

RAJASTHAN STATE ROAD TRANSPORT CORPORATION EMPLOYEE PENSION REGULATIONS 1989

PREAMBLE

In exercise of power conferred by section 45 of the Road Transport Corporation Act 1950, the RSRTC is pleased to make the regulations relating to the pension and gratuity, viz, RSRTC employees Pension Regulations, 1989 for its employees and officers.

CHAPTER-I

1. SHORT TITLES:-

These rules shall be called the RSRTC Employees Pension Regulation, 1989.

2. DATE OF APPLICATION:-

These shall come into force w.e.f. 01.04.1989

3. DEFINITIONS:-

In the regulations unless there is anything repugnant in the subject or context,

- a) "**Corporation**" means Rajasthan State Road Transport Corporation constituted under Section 3 of the Road Transport Corporation Act, 1950.
- b) "**Financial Advisor & Chief Accounts Officer**" means Financial Advisor & Chief Accounts Officer appointed by the Government of Rajasthan.
- c) "**Dy. General Manager(P&F)**" means Deputy General manager (Pension & Fund) appointed by the RSRTC.

Note:-The present/Post of Dy. G.M. (P&F) cum Secretary CPF shall stand re-designated as the Dy. G.M. (P&F).

- d) "**Accounts Officer**" means Accounts Officer appointed by the RSRTC and entrusted with pension/CPF/GPF work.
- e) "**P&F**" abbreviation wherever used means Pension & Gratuity and Contributory Provident Fund & General Provident Fund of RSRTC.

- f) "**Children**" means legitimate children and includes adopted children if the Dy. General Manager (P&F) of the corporation is satisfied that under the personal law of the employee adoption of the child is legal recognised.
- g) "**Controlling Officer**" means the Dy. General Manager (P&F) appointed by the Corporation for the purpose of these Regulations.
- h) "**Pay**" for the purpose of Pension, service Gratuity & D.C.R.G. shall mean pay as defined in Regulation 7(18) the RSRTC ESR, 1965, which the employee was drawing immediately before retirement.
- i) "**Employee**" means any person who is in the service of the Corporation and drawing pay in regular pay scale but does not include person on deputation daily labour, work charged or casual employee and persons engaged on contract or through contractor or retention cum-fee, part time or any other basis as consultant advisor or counselor/legal, professional or any other purposes.
- j) "**Excluded Employee**" means on existing employee on regular time scale/service who is member of the RSRTC CPF scheme and opts to continue to be the member of the said scheme.
- k) "**Existing employee**" means an employee who is in Service of the Corporation as on 1.4.1989.
- l) "**Option**" means a written consent of the existing regular employee for pensionary and gratuity benefits along with the adoption of the General Provident Fund Regulations 1989 or to continue as member of the existing CPF scheme covered under the EPF Act, 1952 within a period of 90 days from the date of publication of RSRTC Pension Regulations. Any existing employee who does not exercise the option within specified period of 90 days shall be deemed to have exercised option in favour of the Pension & GPF Regulations.

The option once exercised or deemed to have been exercised shall be considered as final and no representation in this respect shall be considered valid for any revision. It will be the personal responsibility of the concerned employee/officer to ensure that his option reaches timely in the office of the Dy. G.M. (P&F) RSRTC, Jaipur.

Provided that a Corporation employee who is on that day out of India/within India on leave or deputation or Foreign Service or under suspension, may exercise option within one month from the date he takes over the charge of the post. In case Dy. G.M. (P&F) does not get any intimation for exercising option within one month from the date he is required to exercise it shall be deemed that he has exercised option in favour of Pension & GPF Regulations.

If any employee eligible to exercise option dies between 1st April, 1989 and the specified period for exercising option the nominee shall have the power to exercise the option in place of the employee.

In the same way if any employee eligible to exercise option retires between 1st April, 1989 and the specified period for exercising option, the employee so retired shall have the power to exercise the option even after retirement.

In case any employee or his nominee obtains the final refund of CPF between 1st April, 1989 and specified period for exercising option, the employer's share with accrued interest time to time shall have to be deposited in lumpsum before granting the option for pension.

