

**CHAPTER VI**

**DETERMINATION AND AUTHORISATION OF THE AMOUNTS OF PENSION AND GRATUITY**

**A - PENSION AND GRATUITY**

**78. Preparation of list of employees due for retirement**

(1) Advisor (A&M) shall have a list prepared every six months, that is, on the 1st January, and the 1st July each year of all employees who are due to retire within the next 24 to 30 months of that date.

(2) A copy of every such list shall be supplied to the Financial Advisor not later than 31st January or the 31st July, as the case may be, of that year.

(3) In the case of an employee retiring for reasons other than by way of superannuation, the Advisor (A&M) / Unit Head shall promptly inform the Financial Advisor as soon as the fact of such retirement becomes known to him.

(4) A copy of the intimation sent by the Advisor (A&M) / Unit Head to the Financial Advisor under sub rule (3) shall also be endorsed to the GAD Cell and concerned Unit Head(s) if the employee concerned is an allottee of Corporation accommodation.

**EXPLANATION AS PER GOVERNMENT OF RAJASTHAN'S DECISION**

1. If an employee is compulsorily retired under Rule 36-A of RIICO Service Rules, on attaining the specified age, the day on which he attains that age is reckoned as a non-working day under rule 5(2)(e) of RIICO Service Rules. No specific orders are necessary for retirement on due date under explanation below rule 30 of R.C.S. (Pension) Rules, 1996.

2. Administratively, it would, however, be advisable to issue retirement orders one year in advance of the date of retirement, which will enable the Corporation to process the pension case expeditiously. A copy of such an order shall be endorsed to the Financial Advisor as also attached with the Pension case. While issuing such an order, the appointing authority should indicate whether any Departmental Enquiry under Rule 11(B) of RIICO employees (Classification, Disciplinary Action & Appeal) Rules is pending against the employee concerned. The retirement order shall be issued in Form No.6. Separate order shall be issued in respect of every retiring employee.

3. If any departmental proceedings are initiated against the employee after ~~the~~ of the retirement order, the Financial Advisor should be informed promptly.

4. Minor penalty proceedings have no effect on pension.

**79. Intimation to the GAD Cell / Unit Heads regarding issue of "No Demand Certificate"**

(1) The Advisor (A&M) / Unit Head shall along with applications from the individuals concerned, on prescribed Form 27, write to the GAD Cell and/or concerned Unit Head(s), at least two years before the anticipated date of retirement of the employee who is in occupation of a Corporation accommodation, (hereinafter referred to as allottee) for the issue of a "No Demand Certificate" in respect of the period preceding eight months of the retirement of the allottee..

(2) On receipt of the intimation under sub rule (1), the GAD Cell and/or concerned Unit Head(s), shall take further action as provided in Rule 93.

(3) Employees due for retirement and included in the list prepared under Rule 78,



who are not in occupation of any Corporation accommodation or have not taken any article from store, shall declare accordingly in Form 27A.

(4) Copy of Form 27 or Form 27A, as the case may be, will be attached with Form 7 for assessing pension and gratuity.

#### 80. Preparation of Pension papers

Advisor (A&M) and Every Unit Head shall undertake the work of preparation of pension papers in Form 7 two years before the date on which an employee is due to retire on superannuation.

#### EXPLANATION AS PER GOVERNMENT OF RAJASTHAN'S DECISION

सभी संबंधित अधिकारी यह सुनिश्चित करें कि प्रत्येक कर्मचारी की अधिवार्षिकी आयु पर सेवानिवृत्ति से दो वर्ष पूर्व राजस्थान सिविल सेवा (पेंशन) नियमों के अनुसार **Advisor (A&M) /Unit Head** स्तर पर कार्यवाही प्रारम्भ की जावें। अन्य मामलों में सेवानिवृत्ति आदेश जारी होने/सेवा के दौरान मृत्यु होने की सूचना मिलने पर अविलम्ब कार्यवाही प्रारम्भ की जावें, ताकि अधिवार्षिकी आयु पर सेवानिवृत्ति के मामलों में सेवानिवृत्ति के तुरन्त बाद व अन्य मामलों में 60 दिवस के भीतर नियमानुसार देय सेवानिवृत्ति लाभ जैसे-उपादान/प्रोविजनल उपदान राशि का भुगतान हो सके तथा मासिक पेंशन/ प्रोविजनल पेंशन/पारिवारिक पेंशन का भुगतान प्रारम्भ हो सके।

