

# The Rajasthan Municipal (New Pay Scales) Rules, 1975

RAJASTHAN

India

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### Rule

### THE-RAJASTHAN-MUNICIPAL-NEW-PAY-SCALES-RULES-1975 of 1975

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The Rajasthan Municipal (New Pay Scales) Rules, 1975 Published vide Notification No. Estt. (M) F. 18(a) (95) DLB 69/26454-63, dated 3-5-1975, Published in Rajasthan Gazette, Part 4-C, dated 29-5-1975, page No. 169 (17) (26) w.e.f. 29-6-1975 GSR 81 (7). - In exercise of the powers conferred by clause (b) of sub-section (2) of section 297 of the Rajasthan Municipalities Act, 1959 (Act No. 38 of 1959) read with clauses (b) and (c) of section 88 thereof and Rule 32 of the Rajasthan Municipal Service Rules, 1963 the State Government hereby makes the following Rules, namely :-

#### 1. Short title & Commencement.

(1) These rules may be called the Rajasthan Municipal Service (New Pay Scales) Rules, 1975. (2) These Rules shall come into force after one month from the date of their publication in the Official Gazette and shall apply to all the officers of Rajasthan Municipal Service w.e.f. [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] and on such conditions as laid down or as may be laid down from time to time by the Government.

#### 2. Definitions.

- In these Rules, unless there is anything repugnant in the subject or context.-(i)'Basic Pay' means pay as defined in Rule 7(24) (i) of R.S.R., 1951, provided that when a member is in receipt of a personal pay in the existing Pay Scale the basic pay includes personal pay.(ii)'Board' means Municipal Board and includes a Municipal Council.(iii)'Executive Officer' means the Executive Officer of the Municipal Board and includes the Commissioner of the Municipal Council.(iv)'Director' means the Director of Local Bodies.(v)'Examiner' means the Examiner, Local Fund Audit Department, Rajasthan and includes an officer authorised by him in this

behalf.(vi)'Existing member of service' means the member of Service who is in Service of a Board immediately prior of adoption of these Pay Scales by the Officer of the Rajasthan Municipal Service and who has been drawing pay in the existing pay scale from the Municipal Fund.(vii)'Existing pay scale' means the scale of Pay applicable to a member of Service in respect of post held by him in a substantive, officiating or temporary capacity [X X X] [Deleted by Notification No. Estt. (M) F. 18(a) 95 DLE/96 dated 8-11-1977, GSR 213, Published in Rajasthan Gazette, Part IV-C, dated 17-11-1977, page 630.](viii)'Member' means a member of the Service.(ix)'New pay scale' means the scales of pay as prescribed by the Government vide notification No. Estt. (M) F 18(a) (95)/DLB/69 dated 29-5-1974 [X X X] [Deleted by Notification No. Estt. (M) F. 18(a) 95 DLE/96 dated 8-11-1977, GSR 213, Published in Rajasthan Gazette, Part IV-C, dated 17-11-1977, page 630.](x)'Chairman' means the Chairman of a Municipal Board and includes the president of the Municipal Council and an Administrator where the elected Board is not functioning.(xi)'Service' means the Rajasthan Municipal Service.(xii)'Schedule' means the Schedule attached to these Rules.

### 3. Scope of Rules.

(a)[These rules shall apply] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] to the members of the Service from such date not earlier than as specified by the Government by an order published in the Official Gazette subject to the provision contained in clause (c) below.[X X X] [Deleted by Notification No. Estt. (M) F. 18(a) 95 DLE/96 dated 8-11-1977, GSR 213, Published in Rajasthan Gazette, Part IV-C, dated 17-11-1977, page 630.](b)The new pay scales shall [apply] [Substituted Notification No. Estt. (M) F. 18(a) 95 DLE/69 dated 10-2-1978, GSR 282, Published in Rajasthan Gazette, Part IV-C, dated 2-3-1978, page 845.] to a member of the Service who exercises his option for new pay scales in accordance with the provision contained in Rule 4 below and(i)who is in a substantive. Officiating or temporary capacity or on probations drawing pay in the existing pay scales;(ii)who was appointed on [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] or the date on which these Rules were made applicable (whichever is later) and person with the requisite qualifications prescribed for the post in which he was initially appointed :Provided that a person who has been appointed by direct recruitment or by promotion on or after 28-11-63 without having the requisite qualifications or experience as prescribed under the (Rajasthan Municipal Service) Rules, 1963, shall not be entitled to get the new pay scale till he acquires the said qualifications and experience.