Note:-Any person who is not covered under the definition of employee shall not be entitled to opt for pensionary & gratuity benefits as per Corporation rules/regulations.

- m) "**Family**" means a Corporation Servant's wife, legitimate children and step children residing with and wholly dependent upon him. Not more than one wife is included in family. In the case of female employee it includes dependent husband also.
- n) "**Financial Year**" means the year commencing on the First day of April.
- o) **Pension and Gratuity Payment Orders**

The Dy. General Manager (P&F) shall be competent authority to issue Pension, Gratuity & Commutation of pension orders as per rules for payment through the respective Divisional Accounts Officers on receipt of such cases from the respective Pension sanctioning authorities RSRTC, Jaipur.

4. GOOD CONDUCT & CONDITION FOR THE GRANT OF PENSION

- 1) Future good conduct shall be an implied condition of every grant of Pension. The Pension sanctioning authority may, By an order in writing, withhold/withdraw a pension or part there of whether permanently or for a specified period if the pensioner is convicted. of a serious crime or is found guilty of grave misconduct. Provided that no order shall be passed under this' clause by an authority sub ordinate to the authority competent to make an appointment to the post held by the Pensioner immediately before his retirement from his service.
- 2) Here a pensioner is convicted of a serious crime by a court of law, action under clause (1) shall be, taken in the light of judgment of the court relating to such conviction.
- 3) In a case not falling under clause (2), if the competent authority under clause (1) considers that the pensioner is prime facia guilty of grave misconduct, it- shall before passing an order under clause (1) :-
 - a) Serve upon the Pensioner a notice specifying the action proposed to be taken against him and the ground on which it is proposed to be taken and calling upon him to submit within fifteen days of the receipt of notice or such further time not exceeding fifteen days as may be allowed by the competent authority, such representation as he may wish to make against the proposal and.
 - b) Take the representation if any, submitted by the Pensioner under clause (a) into consideration.
- 4) Where the authority competent to pass an order under clause (1) is the Chairman of the corporation, the chairman may pass such orders on the appeal as he deems fit.

5. RECOVERIES OF LOSSES FROM THE PENSION

The Chairman of the RSRTC further reserves to himself the right of withholding or with drawing pension or any part of it, whether permanently or for a specified period and the right or ordering the recovery from the Pension of

the whole or part of any pecuniary loss caused to corporation, if in a departmental or Judicial proceedings the Pensioner is found guilty for grave misconduct or negligence during the period his service including service rendered upon re-employment after retirement:-

- a) Provided that such departmental proceedings, if instituted while the employee was in service, whether before his retirement or during his re-employment, shall after the final retirement of the employee be deemed to be proceeding under this regulation and shall be continued and concluded by the authority by which it was commenced in the same manner as if the officer had continued in service.
 - b) Such departmental proceedings, if not instituted while the employee was in service, whether before his retirement or during his re-employment :-
 - i) Shall not be instituted save with the sanction of the Chairman RSRTC.
 - ii) Shall not be in respect of any event which took place more than 4 -years before such institution, and
 - iii) Shall be conducted by such authority and in such place as the Chairman RSRTC may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could made in relation to the employee during his service,
 - c) No such judicial proceeding, if not instituted while the employee was in service whether before his retirement or during his re-employment, shall be instituted in respect of a cause of action which across or an event which took place more than 4 years before such institution, and
 - d) The Corporation shall be consulted before final orders are passed.
5. 1) Where any departmental or judicial proceeding is instituted under the Regulations or where a Departmental proceedings is continued under clause(a) of the proviso thereto against an employee who has retired on attaining the age of compulsory retirement or otherwise, he shall be paid during the period commencing from the date of his retirement to the date on which, upon conclusion of such proceedings, final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service up to the date

of retirement or if he was under suspension on the date of retirement, upon the date or immediately preceding the date on which he was placed under suspension, but no gratuity shall be paid to him until the conclusion of such proceeding and the issue of final order thereon.

