period during which he drew that pay on such last and any previous occasions for increments in the stage of the time scale equivalent to that pay. If, however, the pay last drawn by the employee in a temporary post has been inflated by the grant of premature increments the pay which he would have drawn but for the grant of those increments shall, unless otherwise ordered by the Board, be taken for the purpose of this proviso to be the pay which he last drew in the temporary post.

Exception:- The condition in paragraph (ii) of the first proviso that the temporary post should be on the same time scale as a permanent post shall not be enforced when a temporary post is (i) created in one cadre for the purpose of work of the same nature as the ordinary work for which the permanent posts exist, in the other cadre and (ii) sanctioned on a time scale identical with the time scale applicable to the permanent posts in the other cadre.

<sup>[38]</sup> Inserted vide order no. RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006.

<sup>[39]</sup> Inserted vide order No. RSEB/A&F/D.1017 dt. 27.4.67 effective from 1.1.67

<sup>[40]</sup> Inserted vide order No.83 dt. 6-12-1968 effective from 1.1.67

<sup>[41]</sup> The following was deleted vide order No. 61 dt 29.11.96

'Subject to paragraph (iv) above a person whose pay is fixed under paragraph (a) (ii) and (b) (ii) of sub regulation (i) of regulation 24, the service rendered on his previous post since the drawal of last increment shall be counted for purposes of grade increment in the new post.' (Substituted vide order No. 37 dt. 21.5.71 effective from 1.1.67 for the following:

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"Subject to paragraph (iv) above, a person whose initial pay is fixed under paragraph (a) (ii) and (b) (ii) of sub rule (1) of Regulation 24 of the Rajasthan Electricity Board Employee Service Regulation, 1964 shall receive annual increments on the anniversary of the date of which he received his last increment on his previous post).

- [42] Inserted vide order no. RVUN/P&A/F/D.533 Dated: 09.06.2006 and effective from 20.1.2006
- [43] Inserted vide order No. RSEB/ESR/A&F/D.71 dt.2.12.1972.
- [44] Substituted vide order No. RSEB/A&F/ESR/D.101 dated 11-11-1970 (effective from 1-1-1967)

Notwithstanding anything contained in these Regulations where a Government servant holding a post in a substantive, temporary or officiating capacity is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attached to the post held by him, his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing the actual pay drawn by him in the lower post by the increment at the stage at which such pay is drawn.

Provided further that the provisions of sub-clause (2) of Regulation 27 shall not be applicable in any case where the initial pay is fixed under this Regulation.

Provided also that where an employee is immediately before his promotion to a higher post, drawing pay at the maximum of the time scale of the lower post, his initial pay in the time scale of the higher post shall be fixed at the stage in that time scale next above such maximum in the lower post.

Provided further that provisions of this Regulation shall not apply to holder of the post of Asstt. Secretary promoted to the post of Deputy Secretary to the Board.

(the words (or appointment) deleted vide order no. 1013 of 27.4.67 and paragraph 1 of the regulation 27 substituted by the following vide order *ibid*:

When a Board servant holding a post in a substantive, temporary or officiating capacity is promoted to a post in the regular line of promotion in his Service or cadre in a substantive, temporary or

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officiating capacity his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay drawn by notionally arrived at by increasing the actual pay drawn by him in the lower post by one increment at the stage at which such pay is drawn.)

- [45] Substituted vide notification No. RSEB/Rules/D.30 of 5/8.4.1975 effective from 1.1.1975.

"That where an employee is, immediately before his promotion to a higher post, drawing pay at the maximum of the time scale of lower post, his initial pay in the time scale of the higher post shall be fixed at the stage in that time scale next above such maximum in the lower post."

- [46] Schedule deleted vide order no. 41 dt. 17.5.90

1. Addl. Chief Engineer promoted to the post of the Chief Engineer
2. Asstt. Secretary promoted to the post of Dy. Secretary.

(Item 2 was deleted w.e.f. the date of promulgation of the RSEB ESR-1964 vide order no. RSEB/F&R/F.5 (17)/D.21 dated 4.8.81).

- [47] Inserted vide order no. RSEB/F&R/F.5 (16)/D.46 dated 7th June, 1980.

- [48] Inserted vide order no. RSEB/F&R/F.5 (17)/D.73 dated 28.12.1989.

- [49] Inserted vide order no. RSEB/F&R/F.16(3)/D.6 dated 28.01.1993 (effective from 06/03/1992).

- [50] The words & figures '24 A, 27, 29-A and 30' inserted vide order No. 1017 dated 11-11-70 effective from 1-1-70.

- [51] Substituted vide order No. RSEB/A&F/ D.3965 dated 01/12/1965 (effective from 1-11-1964).

- [52] Substituted vide order No. RSEB/A&F/627 dated 28-2-67 effective from 1-11-64 for the following:

Service in another post other than a post carrying less pay referred to in clause (a) of Rule 15, whether in a substantive or officiating capacity, service on deputation and leave other than extra-ordinary leave, count for increments in the time scale applicable to the post on which the employees holds a lien as well as in the time scale applicable to the post or posts, if any, on which he would hold a lien, had his lien not been suspended. In the case of an employee who

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holds a lien on a permanent post or would hold a lien on such a post had his lien not been suspended and who has been continuously officiating in another post for more than three years at the time he proceeded on leave and would have continued to officiate in that post but for his proceeding on leave, leave other than extraordinary leave, counts for increments in the time scale applicable to such other post. For the purpose of reckoning the three years limit, service in the other post will include periods of leave during which the employee would have officiated in the other post and officiating service in a higher post that counts for increment in the other post under clause (f).

- [53] Substituted vide order No. RSEB/F&R/F.5 (17)/D.19 dated 1-3-78 for the words "leave other than extra-ordinary leave."
- [54] Substituted vide order No. RSEB/A&F/625 dated 8-2-67 for following:  
Provided that the Board may in any case in which it is satisfied that the extraordinarily leave was taken on account of illness or for any other cause beyond the Board Servant's control or for prosecuting higher scientific and technical studies, direct, subject to such conditions as they may impose, that extra-ordinary leave shall be counted for increments under this clause.
- [55] Inserted as proviso vide order no. RSEB/F&R/F.5 (17)/D.7 dated 16.01.1979
- [56] Inserted vide order no. RSEB/F&R/F.5 (17)/D.56 dated 6.11.1985
- [57] The existing figures "6" was substituted by the figure "3" vide order no. RVUN/ P&A/F.6PC/ D.544 Dated 01/10/2008 effective from 01/01/2007 and the figure "6" was substituted for the figure "10" vide order no. RSEB/CAO/F&R/D.45 dated 15.06.1998 effective from 1.01.1998 and also the words 'one fifth' were substituted by the words & figures '10 percent' vide order No. 61 dated 26.11.88.
- [58] Substituted vide Order No. RSEB/A&F/3469 dated 6.10.75 for the following:  
'An employee under suspension during pendency of criminal proceedings against or during his detention under law or pending enquiry into charge against him, is entitled to subsistence grant at such rate as the suspending authority may direct but not exceeding one fourth of the pay of the suspended employee. Allowance

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admissible to such an employee, if any, may also be paid at such rate as may be fixed by the suspending authority.

Note: The authorities competent to suspend are given in the RSEB Employees (C.C.& A.) Regulations, 1962.

- [59] Substituted the word 'six' for 'twelve' vide order No. RSEB/A&F/D.32 dated 11.5.72.
- [60] Substituted the word 'six' for 'twelve' vide order No. RSEB/A&F/D.32 dated 11.5.72.
- [61] Substituted vide order No.38 dated 18.6.88 for the following:  
"No payment under sub-rule (1) shall be made unless the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation."
- [62] Substituted the word 'six' for 'twelve' vide order No. RSEB/A&F/D.32 dated 11.5.72
- [63] Substituted the word 'as period on duty for all purposes' vide order no.40 dt.7.5.93
- [64] Substituted the words 'only for any specific purpose' vide order no.40 dt.7.5.93
- [65] Inserted vide order No. 49 dated 4-11-1996
- [66] Inserted vide order no. RVUN/P&A/F./D.533 Dated: 09.06.2006 and effective from 20.1.2006
- [67] Inserted vide order no. RVUN/P&A/F./D.53 Dated: 25.05.2012
- [68] Substituted vide order no. RSEB/F&R/F.5 (17) D.21 dated 22.3.82 for the following:  
An employee on medical certificate may not return to duty without producing a medical certificate of fitness. The authority sanctioning leave may require an employee who has availed of leave for reasons of health to produce a medical certificate of fitness even though such leave was not granted on medical certificate.
- [69] The words 'other than homeopathic practitioner' deleted vide order no. 31 dated 31.10.87
- [70] Substituted vide order no. RVUN/P&A/F./D.290 dated 30.11.2010 for the following:



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Note: 1 The expression "Authorised Medical Attendant" in item No.(1) (a) shall mean a Government Medical Officer or Government Vaidya/ Hakim/Homeopathic Chikitsak or Nigam's Homeopathic/ Allopathic Doctor on duty in a Government Hospital or Dispensary or Nigam's Homeopathic/ Allopathic Dispensary or the Head of Department of Hospital/Institutes, which have been recognized by the Nigam, from time to time, for taking treatment at employee's choice/ option. (This was substituted vide order no. RVUN/P&A/F./ D.782 dated 07.11.2003 for the following:

Note: 1 The expression 'Authorised Medical Attendant' in item (1)(a) shall mean a Government Medical Officer or Government Vaidya/ Hakim / Homeopathic Chikitsak or Nigam's Homeopathic Doctor on duty in a Government Hospital or Dispensary or Nigam's Homeopathic Dispensary and the expression 'Registered Medical Practitioner' includes Allopathic/Ayurvedic/Unani Practitioner registered under law in force from time to time.)

[71] Substituted vide order no. RVUN/P&A/F./D.782 dated 07.11.2003 for the following:

"Note:2 The certificate of sickness and fitness from the authorized Medical Attendant of Government/Nigam's Homeopathic Chikitsak/ Doctor shall be accepted for the purpose of sanction of leave by the competent authority for a period not exceeding fifteen days." (The existing note was renumbered as note 1 and note 2 was inserted. The words 'homeopathic chikitsak or Board's homeopathic doctor' and the words "or Board's Homeopathic Dispensary" was inserted vide order No. 31 dt. 31.10.87)

[72] Inserted vide order No. RVUN/P&A/F./D.135 dt. 29.05.2007

[73] Substituted vide order no. RVUN/P&A/F./D.290 dated 30.11.2010 for the following:

**Medical Certificate for an Employee whose pay scale is linked with Government Pay Scales:**

Statement of the case of..... Name (to be filled in by the applicant in the presence of Civil Surgeon or Official Medical Attendant).

Appointment.....

Age.....

Total service.....

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Previous periods of leave of absence on medical certificate.

Habits.....

Disease.....

### I Civil Surgeon

Medical officer at or of

After careful personal examination of the case hereby certify that ..... is in a bad state of health and I solemnly and sincerely declare that according to the best of my judgment the period of absence from duty is essentially necessary for the recovery of his health and recommend that he may be granted.....month's leave with effect from.....(In my opinion it is/it is not necessary for the officer to appear before a Medical Board).

Civil Surgeon

Or Official Medical Attendant.

- [74] Note 1 was substituted vide order no. RVUN/P&A/F./D.290 dated 30.11.2010 for the following:

Note: 1 The expression "Authorised Medical Attendant" in item No.(1) (a) shall mean a Government Medical Officer or Government Vaidya/ Hakim/ Homeopathic Chikitsak or Nigam's Homeopathic/ Allopathic Doctor on duty in a Government Hospital or Dispensary or Nigam's Homeopathic/ Allopathic Dispensary or the Head of Department of Hospital/Institutes, which have been recognized by the Nigam, from time to time, for taking treatment at employee's choice/ option. (This was substituted vide order no. RVUN/P&A/F./D.782 dated 07.11.2003 for the following:

Note: 1 The expression 'authorized medical attendant' used at item 1 above shall mean Government Medical Officer or Government Vaidya/Hakim / Homeopathic Chikitsak or Nigam's Homeopathic Doctor on duty in a Government Hospital or Dispensary or Nigam Homeopathic Dispensary.)

- [75] Substituted vide order no. RVUN/P&A/F./D.782 dated 07.11.2003 for the following:

"Note:2 The certificate of sickness and fitness from the Authorized Medical Attendant of Government/Nigam's Homeopathic Chikitsak/

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Doctor shall be accepted for the purpose of sanction of leave by the competent authority for a period not exceeding fifteen days."

[76] Inserted vide order No. RVUN/P&A/F./D.135 dt. 29.05.2007

[77] Inserted vide order no. RSEB/F&R/D.13 dt. 29.1.1993.

[78] Substituted vide order no. 61 dated 26.11.88 for the following:

An employee who remains absent after the end of his leave is entitled to no leave salary for the period of such absence and the period of overstay will be treated as extraordinary leave, unless otherwise directed by the authority sanctioning leave, willful absence from duty after the expiry of leave will be treated as a breach of these Regulations for the purpose of Rajasthan State Electy. Board Employees (Classification, Control & Appeal) Regulations, 1962.

[79] Inserted vide order no. RSEB/F&R/D.3 dt. 3.2.77

[80] Substituted vide order no. RSEB/F&R/F.ESR/D.44 dated 5.9.86, for the following:

"Leave may not be granted to an employee under suspension. A competent authority may, however, grant leave to an employee during the pendency of disciplinary proceedings."

[81] Inserted vide Notification No. RSEB/Rules/ESR/D.97 dated 17/19.9.75 effective from 1.12.74.

[82] The words 'Chief Accounts officer' were substituted by the words 'Controller of accounts' vide order No. RSEB/A&F/Rules/D.155 dated 19.1.1966 effective from 1.11.1964 & subsequently to Chief Accounts officer vide No. 10 dt. 6/2/97.