### 4. Option to elect the existing scale.

- (i) Subject to the provisions of Rule 3 of these Rules, a member may elect to continue to draw pay in the existing pay scale till the date on which he earns his next or any subsequent increment in the existing pay scale or until he vacates his post or ceases to draw pay in that pay scale.(ii)An existing member may exercise option to retain his existing pay scale under clause (i) in any of the following circumstances.-(a)while holding a permanent post in a substantive capacity but not officiating on higher post.(b)while holding a permanent or temporary post in temporary capacity without having any lien on any post.(c)while officiating on higher post whether permanent or temporary retaining lien on a permanent post or where he would have officiated in one or more posts but for his being on leave or on foreign Service, provided that:-(i)the option in such cases shall be admissible in respect

of existing pay scales attached either to the post held by him is an officiating capacity or to his substantive post and not for both the existing pay scales and if such a member exercise option to retain existing pay scale in respect of the post held by him in officiating capacity, his pay in the event of his reversion to the lower post held in a substantive capacity and also on re- promotion to the same higher post after reversion shall be fixed in the new pay scale, and(ii)the option to retain existing pay scale in respect of the post held in officiating capacity shall not be allowed to a member of service who was not qualified to hold higher post or who was not senior enough for regular promotion or who was fortuously appointed on purely temporary basis for example against leave vacancy or against short term vacancy caused by deputation of the senior person for training within India or abroad or deputation to Foreign Service.

## **5. Exercise of option.**

(1)The option under Rule 4 shall be exercised in writing in form No. 1 appended to these Rules and submitted to the Examiner within two months from the date these Rules come into force :Provided that in case of a member who is on that date on leave or on deputation or in foreign Service or under suspension or under training the option shall be exercised within 2 months from the date of his return to duty.(2)In case option from any member is not received by the Examiner within the time specified in sub-rule (1) the member shall be deemed to have elected to drawn pay in the new pay scales with effect from.(3)Where there the member expires before exercising his option within the prescribed period, he may be deemed to have exercised option in favour of existing pay scale or the new pay scale which ever is advantageous to him and his pay may be fixed accordingly.(4)The option once exercised shall be final.

## **6. Fixation of initial pay in new scale.**

(1)The initial pay of a member of the Service who elects or is deemed to have elected under rule 5 to draw pay in the new pay scales with effect from [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] shall be fixed separately in respect of his substantive pay in the permanent post on which he holds a lien or on which he would have held a lien if it had not been suspended and in respect of officiating pay in the following manner:-(i)A member whose pay in the existing pay scale is less than the minimum pay of the new pay scale, shall have his pay fixed at the minimum of the new pay scale.(ii)A member whose pay in the existing pay scale is more than the minimum of the new pay scale [X X X] [Deleted by Notification No. Estt. (M) F. 18(a) 95 DLE/96 dated 8-11-1977, GSR 213, Published in Rajasthan Gazette, Part IV-C, dated 17-11-1977, page 630.] shall have his pay fixed in the new pay scale at a stage next above his pay in the existing pay scale.(iii)A member whose existing pay is more than the maximum of the new pay scale shall have his pay fixed at the maximum of the new pay scale and the difference between the existing pay and pay fixed in the new pay scale shall be allowed as personal Pay.(iv)A member drawing pay at the maximum of the existing Pay Scale for a period of two years or more shall have his pay fixed at a stage next above the pay fixed under clause (ii) of this sub-rules (ii).(2)(a)Whereas a result of fixation of pay in the new pay scale under clause (ii) of sub-rule (1) a Junior Member whose existing pay was equal to or less than the existing pay scale of his senior begins to drawn more pay than his senior, the pay of such senior member shall be stepped up equal to that of his Junior from the date