- 2) Payment of provisional pension made under sub-rule (i) shall be adjusted against the Final retirement benefits sanctioned to such employee upon conclusion of the aforesaid proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

6. CLAIM TO PENSION WHEN INADMISSIBLE

In the Following cases no claim to pension is admissible:-

- a) When a Corporations employee is appointed for a limited time only, or for a specified Duty, on the completion of which he is to be discharged.
- b) When a person is employed & temporarily on monthly wages without specified limit of time or duty, but a month's notice of discharge should be given to such person and his wages must be paid for any period by which such notice falls short of a month.
- c) When a person's whole time is not retained for the Corporation's service, but he is merely paid for work done for the Corporation
- d) When a Corporation's employee holds some other pensionable office, he earns no Pension in respect of an office of the kind mentioned in clause (c) or in respect of duties paid for by a compensatory or other allowance.
- e) When a Corporations employee Serves under a covenant which contains no stipulation regarding pensions, unless Corporation specially authorize a corporation employee to count such service towards pension.

7. MIS-CONDUCT OR INEFFICIENCY

No gratuity or pension may be granted to a corporation employee dismissed or removed for misconduct insolvency or inefficiency but to corporation employee so dismissed or removed compensate allowances may be granted when they are deserving of special consideration, provided that the allowances granted to any

corporation employee shall not exceed two thirds (2/3) of the pension which would have been admissible to him if he had retired on medical certificate.

8. COMPULSORY RETIREMENT AS PENALTY

- a) A corporation employee compulsorily retired from service as penalty may be granted by the authority competent to imposed such penalty, pension or gratuity or both at a rate not less than two thirds and not more than fully pension or gratuity or both admissible to him on the date of his compulsory retirement.
- b) whenever the case of a corporation employee, the chairman RSRTC passes an order (whether original appellate or in exercise of power of review) awarding pension less than the full pension admissible under these regulation the F.A. & Chief Accounts officer of the corporation shall be consulted before such order is passed.

9. LIMITATION

- a) Corporation employee cannot earn two pensions in the same office at the same time or by the same continuous services.
- b) Two corporation employee may not simultaneously count service in respect of the same office.

10. AGE AT WHICH QUALIFYING SERVICE BEGINS

- a) Superior service. Except for compensation gratuity, a corporation employee's service does not qualify till he has completed eighteen years of age.
- b) Other cases. In other cases, unless it be otherwise provided by special rules regulation or contract, the services of every corporation employed begins when he takes charge of the office to which he is first appointed.

11. CONDITIONS OF QUALIFICATION

The service of an employee does not qualify for pension unless it confirms to the following conditions :-

First- the service must be under the corporation.

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

12.CORPORATION POWER TO DECLARE ANY SERVICE AS QUALIFYING SERVICE

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

13.APPOINTMENT BY CORPORATION A NECESSARY CONDITION FOR PENSION

The service of a Corporation employee does not qualify for pension unless he is appointed and his duties and pay are regulated by the corporation or under conditions determined by the corporation.

14.APPRENTICES

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

15.PROBATIONERS

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

16.RULES FOR RECKONING SERVICE

1) Time passed on leave

Time passed on leave with allowance shall count as service.

2) Time passed on extra ordinary leave (leave without pay and allowances) taken in any of the circumstance mentioned below shall count as service:-

i) If it is taken on medical certificate granted by the authorized medical attendant;

ii) If it is taken for prosecution scientific and technical studies;

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

17.THE SPENT ON TRAINING

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

18.SUSPENSION

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

19.RESIGNATION, DISMISSAL, OR REMOVAL FOR MISCONDUCT ETC

- a) Resignation from the service or dismissal or removal from it for misconduct, insolvency, inefficiency, not due to age or failure to pass prescribed examination entails forfeiture of past service.
- b) Resignation of an appointment to take up, with proper permission, another appointment, whether permanent or temporary service in which counts in full or in part is not a resignation of Corporation service.
- c) A Corporation employee who is dismissed, removed or compulsorily retired from public service, but is reinstated on appeal or revision, is entitled to count his past service on regularization by the competent authority.
- d) The period of break in service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement and the period of suspension (if any) shall not count unless regularized as duty or leave by specific order of the authority which passed the order or reinstatement.