[83] Substituted vide order No. RSEB/F&R/F./D.23 dated 25.2.95 for the following:

'In the event of death of a Board employee while in service, a lump sum amount equal to the amount of leave salary admissible in respect of privilege leave that may be due to the deceased Board employee on the date of death, not exceeding 120 days privilege leave, may be paid to the widow/Children of the deceased Board employee provided that in case the widow/children is/are entitled to receive family pension under the provision of the R.S.R. and the Employees Family Pension Fund Scheme, 1971 as adopted by the Board vide order no. RSEB/A&F/F.105/D.68 dated 4.11.1971, the lump sum amount

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payable shall further be reduced by the amount of family pension payable for such numbers of days for which lump sum payment is made. (Inserted vide notification No. RSEB/ESR/D.97 dated 17/19.9.1975, effective from 1.12.74.)

- [84] The existing words & figures '240 days' were substituted by the words & figures '300 days' vide order no. RSEB/CAO/F&R/F./D.45 dated 15.06.1998 effective from 1.01.1998.
- [85] Substituted vide notification No. RSEB/Rules/ESR/D.130 dated 15.12.75 for the words 'Sundays and other gazetted holidays can be prefixed or suffixed to casual leave provided that total absence on casual leave together with Sundays or holidays does not exceed 10 days at a time. Sundays, Gazetted holidays and weekly off falling within a period of casual leave will not, however be counted as part of the casual leave.
- [86] Inserted vide Order No. RVUN /FA&CAO/F(ESR)/D.1 Dated-10.02.2003 effective from 1.01.2003
- [87] Inserted vide Order No. RVUN (P&A)/F.D.533 Dated-09.06.2006 effective from 20.01.2006
- [88] Substituted vide order No. RSEB/F&R/F.5 (17)D.88 dated 29.11.79 for:  
A member of the ministerial establishment (other than supervisory staff and personal staff of the officers) and Junior Engineer may be allowed compensatory casual leave for the number of holidays he is required to attend for some urgent work under orders of an officer or Head of office but not for clearance of arrears (substituted vide order No. RSEB/A&F/D.65 dt. 19.9.70 for the words:  
A member of the ministerial establishment (other than supervisory staff and personal staff of the officers) may be allowed compensatory casual leave for the number of holidays, he is required to attend for some urgent work under orders of an officer or Head of office but not for clearance of arrears.
- [89] Proviso inserted vide order No. RSEB/F&R/D.13 dated 31/1/95
- [90] Proviso inserted vide order No. RSEB/F&R/F.5 (17)D.6 dated 10.2.92.
- [91] Inserted vide Order No. RVUN/P&A/Estt./F./D.148 Dated 28.06.2013
- [92] Substituted vide order no. RSEB/F&R/F.5(17)/D.50 dt. 18.10.84 for the

## RVUN EMPLOYEES' SERVICE REGULATIONS

following :

Scale on which privilege leave is earned:

- 1) The amount of privilege leave admissible to a Board employee in permanent employ is one eleventh of the period spent on duty. Provided that he shall ceases to earn leave when the privilege leave due amounts to 180 days.
- 2) Subject to the provision of Regulation 43(b) and 43(p) the maximum privilege leave that may be granted at a time to an employee shall be 120 days.

<sup>[93]</sup> The existing words & figures '240 days' were substituted by the words & figures '300 days' vide order no. RSEB/CAO/F&R/F./D.45 dated 15.06.1998 effective from 1.01.1998.

<sup>[94]</sup> Inserted vide Order No. RVUN/P&A/F.D.533 Dated 09.06.2006 and effective from 20.01.2006

<sup>[95]</sup> Inserted vide Order No. RVUN/P&A/F.BOD.(65)/D.543 Dated 14.03.2013 and effective from 01.01.2013

<sup>[96]</sup> Substituted vide order no. RSEB/F&R/F.5 (17) D.21 dt. 13.2.85 for the following:

- 4(a) A Board employee shall earn privilege leave at the rate of 2 ½ days for each completed month of his service in a calendar year in which he is appointed.
- (b) In case of resignation, termination, discharge, removal or dismissal from service or death while in service or on retirement from service, the P.L. shall be re-reckoned w.e.f. 1st Jan. in the year of occurrence of event & credited to his leave account at the rate of 2 ½ days for each completed calendar month upto the end of the month in which he ceases to be in service.

<sup>[97]</sup> Substituted vide order no. RVUN/P&A/F.BOD/D.204 Dated 27.08.2010 for the following:

### **45 (A) Encashment of Privilege Leave while in Service:**

- i) All officers/employees of the Nigam governed by RVUN Employees Service Regulations, 1964 may, on surrender of Privilege leave not exceeding 30 days, once in a block of two years, first block

## RVUN EMPLOYEES' SERVICE REGULATIONS

commencing from 1st April, 1987 be granted leave encashment equal to the period of leave surrendered.

Provided that on encashment of Privilege leave may be allowed to a temporary Nigam employee unless he has completed one year of service. The block year will not be changed.

- ii) Technical employees government by the Technical Employees Leaves Rules may, on surrender of privilege leave not exceeding 15 days once in a two years, first block commencing from 1st April, 1987 be granted leave encashment equal to the period of leave surrendered.

Provided that no encashment of privilege leave may be allowed to a temporary Nigam employee unless he has completed one year of service. The block year will not be changed.

- iii) The number of days of privilege leave surrendered shall not be referred to any particular period but may be reckoned as surrendered on the date of application of leave for encashment benefit and debited against the leave account of a Nigam employee.

- iv) The authority, who is competent to sanction privilege leave shall be competent to accept surrender of leave and to grant leave encashment benefit there of The number of Nigam employees in an office or Department to whom leave encashment benefit is sanctioned during a financial year under this regulation shall not exceed 50% of the total employees.

- v) The amount of leave salary for the period for which leave is surrendered shall be calculated in accordance with the provisions of regulation-55 and in addition dearness allowance at the rates in force from time to time shall be admissible. The leave salary and allowance admissible for leave surrendered shall be computed on the basis of rate of pay which a Nigam employee is drawing

## RVUN EMPLOYEES' SERVICE REGULATIONS

immediately before the date of sanction of leave. A month for the purpose of calculation of leave salary and allowance shall mean 30 days.

[98] Substituted vide order no. RVUN/P&A/F.BOD/D.328 Dated 06.11.2012

[99] Substituted vide order no. RSEB/F&R/F.5 (17)/D.50 dt. 18.10.84

[100] The existing words & figures '240 days' were substituted by the words & figures '300 days' vide order no. RSEB/CAO/F&R/F./D.45 dated 15.06.1998 effective from 1.01.1998.

[101] The existing words & figures '240 days' were substituted by the words & figures '300 days' vide order no. RSEB/CAO/F&R/F./D.45 dated 15.06.1998 effective from 1.01.1998.

[102] Inserted vide Order No. RSEB/F&R/F.(P.L.)/D.72 Dated 28.10.1999

[103] Inserted vide order No. 32 dated 31.3.95

[104] Substituted vide order no. RSEB/F&R/F.5(17)/D.50 dated 18.10.84 for the following:

### **Half pay leave: Leave not due & commuted leave:**

- (a) The half pay leave due may be granted to an employee in permanent employ in respect of each completed year of service is 20 days.
- (b) The half pay leave due may be granted to an employee on medical certificate or on private affairs.
- (c) Commuted leave not exceeding half the amount of half pay leave due may be granted on medical certificate only to a permanent employee subject to the following conditions:
  - i) Commuted leave during the entire service shall be limited to 240 days.
  - ii) When Commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due.
  - iii) The total duration of privilege leave and Commuted leave taken in conjunction shall not exceed 240 days. Provided that no Commuted leave may be granted under this Regulation, unless the authority competent to sanction leave has reason to believe

## RVUN EMPLOYEES' SERVICE REGULATIONS

that the employee will return to duty on its expiry.

- (d) Save in the case of leave preparatory to retirement 'leave not due' may be granted to permanent employee for a period not exceeding 360 days during his entire service, out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate. Such leave will be debited against the half pay leave the employee may earn subsequently. Leave not due should be granted only if the sanctioning authority is satisfied that there is a reasonable prospect of the employee returning to duty on the expiry of the leave and it should be limited to the half pay leave he is likely to earn thereafter.
- (e) Leave not due may be granted to a permanent employee suffering from tuberculosis subject to the condition that the sanctioning authority is satisfied that there is reasonable prospect of the employee's (i) returning to duty on the expiry of leave and (ii) earning thereafter leave not less than the amount of leave not due availed of by him. The prospect of returning to duty on the expiry of the leave should be assessed on the basis of the certificate given by the appropriate medical authority. The prospect of earning at least an equivalent amount of leave not due should be assessed with reference to the fact whether in the normal course the employee would have enough service after returning to duty within which he would be able to wipe off the debit balance.

<sup>[105]</sup> Vide order no. 61 dated 26.11.88 the following provisions were deleted:

The provisions of Regulation 45 to 47 and 51 also apply to an employee not in permanent employ, except that in respect of the first year of service the privilege leave admissible is one twenty second of the period spent on duty. (1) No 'leave not due' shall be granted.

<sup>[106]</sup> Substituted vide order no. RSEB/F&R/F.5 (17)/D.50 dt. 18.10.84 for the following:

### **Terminal leave:**

- (1) Terminal leave to the extent of privilege leave due and admissible may be granted at the discretion of the competent authorities, even when it has not been applied for and refused in the interest of the Board to the following categories of



## **RVUN EMPLOYEES' SERVICE REGULATIONS**

employees on the termination of their employment:-

- (a) A temporary employee whose services are terminated by Board on account of retrenchment or on the abolition of post before attaining the age of superannuation;
- (b) Re-employed pensioners who are treated as new entrants in the matter of leave, subject to the condition that such pensioner will not be entitled to draw their pension during the terminal leave if the pension was held in abeyance during the period of re-employment;
- (c) Persons employed for a period exceeding one year on contract basis;
- (d) Unqualified persons who have to vacate their temporary posts to make room for qualified candidates; and
- (e) Persons whose services may have to be dispensed with as a matter of administrative convenience as an alternative to the initiation of disciplinary proceeding against them.

(2) The provisions of this Regulation are not applicable to:-

- i) Persons in non-continuous employment of Board who will continue to be governed by the normal rules applicable to them, or
- ii) Where the employee concerned has been dismissed or removed from service; or
- iii) Where the services of the employee has been terminated for taking part in any antinational movement.

(3) If a temporary employee resigned his post on his own volition he may, at the discretion of the sanctioning authority be granted leave not exceeding half the amount of privilege leave at his credit, which he can avail at a time.

(4) It is not necessary to extend the temporary post or tenure of

## RVUN EMPLOYEES' SERVICE REGULATIONS

reemployment to cover the period of leave granted to employee at the end of his temporary employment or period of his re-employment.

In all cases where any notice of termination of service is required to be given under the terms of employment of the temporary employee concerned and that employee is relieved before the expiry of notice, such notice or the unexpired portion thereof should run concurrently with the leave granted.

<sup>[107]</sup> The existing words & figures '240 days' were substituted by the words & figures '300 days' vide order no. RSEB/CAO/F&R/F./D.45 dated 15.06.1998 effective from 1.01.1998.

<sup>[108]</sup> The existing words & figures '120 days' were substituted by the words & figures '150 days' vide order no. RSEB/CAO/F&R/F./D.45 dated 15.06.1998 effective from 1.01.1998.

<sup>[109]</sup> Substituted vide order No. RSEB/A&F/ESR/64/D.97 dated 2.12.69 for the following:

'50(a) Extraordinary leave may be granted to an employee of the Board in special circumstances:-

i) When no other leave is admissible but the employee concerned applies in writing for the grant of extra-ordinary leave.

(This order dated 2.12.69 was made effective from 1.11.64 vide order no.2 dated 23.12.72).

<sup>[110]</sup> Substituted vide order no. RVUN/P&A/F.BoD(105)/D.492 dated 12.11.2014 for the following and effective from 11.06.2014:

"The appointing authority shall sanction extraordinary leave upto three months to a probationer trainee during the entire period of probation training. If extraordinary leave beyond the period of three months during probation period is granted by the appointed authority in exceptional circumstances, with concurrence of Chairman and Managing Director, the period of probation shall be extended upto the extraordinary leave taken beyond three months. However, the maximum period for which the probation can be extended shall be one year. In cases where the appointing authority, on completion of

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the period of probation training of a probationer-trainee, decides to extend the period of probation training, the probationer trainee will be allowed pay in the scale/running pay band of the post only after successful completion of extended period of probation training."

[111] Inserted vide order No. RSEB/F&R/F.5 (17)/D.9 dated 19.1.85.

[112] Substituted vide order no. RVUN/P&A/AS-I/D.266 Dated 22.03.2005 effective from 06.12.2004, for the following:

### **51. Maternity leave:**

A competent authority may grant 'Maternity leave' to a female employee thrice during the entire period of her service. However, if there is no surviving child even after availing of it thrice, maternity leave may be granted on one more occasion.

The maternity leave may be allowed on full pay for a period which may extend upto the period of 90 days from the date of its commencement.

Maternity leave may be combined with leave of any other kind, but any leave applied for in continuation of the former may be granted only if the request is supported by a Medical Certificate from the Authorized Medical Attendant.

[113] Substituted vide order no. RVUN/P&A/F.ESR/D.106 Dated 13.10.2008

[114] Substituted vide order no. RVUN/P&A/F./D.894 Dated 15.12.2006 for the following:

- (i) Maternity leave under this regulation may also be granted in cases of miscarriage, including abortion subject to the condition that the leave does not exceed six weeks.

[115] Inserted vide order No. RVUN/P&A/AS-I/D.266 Dated 22.03.2005 effective from 06.12.2004.

