

The Ajmer Abolition of Intermediaries and Land Reforms (Pensions to Intermediaries Employees) Rules, 1962

RAJASTHAN

India

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Rule

THE-AJMER-ABOLITION-OF-INTERMEDIARIES-AND-LAND-REFORMS of 1962

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The Ajmer Abolition of Intermediaries and Land Reforms (Pensions to Intermediaries Employees) Rules, 1962 Published vide Government of Rajasthan, Revenue 'A' Department's Notification No.F.lg(53)/Revenue/A/61, dated 28-2-1963 In exercise of the powers conferred by clause (KK) of sub-section (2) of Section 84 of the Ajmer Abolition of Intermediaries and Land Reforms Act, 1955, the Government of Rajasthan is pleased to make the following rules for the grant of pension to the employees of Intermediaries of Ajmer district.

1. Title and commencement.

- These rules may be called the Ajmer Abolition of Intermediaries and Land Reforms (Pensions to Intermediaries Employees) Rules, 1962.

2. Definition.

- In these rules unless there is anything repugnant in the context:-(i)"Intermediaries' employee" means a person in the permanent whole time service of the estate on a post pertaining to the administration of the estate and public services connected with it whether employed by an intermediary or by the Court of Wards but shall not include a person employed for the intermediary's private or personal affairs.Explanation. - (1) Persons employed for the supervision or upkeep of roads, buildings, gardens or other institutions of public utility. taken over by the

Government in consequence of the abolition of the estate are included in the term "intermediaries employee."(2)In case of dispute, the Compensation Officer, Ajmer shall decide whether a person should be included in the term "intermediaries employee" or not, and his decision shall be final subject to revision by the Compensation Commissioner.

3. Pension or Gratuity.

- Where pension rules existed in an estate, pension or gratuity as the case may be, will be granted on discharge to the extent due in accordance with such rules as if the intermediaries employee concerned had been retired from the estate in consequence of the abolition of his post. Where no specific rules existed but there was a well established practice in the estate for the grant of pension or other similar benefits, Government may consider the grant of pension or gratuity at a rate not exceeding that which would have been admissible had the intermediaries employee been in the service of the reorganised Rajasthan Government and discharged in consequence of abolition of post.Explanation. - (1) In case of dispute the Compensation Commissioner shall decide as to what exact rules or practice existed in an estate in this respect and his decision shall be final.(2)The pension shall be granted with effect from the date of vesting of the estate.

4. Contributory Provident Fund.

- Where an intermediaries employee was under a scheme of contributory Provident Fund and was not entitled to pension, no pension or gratuity will be paid for the period of his service with the intermediary. The Provident Fund account will be finalized and settled in accordance with rules relating to such fund.

5. No Pension or Gratuity in other cases.

- No right to Pension or Gratuity or other retiring benefits shall be recognised in the case of persons not covered by Rules 3, 4 & 9.

6. Statement regarding Pension.

- Statement for grant of pension under Rule 3 shall be prepared by intermediaries, employees and submitted to the Compensation Officer, Ajmer who shall verify the service of the claimants in the manner prescribed for grant of pension to Government servants and forward them to the Compensation Commissioner.

7. Transfer of Service Record.

- The Intermediary shall transfer to Government all service record including record of the accounts relating to intermediaries employees and payment of their salaries, in order to enable the Departmental Officer concerned to verify particulars regarding their service in connection with the settlement of pension claims.

8. Verification.

- After verification of service, the Compensation Commissioner shall send the pension statements, and other necessary documents to Government in Revenue Department. The Revenue Department shall send the pension case to the Accountant General and after his verification sanction pension according to rules.

9. Continuance of Pension already sanctioned by the intermediaries.

- Cases of pension sanctioned by the Intermediary or other competent authority in an estate in accordance with a well recognised practice shall be examined by the Compensation Commissioner. A statement of such cases alongwith complete information about the pensions shall be forwarded by the Compensation Officer, Ajmer to the Compensation Commissioner. The Compensation Commissioner, if satisfied that the payment of pension is in accordance with a well recognised practice, shall issue orders for its payment or payment of a part thereof. The amount shall be determined by him after taking into consideration the nature of services of pensioner, except that the cases of those employees who held posts in an estate which were equivalent to a Gazetted post in erstwhile State of Ajmer shall be forwarded by the Compensation Commissioner to the Government for orders.

10. Conversion of petia into cash.

- In cases of Intermediary pensioners and employees who were in receipt of pension in kind in part or whole in the form of 'Petiya', the petiya may be converted into cash amount for the purpose of calculating pension on the basis of rates of commodities as laid down below:-

Wheat 12.75 nP. per md.	Barley 8.62 np. per md.	Gram 9/- per md.	Bajra 9/- per md.
Gojra 10.69 nP. per md.	Bejhad 8.69 nP. per md.	Millet 8/- per md.	Jawar 8/- per md.
Ghee 80/- per md.	Fire Food 2/- per md.	Pulses 9/- per md.	per md. Species @ Re.1/ per md.