20.INTERRUPTION IN SERVICE ENTAILS FORFEITURE OF PAST SERVICE

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

21.CONDONATION OF INTERRUPTION

Upon such conditions as it may think fit to impose in each case, the Chairman may condone interruption in service of the Corporation employee with the concurrence of FA& CAO.

Explanation:- Absentism up to ten days except willful absence at a time will not be treated on "**interruption**" for service for pension purposes in case of employees governed by standing orders.

22.OPTIONAL RETIREMENT ON COMPLETION OF 20 YEARS OF QUALIFYING SERVICE

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

Provided that it shall be open to the Appointing Authority to with-hold permission to retire a Corporation 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 proceedings 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.
- (b) A Corporation employee who has given notice for seeking retirement under clause (a) of this sub regulation, may presume acceptance of the notice or retirement and the retirement shall be` effective in terms at the notice automatically unless an order in writing to the contrary has been issued by the competent authority and served upon the corporation employee before the expiry of the period of the notice.
- c) If a Corporation employee seeks retirement while he is on leave not due, without returning to duty, the retirement shall take effect from the date of

commencement of the leave not due and the leave salary paid in respect of such leave shall be recovered from him.

- d) A Corporation employee who seeks voluntary retirement shall be entitled to a weightage of 5 years qualifying service which shall be given as an addition to the qualifying service actually rendered by him. The grant of weightage upto 5 years shall however, be subject to the following conditions:
- i) The service qualifying for retirement benefits shall be enhanced by the addition of five years in such cases. The resultant length of service after taking into account the addition of notional service shall in no case be more than 33 years qualifying service or the qualifying service, the Corporation employee concerned could have counted had he retired on attainment of superannuation age, which is less.
 - ii) In cases when qualifying service is increased under (i) above, the emoluments which the Corporation employee was receiving immediately before the date of retirement shall be taken into account for the purpose of calculation of pension and gratuity.
 - iii) In respect of Corporation employee governed by the Contributory Provident Fund Scheme Corporation Contribution shall be enhanced by the amount which would have accrued by the addition of five years notional service.
 - iv) The notional Contribution shall be added on the basis of the amount of subscription made immediately before the date of retirement without subscribing to the Fund, on or after the date of his retirement.
 - v) The resultant increase in the aforesaid manner shall in no case be more than the Contribution which would have been credited to his Provident Fund Account, had he retired on completing 33 years qualifying service or on attainment of the age of superannuation, whichever is less.
- (e) A Corporation employee who gives notice of voluntary retirement under clause (a) shall satisfy himself by means of a reference to the appointing authority who is competent to retire him to the effect that he has, in fact, completed 20 years qualifying service of pension or has attained 45 years of age as per service record.

- f) Corporation employee may with the approval of the appointing Authority withdraw the notice given under clause (a) of the sub regulation provided the request for such withdrawal made before the expiry of the notice.
- g) The authority competent to retire a Corporation employee may, in deserving cases, accept the notice contemplated under clause (a) of this sub Regulation for a period of less than 3 months with the concurrence of the Chairman, RSRTC.

23. COMPULSORY RETIREMENT AFTER COMPLETION OF 25 YEARS SERVICE

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

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

24. AMOUNT HOW REGULATED

The amount or pension and length of service will determined as per Rajasthan service Rules and these Regulations.

25. EMOLUMENTS

- 1) Definition of "Emoluments". The term emoluments when used in this part of the service Regulation means the pay which the Corporation employee was receiving immediately before his retirement and includes;
 - (a) Substantive pay in respect of permanent post other than a tenure post held in a substantive capacity.
 - (b) Officiating pay of a Corporation employee without a substantive appointment.
- 2 In case of corporation employee with a substantive appointment who officiates in another appointment or holds a temporary appointment.

“Emoluments”- means: -

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

26. SCALE OF PENSION

Subject to the regulations in this behalf the amount of superannuation, retiring, invalid and compensation pension admissible to a Corporation servant would be calculated on the lines as is being allowed to the officers/employees of the State Government under the specific provisions of Pension Rules as contained in Chapter xvii to xxviii of Rajasthan Service Rules as amended from time to time.

