

Change in RCS (Pension) 1996 vide FD order dated 12-10-21

| Rule | Existing Provision | Revised Provision |
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| 7(4) | In the case of a Government servant who has retired on attaining the age of superannuation or otherwise and against whom any departmental or judicial proceedings are instituted or where departmental proceedings are continued under sub rule (2), <u>a provisional pension as provided</u> in Rule 90 shall be sanctioned. | In the case of a Government servant who has retired on attaining the age of superannuation or otherwise and against whom any departmental or judicial proceedings are instituted or where departmental proceedings are continued under sub rule (2), <u>a provisional pension and provisional retirement gratuity as provided</u> in Rule 90 shall be sanctioned. |
| | | "Provided that in case of a Government Servant against whom departmental proceedings have been instituted under rule 17 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958, for imposing any of the penalties specified in clauses (i) and (ii) of rule 14 of the said rule, the hundred percent final gratuity shall be paid." |
| 83 | (1) After complying with the requirement of Rules 81 and 82, the Head of Office shall forward to the Director, Pension Department, Rajasthan, Form 5 and Form 7 duly completed with a covering letter in Form 8 along with service book of the Government servant duly Completed, upto-date, and any other document relied upon for the verification of service. | (1) After complying with the requirement of Rules 81 and 82, the Head of Office shall forward to the Director, Pension Department, Rajasthan, Form 5 and Form 7 duly completed with a covering letter in Form 8 |
| | (5) A copy of the Privilege Leave account shall be retained in the office, duly attested, for grant of encashment benefits, if applied for by the retiring government servant, at the time of retirement. | Deleted |
| 90 | Provisional pension where departmental or judicial proceedings may be pending | "90. Provisional pension and provisional retirement gratuity where departmental or judicial proceedings are pending.-" |

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| 90(1)(b) | | <p><u>added</u></p> <p>(b) the following new proviso shall be added, namely:- "Provided that no recovery shall be made from provisional pension paid under sub-rule (I), 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."</p> |
| 90(c) | <p>(c) No gratuity shall be paid to the Government servant until the conclusion of the departmental or judicial proceedings and issue of final orders thereon:</p> <p>Provided that where departmental proceedings have been instituted under Rule 17 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, for imposing any of the penalties specified in clauses (i) and (ii) of Rule 14 of the said Rules, the payment of gratuity shall be authorised to be paid to the Government servant.</p> <p>(2) Payment of provisional pension made under sub-rule (1) shall be adjusted against final retirement benefits sanctioned to such Government servant upon conclusion of such 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.</p> | <p>"(c) in respect of the Government Servant referred to in sub-rule (4) of rule 7, the provisional retirement gratuity may be paid as under,-</p> <p>(i) fifty percent amount of gratuity to the Government Servant against whom departmental proceedings have been instituted under rule 16 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958 or against whom criminal case involving moral turpitude or offence relating to his official duty is pending; and</p> <p>(ii) twenty percent of amount of gratuity to the Government Servant against whom amount of House Building Advance has been set apart for recovery out of retirement gratuity at the time of grant of House Building Advance or against house rent of Government Accommodation is due."; and</p> <p>(iv) the existing sub-rule (2) shall be substituted by the following, namely:- "(2) The provisional retirement gratuity paid under clause (c) of sub-rule (I),-</p> <p>(i) shall be adjusted against final retirement gratuity sanctioned to such Government servant upon conclusion of departmental proceeding or Judicial proceedings and if amount paid is in excess of amount</p> |

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| | | <p>payable, such excess amount shall be recovered; and</p> <p>(ii) shall be recovered from the Government servant who is removed or dismissed from the service on finalization of departmental proceedings under rule 16 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958 Or criminal case involving moral turpitude or offence relating to his official duty."</p> |
| 98(1) | <p>On receipt of claim or claims, the Head of Office shall complete items 24, 25, 26, 27 and 28 of Form 18 and send the said Form in original to the Director Pension with a covering letter in Form 19 <u>along with the Government servant's service book duly completed up-to-date and any other documents relied upon for the verification of the service claimed.</u> This shall be done not later than one month of the receipt of claim by the Head of Office.</p> | <p>On receipt of claim or claims, the Head of Office shall complete items 24, 25, 26, 27 and 28 of Form 18 and send the said Form in original to the Director Pension with a covering letter in Form 19 This shall be done not later than one month of the receipt of claim by the Head of Office.</p> |
| 114 | <p>For the purpose of grant of Death Gratuity the details of <u>service duly verified along with service book of the employee</u> shall be sent to the Director, Pension in the form prescribed for grant of family pension. The death under normal circumstances while on duty shall not be covered for the purpose of grant of special pensionary awards.</p> | <p>For the purpose of grant of Death Gratuity the details of service duly verified shall be sent to the Director, Pension in the form prescribed for grant of family pension. The death under normal circumstances while on duty shall not be covered for the purpose of grant of special pensionary awards.</p> |
| Appendix VIII | <p>(22) Six months before the date of retirement:- (i) Complete Part I of Form 7 (ii) Forward the pension papers to the Director, Pension Department, Form 5, 5A and 7 along with a covering letter in Form 8, <u>Service Book</u> and other documents mentioned therein.</p> | <p>(22) Six months before the date of retirement:- (i) Complete Part I of Form 7 (ii) Forward the pension papers to the Director, Pension Department, Form 5, 5A and 7 along with a covering letter in Form 8, and other documents mentioned therein.</p> |

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| | (27) On receipt of claim in Form 14, forward Form 18 and 14 with a covering letter in Form 19 to the Director, Pension along with the Service Book duly completed and any other documents, within a month of receipt of claim. Form 18 may be forwarded even if the claim is not received. | (27) On receipt of claim in Form 14, forward Form 18 and 14 with a covering letter in Form 19 to the Director, Pension within a month of receipt of claim. Form 18 may be forwarded even if the claim is not received. |
| Amendment of Form 8 | List of Enclosures 5. Service Book (date of retirement to be indicated in the service book) | Deleted |
| Amendment of Form 19 | List of enclosures 2. Service book (date of death to be indicated in the service book). | Deleted |
| Substitution of Form 33 | See attached form | |
| 14 | Rajasthan Civil Services {Commutation of Pension} Rules, 1996,- Authorisation of commuted value by the Director Pension – | |
| | (C) correspondingly reduce the monthly pension from its inception; (D) make a note of payment of the commuted value of pension having been made to the retiring Government servant in his Service Book; and | (C) correspondingly reduce the monthly pension from its inception; and |

(Compiled by Pravesh Kumar Sharma-this is only the overview of existing and revised rule for presentation purpose)–

Please refer to FD order before taking any decision