the pay of Junior person becomes more than that of his senior, subject to the fulfilment of the following conditions:-(i)Both the Junior and Senior persons belong to the same cadre and are drawing pay in the identical scale of pay, and(ii)The anomaly is directly attributed to the fixation of pay under these rules only.(b)The next date of increment of such senior member in the New Pay Scale shall be granted after completing the full incremental period under Rule 31 of the Rajasthan Service Rules, 1951.(c)The provision contained in clause (a) of this sub-rule shall not apply to cases of anomalies, if any arises as a result of operation of rule 11 of these Rules.(3)In case where fixation of pay in the New Pay Scales proves continuously disadvantages after a certain stages in the New Pay Scales due to adverse change in the rate of increment in the New Pay Scales, the pay of a member at that stage shall be fixed at a stage next higher stage in the New Pay Scales.(4)(a)Where fixation of initial Pay Scale on [1-9-1962] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] or the date from which the member opt these rules carries the pay beyond the stage of efficiency bar of the New Pay scales or efficiency Bar in the existing Pay Scales, these bars shall be deemed to have been crossed.(b)In cases where an efficiency bar has been enforced against a member drawing pay in the existing pay scale prior to [1-9-1961] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] or the date from which the member opt the scales such member after this initial pay, has been fixed in the New Pay Scales shall not draw increment unless specifically permitted by the Director.

## **7. Date of increment in the New Pay Scales.**

- The next date of increment of a member whose pay has been fixed in the New Pay Scale in accordance with Rule 6 shall be the date on which he would have drawn his increment had he continued in- the existing pay scale provided that:-(i)Where the pay in the New Pay is fixed at the minimum of the New Pay Scale and the difference between pay so fixed and the pay in the existing pay scales results in a benefit equal to or more than the amount of first increment in the New Pay Scale the next increment shall be granted in the New Pay Scale after completing full increment period under rule 31 of Rajasthan Service Rules, 1951.(ii)Where the normal increment in the existing pay scale falls on [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] or the date from which it is opted by the member of the service the pay in the New Pay Scales shall be fixed on the basis of Pay admissible in the existing Pay Scales on [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] or the date on which it is opted by the member of the Service including increment.

## **8. Relaxation of Rules.**

- Where the Government is satisfied that the operation of any these Rules causes undue hardship in any particular case, the Government in the Local Self Government, Department may by an order, relax the requirement of that Rule to such extent and subject to such conditions as may be considered necessary for dealing with the case in a just and equitable manner.

## **9. Non applicability of Rules.**

- These Rules shall not apply to:-(i)person not in whole time appointment in the Board;(ii)a person paid out of contingency;(iii)a person employed on contract basis except when the contract provides otherwise;(iv)a retired servant who has been re-employed by the Government and who is in service on [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] or the New Pay Scales opted by the member of the Service or re-employed after that date;(v)a person employed on work charge basis;(vi)a person who has been specially excluded wholly or partly by the Government from the operation of these Rules.

## **10. Declaration.**

- For safeguard of the recovery of over or excess payment made on account of some error in the fixation of initial pay in the New Pay scale each member of service opting New Pay Scale or deemed to opted New Pay scale, shall give a declaration in Form No. 2 appended in these Rules. In the event of any over payment, the Examiner shall be competent to recover such over amount from such member.

## **11. Special Provision for grant of advance increments member.**

(1)A member, who is drawing pay below Rs. 485 in the existing pay scale and is due to retire within 10 years from [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] shall be granted one advance increment in the New Pay Scale after fixation of his initial pay under rules 6, provided that the total benefit or increase in pay [X X X] [Deleted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] by fixation on of pay in the new scale, is equal to or less than the amount of next annual increment in the new pay scale. The date of normal increment shall remain unchanged.(2)[ A member who is drawing pay below Rs. 485/- in the existing pay scale and who has completed 12 years of service on [31-3-1970] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] as a member of the Service including the Service completed by him as a member of the Service defined in the Rajasthan Municipal (Subordinate and Ministerial Service) Rules, 1963 shall be granted one advance increment in the New Pay Scale after fixation of his initial pay under Rule 6 :Provided that the total benefit of increase in pay by fixation of pay in the New Pay Scale is equal to or less than the amount of next increment shall remain unchanged :Provided further that the above advance increment shall not be granted to such member of the Service whom advance increment has already been granted under sub-rule (1) of this Rule and](3)A member who is drawing pay below Rs. 485/s P.M. in the existing pay scale and is due to either within 10 years/or completed 12 years of Service from [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] [new pay scales is opted by the member on the Service whichever is later,] [Substituted by Notification dated 5-11-1984, Published in Rajasthan Gazette, Part IV-C, dated 15-11-1984, page 353.] shall be granted one advance increment provided he elects to draw pay in the existing pay scale until he vacated the post or ceases to draw pay in that pay scale under rule 4, the date of increment shall remain unchanged.