[116] Inserted vide order No. RVUN/P&A/F.D.187 Dated 04.01.2012

[117] Substituted vide Order No.80 Dated 20.10.1970

[118] Inserted vide order no. 48 dated 9.9.86 & existing sub-regulation 2&3 was renumbered as sub-regulation 4&5 respectively.

[119] Substituted for the words 'Controller of Accounts' vide order No. 10 dated 6-2-97.

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<sup>[120]</sup> Substituted vide order no. RVUN/P&A/F.6 PC/D.544 Dated 01.10.2008 effective from 01.01.2007

<sup>[121]</sup> Sub-Regulation 2 to 6 substituted vide order no. RSEB/F&R/F.5 (17)/D.1 dated 3.2.77 and sub-regulation 7, 8 and 9 renumbered as 6, 7 and 8 respectively, for the following: (this was come into force w.e.f. 1.9.76 vide order no. 98 dt. 15.10.77)

- (2)(i) A class-I and class-II officer on privilege leave is entitled to leave salary equal to (a) or (b), whichever is higher:
- (a) The average monthly pay earned during the ten completed month immediately preceding the month in which the leave commences, and
  - (b) The Substantive pay which the officer is entitled to immediately before the commencement of leave.
- (ii) A class III employee on P.L. is entitled to leave salary:
- (a) Equal to the pay to which he is entitled to on the day before the leave commences.  
Provided if on that date he was in receipt of a special pay granted in consideration of additional work or in receipt of additional pay on account of holding a post in addition to his own post under regulation 36 such special pay and additional pay shall not be taken into account for computing leave salary.
  - (b) as in (i) above, whichever is greater.
- (3) Half pay leave, leave not due : An employee other than a class IV employee on half pay leave or on leave not due will be entitled to leave salary equal to half the amount specified in sub-rule (2) above subject to a maximum of Rs.750/-  
Provided that this limit shall not apply if the leave is on medical certificate or for pursuing an approved course of study otherwise than on study leave terms.
- (4) Commuted leave: An employee other than a class IV employee on commuted leave will be entitled to leave salary as admissible during the privilege leave.
- (5) A Class IV servant on P.L., on commuted leave or half pay leave is entitled to leave salary equal to his pay including

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special pay or half of such pay, as the case may be, on the day before the leave commences.

- (6) Extraordinary leave: An employee on extra-ordinary leave is not entitled to any leave salary.

[122] Substituted for 'Rs. 9500/-' vide order no. RVUN/P&A/F.6 PC/D.544 Dated 01.10.2008 effective from 01.01.2007

[123] Substituted vide Notification No. RSEB/ESR/D.12 dated 22/28.1.75 for the words 'No employee may be transferred to foreign service against his will provided that this condition shall not apply to the transfer of an employee to Rajasthan Government or to the service of a body incorporated or not, which is wholly or substantially owned or controlled by the Government of Rajasthan.'

[124] Substituted for the existing appendix 'A' & 'B' vide order no. 61 dt.26.11.88

[125] Substituted vide Order No. RVUN/P&A/F.6PC/D.544 Dated 01.10.2008 effective from 01.01.2007 for the following:

The deputation (duty) allowance shall be @ 7% of the basic pay of the employee subject to a maximum of Rs.300/-p.m.

[126] Substituted vide order No.6 dated 10.1.90 (effective from 1.4.89) for the following:

The special pay attached to the post shall be deemed to be the part of basic pay provided it has been drawn continuously for more than two years at the time of deputation. Personal pay, if any, drawn by an employee in his parent department may be allowed in addition. This will not be absorbed in deputation (duty) allowance but will be absorbed in other increases of pay, for example increment or increase of pay by promotion or for any other reason.

[127] Substituted vide Order No. RVUN/P&A/F6PC/D.544 Dated 01.10.2008 effective from 01.01.2007 for the following:

With a view to ensuring that a Nigam employee on deputation does not get abnormal increase in the pay because of the option exercised as at clause (a) above, it has been decided that where the minimum of the scale of pay of the deputation post is substantively in excess of the deputationist basic pay plus deputation (duty) allowance @ of 7% the appointing authority may restrict the pay of the deputationist even below the minimum of the deputation post under Regulation 28 of the RVUN ESR-1964. In such a case, the pay allowed under

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regulation 28 of the RVUN ESR-1964 should not exceed by more than 10% of basic pay of the deputationist.

[128] Substituted vide order No.6 dated 10-1-90 (effective from 1-4-89) for the following:

- a) A Board employee on deputation to Public Sector Undertaking or Cooperative Society/Institution etc. which is legally required to pay bonus under the Payment of Bonus Act-1965, may be allowed to accept bonus declared by such Undertaking or Co-operative Society/Institution etc. strictly under the provisions of the Payment of Bonus Act-1965.
- b) Where payment of bonus is not a legal obligation under the Payment of Bonus Act-1965 and Public Sector Undertaking or Co-operative Society/Institution declares bonus/ ex-gratia such employee shall also be entitled to get ex-gratia as is admissible in the RSEB.
- c) For the purpose of facility, it is clarified that payment of bonus is not a legal obligation in the Rajasthan Financial Corporation, Rajasthan State Electricity Board and Rajasthan State Road Transport Corporation.

[129] Substituted vide Order No. RVUN/P&A/F./D.518 Dated 05.06.2006 for the following:

The maximum period for which a Nigam employee may remain on deputation shall in no case exceed four years, provided that in case where it is considered absolutely necessary in public interest and in special circumstances to extend the period of deputation on foreign service beyond the maximum period of four years, the prior concurrence of the Chairman & MD would be necessary and that:

- (a) No deputation allowance or deputation pay shall be payable for the extended period;
- (b) No proposal for extension in the period of deputation shall be considered even without deputation allowance-/ deputation pay, if the proposal for extension in the existing terms of deputation is not moved at least two months before the expiry of the terms of deputation giving full justification; and
- (c) If no request is received within the time limit prescribed in (b) above, the competent authority should issue the posting

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

orders at least 30 days before the expiry of the period of deputation. The Nigam employee on deputation will seek permission 30 days before the expiry of period of deputation from the lending authority for reporting back to the Nigam and shall act according to the directions received.

[130] Inserted vide Order No. 61 Dated 26.11.1988

[131] Inserted vide Order No. 51 Dated 18.10.1984

[132] Substituted vide order No. 39 dated 15-5-90 for the following:

If a contribution for leave salary or pension due in respect of an employee in foreign service is not paid within 15 days from the end of the month in which the pay on which it is based has been drawn by the employee concerned, interest must be paid to the Board, on the unpaid contribution, unless it is specifically remitted by the Board at the rate of two Naya paise a day, per Rs. 100/- from the date of expiry of the period of 15 days upto the date on which the contribution is finally paid. The interest shall be paid by the employee or the foreign employer according as contribution is paid by the former or the later.

[133] Regulation 71 to 74 was repealed vide Order No. RSEB/F&R/D.7 Dated 10.02.1988

[134] Inserted vide Order No. 59 Dated 17.08.1995

[135] Substituted the words "Controller of Accounts" for "Chief Accounts Officers" vide order No. RSEB/A&F/Rules/D.155 dated 19-1-1966 effective from 1-11-1964 and subsequently substituted vide order No. 10 dated 6-2-97.

[136] Substituted the words "Controller of Accounts" for "Chief Accounts Officers" vide order No. RSEB/A&F/Rules/D.155 dated 19-1-1966 effective from 1-11-1964 and subsequently substituted vide order No. 10 dated 6-2-97.

[137] Substituted vide Order No. RVUN/P&A/F./D.125 Dated 31.07.2012

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

### **Important Orders/Circulars/ Instructions issued on the Subject**

#### **Government of Rajasthan**

#### **Finance (Group-2) Department**

NO. F1(77)FD(Rules)/69 III

Jaipur : Dated 28th Aug, 1974

#### **Sub : Expeditious disposal of pension claims.**

Government are anxious to see that every Government servant gets pension from the date he retires. With this and in view of the procedure for application and grant of pension has been liberalised from time to time and numerous instructions have been issued by the Finance Department and Department of Personnel outlining the measures which should be taken by the Heads of Offices/Departments for prompt settlement of pension claims of Government Servants. The latest instructions to this effect are contained in Finance Department Memo No. F. 1 (77 ) FD(Rules)/ 69 dated 14.5.1973. Despite all these instructions there has not been satisfactory progress in the matter of finalisation of pension claims. With a view to ensure prompt settlement of pension claims, the following instructions are issued for guidance and strict compliance.

**(i) Duplicate Service Book:**

In accordance with provisions contained in Government of Rajasthan Decision No. 2 & 3 below Rule 160 of Rajasthan Service Rules every non-gazetted Government servant should be supplied duplicate copy of service book. This system was introduced primarily with the object that in case service record of a Government servant is not available at the time of retirement, his service can be verified with help of the duplicate copy of service book. Heads of Department/ Heads of Offices are, therefore, requested to bring the aforesaid provisions to the notice of all non-gazetted Government servants so that they may earning interest in maintaining duplicate service book up to date for their own advantage. Duplicate service book after recording up to date entries, may be supplied to each and every non-gazetted Government servant at the earliest with instructions that they should get the subsequent entries recorded in the duplicate service book under proper attestation once in a year.

**(ii) Completion of Service Record in case of transfer from one Department/Office to another :**

In case of transfer of a Government servant it is the responsibility of



## **RVUN EMPLOYEES' SERVICE REGULATIONS**

the Head of Department/Office to see that entries in respect of service rendered by the Government servant up to the date of relieve are correctly recorded in his service book before it is transmitted to the new Office.

**(iii) Periodical Review of Progress of Completing Service Record:**

Heads of Department/Offices should conduct half yearly review of the progress of cases or non complete service record of such employees who are due to retire with in a period of two years.

**(iv) Responsibility of Head of Office to prepare Pension Papers:**

Rule 287 of the Rajasthan Service Rules has been recently amended vide Finance Department Notification No. F. 1 (14) FD (Gr. 2) 74 dated 23-4-1974. It provides that every Head of office is now required to undertake the work of preparing pension paper two years before the date on which a Government Servant is due to retire on superannuation or on the date on which he proceeds on leave preparatory to retirement, whichever is earlier. If these provisions are strictly followed there is no reason why a Government servant cannot get pension on the date on which he retires from service. Failure to observe these provisions by a Head of Office/Department shall be treated as dereliction of duty, and consequently he will render himself liable to disciplinary action under Rajasthan Civil Services (Classification, Control & Appeal) Rules.

**(v) Verification of Account of Advances :**

According to the existing practice the Accountant General Rajasthan sends a statement of balances as at 31st March in respect of House Building Advance & Conveyance Advance to the concerned Government servants and obtain acknowledgement. This done with a view to ensure that recoveries made from pay bills have been credited to their respective accounts and in case of missing credits, the audit department initiate action to locate the credits. It is, therefore, upon all concerning Government servants that they should invariably acknowledge the balances or may point out the deficiencies or inaccuracies in balances to Accountant General. It is all the more necessary that they should also check up their loan accounts maintained in audit office well before retirement so that settlement of pension claims is not delayed on this account.

(Endorsed by the Board vide No. RSEB/Rules/F.8(7)/D.98 dated 22.11.74/3.12.74)

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

No. RSEB/F&R/F.15(29)/D.80

Jaipur : Dated 24th Aug. 1975

### **ORDER**

The demand raised by the PVMM Federation for the grant of leave to drawing staff under the provisions of the RSEB Employees Service Regulations, 1964 was considered by the ad-hoc Committee headed by the Accounts and Finance Member constituted to consider the demand charter of PVMM Federation dated 4-5-1974. The committee has recommended that w.e.f. 1-1-1976 the grant of leave to drawing staff may be governed by the provisions of the RSEB Employees Service Regulations, 1964 with the condition that no revision of leave account would be made for the past period.

The Board in their 237th meeting held on 28-2-1976 has been pleased to approve that the grant of leave to drawing staff be governed under the RSEB Employees Service Regulations, 1964 w.e.f. 1-1-1976. No revision of leave account will be made for the period prior to 1-1-1976.

The E&M Department Technical Employees Leave Rules, 1955 will accordingly cease to be operative in the case of the drawing staff.

No. RSEB/F&R/D.103

Jaipur : Dated 5-11 -76

### **MEMO**

#### **Sub : Retirement of Board Employees under Regulation 18(4) of the RSEB ESR.**

As a result of the application of Regulation 18 of the RSEB ESR as amended vide order No. D.88 dated 8/11-9-75, the following points have cropped up for clarification:

- (i) Whether H.R.A. & Compulsory City Allowance for three months will be admissible.
- (ii) Whether the pay and allowances to be given in lieu of notice period shall be calculated on the basis of those drawn immediately before retirement or on the basis of pay and allowances including normal grade increment, if any, which the Board servant would have drawn, had he remained in service during the notice period.

The matter has been considered and the aforesaid points are clarified as under :-

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

- (a) Board's employees who are given pay and allowance in lieu of notice period are entitled to H.R.A. & City Compensatory Allowance at the same rates at which they were drawing these immediately before retirement.
- (b) The pay and allowances to be given in lieu of notice period would be the pay and allowances drawn by him immediately before retirement. Since the Board employee would stand retired immediately on payment of pay and allowances for 3 months, the question of taking into consideration the date of increment does not arise.

No. RSEB/F&R/F-4(1)/D.2

Jaipur, dated 3rd Feb., 77.