पेंशन प्रकरणों के निस्तारण हेतु निर्धारित की गई प्रक्रिया की पालना सुनिश्चित की जावें ताकि ब्याज के भुगतान एवं अनावश्यक वादकरण से बचा जा सके। विलम्ब से निर्धारित पेंशन प्रकरणों की समीक्षा कर दोषी कर्मचारियों/अधिकारियों के खिलाफ अनुशासनात्मक कार्यवाही की जावें ताकि सेवानिवृत्त कर्मियों के पेंशन परिलाभ समय पर अधिकृत करना सुनिश्चित किया जा सके।

#### 81. Stages for the completion of pension papers

(1) The Advisor (A&M) / Unit Head shall divide the period of preparatory work of two years referred to in Rule 80 in the following three stages :-

(a) First Stage - I. Verification of service:

- (i) The Advisor (A&M) / Unit Head shall go through the service book of the employee and satisfy him as to whether the certificates of verification for the entire service are recorded therein.
- (ii) In respect of the unverified portion or portions of service, he shall arrange to verify the portion or portions of such service, as the case may be, with reference to pay bills, acquaintance rolls or other relevant records and record necessary certificates in the service book.
- (iii) If the service for any period is not capable of being verified in the manner specified in sub clause (i) and sub clause (ii), that period of service having been rendered by the employee in another office or Department, a reference shall be made to the office in which the employee is shown to have served during that period for the purpose of verification.



- (iv) In respect of that unverified portion of service for which entries regulating the rate of pay, grant of annual increment, pay fixation, details of periods of leave etc. are available, he shall verify the same on the basis of the above details and record the same in the Service Book.
- (v) In respect of serving employees as on 01.04.2023 he shall check that the option for pension given by him and accepted by the competent authority has been pasted in the Service Book and that the entries exist in the service books for deposit of employer's share of Contributory Provident Fund into the Pension Fund.
- (vi) If any portion of service rendered by an employee is not capable of being verified in the manner specified in sub clause (i) or subclause (ii) or sub clause (iii), or sub clause(iv), the employee shall be asked to file a written statement in Form 9 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.
- (vii) The Advisor (A&M) / Unit Head shall, after taking into consideration the facts in the written statement and the evidence produced and the information furnished by that employee in support of the said period of service, admit that portion of service as having been rendered for the purpose of calculating the pension of that employee, and issue order in Form 9A and make an entry in the service book of the employee.

#### II. Assessment of long term dues:

- (viii) In respect of employees, who have taken long term advances like House Building Advance, Conveyance Advance, Term Loan etc., he shall correspond with the Incharge of Bill Section and/or concerned Unit Head(s) in case of Conveyance Advance taken from Unit(s) as indicated in the procedure below rule 94. He will also refer to the entries of long term advances made in the service book of the employee for assessing the final dues. He will also ask the employee to declare the details of long term advances taken by him.

#### III. Finalization of pending fixation cases:

- (ix) If fixation of pay in various Pay Scale Rules is outstanding, the Advisor (A&M) / Unit Head will get them expeditiously finalized.
- (b) Second Stage - Making good omission in the service book and completion of other formalities.
- (i) The Advisor (A&M) / Unit Head while scrutinizing the certificates of verification of service, shall also identify if there are any other omissions, imperfections or deficiencies which have a direct bearing on the determination of emoluments and the service qualifying for pension.