Provided that it is certified that according to the practice or the rules of the Intermediary concerned, the pensionary benefits were calculated on the basis of petia or that if pension was calculated without petia the petia was given in addition to the pension.

11. Procedure.

- Procedure for the examination and continuance of pension granted by the intermediaries shall be observed as laid down in the Annexure 'A'. Order Under [Order No. F.6 (12) FD (Rules)/69, dated January 21, 1971 - Rajasthan Gazette Part IV C (I), dated 28.12.1972, page 717.] G.S.R. 423. - The Governor is pleased to order that where the amount of pension (including temporary increase) comes to less than Rs. 40/- per month the same may be increased to Rs. 40/- per month with effect

from 1-1-1971 in respect of pensioners who are, in receipt of pension sanctioned under the Ajmer Abolition of Intermediaries and Land Reforms (Pension to Intermediaries Employees) Rules, 1962. This order shall apply to such pensioners who are drawing pension on the date of issue of these orders. Annexure 'A' (Procedure for the examination and continuance of pension granted by Intermediaries).

1. A. Pension granted by an Intermediary in accordance with a well established practice shall be examined by the Compensation Commissioner. Statement of such cases shall be forwarded by the Compensation Officer, Ajmer to the Compensation Commissioner in the enclosed pro forma. The Compensation Commissioner may hold such a summary enquiry as he may consider proper and after satisfying himself that the payment of pension is in accordance with the well established practice and that the grant is not in excess of the pensionary benefits which could be sanctioned in a particular case according to the pension rules of the Rajasthan Government, shall issue orders for its continuance except that the cases of those employees who held posts in an estate which were equivalent to Gazetted posts in the integrating State shall be forwarded by the Compensation Commissioner to the Government for orders. In case the pension granted by the Intermediary is in excess of the pensionary benefits that are admissible under the pension rules of the Rajasthan Government the pension should be reduced accordingly.

B. The well recognised practice relating to the grant of pension shall be investigated by the Compensation Officer on the basis of the record of the resumed estate, and his remarks will be forwarded to Compensation Commissioner who in case of suspicion will satisfy himself from the Office record of the Estate.

2. Family pensions (or compassionate allowances) granted by an Intermediary to the survivors of intermediaries employees should ordinarily be continued for their life time and in case of widows they will be tenable till death or remarriage, if they are admissible according to the pension rules of the Rajasthan Government. Ordinarily a minor may be continued to be paid such pension till he attains majority and a widow for her life till her remarriage whichever is earlier if she had no major son.

2. A If an Intermediary had granted pension to any class IV employee of his estate, or to any member of the family of such Intermediaries employees in the event of his death while in service, and such pension was justified

according to the practice prevalent in that estate, such pensions may be continued even if the same may not be in accordance with the rules of the Rajasthan Government provided that the amount of such pension to be continued will not exceed Rs. 10/- p.m. even though the amount sanctioned by the Intermediary may be in excess of this amount.

2. AA If any person continuously drawing a pension from estate for the past ten years or more, such pension should not be stopped or reduced even though such pension may not be in accordance with the pension rules of the Rajasthan Government.

3. As regards the compassionate allowance granted to non-employees, bonafide allowances of small amounts upto Rs. 10/-(ten) p.m. should be continued.

4. Orders sanctioning payment of pensions shall be forwarded to the Compensation Officer, Ajmer who shall forward them to the Accountant General, with necessary pension papers for issuing new pension payment orders.

Pro Forma of Application for Continuance of Pension/Compassionate allowance

1. Name of the Applicant. (In Block Letters)

2. Name of Father/husband (-do-)

3. Race, Sex and Caste.

4. [Total period of estate service.] [These informations are not required in case of continuance of Compassionate allowance]

(a)Date of joining services (Christian Era).(b)Date of ending service, (-do-)

5. [Last three years-pay drawn and designation.] [These informations are not required in case of continuance of Compassionate allowance]

6. Amount of pension sanctioned by estate and date of its commencement.

7. Date of last payment of estate pension.

8. Amount of pension now proposed for continuance under Rajasthan Government.

9. The class of pension (whether it is a service pension, family pension or comp, allowance).

10. Place of payment (Block letters).

11. Date of birth of applicant in Christian Era.

12. Height of the Pensioner.

13. Marks of identification.

14. Permanent postal Address. (Block letters).

Compensation Officer,Ajmer