27. DEATH CUM RETIREMENT GRATUITY

1. The amount of gratuity payable to a Corporation employee would be calculated on the lines as is being allowed to the officers/employee of the State Government under the specific provisions of the pension rules as contained in Chapter XVII to XXVIII of the Rajasthan service Rules as amended from time to time.
2. The gratuity payment shall be made by the Dy. G.M. (P&F) out of the Corporation funds.

28. NOMINATIONS

FAMILY DEFINED

1. For the purpose of this regulation "family" shall be as defined in Rule 268(d) of R.S.R.
2. A Corporation servant shall as soon as he completes five years qualifying service may be a nomination conferring on one or more persons, the right to receive any gratuity that may be sanctioned under regulations. Provided that if at that time of making the nomination, the employee has family, the nomination shall not be in favour of any person of persons other than the members of his family.

29. FAMILY PENSION:

CONDITION FOR GRANT

A family pension to a Corporation employee would be calculated on the similar lines as is being allowed to the families of officers/employees of the State Government under the specific provisions of Government of Rajasthan Pension Rules as amended from time to time.

30. APPLICATION FOR GRANT OF PENSION & GRATUITY

(a) Applicability

- 1) These regulations shall apply to all corporation employees eligible for pension.
- 2) For the purpose of these regulations "Gratuity" means death-cum-retirement gratuity and includes service gratuity, if admissible under the regulations.

(b) Preparation of list of corporation employee due to retire within next 12 months

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

31. PROCEDURE FOR SUBMISSION OF FORMAL APPLICATION OF PENSION

Every Corporation Gazetted employee shall directly submit a formal application for pension in the prescribed form to his respective Head of Department and non-gazetted employee through the Head of Office to their respective Head of the Department at least one year in advance of their anticipated retirement. In cases in which the date of retirement cannot be foreseen one year in advance,

the application shall be submitted immediately after the date of retirement is settled and a Corporation employee proceeding on leave preparatory to retirement in excess of one year shall submit application at the time of proceeding on such leave.

32. AUTHORITY COMPETENT TO SANTION PENSION

The authorities competent to sanction pension/DCRG a shall be as under:-

1	Chairman	in respect of Head of Departments
2	Managing Director	In respect of Gazetted officer
3	F.A. & C.A.O.	In respect of all categories of employee's of the Accounts organization.
4	ED(T)	In respect of all categories of employees of traffic Department.
5	G.M. (O)	In respect of all technical employees.
6	G.M. (S)	In respect of all stores employees.
7	G.M. (O)	In respect of technical staff of CWS.
8	E.D. (A)	In respect of all other employees not covered under 1 to 7 above.

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

33. REVISION OF PENSION DUE TO DETECTION CLEREICAL ERROR

- 1) Subject to the provisions of the regulations, pension once sanctioned after final assessment, shall not be revised to the disadvantage of the Corporation employee, unless such revision become necessary on account of detection of a clerical error subsequently. Revision of pension to the disadvantage of pensioner shall be ordered by the pension sanctioning authority only after formal concurrence of the financial advisor & chief account officer within a period of two year from the date of sanction.
- 2) For the purpose of sub- rules (1) the corporation employee concerned shall be served with a notice by the pension sanction authority requiring him to

refund the excess payment drawn with in a period of two month from the date of the receipt of the said notice. On his failure to comply with the notice, the authority sanctioning the pension shall order that such excess payment shall be adjusted by short payment in future, in one or more installment as the said authority may order.

34. COMMONCEMENT OF PREPARATION OF PENSION PAPERS:

The Head of Department concerned shall undertake the work of preparing pension papers in the prescribed from one year before the date on which a corporation employee is due to retire on superannuation or on the date on which be proceed on leave preparatory to retirement whichever is earlier.

35. DISPATCH OF FORM OF FORMAL APPLICATION FOR PENSION:

- 1) The head of the department concerned shall send to every officer/corporation employee, a formal application form for pension one year in advance of the date on which the corporation employee attains the age of superannuation or before the date of his anticipated retirement, if earlier, with the request that it should be returned to him duly complete as promptly as possible but in no case later than three months before actual date of retirement. The Head of Department concerned shall also draw attention of the retiring corporation employee to the provision of the regulation for timely action. Where the retiring corporation officer himself is Head of Department he shall submit the formal application from duly filled into the Department of personal.
- 2) On receipt of a copy of formal application for pension from the Head of Department concerned, the retiring corporation employee shall return it duly completed to the Head of Department concerned under intimation to the Dy. General Manager (P&F), RSRTC, JAIPUR.