- (ii) Every effort shall be made to complete the verification of service, as in clause (a) and to make good omissions, imperfections or deficiencies referred to in sub clause (i) of this clause. Any omissions, imperfections or deficiencies including the portion of service shown as unverified in the service book, which it has not been possible to verify in accordance with the procedure laid down in clause (a) shall be ignored and service qualifying for pension shall be determined on the basis of the entries in the service book.
  - (iii) Determination of emoluments - For the purpose of calculation of emoluments, the Advisor (A&M) / Unit Head shall verify from the service book the correctness of the emoluments drawn or to be drawn by the employee immediately before his retirement.
  - (iv) In case of officiating appointment, the Advisor (A&M) / Unit Head will record a certificate in the Service Book that the appointment to the higher post has not been made in the leave vacancy or to hold charge temporarily in addition to the duties of his own post, as provided in Rule 45 (Note 3) of Pension Rules,.
  - (v) The Advisor (A&M) / Unit Head will obtain a certificate in the Service Book from the senior accounts personnel in the office that all the fixations of the employee made from time to time are correct and that the last pay on which pension case is to be prepared has been arrived at correctly.
  - (vi) To ensure that any alteration in the date of birth recorded in the Service Book bears the approval of the competent authority; and to ensure that the date of birth has not been changed/alterd in the Service Book.
  - (vii) If the employee was on foreign service or deputation, whether pension contribution has been received from the borrowing authority and entry to this effect has been made in the Service Book or other records. The Advisor (A&M) / Unit Head shall identify omissions etc. and rectify the same after reference to relevant records or offices. Provisions contained in explanation below Rule 88, shall also be taken into consideration for this purpose.
- (c) Third Stage - Obtaining Form 5 by the Advisor (A&M) / Unit Head - Eight months prior to the date of retirement of the employee, the Advisor (A&M) / Unit Head shall obtain Form 5 from the employee.

(2) Action under clauses (a), (b) and (c) of sub rule (1) shall be completed eight months prior to the date of retirement of the employee.

## **82. Completion of pension papers**

The Advisor (A&M) / Unit Head shall complete Part I of Form 7 not later than six months of the date of retirement of the employee. He will also issue a tentative L.P.C. in Form 31 for attaching with Form 7.



### **83. Forwarding of pension papers to Financial Advisor**

(1) After complying with the requirement of Rules 81 and 82, the Advisor (A&M) / Unit Head shall forward to the Financial Advisor Form 5 and Form 7 duly completed with a covering letter in Form 8.

(1) The Advisor (A&M) / Unit Head shall retain a copy of each of the Forms referred to in sub rule (1) for his records.

(3) Deleted

(4) The papers referred to in sub rule (1) shall be forwarded to the Financial Advisor not later than six months before the date of retirement of employee.

### **84. Intimation to the Financial Advisor, regarding any event having bearing on pension**

(1) If after the pension papers have been forwarded to the Financial Advisor within the period specified in sub rule (4) of Rule 83, any event occurs which has a bearing on the amount of pension admissible, or on the data contained in tentative Last Pay Certificate, the fact shall be promptly reported to the Financial Advisor by the Advisor (A&M) / Unit Head.

(2) If no intimation regarding any event from the date of forwarding pension papers to the Financial Advisor to the date of actual retirement, having a bearing on the amount of pension, is received by the Financial Advisor he may presume that -

- (i) the service in between the period from the date of forwarding of pension papers to the actual date of retirement, has been rendered, verified and accepted as qualifying service counting for pension;
- (ii) the dues of the Corporation recoverable from the retiring employee already intimated to him under rule 85 and/or shown in tentative L.P.C. are final; and
- (iii) No departmental enquiry has been initiated against the employee, after forwarding of the pension papers...

**Note:-** The Advisor (A&M) / Unit Head while intimating Financial Advisor regarding any event having a bearing on the amount of pension, in case Pension Payment Order/ Gratuity Payment Order has already been issued, shall ensure delivery of the same to the Incharge of Bill Section.

(3) On receipt of any intimation by the Financial Advisor, under rule 84(1), the Financial Advisor shall -

- (i) if the Pension Payment Order/Gratuity Payment Order has been issued, stop the payment of the amount authorised and revise/amend the P.P.O./G.P.O.;



- (ii) If the Pension Payment Order/Gratuity Payment Order has not been issued, he will revise the particulars accordingly and take further steps in the light of the revised particulars.