### **NOTIFICATION**

#### **Sub : Amendment in the RSEB Employees Service Regulation 1964.**

The Board in its 242nd meeting held on 13th Jan 77 made the following amendments in RSEB Employees Service Regulations, 1964 namely :-

In the said regulation, the existing order No. RSEB/A&F/D 1124 dated 17.5.67 appearing at page 45 be substituted by the following :-

The matter regarding allowing special Casual Leave to the employees of the Board who undergo sterilization Operation etc. under family planning Scheme has been considered and it has been decided that:-

- (i) The Board's female employees who undergo puerperal sterilization (i.e. Operation of salpingectomy for sterilization of women done two to five days after delivery) special casual leave need not be granted since the female employees are already entitled to maternity leave to the extent of six weeks from the date of confinement or upto three months from the date of commencement of maternity leave.
- (ii) In regard to other kind of sterilization namely non-puerperal or gynaecological (i.e. sterilization done at any other time on Women), 14 days is essential for the operation and for rest after operation. The special casual leave not exceeding 14 days may, therefore, be granted to female employees who undergo nonpuerperal sterilization.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

- (iii) The Board's male employees who undergo sterilization operation may be allowed special casual leave upto six days.
- (iv) A Board's male employee whose wife undergoes a nonpuerperal tubectomy operation under the family planning programme may be granted special casual leave upto 7 days, subject to production of Medical Certificate from the doctor who performed the Operation that the presence of the Board employee is essential for the period of leave to look after his wife during her convalescence after operation.
- (v) The Board's male employee who undergoes vasectomy operation for the second time in the event of a failure of a sterilization operation may be allowed again special casual leave for six days subject to production of medical certificate from the doctor who performed the operation that the first operation was failure and the second operation was actually performed.

It has also been decided that special casual leave admissible under the above paragraph may be allowed to be combined either with casual leave or regular leave provided such leave in excess of special casual leave has been recommended on medical advice and a Medical Certificate from the appropriate Medical Authority under the leave Rules applicable to the Board's employees concerned in support of leave is produced.

In no other case, however, special leave should be allowed to be combined with casual leave as well as with regular leave at one time.

No. RSEB/A&F/D.62

dated 28-2-1976

### **ORDER**

#### **Sub : Grant of leave to Board's employees on deputation to the Government/other Departments**

Subject to ratification by the Board, the Chairman in consultation with the Accounts and Finance Member has decided that the leave applied for by a Board employee on deputation to Government/ other department on the expiry of the deputation period can be sanctioned by the Government/other department concerned, subject to condition that his reversion to the Rajasthan State Electricity Board will take effect from the date on which he re-joins duty under the Board.

## RVUN EMPLOYEES' SERVICE REGULATIONS

### Government of Rajasthan Finance (Group-2) Department Memorandum

No. F1(3) FD(Gr.2)/76

Jaipur : Dated 27th May, 1977

**Sub : Transfer of Government Servants on Deputation/ Foreign Service to other Governments, Public Undertakings, Autonomous bodies, Government Companies, Corporations etc. Grant of Deputation (Duty) Allowance.**

The State Government employees who are transferred on deputation/ foreign service to Central Government or other State Governments, Public Undertakings, Autonomous bodies etc. have opted either to elect to draw pay in the scale of pay of the new post to which they are deputed or to draw basic pay in the parent department plus deputation (duty) allowance vide para 3 of Finance Department Memorandum No. F 1(3) FD(Gr.2)/76-I dt. 23-1-76

Consequent upon introduction of Rajasthan Civil Services (Revised New Pay Scales) Rules, 1976 with effect from 1.9.76 after merging all elements of Dearness Allowance sanctioned prior to 1.9.76 into pay, a question has been raised as to how pay of a Government Servant who opted to draw pay in the scale of the new post to which he is deputed would be regulated where elements of Dearness Allowance sanctioned prior to 1.9.1976 is allowed as a separate element with the pay in the pay scale of borrowing organisation after 1.9.76.

The matter has been considered and it has been decided that in the cases referred to in para 2 above the option provided in para 4 of the Finance Department Memorandum No. F.1 (3) FD (Gr.2) 76-I dt. 23.1.76 as amended from time to time shall not be permissible and in such cases a Government servant shall only be allowed to draw pay in the pay scale of the parent department plus usual deputation (duty) allowance and Dearness Allowance as per Government orders. Other allowances shall be regulated in accordance with para 6 of the above referred Memorandum dated 23-1-76. The pay of Government Servants who are already on deputation shall also be regulated in accordance with these orders with effect from 1.9.76. The Finance Department order dated 23-1-76 may be deemed to have been amended to this effect with effect from 1.9.76.

SD/-

Financial Commissioner  
and Secretary to Government

(Endorsed vide order No. RSEB/F&R/E.5(17)/D.62 dated 12th July, 1977)

## RVUN EMPLOYEES' SERVICE REGULATIONS

### Government of Rajasthan Finance (Group-2) Department

#### ORDER

No. F&(A) (43) (A) Rules/58

Jaipur: Dated 21.1.81

**Sub: Payment of pension and leave salary in respect of Government Servants transferred on deputation/foreign service to Central Government or other State Government, Public Sector Undertakings, Autonomous bodies, Government Companies, etc.**

1. The undersigned is directed to invite attention to provisions contained in Rule 145 of Rajasthan Service Rules, which provide for payment of pension and leave salary contribution in respect of Government servants transferred on deputation / foreign service to Central Government or other state Governments, Public Sector Undertakings, Autonomous bodies (incorporated or not) and other Bodies wholly or substantially owned or controlled by the Government. The recovery of pension and leave salary contribution extinguishes the liability of the borrowing authority in regard to cost of pension and leave salary. The amount of pension contribution and leave salary payable by the foreign employer or borrowing authority is determined in accordance with the provisions of Rule 146 of Rajasthan Service Rules read with Appendix V in Rajasthan Service Rules - Volume II.
2. Despite of various administrative instructions and circulars issued by the Government from time to time impressing upon the necessity to pay the contributions in time prescribed under Rule 149 of Rajasthan Service Rules, there have been abnormal delays in determining and payments of these contributions by foreign employer and borrowing authorities. Consequently Government Servants are required to face considerable hardship in the finalisation of their pension cases at the time of retirement because the period of service rendered on deputation / foreign service counts for pension only if the contribution for pension has been paid.
3. With a view to simplify the existing system and procedure for calculation of the leave salary and pension contribution, the matter has been examined and the Governor has been pleased to order that recovery of leave salary contribution in respect of Government servants sent on deputation to Public Undertakings, Universities, Autonomous Bodies, Corporations, Municipalities, Government

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

Companies, and other bodies etc. wholly or substantially owned or controlled by Government shall henceforth be not made. Consequently the payment of leave salary including leave encashment benefit in respect of leave taken by a Government servant while on deputation/foreign service shall be made by the borrowing authority/foreign employer in discharge of their liability to pay the cost of leave salary to the Government. The reversion of Government servant on deputation takes effect from the date on which he takes charge of the post under Government. Thus in case of a Government servant who takes leave on the conclusion of his foreign service before re-joining his post under Government, the liability for payment of leave salary in such cases shall be borne by the borrowing authority. If a Government servant attains the age of superannuation while on deputation and is consequently relieved of unutilized privilege leave at the credit of the Government servant on the date of retirement shall also be made by the borrowing authority or the foreign employer.

4. It has been further decided that the pension contribution for each month of deputation shall be paid @ 12% of the maximum of the pay scale of the post which the deputationist would have held in his parent cadre at the end of the financial year concerned or at the end of foreign service if reverted before close of the financial year. For the aforesaid purpose a fraction of month exceeding 15 days would be treated as full month and a fraction upto 15 days would be ignored. The rate of contribution so payable by the borrowing authority or foreign employer shall invariably be indicated in the order issued by the competent authority regulating his terms and conditions of deputation so that contribution for pension due in respect of a Government servant in foreign service is paid within one month from the end of each financial year of the end of foreign service, if the deputation on foreign service comes to an end before close of the financial year as envisaged in Rule 149 of Rajasthan Service Rules.
5. These orders shall take effect from 1st January, 1981 and also apply to the Government servants who are already on deputation on the date of issue of these orders. These orders shall not be applicable to Government servants whose services are placed on deputation with the Central Government or other State Government.
6. The rules contained in Chapter XIII - Foreign Service of Rajasthan Service Rules Volume - I and the rates of contribution payable on

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

account of pension and leave salary during foreign service given in Appendix V of Rajasthan Service Rules Volume - II shall be deemed to have been modified to the extent indicated above. Formal amendments to relevant rules contained in Rajasthan Service Rules shall be issued in due course.

(Endorsed vide Order. No. RSEB/F&R/D.44 dated 20-10-81 effective from 5-2-81)

No. RSEB/F&R/F.5(17)/D.34

Jaipur : Dated 22nd July, 1983

### **ORDER**

It has been observed that cases involving interpretation of RSEB Employees Service Regulations, RSEB Technical Workmen Regulations, RSEB (CC&A) Regulations etc. are referred to Legal Section for advice directly by various sections of the Board Secretariat as well as certain field Officers. Since the position with regard to interpretation of provisions contained in various Regulations is well settled and has stood the test of time as these regulations are being applied for several years, ordinarily there should be no necessity of referring individual cases for opinion of Legal Section. However, in cases, in which some doubts arise with regard to interpretation of specific provisions, a reference should be made to Finance & Rules branch of the Board.

It is, therefore, enjoined upon all concerned that the cases, in which it is considered necessary to seek clarification with regard to interpretation of provisions of Service & other-Regulations, should be referred to Finance and Rules branch of the Board. No such case shall be referred to Legal branch of the Board without obtaining specific approval of the Secretary.

No. RSEB/F&R/F.5(17)/D.4

Jaipur: Dated 29th Jan., 1986

### **CLARIFICATION**

#### **Sub : Casual Leave**

To clarify the question as to whether casual leave of a year can be combined with the casual leave of next year, or not, it is clarified that combination of casual leave of a year, is not permissible with the casual leave of next year. For example a Board employee on casual leave at the end of the year viz. on 31st December, shall not be allowed to avail casual leave on commencement of the next year, i.e. on 1st January even though the casual leave of both the years put together does not exceed the prescribed limit of 10 working days at a time. This clarification shall take effect from 1-1-1986.



## **RVUN EMPLOYEES' SERVICE REGULATIONS**

### **GOVERNMENT OF RAJASTHAN (Finance (Gr.2) Department)**

No. F.1 (36)FD/Gr.2/88

Jaipur : Dated 27th Nov., 1990

On account of out break of riots in any part of the state, Curfew has to be imposed by the District Administration in the affected areas to control the law and order situation and as a consequence of imposition of Curfew, the Government Servants help up in the affected areas can not attend office or may not be able to attend office till imposition of Curfew continues. Some references for regularising the period of absence from duty of such employees are pending in the Finance Department.

The matter has, therefore, been considered in reference to the previous order of even number dated 7-12-89 and the Governor is pleased to order that whenever such situation arises, the period of absence from duty of the employees who cannot or may not attend office in the duration of curfew in the concerned areas may be regularized subject to verification of facts, by grant of special casual leave to the concerned employee on making of an application by him stating therein that he could not attend office due to imposition of Curfew in the area where he resides or office is located or the areas through which he has to pass for attending the office. Past cases occurred in any part of the state till now be covered by this order.

(Endorsed vide order No. RSEB/ F&R/ F. /D2 dated. 15-1-91)

N0. RSEB/F&R/F.5(17)/D.84

Jaipur : Dated 26th June, 1991

### **CLARIFICATION**

#### **Sub :- Casual Leave**

In supersession of the clarification No. RSEB/F&R/F.5(17)/D.4 dated 29-1-1986, it is clarified that combination of casual leave of a year is permissible with casual leave of the next year, subject to the condition that the casual leave of both the years put together do not exceed the prescribed maximum limit of 10 working days at a time.

This clarification shall be deemed to have come in force w.e.f. 1st January, 1986.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

No. RSEB/F&R/F.ESR/D.83

Jaipur : Dated 7-12-93

### **ORDER**

**Sub : Payment of subsistence allowance during the period of suspension Regulation 40 of RSEB ESR - 1964.**

Consequent upon the judgement dated 28-2-89 passed by Hon'ble High Court in Writ Petition No.871/1988 in the case of Shri Kan Singh Bhati v/s. State of Rajasthan and others, references are being received for making payment of Annual Grade Increment during the period of suspension.

To deal with such cases, it is to clarify that such cases should be decided on the lines of provisions of Government circular dated 24-8-93 (copy enclosed herewith).

It is also enjoined upon the bill passing authorities that it may be ensured while passing the claims of payment of subsistence allowance that the claim in accordance with the provisions contained in Regulation 40 of the RSEB ESR-1964 and no Annual Increment or other benefit has been allowed after suspension.

(Enclosure of Board's order No. 83 dated 7-12-93)

### **GOVERNMENT OF RAJASTHAN (Finance (Gr. 2) Department)**

#### **CIRCULAR**

No. F.16(9) FD(Gr.2)/89

Jaipur : Dated 24-8-93

**Sub: Regarding payment of subsistence allowance during the period of suspension - Rule 53 of Rajasthan Service Rules.**

The undersigned has been directed to convey that a Special Leave Petition was filed by the State Government in the Hon'ble Supreme Court against the judgement dated 28-2-89 of DB. Civil writ Petition No. 871/ 1988 - in the case of Shri Kan Singh Bhati v/s. State of Rajasthan & others regarding payment of annual increment during the period of suspension. The Hon'ble Supreme Court has, granted the Special Leave Petition filed by the State and has ordered that having regard to the rules governing the matter, the claim for enhancement of the subsistence allowance in the manner directed by the High Court in the aforesaid case is not sustainable-. The order dated 28th February, 1989 passed by the Rajasthan High Court in D.B. Civil Writ Petition No. 871/1988 has been set-aside by the Hon'ble Supreme Court. A copy of the order passed by the Hon'ble Supreme Court on 23-7-1993 in Special Leave Petition (Civil) No. 9256/89 is enclosed.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

It is requested that in cases where annual increment(s) during the period of suspension have been allowed, in any case, even if after, obtaining approval of the Finance Department may be withdrawn and recovery of over payment if any be made. There are still some cases pending before the Rajasthan Civil Services Appellate Tribunal/ High Court, the officer-in-charge of the respective cases may be directed to produce copy of the aforesaid judgement of the Supreme Court of India in the Rajasthan Civil Services Appellate Tribunal/ High Court through an additional affidavit and such cases may be got decided accordingly.