36. ISSUE OF PENSION PAYMENT ORDER INTIMATION OF

As soon as the pension and gratuity are finally assessed by the Dy. G.M. (P&F), and the pension is payable he shall prepare pension payment order after taking into accounts the order of pension sanctioning authority and the audit enfacement in part-III of the from but shall not issue the said order more than a fortnight in advance of the date on which the corporation employee due to retire.

The fact of issue of pension payment order shall be promptly reported to the pension sanctioning authority/retiring corporation employee. If the payment of pension is desired in another division the Dy. G.M. (P&F), shall send necessary payment authority to the accounts officer of that division for arranging payment under intimation to the pension authority.

37. PENSION AND GRATUITY PAYMENT PROVISIONALLY

- 1) Payment of pension for a corporation employee should be ensured from the date he retires from service irrespective of the fact whether the pension papers along with administrative sanction have been sent to the Dy. G.M. (P&F), for issue of pension or not. In case where pension papers have not been prepared and sent to the Dy. G.M. (P&F), duly sanctioned the head of department shall after the most careful summary investigation. Authorize payment of provisional pension to the extent of 75% of the maximum amount of pension and also of the gratuity to which he is entitled under these Reg. under intimation to Dy. G.M. (P&F), if pension papers have been prepared and sent to the Dy. G.M. (P&F) before the date of retirement of corporation employee the payment of provisional pension not exceeding the maximum amount of pension shall be sanctioned and 75% of the gratuity to which he is entitled under these reg. shall be sanctioned as the case may be and as may be admissible in each case. The sanction for provisional pension shall invariably be issued by the head of department under these reg. Immediately before or latest by the thirty days before, the actual date of retirement of Corporation employee which shall remain valid till the pension case is finalized by the Head of Department.
- 2) The Divisional accounts officer/ Drawing disbursing officer shall draw provisional pension and gratuity as provided in pension payment order for each pensioner separately at the Division and arrange the Disburse Pension on the 1st day of the month following the month in which the employee was retired. If the pensioners desire pension payment through the bank draft at the place at which he is residing, the same shall be remitted to him through the bank draft at his cost. The date on which payment of the provisional pension and gratuity is made to the pensioner shall be intimated to the head of department and the Dy. G.M. (P&F).
- 3) The Payment of provisional pension and gratuity shall be adjusted against the final payment of pension or and gratuity if the amount of provisional

pension or gratuity granted and disbursed to a corporation employee found to be excess of final pension or gratuity assessed by the Dy. G.M. (P&F), he shall be called upon to refund such access amounts.

38. PREPARATION OF SERVICE STATEMENT AFTER VERIFYING SERVICE

As a first step, the Head of Office shall prepare a statement of the applicant's service in part II of the Form and thereafter proceed as follows:-

- a) He shall go through the service book and the service roll, if any, and satisfy himself as to-whether the annual certificates of verification for the entire service are recorded therein. In respect of the unverified portion or portions of service, he shall arrange to verify it or them as the case may be, with reference to pay bills, acquaintance rolls or other relevant records and record the necessary certificates in the service book or service rolls, as the case may be.
- b) If the service for any period is not capable of being verified in the manner specified in clause (a) that period of service having been rendered by the Corporation employee in another office or Department, a reference shall be made to the Head of the Office or as the case may be, of that department in which the employee is shown to have served during that period for the purpose of verification.
- c) If any portion of service rendered by a corporation employee is not capable of being verified in the manners specified in clauses (a) and (b), the Corporation employee shall file a written statement on plain paper stating that he had in fact rendered that period of service and shall at the foot of the statement make and subscribe to a declaration as to the truth of that statement and shall in support of such declaration produce all documentary evidence and furnish all information which is in his power to produce or furnish.