#### **85. Intimation of the particulars of Corporation dues to the Financial Advisor**

(1) The Advisor (A&M) / Unit Head after ascertaining and assessing the Corporation dues as in Rule 92, shall furnish the particulars thereof to the Financial Advisor, at least two months before the date of retirement of an employee so that the dues are recovered out of the gratuity before its payment is authorized.

(2) If, after the particulars of Corporation dues have been intimated to the Financial Advisor under sub rule (1), any additional Corporation dues come to the notice of the Advisor (A&M) / Unit Head, such dues shall be promptly reported to the Financial Advisor.

#### **86. Provisional Pension**

(1) The various stages of action laid down in Rule 81 shall be strictly followed by the Advisor (A&M) / Unit Head. There may be an isolated case where, inspite of following the procedure laid down in Rule 81, it may not be possible for the Advisor (A&M) / Unit Head to forward the pension papers referred to in Rule 83 to the Financial Advisor within the period prescribed in sub rule (4) of that rule or where the pension papers have been forwarded to the Financial Advisor, within the prescribed period but the Financial Advisor may have returned the pension papers to the Advisor (A&M) / Unit Head for eliciting further information before issue of pension payment order and order for the payment of gratuity. If the Advisor (A&M) / Unit Head in such a case is of the opinion that the employee is likely to retire before his pension and gratuity or both can be finally assessed and settled in accordance with the provisions of these rules, he shall without delay, take steps to determine the qualifying years of service and the emoluments qualifying for pension after the most careful summary investigations that may be made. For this purpose, he shall -

- (i) rely upon such information as may be available in the official records, and
- (ii) ask the retiring employee to file a written statement on plain paper stating the total length of qualifying service including details of emoluments last drawn but excluding the breaks and other non-qualifying periods of service.

(2) The employee while furnishing the statement as in clause (ii) of sub rule (1) shall, at the foot of the statement make and subscribe to a declaration as to the truth of the statement.

(3) The Advisor (A&M) / Unit Head shall thereafter determine the qualifying years of service and the emoluments qualifying for pension in accordance with the information available in the official records and the information obtained from the retiring employee under sub rule (1). He shall, then determine the amount of provisional pension and the amount of provisional retirement gratuity.

(4) After the amount of pension and gratuity have been determined under sub rule (3), the Advisor (A&M) / Unit Head shall take further action as follows :-

- (a) He shall issue a sanction in form 33 addressed to the Financial Advisor authorizing -



- (i) 100% (percent) of pension as determined under sub rule (3) as provisional pension which shall remain valid till the pension case is finalized by the Financial Advisor.
  - (ii) 75 percent of the gratuity as provisional gratuity as determined under sub rule (3) if no amount of House Building Advance/Conveyance Advance/Term Loan has been set apart for recovery out of Retirement/Death gratuity, otherwise not exceeding 20 percent of the gratuity as provisional gratuity.
- (b) He shall indicate in the sanction letter the amount recoverable from the gratuity under sub rule (1) of Rule 85. Special care shall be taken for recovery of the amount set apart for adjustment from the retirement gratuity.
- (c) On receipt of sanction of provisional pension from the Advisor (A&M) / Unit Head, the Financial Advisor shall issue provisional Pension Payment Order and Gratuity Payment Order within a week positively.
- (5) The amount of provisional pension and gratuity payable under sub rule (4) shall, if necessary, be revised on the completion of the detailed scrutiny of the records.
- (6) (a) When the amount of final pension and the amount of final gratuity had been determined by the Advisor (A&M) / Unit Head the Financial Advisor shall -
- (i) issue the Pension Payment Order,
  - (ii) issue the Gratuity Payment Order authorizing disbursement of the difference between the final amount of gratuity and the amount of provisional gratuity paid under sub clause (ii) of clause (b) of sub rule (4) After adjusting the Corporation dues, if any, which may have come to notice after the payment of provisional gratuity.
- (b) If the amount of provisional pension disbursed to an employee under sub rule (4) is, on its final assessment found to be in excess of the final pension assessed by the Financial Advisor it shall be open to the Financial Advisor to adjust the excess amount of pension out of gratuity withheld under sub clause (ii) of clause (a) of sub rule (4) or recover the excess amount of pension in installments by making short payment of the pension payable in future.
- (c) If the amount of provisional gratuity granted and disbursed to an employee is found to be in excess of final gratuity assessed by the Financial Advisor, he shall be called upon to refund such excess in the manner and subject to the conditions specified in rule 91.