### **IN THE SUPREME COURT OF INDIA CIVIL APPELLATE JURISDICTION CIVIL APPEAL NO. OF 1993**

(Arising out of SLP (C) NO. 9256 of 1989)

The State of Rajasthan and Ors. ...Appellants

Versus

Kan Singh and Ahr. ....Respondent

### **ORDER**

Leave granted.

Heard learned counsel on both sides. Having regard to the Rules governing the matter, the claim for enhancement of the subsistence allowance in the manner directed by the High Court in this case is not sustainable. The order dated 28th February, 1989 passed by the Rajasthan High Court in W.P. No. 871 of 1988 is set aside and the appeal is disposed of accordingly. No order as to costs.

New Delhi  
July 23, 1993

**राजस्थान सरकार  
कार्मिक विभाग  
(क-2)**

क्रमांक : एफ (2) कार्मिक/क-2/92 जयपुर दिनांक 1 नवम्बर, 1993

1. समस्त शासन सचिव/विशिष्ट शासन सचिव।
2. समस्त विभागाध्यक्ष (संभागीय आयुक्त एवं जिला कलेक्टर सहित)

## RVUN EMPLOYEES' SERVICE REGULATIONS

### परिपत्र

**विषय:** सेवा में प्रथम नियुक्ति होने के बाद किसी भी प्रकार से अयोग्य पाये जाने वाले राजकीय सेवकों को सेवा से हटाने बाबत।

कार्मिक विभाग के समक्ष ऐसे कई प्रकरण आये हैं जिनमें आयु, शिक्षा व अन्य योग्यताओं के संबंध में मिथ्या प्रमाण पत्र के आधार पर नियुक्ति हो जाती है। नियुक्ति हो जाने के पश्चात् ऐसे प्रकरण ध्यान में आते हैं और कार्मिक विभाग से यह पूछा जाता है कि ऐसी त्रुटि का पता चलने पर ऐसे प्रकरणों में क्या कार्यवाही की जावे।

ऐसे ही एक मामले में माननीय उच्चतम न्यायालय ने जिला कलेक्टर विजयन बनाम एम. त्रिपुरा सुन्दरी देवी 1990 (4) एस.आर. 237 के मामले में निम्न प्रकार से अपना निर्णय दिया है:

"It must further be realised by all concerned that when an advertisement mentions a particular qualification and an appointment is made in disregard of the same, it is not a matter only between the appointing authority and the appointee concerned. The aggrieved are all those who had similar or better qualifications than the appointee or appointees but who had not applied for the post because they did not possess the qualifications mentioned in the advertisement. It amounts to a fraud on public to appoint a person with inferior qualification in such circumstances unless it is clearly stated that qualifications are relaxable. No, Court should be a party to the perpetuation of the fraudulent practice."

इस संदर्भ में राज्य सरकार द्वारा विचार करके यह निर्णय लिया गया है कि यदि किन्ही मामलों में यह पता चले कि किसी राजकीय सेवक की नियुक्ति बिना संबंधित सेवा नियमों में वर्णित योग्यता पूरी किए हो गई है अथवा उसके द्वारा मिथ्या सूचना/प्रमाण पत्र प्रस्तुत करके नौकरी प्राप्त कर ली है तो यदि वह राज्य कर्मचारी अस्थायी हो या परिचीक्षा पर चल रहा हो तो उसे तुरन्त प्रभाव से सेवा से हटा दिया जावे। यदि कर्मचारी स्थाई हो गया हो तो उसके विरुद्ध सी.सी.ए. नियमों के अन्तर्गत कार्यवाही करके उसे सेवा से हटा दिया जावे। सेवा से हटाने से कम कोई दण्ड नहीं दिया जावे।

यह स्पष्ट किया जाता है कि उपरोक्तानुसार सेवा से पृथक करने पर भी राज्य सरकार का उस कर्मचारी के विरुद्ध न्यायालय में अभियोग चलाने के अधिकार पर कोई प्रतिकूल प्रभाव नहीं पड़ेगा।

(Endorsed vide order No. RSEB/F&R/D.87 dated 21-12-93)

No. RSEB/F&R/F./D28

Jaipur : Dated 9-3-95

### ORDER

It was clarified by this office order No. RSEB/F&R/F.ESR/D.8 dated 7-12-93 that the cases of payment of Annual Grade Increments during the period of suspension be decided on the lines of the Government circular

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

No. F.16(9) FD(Gr.2)/89 dated 24-8-93. Now the State Government has issued circular No. F.18(9) FD(Gr.2)/89 dated 25-11-94 in partial modification of Government's aforesaid circular dated 24-8-93 further clarifying that in case where payment of Annual increment has been made during the period of suspension in implementation of judgement of SB/DB of the High Court and for which no DB/SLP, as the case may be, has been preferred and in case where DB/SLP has been preferred but no stay has been granted on implementation of the judgement of SB/DB, as the case may be, payment of Annual Increments already made may not be recovered consequent upon order passed by the High Court on 23-7-93. Further, in cases where even after judgement of the High Court in SB/DB no payment has been made as yet appeal in DB/SLP as the case may be, be filed immediately and stay order may also be obtained. While enclosing here with a copy of the circular dated 25-11-94 it is enjoined upon all concerned to take action in the light of the Government circular dated 25-11-94.

(Enclosure of Board's Order No. 28 dated 9-3-95)

**GOVERNMENT OF RAJASTHAN**  
**(Finance Department)**  
**(Rules Division)**

No. F.16(9)/FD(Gr.2)/89

Jaipur: Dated 25-11-94

**CIRCULAR**

**Sub: Regarding payment of subsistence allowance during the period of suspension - Rule 53 of Rajasthan Service Rules.**

In partial modification of Finance Department Circular of even number dated 24-8-1993 it is further clarified that in cases where payment of annual increment has been made during the period of suspension in implementation of judgement of SB/DB of the High Court and for which no DB/SLP, as the case may be, has been preferred and in cases where DB/SLP has been preferred but no stay has been granted on implementation of the judgement of SB/DB, as the case may be, payment of annual increments already made may not be recovered consequent upon order passed by the Supreme Court on 23-7-1993 in SLP(Civil) N0. 9256/89 State of Rajasthan V/s. Kan Singh.

In cases where even after judgement of the High Court in SB/DB; no payment has been made as yet, DB/SLP, as the case may be, be filed immediately and stay order may also be obtained.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

No. RSEB/F&R/F.5(17)/D.60

Jaipur: Dated 29-11-96

**Sub: Fixation of initial pay under Regulation 24 of RSEB Employees Service Regulation, 1964 - clarification thereof.**

The Board in its 459th meeting held on 6-9-96 while considering the recommendations of Committee constituted vide order No. RSEB/F&R/F.18(4)/D.5 dated 7-3-96 has decided that for the purpose of fixation of initial pay under the provisions of Regulation 24 of RSEB Employees Service Regulation, 1964, an employee who has been recruited/ appointed on higher or equivalent post while serving in the Board, such employee shall be deemed to have become substantive on the date he completed probation period satisfactorily or completed two years of service satisfactorily, whichever was later, subject to the condition that no Departmental Enquiry/Preliminary Enquiry was contemplated or pending against him. However, the period of service rendered on the old post will not be counted for computing nine or eighteen or twenty seven years service for the purpose of allowing selections grade.

Cases already decided otherwise, of the employees recruited/ appointed on higher posts while in service of the Board, may now be reviewed accordingly.

NO. RSEB/F&R/F.8 (7)/D.33

Dated, the June 27, 1997

### **ORDER**

**Sub: Compulsory Retirement under Regulation 18(4) of RSEB Employees Service Regulation, 1964.**

With a view to tone up the administration & to make it more responsive, the Board vide order No. RSEB/F&R/F.8(7) D.14 dated 10.5.96 had constituted the screening committee and re-constituted the review committees for different levels/categories of employees to consider & make re-recommendations for compulsory retirement under Regulation 18(4) of RSEB Employees Service Regulations, 1964. The order also provides for laying down procedure/guidelines for compulsory retirement of Board's Employees who have completed 25 years of service or 50 years of age in supersession of Board's order No. RSEB/F&R/F.8 (7)/D.23 dated 22.2.1985.

The Board in its 46th meeting held on 11.06.97 has approved the revised procedure and guidelines to deal with the cases of compulsory retirement of Board's Employees who have completed 25 years of service or 50 years of age.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

Accordingly, in supersession of the earlier procedure/ guidelines, issued vide order dated 22.2.85 supra, the procedure and guidelines appended herewith as Appendix 'A' are being issued to implement the provisions of compulsory retirement as envisaged in Regulation 18(4) of RSEB Employees Service Regulations, 1964 and it is expected that each authority shall monitor and review the progress of work at his level and ensure strict compliance of these instructions.

### **Appendix 'A'**

#### **Revised procedure and guidelines to deal with cases of compulsory retirement under Regulation 18(4) of RSEB Employees Service Regulations, 1964.**

1. On the first of April every year, each Head of Deptt./ Controlling Authority shall prepare a list of persons who would be completing 25 years of qualifying service or who would be attaining the age of 50 years. Such lists should be drawn up separately for each service, cadre or category of employees working under such Cadre Controlling/Appointing Authority, as the case may be. The list should be in the form of a statement under the following headings:
  1. S.No.
  2. Name of Officer/Employee
  3. Name of office to which he belongs
  4. Designation
  5. Date of birth
  6. Date of commencement of qualifying service
  7. Date of completion of 25 years of qualifying service
  8. Date of superannuation
  9. Date of attaining 50 years of age.
  10. Recommendations of the Screening Committee.

The concerned authority will also collect the confidential Reports in respect of each employee whose name is included in the list and will ensure that as far as possible the Confidential Repots of all the previous years are available in each case. The missing Confidential Reports, if any, may be obtained from the Reporting and Reviewing Officer concerned to bring the record upto-date.

## RVUN EMPLOYEES' SERVICE REGULATIONS

The concerned authorities shall also collect and keep ready the personal files and enquiry cases, if any, against the employees. A special report regarding the work and conduct of the employees included in the lists mentioned above may be obtained from the officer who is of the rank of Reviewing Officer for writing and processing of C.Rs.

2. Cases of the employees included in the list mentioned above shall first be examined by the respective Screening Committees constituted vide order No. RSEB/F&R/F.8(7)/D.11 dated 10th May, 1996 for respective category of officers and employees.

The Screening committee shall function as a Standing Committee rather than as a body set up on 'Adhoc' basis only at the time when cases are considered for premature retirement. The main function of the Screening Committee would be to prepare a comprehensive brief of each employee for consideration by the Review Committee which would be finalizing the recommendations of the Screening Committee for compulsory retirement under Regulation 18(4) of RSEB Employees Service Regulations, 1964.

3. **Perusal of entire service record.**

The Screening Committee should prepare a brief after perusing the entire service record of a Board employee. However, the screening may ordinarily be confined to the preceding 7 years, where retirement is sought to be made for in-effectiveness. There is no such stipulation in respect of the cases where the Board employee is to be retired on grounds of doubtful integrity. In such cases all adverse material is to be considered.

The term 'service record' is to be considered in the wider sense and the review should not be confined to the consideration of only the Annual Confidential Reports of the Board employee. In certain offices of the Board the employees deal with files relating to contracts, settlement of claims, making purchases and discharging bills etc. In many cases, doubts might have arisen on the bonafide nature of action taken by an employee but no concrete action was taken for want of adequate proof in a regular departmental enquiry leading to punishment under the RSEB Employees (Classification, Control & Appeal) Regulations, 1962. Where the personal file of the employee



## **RVUN EMPLOYEES' SERVICE REGULATIONS**

has details of the nature of doubt concerning his integrity or results of preliminary investigations carried out are available, these should also be considered and placed before the Review Committee. Where details of such cases are on a separate main file, but have not been brought on the personal file of the Board employee the Screening Committee should ensure that extracts from such subject matter file, or the file itself, is also placed before the Review Committee for consideration. This should be completed well ahead of the meetings of the Screening or Review Committee so that a total assessment of the performance of the Board employee is possible at the appropriate time.

#### **4. Annual Confidential Reports (A.C. Rs.)**

Entries in the A.C.R. dossier of an employee, will of course, constitute a very important part of the total service record taken into account while considering any proposal for compulsory retirement. There might be certain mis-conceptions relating to the procedure to be adopted in this behalf and, therefore, clarifications are given below:

- a. The general impression prevalent that the Screening or Review Committees shall not take into account any remark that has not been communicated to the officer, is also not correct. In certain circumstances specifically non-communication on an adverse entry in regard to the doubtful integrity may be taken into account by the Screening Committee.
- b. Another point to be kept in view is that when the overall assessment is made of the record of a Board employee, more than ordinary value should be attached to the confidential remarks pertaining to the years immediately preceding the screening. It is possible that a Board employee having a somewhat erratic record in the earlier years of the service might have so greatly improved with the passage of time that it would be appropriate to continue him in service upto the prescribed age of superannuation. Whatever value the confidential remarks may have, those pertaining to the later years immediately preceding the review are of direct relevance and hence of utmost importance.
- c. Reliance should not be placed only on the A.C.R. dossier,

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

but the entire service record including personal or other files relating to the official/officer should be taken into account.