The authority competent to sanction pension to that Corporation employee shall, after taking into consideration the facts in the written statement and the evidence produced and the information furnished by that Corporation employee in support of the said period of service, if satisfied, admit that portion of service, as having been rendered for the purposes of calculating the pension of that Corporation employee.

39. GRATUITY PAYABLE IN LUMP SUM

A gratuity shall be paid in a lumpsum, and not by installments on receipt of gratuity payment order from Dy. G.M. (P&F) RSRTC Jaipur out of Corporation funds.

40. PROCEDURE FOR PAYMENT OF PENSION

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

41. AUTHORITIES FOR SIGNING A LIFE CERTIFICATE

A pensioner of any description, shall produce half yearly a life certificate signed by some person exercising the powers of a Magistrate under the criminal procedure code or any officer of the RSRTC not below the status of Depot manager/AAO/AME or by Bank manager of any scheduled Bank.

42). ADMINISTRATION OF THE FUND

The fund shall be administered by the F.A. & Chief Accounts officer from the date of application of these regulations keeping in view the instructions issued by the Corporation from time to time.

The pension fund sufficient to meet monthly disbursement shall be in an account opened in any scheduled bank or its subsidiary.

The cheque upto the limit of Rs. 50,000/- will be signed by the Dy. G.M. (P&F) and over and above Rs. 50,000/- will be signed jointly by the F.A. & Chief Accounts Officer and Dy. G.M. (P&F).

43. TRANSFER TO PENSION FUND BY CORPORATION

The Corporation shall transfer the pension contributions @ 10% on the basic wages plus D.A. to the RSRTC pension Fund latest by 10th of succeeding month.

The employer's share with interest except for those existing employees as on 01.04.1989, who have opted for continuing the CPF benefits shall be transferred to the RSRTC Pension Fund & the employee share with interest shall be transferred to the RSRTC GPF Fund.

44. INVESTMENT FROM THE PENSION FUND

The Available funds shall be invested with the State Government in interest bearing P.D. Account after keeping the funds to meet out the current liability of the month for pension.

45. RENEWAL OF PENSION PAYMENT ORDER

When the reverse of a Pension Payment Order is filled up or when the pensioner's half is found to be worn or torn both halves may be renewed by the concerned Drawing & Disbursing Officer.

46. WHEN A CORPORATION SERVANT DIES BEFORE RETIREMENT OR DISCHARGE

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

47. RE-EMPLOYMENT AFTER COMPENSATION PENSION

A) A Corporation employee who has obtained a compensation pension, if re-employed, may retain his pension in addition to his pay, provided that he is re-employed in the post paid from the corporation fund, the pension shall remain wholly or partly in abeyance if the sum of the pension and the initial pay on re-employment exceeds his substantive/officiating pay at the time of his discharge, that is, a Corporation employee can draw so much a pension only as will make his initial pay plus pension equal to his substantive/officiating pay at the time of discharge. Once the amount of the pension has been fixed in conformity with the above condition, the employee shall be entitled to receive the benefits of increments in his new scale or promotion to another scale or post without a further corresponding reduction in pension, not shall the amount of pension so fixed be varied during leave.

B) If is re-employed is in qualifying service, he may either retain his pension subject to the proviso above cited, in which case his former service will not

count for future pension, or cease to draw any part of his pension and count his previous service.

48. RE-EMPLOYMENT AFTER SUPERANNUATION OR RETIRING PENSION

A Corporation employee who is in receipt of superannuation or retiring pension shall not be re-employed or continue to be employed in service paid from the Corporation except on public grounds. Sanction to re-employment or extension of the terms of re-employment may be given in follows:-

- i) By the Corporation when the pensioner served before retirement in a gazette appointment.
- ii) By any authority subordinate to the Corporation to whom the Corporation may delegate its powers under this regulations in respect of pensioner re-employed in establishments under the control of such authority.

49. GOVERNMENT OF RAJASTHAN'S DECISION

Decision and interpretations given by the Government of Rajasthan in respect of pension and gratuity rules with amendments from time to time, being similarly worded as these regulations, shall apply mutatis mutandis to the employees of the Corporation who have opted for pensioner benefits.