#### **87. Authorization of Pension and Gratuity by Financial Advisor**

- (1) On receipt of pension papers referred to in Rule 83, the Financial Advisor, shall apply the requisite checks, record the account encasement in Part II of Form 7 and assess the amount of pension and gratuity and issue the pension payment order not later than one month in advance of the date of the retirement of the employee



(2) The amount of gratuity as determined by the Financial Advisor shall be authorized by him by issue of a Gratuity Payment Order, after adjusting the Corporation dues, if any, referred to in Rule 92.

(3) The Financial Advisor shall adjust the amount of provisional pension and the amount of provisional gratuity, if any, paid.

(4) The amount of gratuity withheld under sub rule (5) of Rule 93, shall be adjusted by the Financial Advisor against the outstandings and the balance, if any, refunded to the retired employee.

(5) A copy of the Pension Payment Order and/or Gratuity Payment Order shall also be endorsed to the concerned pensioner.

(6) The Financial Advisor shall inform the Advisor (A&M) / Unit Head immediately about the issue of the -

- (i) Pension Payment Order;
- (ii) Gratuity Payment Order; and
- (iii) Balance of the Gratuity Payment Order; and return the pension papers to him which are no longer necessary.

(7) The Financial Advisor shall record briefly in the Part II of Form 7 his reasons for disallowing any service claimed or any other disallowance.

#### EXPLANATION AS PER GOVERNMENT OF RAJASTHAN'S DECISION

In the final Pension Payment Order and/or Gratuity Payment Order, the Financial Advisor shall not impose any conditions before drawal of amount like production of No Dues Certificate, Certificate of no Departmental Enquiry under rule 11(B) of RIICO employees (Classification, Disciplinary Action & Appeal) Rules etc. except final LPC.

To ensure timely disposal of pension case Advisor (A&M) and concerned Units Heads are required to provide copy of Schedule IX to concerned employee along with retirement orders and make responsible a dealing official for preparation of pension/ family pension case of the employees.

#### 88. Employee on Foreign Service

Generally employees are not allowed to retire on foreign service In the exceptional case if an employee who retires from service while on foreign service, action to authorize pension and gratuity in accordance with the provisions of this Chapter shall be taken by the authority which sanctioned deputation to foreign service.

#### EXPLANATION AS PER GOVERNMENT OF RAJASTHAN'S DECISION

Where it is the responsibility of the foreign employer/borrowing authority to make payment of pension contribution in accordance with the provisions contained in the Service Rules, it may be that either some of the contributions have not been recovered or partially recovered or records in respect of recovery of such contributions are incomplete. Since the responsibility for making pension contribution is that of borrowing Government or Organization, as the case may be, the authority concerned should pursue the matter with the borrowing authority separately for appropriate action, but in no case the processing and



finalization of the pension case should be withheld or delayed on this account. In such cases, the period of service rendered under foreign employer should be counted as qualifying service for pension.

**89. Interest on delayed payment of retiral benefits:**

(1) If the payment of retiral benefits has been authorized after 60 days from the date when its payment became due, and it is established that the delay in payment was not on account of failure on the part of the employee in compliance of the procedure laid down in this chapter or elsewhere in these rules, interest @ 9% per annum from the date retiral benefits become due would be payable till the end of the month preceding the month in which the retiral benefits are authorized.