5. No employee should ordinarily be retired on grounds of ineffectiveness if he would be retiring on superannuation within a period of one year. It may be clarified, however, that this instruction is relevant only when an employee is proposed to be retired only on the ground of ineffectiveness, but not in cases where the action is contemplated on the ground of doubtful integrity.
6. The authority must ensure that action under Regulation 18(4) of RSEB Employees Services Regulations, 1964 is a bonafide action taken in Board's interest. Any contention that action in this regard is based on arbitrariness or malice or influenced by extraneous or irrelevant considerations is closely enquired into by the courts and on such a contention being upheld, the order of compulsory retirement is liable to be struck down. It is, therefore, necessary that the action for compulsory retirement is taken on bonafide and through consideration undertaken in an appropriate manner. The final order issued to the Board employee concerned must specify that action had been taken in the Board's interest.
7. It is also clarified that compulsory retirement under Regulation 18(4) of the RSEB Employees service Regulations, 1964 should not be used to punish a Board employee on grounds of specific acts of misconduct as a short cut. To illustrate this further, where a departmental enquiry has been conducted on an alleged misconduct and the stage has been reached as to the decision by the competent authority about the punishment to be imposed, it would not be appropriate to issue instead an order of compulsory retirement under Regulation 18(4) of RSEB Employees Service Regulations, 1964.
8. At the same time, the intention of the previous paragraphs is not that when an employee has reached the stage in service when review under Regulation 18(4) of the RSEB Employees service Regulations, 1964 can be initiated and a specific act of mis-conduct also comes to notice at the time, action under Regulation 18(4) of the aforesaid Regulation can not be taken. It is well settled that action under Regulation 18(4) *ibid* is not a punishment, that there is no stigma attached to it and that no civil consequences follow. These

## RVUN EMPLOYEES' SERVICE REGULATIONS

conclusions apply to an individual case when an order under Regulation 18(4) *ibid* is not a cover for what is, in fact, a punishment sought to be imposed. However, where any departmental enquiry has been initiated and the specific allegations or misconduct involving lack of integrity is only one of the service record of the employee, which has to be considered in toto, the order under Regulation 18(4) of the RSEB Employees Service Regulations, 1964 can quite justifiably be passed for the same is appropriate otherwise also.

9. The recommendations of the Screening Committee will be finalized by the Review Committee constituted vide Board's order no. RSEB/F&R/F.8(7)/ D.14 dated May 10, 1996.
10. **Time Frame:**

The Review Committee should meet as soon as the briefs/ recommendations of the Board employees coming within the scope of Regulation 18(4) of RSEB Employees Service Regulation, 1964 have been prepared by the Screening Committee. In each year this work should commence from 1st July by which time the A.C.Rs. would have been drawn up. The entire work of the Screening Committee and the Review Committee should be completed by 31st of October.
11. In cases where the appointing authority is the Board, the lists of the officers concerned along with their service rolls and service records should be submitted by the Secretary for the approval of the Board through the Chairman. After Board's approval, Secretary shall issue orders of compulsory retirement under Regulation 18(4) of the RSEB Employees Service Regulations, 1964. In other cases, the recommendations of Review Committee and other records of the employees recommended for retirement shall be submitted to the Chairman for approval. After the approval of the Chairman is received, orders for compulsory retirement under Regulation 18(4) of RSEB Employees Service Regulations, 1964 will be issued by the respective Head of the Deptt./ Appointing Authority in the form(s) annexed herewith.
12. The Board employees proposed to be retired compulsorily under Regulation 18(4) are entitled to a notice of three months. Hence, in order to retire them, they may be given Bank Draft of the amount equivalent to three month's pay and allowances in lieu of notice period

**RVUN EMPLOYEES' SERVICE REGULATIONS**

along with the order of retirement.

**RAJASTHAN STATE ELECTRICITY BOARD**

No.

Dated:

To,

Shri \_\_\_\_\_,

\_\_\_\_\_

\_\_\_\_\_

Whereas Shri \_\_\_\_\_ has completed 25 years of service/  
has attained 50 years of age.

Now, therefore, in pursuance of sub-regulation (4) of regulation 18 of the  
RSEB Employees Service Regulations, 1964, the Rajasthan State Electy.  
Board hereby requires Shri \_\_\_\_\_ by payment to him of  
three months pay and allowances in lieu of three months previous notice, to  
retire from the service on the date of receipt of this order by him.

A bank draft of the amount of Rs. \_\_\_\_\_ in respect of  
three months pay and allowances in lieu of three months previous notice is  
enclosed.

By order of the Board.

Appointing / Head of Deptt.

No. RSEB/F&R/F.(Pen)/D.37

Dated, the July 11, 1997

**ORDER**

**Sub: Duplicate Service Book.**

It has been observed that some times delay occurs in finalization of pension  
cases due to non-availability of service book of an employee. To avoid such  
situation, the Chairman in consultation with Member (F&A) has decided  
that the duplicate service books may be issued to all the employees of the  
Board for which the following procedure is laid down.

1. The Head of office shall issue a duplicate copy of service book

## RVUN EMPLOYEES' SERVICE REGULATIONS

maintained in the office to a Board employee whether an employee makes an application in this behalf or not.

2. The duplicate service book will be supplied to a Board employee without charging any fee.
3. Existing entries in the Service book shall be copied in the duplicate service book in one's own hand writing under attestation of Head of office, and these shall be updated from time to time.
4. The duplicate service book will be an authentic document and can be used/ relied upon only in the event of non-availability of original Service Book for the purpose of pay fixation and finalization of pension cases provided that entries in the duplicate Service Book are attested under the signature of Head of office. In cases where finalization of pay fixation and pension cases is done on the basis of entries in the duplicate Service Book an undertaking shall invariably be obtained from the Board employee himself that he agrees to refund any over payment of pay and allowances, pension etc. which are found to have been made as a result of fixation of pay/pension on the basis of entries in the duplicate Service Book.

राजस्थान सरकार

चिकित्सा एवं स्वास्थ्य (गुप-1) विभाग

क्रमांक : प. 16 (25) एम.ई./गुप-1/94

जयपुर, दिनांक : 8.1.98

आदेश

इस विभाग के सम संख्यक आदेश दिनांक 28.6.94 में निम्नानुसार आंशिक संशोधन करते हुए निम्न व्यवस्था तुरन्त प्रभाव से लागू की जाती है। मूल आदेश में अंकित अन्य शर्तें यथावत रहेंगी:

1. किसी बहिरंग रोगी को अधिकतम 15 दिन की अवधि के लिए चिकित्सा प्रमाण-पत्र किसी भी चिकित्सा अधिकारी द्वारा दिया जा सकता है।
2. 15 दिवस से अधिक अवधि के लिए किन्तु 30 दिवस तक का चिकित्सा प्रमाण-पत्र किसी भी चिकित्सा अधिकारी/कनिष्ठ विशेषज्ञ/सहायक आचार्य एवं इससे ऊपर के अधिकारी देने में सक्षम होंगे। इसमें मूल अवधि भी शामिल होगी।
3. 30 दिवस से अधिक के लिए किन्तु 45 दिवस तक का चिकित्सा प्रमाण-पत्र वरिष्ठ विशेषज्ञ/पी.एम.ओ./ऐसोसिएट प्रोफेसर/प्रोफेसर एवं क्रम संख्या 2 पर वर्णित अधिकारी

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यदि प्रमाण-पत्र संबंधित मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी/प्रमुख चिकित्सा अधिकारी एवं अधीक्षक अस्पताल के द्वारा प्रमाणित किया हुआ हो इसमें मूल अवधि भी शामिल होगी।

4. 45 दिवस से अधिक के लिए चिकित्सा प्रमाण-पत्र केवल मेडिकल बोर्ड द्वारा ही दिया जायेगा। इसमें मूल अवधि भी शामिल होगी।

(मण्डल के आदेश सं. राराविम/वि. एवं नि./ प्रे. 64 दिनांक 12.8.1998 के द्वारा पृष्ठांकन किया गया)

क्रमांक/राराविम/वि एवं नि/प. प. 8(7)/प्र. 9

दिनांक 12.2.99

### परिपत्र

**विषय- राराविम कर्मचारी सेवा विनियमों के विनियम 18(4) के अन्तर्गत अनिवार्य सेवा निवृत्ति बाबत।**

मण्डल के आदेश क्रमांक/राराविम/वि एवं नि/प. 8(7)/प्रे. 33 दिनांक 27 जून, 1997 के आंशिक संशोधन में यह निर्देश प्रसारित किए जाते हैं कि मण्डल के निर्धारित सक्षम स्तर पर जबकि यह समाधान हो जावे कि कोई मण्डल कर्मचारी/अधिकारी अपनी अकर्मण्यता, संदेहास्पद सत्यनिष्ठा, अपनी अक्षमता एवं अकार्यकुशलता अथवा असन्तोषजनक कार्य निष्पादन के कारण जनहितार्थ आवश्यक उपयोगिता खो चुका है, तो ऐसी अवस्था में उस मण्डल कर्मचारी/अधिकारी की जो 25 वर्ष की सेवाकाल अथवा 50 वर्ष की आयु जो भी पहले हो, पूर्ण कर चुका हो, तीन माह के नोटिस अथवा उसके स्थान पर तीन माह के वेतन व भत्तों के भुगतान के साथ राराविम कर्मचारी सेवा विनियमों के विनियम 18(4) के अन्तर्गत तुरन्त प्रभाव से मण्डल सेवा से सेवानिवृत्त किया जा सकेगा।

इस सम्बन्ध में मण्डल के आदेश दिनांक 27 जून, 1997 द्वारा प्रेषित प्रक्रिया एवं मार्गदर्शक सिद्धांत (प्रतिलिपि संलग्न है) के अनुसार वांछित कार्यवाही अपेक्षित है।

No. RRVUN/F. /D.1

Jaipur, dt : 22.07.2000

### ORDER

#### **Sub : Rules/Regulations & delegatong 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 and 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.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

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 Members" 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. RRVUNL / AS (Sec. II)/ Estt./ F./ OO./ D.327

Sept. 20, 2001

### **CIRCULAR**

#### **Sub: AVAILMENT OF LEAVE**

According to the provisions of Employees Service Regulations, no employee should proceed on leave, prior to leave applied for has been sanctioned by the competent authority.

Cases have come to notice where the employees proceeded on leave without obtaining prior sanction of leave. Not only this but it has also been observed that in number of cases the employees had availed one spell of leave and prior to sanction of the same by the competent authority they proceeded for another spell of leave. Such an action by the employees is very irregular and liable to disciplinary action.

It is therefore, enjoined upon all concerned that the leave shall normally be availed of only after obtaining sanction by the competent authority. Any lapse on this account shall be treated as willful absence from duty.

No.RVPN/Secy. (Admn.)/Pension/F. /D. 3106

Dt. 29.06.02

### **CIRCULAR**

As per rule-4 (2) of Raj. Civil Services (Pension) Rules, 1996 reproduced hereunder, the salary for the date of retirement, in the cases where an employee has been retired in consideration of voluntary retirement sought by him is not payable, as the actual date of retirement is treated as non-working day.

Rule 4(2) The day on which a Government servant retires or is retired or is discharged or is allowed to resign from service as the case may be, shall be treated as his last working day. The day of death shall also be treated as a working day.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

Provided that in the case of a Government Servant who is retired prematurely or who retires voluntarily under sub rule (1) of rule 53 and sub rule (1) of rule 50, as the case may be, the date of retirement shall be treated as a non-working day."

On scrutiny of pension cases in respect of such employees who are allowed voluntary retirement, it is noticed that the rule referred to above is not being followed in its right spirit and many Head of offices have allowed and paid the salary for the actual date of voluntary retirement, which is quite irregular and against the rules, thereby causing pecuniary loss to the respective company.

Obviously, for the last day of retirement, the employee should not be paid the salary but should be paid the pension as admissible under the rules.

Therefore, in order to obviate infringement of rules, it is enjoined upon all Head of offices of all companies to ensure that in the cases of voluntary retirement, salary should not be preferred and paid for the actual date (last day) of voluntary retirement. Rather payment of pension should commence from actual date of voluntary retirement in such cases.

The authorities who are competent to accept voluntary retirement of employees may also specifically mention in such order that the date of voluntary retirement shall be treated as a non-working day.

Strict compliance of these instructions may please henceforth be adhered to.

No. RVUN/P&A/F. Circular-77/D. 695

November 29, 2002

### **CIRCULAR**

It has been observed that field officers often sanction honorarium to the staff posted under their jurisdiction in a very casual manner for doing routine works or to compensate a temporary increase of work, which not only cast financial burden upon the Nigam, but also become a cause of discontentment amongst employees posted in other offices/ projects, where such casual practice is not followed.

The Regulation 35 of the Employees Service Regulation, 1964 provides for grant of honorarium to an employee as remuneration for performing such work which is occasional in character and either involves so labour or such special merit that it deserves such a reward, but it should not be granted merely to compensate a temporary increase in the work.



## **RVUN EMPLOYEES' SERVICE REGULATIONS**

With a view to curb the practice of sanctioning honorarium in a casual manner for doing routine work and also to check the financial burden, the Chairman & Managing Director has decided that in future, honorarium should not be sanctioned and if it is found necessary to compensate the extra work of an employee, Compensatory Casual Leave may be sanctioned as per relevant provisions. However, if in the opinion of the concerned authority the work is of such a special merit, that grant of honorarium is very essential, prior approval of the Chairman & Managing Director should be obtained for sanction of the honorarium.

It is, therefore, directed to all concerned controlling officers that in future honorarium should not be sanctioned at their level and where the work is of such nature so as to justify its compensation, the same should be compensated by sanction of Compensatory Casual Leave. In those cases, wherein it is observed that honorarium is to be granted, the case with full justification and details of works to be done, should be sent to this office for seeking prior approval of the Chairman & Managing Director.