(2) Every case of delayed payment of retiral benefits shall, suo moto, be examined by the Advisor (A&M) / Unit Head and shall be forwarded to the Chairman through the Managing Director and where the Chairman is satisfied that the delay in the payment of retiral benefits was caused on account of administrative lapse or inaction, the Chairman shall direct to issue sanction for the payment of interest to the Financial Advisor.

(3) In all cases, where payment of interest has been authorised, the Chairman shall fix responsibility and take disciplinary action under the RIICO employees (Classification, Disciplinary Action & Appeal) Rules 1979 against the employee(s) who is/are found responsible for the delay in the payment of retiral benefits and shall recover the loss caused to the Corporation due to payment of interest to the pensioner from the employee(s) held responsible.

(4) In the order for payment of interest, the name(s) of officer(s)/official(s) responsible for delay and the amount of interest recoverable from him/them shall also be mentioned.

(5) If as a result of Corporation's decision taken subsequent to the retirement of an employee, the amount of retiral benefits already paid on his retirement is enhanced on account of -

- (a) grant of emoluments higher than the emoluments on which retiral benefits, already paid, were determined, or
- (b) Liberalisation in the provisions of these rules from a date prior, to the date of retirement of the employee concerned. No interest on the arrears of retiral benefits shall be paid.
- (c) Provisions of this rule 89 shall not be applicable in case of employees retired till the date of adoption of these rules in the Corporation.

**NOTE**

(i) The payment of retiral benefits becomes due on the date of retirement and in the case of death while in service, from the date of application for payment of respective retiral benefits.

(ii) In case of an employee against whom disciplinary/judicial proceedings are pending on the date of retirement, no retiral benefits be paid except provisional pension, until the conclusion of the proceedings and the issue of the final orders thereon. If, on the conclusion of the disciplinary/judicial proceedings: -

- (a) an employee is fully exonerated the retiral benefits may be deemed due on the date following the date of retirement and the interest on delayed payment of retirement gratuity may be allowed from the date, the gratuity has fallen due. The rate of interest on delayed payment will be the prevailing rate of interest on General Provident Fund,



- (b) If a retired employee who dies during the pendency of judicial / disciplinary proceedings against him and against whom proceedings are consequently dropped, no interest on delayed payment of retiral benefits shall be payable in such a case for the period from the date of retirement to the date of death.
- (c) In other cases, the retiral benefits if allowed to be drawn by the Competent Authority on the conclusion of the proceedings will be deemed to have fallen due on the date of issue of order by the Competent Authority.

**90. Provisional pension and provisional retirement gratuity where departmental or judicial proceedings are pending**

(1) (a) In respect of an employee referred to in sub rule (4) of Rule 7, the Financial Advisor shall authorise the provisional pension equal to the maximum pension which would have been admissible on the basis of qualifying service up to the date of retirement of the employee, or if he was under suspension on the date of retirement up to the date immediately preceding the date on which he was placed under suspension.

Provided that in cases where pension case could not be prepared finally for one or the other reason the appointing authority shall sanction provisional pension in Form 33 after following procedure laid down in sub-rule (3) of Rule 86 and send the case to the Financial Advisor for issue of Provisional Pension Payment Order till the Departmental Enquiry is finalised.

(b) The provisional pension shall be authorised by the Financial Advisor, during the period commencing from the date of retirement up to and including the date on which, after the conclusion of departmental or judicial proceedings, final orders are passed by the competent authority.

provided that no recovery shall be made from provisional pension paid under sub-rule(1), where the pension finally sanctioned is less than the provisional pension or the pension is reduce or withheld either permanently or for a specified period.

(c) in respect of the employee referred to in sub-rule (4) of rule 7, the provisional retirement gratuity may be paid as under,-

(i) fifty percent amount of gratuity to the employee against whom departmental proceedings have been instituted under rule 11(B) of RIICO employees (Classification, Disciplinary Action & Appeal) Rules 1979 or against whom criminal case involving moral turpitude or offence relating to his official duty is pending; and

(ii) twenty percent of amount of gratuity to the employee against whom amount of House Building Advance/Conveyance Advance/Term Loan has been set apart for recovery out of retirement gratuity or against house rent of Corporation Accommodation is due.

(2) The provisional retirement gratuity paid under clause (c) of sub-rule (1),-

(i) shall be adjusted against final retirement gratuity sanctioned to such employee upon conclusion of departmental proceeding or Judicial proceedings and if amount paid is in excess of amount payable, such excess amount shall be recovered; and

(ii) Shall be recovered from the employee who is removed or dismissed from the service on finalization of departmental proceedings under rule 11(B) of RIICO employees (Classification, Disciplinary Action & Appeal) Rules 1979 or criminal case involving moral turpitude or offence relating to his official duty.



EXPLANATION AS PER GOVERNMENT OF RAJASTHAN'S  
DECISION

**Grant of cent per cent provisional pension under Rule 90 mandatory even if departmental or judicial proceedings are continued**

**91. Revision of pension after authorisation**

(1) Subject to the provisions of Rules 6 and 7 pension once authorised after final assessment shall not be revised to the disadvantage of the employee, unless such revision becomes necessary on account of detection of a clerical error subsequently:

Provided that no revision of pension to the disadvantage of the pensioner shall be ordered by the Advisor (A&M) / Unit Head without the concurrence of Working Committee of the Board if the clerical error is detected after a period of two years from the date of authorisation of pension.

(2) For the purpose of sub rule (1), the retired employee concerned shall be served with a notice by the Advisor (A&M) / Unit Head requiring him to refund the excess payment of pension within a period of two months from the date of receipt of notice by him.

(3) In case the employee fails to comply with the notice, the Advisor (A&M) / Unit Head shall, by order in writing, direct that such excess payment, shall be adjusted in instalments by short payment of pension in future, in one or more installments, as the Advisor (A&M) / Unit Head may direct.

**92. Recovery and adjustment of Corporation dues**

(1) It shall be the duty of the Advisor (A&M) / Unit Head to ascertain and assess Corporation dues payable by an employee due for retirement.

(2) The Corporation dues as ascertained and assessed by the Advisor (A&M) / Unit Head which remain outstanding till the date of retirement of the employee shall be adjusted against the amount of the retirement gratuity becoming payable.

(3) The expression 'Corporation dues' includes -

- (a) dues pertaining to Corporation accommodation including arrears of rent, if any;
- (b) dues other than those pertaining to Corporation accommodation, namely, balance of house building or conveyance or term loan to employee or any other advance, overpayment of pay and allowances or leave salary, dues of his office etc.

EXPLANATION AS PER GOVERNMENT OF RAJASTHAN'S  
DECISION

Advisor (A&M) / Unit Heads से यह अपेक्षा की जाती है कि कार्मिक से बकाया राशि (इसमें कार्मिक को भुगतान किये गये अधिक वेतन, भत्ते आदि जो नियमानुसार देय नहीं थे, की वसूली भी सम्मिलित है) की वसूली संबंधी आदेश जारी करने से पूर्व न्याय के नैसर्गिक सिद्धान्तों की पालना करके सुनवाई का मौका देने के बाद वसूली योग्य राशि अभिनिश्चित/निर्धारित की जावे। तत्पश्चात् ही राशि वसूली संबंधी आदेश जारी किये जावे, ताकि अनावश्यक वादकरण न हो तथा वाद दायर होने पर निगम का पक्ष इस आधार पर कमजोर न रहे।

**93. Adjustment and recovery of dues pertaining to Corporation Accommodation**

(1) The GAD Cell and/or concerned Unit Head(s) on receipt of intimation from the Advisor (A&M) / Unit Head under sub rule (1) of Rule 79 regarding the issue of No Demand Certificate shall scrutinize its records and inform the Advisor (A&M) / concerned Unit Head eight months before the date of retirement of the allottee, if any rent was recoverable from him in respect of the period prior to eight months of his retirement. If no intimation in regard to recovery of outstanding rent is received by the Advisor (A&M) / Unit Head by the stipulated date, it shall be presumed that no rent was recoverable from the allottee in respect of the period preceding eight months of his retirement provided that the Advisor