No: RVUN/P&A/F. /D. 217

Jaipur, March 27, 2004

### **ORDER**

The Chairman & Managing Director in consultation with Financial Advisor & Chief Accounts Officer has decided to adopt the State Government order No. F.1 (8) Finance/Rules/2002 dated 22.5.2003 (copy enclosed) regarding grant of Extra Ordinary Leave (without pay) with the following conditions:

1. Chairman & Managing Director shall be authority to sanction the Extra Ordinary Leave (without pay).
2. The facility of Extra Ordinary Leave (without pay) shall be allowed to the employees of CPF/GPF holders both.
3. The period of leave will be treated as "dies-non" for the purpose of Pension but if the employee deposits the subscription of Pension during the leave period, as per rules, the period of leave will be counted for the purpose of Pension. But this facility shall not be provided to CPF holders.
4. The maximum period of Extra Ordinary Leave (without pay) will be 5 (five) years in the whole service period. If any officer/official has availed the Extra Ordinary Leave (without pay) in past, for this purpose under erstwhile RSEB order No. RSEB/Sec. 3/ Admn./ Misc./

## RVUN EMPLOYEES' SERVICE REGULATIONS

D.539 dated 8.3.2000 the same may also included for calculating the maximum period of leave i.e. 5 (Five) years.

5. An officer equivalent to the rank of Superintending Engineer and above shall be permitted for private entrepreneurship/ employment on furnishing a certificate that Commercial employment/ business proposed to be accepted does not relate, directly or indirectly, with the Power Sector Entities. However, this condition will not be applicable in respect of officers/ employees upto the rank of Executive Engineer or equivalent thereto.

क.राराविउनि/का.द प्र-11/प्रे. 388

जयपुर,दिनांक 14.5.04

### आदेश

कुछ प्रकरणों में यह देखा गया है कि सेवा पुस्तिका में एक बार अंकित जन्म दिनांक को बदल दिया जाता है या सेवा पुस्तिका में पूर्व में अंकित जन्म दिनांक में बदलियति से हेराफेरी/कांटाछांट कर दी जाती है जिससे वह कर्मचारी अपनी वास्तविक सेवा-निवृत्ति तिथि के बाद भी निगम की सेवा में बना रहता है और इस दौरान वह निगम द्वारा अपने कर्मचारियों को देय वेतन, भत्तों आदि समस्त लाभों एवं सुविधाओं का नियम विरुद्ध उपभोग करता रहता है। इस सम्बन्ध में पूर्व में भी समय-समय पर दिशा-निर्देश जारी किये गये हैं, किन्तु यह पाया गया है कि उनकी पूर्णतः पालना नहीं की जा रही है जिससे कई कर्मचारी सेवा-निवृत्ति की आयु के बाद भी सेवा में बने रहते हैं। ऐसे मामले विभिन्न प्रकार की प्रशासनिक एवं विधिक विसंगतियों और पेचीदगियों का कारण बनते हैं।

भविष्य में ऐसे प्रकरणों की पुनरावृत्ति पर रोक लगाने एवं यह सुनिश्चित करने के लिये कि निगम में कार्यरत प्रत्येक कर्मचारी अपनी वास्तविक सेवानिवृत्ति की तारीख को ही सेवानिवृत्त हो, समस्त कार्यालयाध्यक्षों एवं परियोजना प्रभारियों को निर्देश दिये जाते हैं कि-

1. वे यह सुनिश्चित करें कि किसी भी कर्मचारी की सेवा पुस्तिका में एक बार अंकित जन्म तिथि में किसी भी दशा में कोई परिवर्तन नहीं किया जावे। तथापि यदि किसी प्रकरण विशेष में ऐसे पर्याप्त सबूत उपलब्ध हो जो यह सिद्ध करते हो कि प्रथमतः अंकित जन्म तिथि गलत है अथवा कोई कर्मचारी निगम में अपनी सेवा प्रारम्भ करने के 3 वर्षों के भीतर अपनी जन्मतिथि में संशोधन हेतु कोई प्रार्थनापत्र, मय पर्याप्त, साक्ष्य पेश करता है, तो ऐसे सभी प्रकरण, सम्पूर्ण विवरण, साक्ष्यों और स्वयं की अनुशांषा सहित अध्यक्ष एवं प्रबन्ध निदेशक की स्वीकृति हेतु अधोहस्ताक्षरकर्ता को प्रेषित करें।
2. वे अपने अधीन कार्यरत सभी कर्मचारियों की सेवा पुस्तिका में प्रविष्ट जन्म-तिथि का तुरन्त सत्यापन करें। वे यह भी सुनिश्चित करें कि जिन सेवा पुस्तिकाओं में अंकित जन्म तिथि का

## RVUN EMPLOYEES' SERVICE REGULATIONS

पूर्व में सत्यापन किया जा चुका है, उनमें किसी भी प्रकार की कांट छांट या ओवरराइटिंग नहीं हो। यदि किसी कर्मचारी की सेवा पुस्तिका में किसी भी प्रकार की कांट-छांट या ओवरराइटिंग पायी जावे तो ऐसे प्रकरण, विस्तृत विवरण सहित, इस कार्यालय को प्रेषित किये जावें। उस अधिकारी/कर्मचारी, जिसके द्वारा ऐसी कांट-छांट/ओवरराइटिंग की गयी हो अथवा जिनके कार्यकाल में ऐसा कोई परिवर्तन किया गया हो, का नाम भी आवश्यक रूप से सूचित किया जावें।

3. कोई भी अधिकारी, किसी भी कर्मचारी की सेवा-पुस्तिका में अंकित उसकी जन्म दिनांक में, अपने स्तर पर किसी भी प्रकार का परिवर्तन या कांट-छांट करते हेतु प्राधिकृत नहीं है, चाहे ऐसे परिवर्तन या कांट-छांट का कारण कुछ भी क्यों न हो। जन्म दिनांक में किसी भी प्रकार का परिवर्तन करने हेतु, अध्यक्ष एवं प्रबन्ध निदेशक की पूर्व अनुमति आवश्यक है।
4. प्रत्येक वर्ष अप्रैल माह में आगामी दो वित्तीय वर्षों में 58 वर्ष की अधिवार्षिकी आयु प्राप्त करने पर सेवानिवृत्त होने वाले कर्मचारियों के सेवानिवृत्ति आदेश आवश्यक रूप से जारी किये जावे, जिससे कि ऐसे कर्मचारियों को 58 वर्ष की आयु पूरी करने पर नियमानुसार सेवानिवृत्त किया जा सके। ऐसे आदेश जारी करते समय भी संबंधित अधिकारी द्वारा उस कर्मचारी की सेवा पुस्तिका में अंकित जन्म तिथि और उसमें किसी भी प्रकार की कांट-छांट एवं ओवरराइटिंग की आशंका की भी जांच की जावे।
5. किसी भी कर्मचारी द्वारा 58 वर्ष की अधिवार्षिकी आयु प्राप्त करने के बाद, बिना सक्षम अधिकारी की पूर्व अनुमति के की गयी सेवा पर, नियमानुसार कोई लाभ देय नहीं होगा। अपितु सक्षम अधिकारी द्वारा, उस कर्मचारी के विरुद्ध, निगम को पहुँचायी गयी वित्तीय हानि और इस समयावधि में उसके द्वारा निगम से उठाये गये लाभों एवं सुविधाओं की वसूली हेतु कार्यवाही की जानी चाहिये।

सभी अधिकारी/कर्मचारी उक्त निर्देशों की अक्षरशः पालना सुनिश्चित करेंगे और जो भी अधिकारी या कर्मचारी इन की अवहेलना करने के दोषी पाये जावेंगे, उनके विरुद्ध अनुशासनिक कार्यवाही आवश्यक रूप से प्रारम्भ की जावेगी। इसके अतिरिक्त उस कर्मचारी द्वारा अपनी वास्तविक सेवा अवधि से अधिक के कार्यकाल में उठाये गये वेतन भत्तों आदि की वसूली भी संबंधित दोषी अधिकारी/कर्मचारी के वेतन से की जावेगी। समस्त अधिकारियों को यह भी निर्देश दिये जाते हैं कि वे अपने अधीन कार्यरत सभी अधिकारियों को उक्त दिशा-निर्देशों से अवगत करावें।

No. RVUN/P&A/II/ D.621

Jaipur dated 28/08/2004

### ORDER

The Board of Directors, in its 62<sup>nd</sup> meeting held on 16.8.2004 has decided to substitute the words "RSEB", "Board" and "Rajasthan State Electricity Board"

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

by the words "RVUN", "Nigam" and "Rajasthan Rajya Vidyut Utpadan Nigam Ltd.", respectively, wherever appearing in any Rule(s), Regulation(s), Delegation of Powers, etc., including titles thereof, framed and applicable in the erstwhile Rajasthan State Electricity Board as on 19.7.2000 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.

No. RVUN/P&A/ II/F. /D. 492

Jaipur June 9, 2005

### **CIRCULAR**

The Coordination Committee in its 82nd meeting held on 30.4.2005 has decided that for initiating timely action for clearance of probation period the following guidelines should be followed :

#### **A. In case of promotion:**

1. Probation period should be cleared/extended prior to completion of its due period.
2. No special ACR is required for this purpose. Only Work Performance Report consisting of Certificate regarding (i) No DE/PE is pending (ii) No Criminal Case is pending and (iii) Performance Report during the period of probation from the Controlling Officer is sufficient.
3. Action for obtaining Work Performance Report and DE/PE position should be initiated even before two-month time of completion of its term so that decision regarding clearance or extending the probation period could be taken by its maturity.

#### **B. In case of fresh appointment:**

In case of fresh appointment, Annual Performance Appraisal Reports (APAR) of two years are required to clear the probation period in place of "Work Performance Report". Other conditions, as stipulated above, shall remain the same.

## RVUN EMPLOYEES' SERVICE REGULATIONS

No: RVUN/P&A/F. / D. 908

December 23, 2006

### CLARIFICATION

**Sub: Counting the service period of Extra Ordinary Leave (without pay) notionally for the purpose of Annual Grade Increments.**

The Chariman & Managing Director in consultation with Financial Advisor & Chief Accounts Officer, has decided to adopt the Government of Rajasthan's Order No. F. 1 (8) FD/Rules/2002 dated 1.8.2006 regarding counting the period of Extra Ordinary Leave (without pay), notionally as service period for the purpose of allowing Annual Grade Increments.

Accordingly, it is clarified that the period of Extra Ordinary Leave (without pay) sanctioned to the employees of RVUN in pursuance to Nigam's order No. RVUN/P&A/II/F. D.217 dated 27.3.2004 should be counted notionally as service period for the purpose of allowing Annual Grade Increments.

No. RVUN/P&A/F. /D. 424

October 5, 2007

### CLARIFICATION

**Sub: Procedure to be followed when Nigam's permanent employee is absorbed/ directly appointed by a Foreign employer.**

The Chariman & Managing Director in consultation with Director (Finance), RVUN has decided to adopt clarification issued by the Finance Department, Government of Rajasthan vide no. F.1 (11) FD/ (Rules)/06 dated 26.07.2007, regarding procedure to be followed for terminating the lien of a permanent employee who is transferred on foreign service and is subsequently absorbed in the service of the foreign employer or is directly appointed in the foreign service.

Accordingly, it is hereby clarified that Regulation No. 13 of RVUN Employees Service Regulations, 1964 applies only so long as a Nigam's employee remains in RVUN's service. Obtaining of consent of the Nigam's employee to the termination of lien is necessary in certain circumstances where the said employee is to be confirmed on another post in RVUN. Such consent is not necessary in cases where the Nigam's employee ceases to be in RVUN's employment. The proper course in such cases, where it is proposed to absorb him/ her in foreign service in public interest or he/she is appointed in the Foreign service by direct appointment, would be to ask the employee concerned to resign from RVUN with effect from the date of such absorption/

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

direct appointment and the lien will stand automatically terminated with the cessation of Nigam's service.

No. RVUN/P&A/F. Agenda/ 07/D. 508

November 27, 2007

### **CLARIFICATION**

#### **Sub: Clarification regarding joining time on transfer during the period of probation training of a probationer trainee.**

The Chairman & Managing Director in consultation with Director (Finance), RVUN has decided to adopt the clarification issued by the finance Department (Rules Division), Government of Rajasthan vide No. F.12 (6) FD (Rules)/05 dated 21.8.2007, regarding joining time under Rajasthan Civil Services (Joining Time) Rules, 1981 in case a Probationer Trainee is transferred during the period of probation training.

A doubt has been raised that if a probationer trainee is transferred during period of probation training, joining time shall be admissible or not. The matter has been examined and it is clarified that if a probationer trainee is transferred during the period of probation training, he will be entitled to only Mileage Allowance and incidental on the basis of fixed remuneration and the relevant provisions regarding joining Time shall not be applicable and the only actual period required for travel will be treated as on duty.

No. RVUN/Dy. COA/Control/F.ESR/D. 338

April 11, 2008

### **ORDER**

#### **Sub: Leave encashment benefit to Nigam's employees while in service.**

In exercise of the powers conferred vide order No. RVUNL/CAO/ F. (DOP)/ D.43 dated 29.11.2001, the Chairman & Managing Director in consultation with Director (Finance) has been pleased to adopt the state Government Order No. F.1 (12) FD (Rules)/2005 dated 03.04.2008 annexed herewith as Annexure 'A' and allow encashment benefit on surrender of Privilege leave not exceeding 15 days during the financial year 2008-09 to Nigam's employees, who have completed at least one year of service on the terms & conditions stipulated in the order dated 03.04.2008 *ibid*.

(Annexure - A to order No. RVUN/Dy.COA/Control/ F.ESR/ D.338 dated 11.04.2008)

**RVUN EMPLOYEES' SERVICE REGULATIONS**

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

**ORDER**

No. F.1 (12)(Rules)/2005

Jaipur, dated: 03.04.2008

**Sub: Leave encashment benefit to Government servants while in service.**

In partial modification of FD Order No. F.1 (4) FD (Rules)/98 dated 18.03.2002 the Governor is pleased to order that the facility of leave encashment on surrender of privilege leave not exceeding 15 days during the financial year 2008-2009 may be allowed to Government servants who have completed at least one year of service.

The number of days of privilege leave surrendered shall not be referred to any particular period but may be reckoned as surrendered on the date of application of leave for encashment benefit and debited against the leave account of Government servant.

The Authority who is competent to sanction privilege leave shall be competent to accept surrender of privilege leave and to grant leave encashment benefit thereof.

The amount of leave salary for the period for which leave is surrendered shall be calculated in accordance with the provisions of Rule 97 of Rajasthan Service Rules and in addition Dearness Pay and Dearness Allowance at the rates in force from time to time shall be admissible. The leave salary and allowances admissible for leave surrendered shall be computed on the basis of rate of pay which a Government servant is drawing immediately before the date of sanction of leave. A month for the purpose of calculation of leave salary and allowances shall mean 30 days.

No deduction towards General Provident Fund subscription shall be made from above leave encashment.

No. RVUN/DS-GAB/F./D. 615

Jaipur dated, 18.11.08 [P&A-38]

**CIRCULAR**

It has been observed that a large number of officers/officials proceed on Privilege Leave in the month of June and December, without any cogent reason, merely to elapsing of their privilege leave in the ensuing block. This

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

tendency of employee adversely affects the working atmosphere as well as pace of work of Nigam.

It is reiterated that privilege leave be recommended/sanctioned on genuine grounds only, especially during the month of June and December and it should be ensured that such leave is applied strictly as per procedure. While sanctioning Privilege leave, it should be ensured that the work of concerned section/department should not suffer due to proceeding on leave by a large number of employees. Besides, all employees proceeding on leave should inform their contact telephone numbers and address during the leave period.

The Chairman and Managing Director has taken a serious view in this matter and desired to advise all recommending /sanctioning authorities to ensure that the Privilege leave especially in the month of June and December, should be recommended/ sanctioned strictly in deserving cases only.

No. RVPN/ AS/ GAD/ F&R/ F. 1 (Pt. II)/D.286

Dated : 2.3.09

### **ORDER**

**Sub: Leave encashment benefit to the employees of the Nigam while in service.**

As per the prevailing provisions under Rule 45(A) of ESR, regarding encashment of privilege leave while in service, all officers/ employees of the Nigam governed by these regulations are entitled for leave encashment on surrender of privilege leave not exceeding 30 days once in a block of two years, and the technical employees governed by Technical Workmen Service Regulations are entitled for leave encashment on surrender of privilege leave not exceeding 15 days once in a block of two years (which works out 15 days annually for officers and employees governed by ESR and 8 days for technical employees.)

Now, the Finance Department vide its order No. F.1 (12) FD (Rules)/2005 dated 06.02.2009 (copy enclosed), has allowed the facility of leave encashment annually in place of block of two years on surrender of privilege leave not exceeding 15 days from the financial year 2009-10 and onwards.

Accordingly, in partial modification of Rule 45(A) of ESR, from the financial year 2009-10 and onward, the facility of leave encashment shall be allowed annually, on surrender of privilege leave not exceeding 8 days to Nigam's technical employees governed by Technical Workmen Service Regulations and 15 days to all other employees / officers of the Nigam, who have



## **RVUN EMPLOYEES' SERVICE REGULATIONS**

completed at least one year of service, on the same terms and conditions as stipulated in the order dated 6.2.2009 *ibid*.

This is subject to ratification by the respective Board of Directors of RVPN, RVUN, Jaipur Discom, Ajmer Discom and Jodhpur Discom.

(Endorsed vide order No. RVUN/CAO/W&M/Control/F./D. 721 dated 30.03.2009)

(Enclosure of order No. RVPN/AS/GAD/F&R/F.1 (Pt.-II)/D.286 dated 02.03.2009)

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

#### **ORDER**

No. F.1 (12)(Rules)/2005

Jaipur, dated: 06.02.2009

**Sub: Leave encashment benefit to Government servants while in service.**

In partial modification of FD Order No. F.1 (4) FD (Rules)/98 dated 18.03.2002 the Governor is pleased to order that the facility of leave encashment on surrender of privilege leave not exceeding 15 days during the financial year 2009-2010 may be allowed to Government servants who have completed at least one year of service.

The number of days of privilege leave surrendered shall not be referred to any particular period but may be reckoned as surrendered on the date of application of leave for encashment benefit and debited against the leave account of Government servant.

The Authority who is competent to sanction privilege leave shall be competent to accept surrender of privilege leave and to grant leave encashment benefit thereof.

The amount of leave salary for the period for which leave is surrendered shall be calculated on the sum of pay in the Running Pay Band and Grade Pay under Rajasthan Civil Services (Revised Pay) Rules, 2008 plus Dearness Allowance. In the case of Government servants who are drawing pay in the existing pay scale shall be entitled to amount of leave salary in accordance with the provisions of Rule 97 of Rajasthan Service Rules and Dearness Pay

## RVUN EMPLOYEES' SERVICE REGULATIONS

and Dearness Allowance thereon, at the rates in force from time shall be admissible.

The leave salary and allowances admissible for leave surrendered shall be computed on the basis of rate of pay which a Government servant is drawing immediately before the date of sanction of leave. A month for the purpose of calculation of leave salary and allowances shall mean 30 days.

No deduction towards General Provident Fund subscription shall be made from above leave encashment.

No. RVUN/P&A/F /D.215

July 21, 2009 [P&A-56]

### ORDER

**Sub: Date of next increment in cases where Nigam's employees availed extraordinary leave in a running pay band during the year.**

The Chairman & Managing Director in consultation with the Director (Finance) has been pleased to adopt, mutatis mutandis, the clarification issued by the Finance Department, Government of Rajasthan's vide no. F.1 (1) FD (Rules)/2009 dated 09.06.2009 (copy enclosed) for its application in RVUN regarding the date of increment in cases where Nigam's employees have availed extraordinary leave on medical ground or without medical ground  
Encls: As above

(Enclosure of order no. RVUN/P&A/F./D.215 dated 21.07.2009)

## GOVERNMENT OF RAJASTHAN FINANCE DEPARTMENT (RULES DIVISION)

### ORDER

No. F.1 (1)FD/(Rules)/2009

Jaipur, dated: 09.06.2009

**Sub: Date of next increment in cases where Government servants availed extraordinary leave in a running pay band during the year.**

The provisions, regarding date of next increment in the running pay band, as contained in Rule 14 of the Rajasthan Civil Services (Revised Pay) Rules, 2008 prescribe a uniform date of annual increment viz 1st July of every year.

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

Employees completing 6 months and above in the running pay band as on 1st of July are eligible for grant of annual increment.

Some of the departments have sought clarification regarding treatment to be accorded to Extraordinary Leave (EOL) availed whether on medical ground or without medical ground by the Government servant for grant of next annual increment.

This matter has been examined and it is clarified that:

1. In case a Government servant who has availed EOL between 1st July to 30th June of the year for a period upto 6 months, he will be entitled to next annual increment on 1st July of the next year.
2. In case a Government servant who has availed EOL between 1st July to 30th June of the year for a period of more than 6 months, he will be entitled to next annual increment on 1st July of the subsequent year, meaning thereby that a Government servant is required to complete a minimum period of service of six months in a particular year.
3. In case where, a Government servant has availed EOL for a period of more than six months, but some of the period of EOL availed by him is before 1st July and rest is after 1st July and any of the spell is not more than six months, in such cases, next date of annual increment shall remain unchanged even though the period of EOL is continuously for more than six months. Some illustrations showing effect of EOL on annual increment are given as under:
  - (i) A Government servant whose next date of increment was 01.07.2008 has availed EOL from 01.01.2008 to 31.12.2008. In this case, the Government servant has availed six months EOL before 1st July, 2008 and six months after 1st July, 2008 and thus in a particular year he has not availed EOL for a period of more than six months and as such his next date of increment shall remain unchanged.
  - (ii) A Government servant whose next date of increment was 01.07.2008 and who has availed EOL from 01.12.2007 to 31.12.2008. In this case, the Government servant has availed EOL for more than six months in a year i.e. before 1st July 2008 and as such in this case, next increment shall be admissible in the subsequent year i.e. on 01.07.2009 instead of 01.07.2008.
  - (iii) A Government servant whose next date of increment was 01.07.2008 and who has availed EOL from 01.12.2007 to

## **RVUN EMPLOYEES' SERVICE REGULATIONS**

31.01.2009. In this case, the Government servant has availed EOL for more than six months during the year 2007-08 and also availed EOL for more than six months during the year 2008-09 before 1st July, 2008 and before 1st July, 2009 respectively and as such in this case, the next increment shall be admissible on 01.07.2010 instead of 01.07.2008 and 01.07.2009.

4. The EOL availed by a Government servant on medical ground shall count as duty for grant of next annual increment.
5. For the aforesaid purpose 'year' shall mean the incremental year commencing from 1st of July and ending on 30th of June following.

No. RVUN/P&A/ Estt. / F.BOD/ D: 374

August 10, 2009

### **CLARIFICATION**

#### **Sub: Categorization of the posts of Chemical wing.**

The Board of Directors in its 157th meeting held on 17.06.2009 has decided that as all posts of Chemical wing i.e. Junior Chemists, Chemists and Senior Chemists are covered under the RVUN Officers Service (Recruitment, Promotion and Seniority) Regulation, 1974, all employees appointed on these posts should be treated as governed by the RVUN Employees Service Regulation, 1964.

No. RVUN/P&A/F. /D.429

December 31, 2009 [P&A-75]

### **ORDER**

#### **Sub: Control over issuance of Awaiting Posting Orders.**

The Board of Directors, in its 164th meeting held on 16th December, 2009 has decided to adopt, mutatis mutandis, the order No. F.1 (9) FD (Rules) / 98 dated 20.05.2009 issued by the Finance Department, Government of Rajasthan for its application in RVUN regarding control over issuance of 'Awaiting Posting Orders' (APO) and issuing timely posting orders.

The Board of Directors has also decided to delegate following powers to various authorities of the Nigam regarding issuance of 'Awaiting Posting Orders' in exceptional cases:

## RVUN EMPLOYEES' SERVICE REGULATIONS

Nature of Power	Authority to which the power is delegated	Extent of power delegated
Power to issue order that Nigam's employees would be treated as on duty during 'Awaiting Posting Orders'.	(1) Managing Director	Upto a period not exceeding 60 days subject to the condition that reasons for keeping Nigam's employee under awaiting posting order with full justification, shall be recorded in the sanction itself.  Note: No Nigam's employee should be kept under awaiting posting orders beyond 60 days in any circumstances. In cases where, in exceptional circumstances, Nigam's employee is kept under awaiting posting orders beyond 60 days, the concerned office / department shall indicate full justification for the same and obtain approval of the Board of Directors for regularization of such period.
	(2) Head of Department	Upto a period not exceeding 10 days in respect of employees of the cadre/cadres for which he is the Appointing Authority.

No. RVUN/P&A/ F.BOD/ D: 544

March 14,2013 [P&A-179]

### ORDER

**Sub: Clarification regarding definition of "Duty" under various Regulations.**

Chairman & Managing Director in consultation with Director (Finance) has decided to adopt, mutatis mutandis, the order No. F.1 (5) FD/Rules/ 2010 dated 14.12.2012 issued by the Finance Department, Govt. of Rajasthan for clarifying if the period of Journey from residence to office and vice versa is part of "Duty" of employees under various Regulations or not.

Accordingly, it is clarified that in the following cases, an employee of Nigam shall be treated as on "Duty".

## RVUN EMPLOYEES' SERVICE REGULATIONS

- (1) The "Duty" starts at the hours Nigam's employee report for "Duty" on a particular day or takes charge of the post and ends at the hours he left his duty point. Accordingly, the period of journey from residence to office and vice versa is not a part of "Duty".
- (2) The period of absence on tour from headquarters begins at the hours on the day on which the Nigam's employee actually leaves his residence/ office and ends at the hours on the day on which he returns thereto is "Duty" excluding the period of leave including casual leave, if any, availed during tour.
- (3) A Nigam's employee is to be treated on election duty as soon as he leaves his residence / office to report for any election related duty including training and until he reaches back his residence/ office after performance of his election related duty. If any mishap takes place during this period, it should be treated as having occurred on election duty subject to the condition that there should be a casual connection between occurrence of injury/death and the election duty.

No. RVUN/P&A/ F.BOD/ D: 551

March 19,2013 [P&A-180]

### CLARIFICATION

**Sub: Clarification regarding exempting an employee from depositing Bond amount on leaving RVUN for joining another Power Sector Company of the State.**

As per decision taken by the BOD in its 199th meeting held on 12.01.2012, an amendment was made in RVUN Employees Service Regulation, 1964 vide order No. RVUN/P&A/F.BOD ( )/D. 215 dated 23.01.2012 (P&A-149).

The Coordination Committee in its 160th meeting held on 20.11.2012 again considered the issue and accordingly, following clarification is issued:

"In case an employee leaves one Power Sector Company before completion of Bond period on account of his/her fresh selection and appointment given /offered in another Power Sector company of the State, then in such a case, the employee concerned shall not be allowed exemption from depositing any amount under the Bond and no recovery of any kind in this respect shall be made from him/her. However, the requirement of executing fresh Bond where the employee is appointed will continue to be followed / applicable."

# **RVUN EMPLOYEES' SERVICE REGULATIONS**



**RAJASTHAN RAJYA VIDYUT UTPADAN  
NIGAM LIMITED**

## **PREFACE**

In view of a number of amendments issued since last publication of **Employees Service Regulations, 1964** and also constitution of Rajasthan Rajya Vidyut Utpadan Nigam Limited, it was felt that an updated edition of above **Regulations** should be made available incorporating all the amendments and RSEB/Nigam's decision on the subject issued upto 28<sup>th</sup> February, 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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