**11A. [ Dearness allowances etc. [Substituted by Notification dated 5-11-1984, Published in Rajasthan Gazette, Part IV-C, dated 15-11-1984, page 353.]**

- The rate of Dearness Allowance, Additional Dearness Allowance. Adhoc Relief, Interim Relief and Addl. Dearness allowance shall be at par with the rates applicable to Government servant: Provided that the difference between Dearness Allowance admissible to a member of the Service in the existing pay scale and the amount of Dearness Allowance admissible in New Pay Scales on [1-9-1968] shall first be merged in pay in existing pay scale and then the pay so arrived at shall be considered for fixation of pay in New Pay Scale : Provided further that the excess amount of Dearness Allowance, if any, so merged in the pay in the existing pay scale, shall not be considered for any benefit on account of Provident Fund, Gratuity, Travelling Allowance, House Rent Allowance, and other such allowances].

**12. Preparation of fixation statement.**

- On receipt of option under rule 5 and the declaration under rule 10, the Examiner shall prepare a fixation statement in quadruplicate in form No. 3 appended to these rules. A copy of the fixation statement duly approved shall be sent to the Director [X X X] [Deleted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] as well as to the member of the Service whose fixation has been done. If any mistakes is found, the Examiner may refer it to the Director of Local Boards for necessary correction.

**13. Liability of payment.**

- Pay, Dearness Allowance and other allowances of a member shall be paid out of the fund of the Board where he had served or serving from time to time as the case may be after issue of the pay slip by the Examiner under rule 67 of the Rajasthan Municipalities Accounts Rules, 1964.

**14. Power of interpretation.**

- If any question or doubt arises relating to the interpretation of these Rules, it shall be referred to the Government in Local Self Government Department whose decision on shall be final.

I

Form No. 1 Option (See Rule 6)(1) I, hereby elect the new pay scales with effect from [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.]. (2) I ..... hereby elect to continue my pay in the existing pay scale on my substantive/officiating post as mentioned below until:-(a) the date of my next increment which falls on.....(b) the date of my subsequent increment raising my..... Rs..... on.....(c) I vacate or cease to draw the pay in the existing pay scale. Existing substantive/officiating pay scale.....

Date..... Signature.....

Place..... Name.....  
 Designation.....  
 Section.....  
 Attested.....  
 President/Chairman/Administrator.  
 Date.....

## II

Form No. 2 Declaration (See Rule 10) I..... designation on ..... do hereby declare and undertake to refund any amount that may be [drawn in excess] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] as a result of incorrect pay fixation in the new pay scale.

Witness : Signature.....  
 Designation.....  
 Attested.....  
 President/Chairman/Administrator.

[Schedule III] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] Form No. 3 Fixation Statement (See Rule 12) Name of Municipal Council/Board.

Name of officer	Designation of the post in which pay to be fixed as on [1-9-1968] or any other date after.	Whether Officiating or Substantive.	Existing Pay Scale.
1	2	3	4
Basic pay on [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] or any subsequent date after [1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.] as defined in rule 3 (a) and date of next increment.			If any pay shown against item No. 5 is the maximum of the existing pay scale, the date from which it is being drawn.
5	6	7	8
New pay scale corresponding to the existing scale/scales shown against column 4.	Pay as fixed under Rule 6 of New Pay Scales.	Amount of Dearness Allowance appropriate to pay shown against item No. 10.	Total emoluments New Pay Scale (10 plus 11)
9	10	11	12

Date of next increment under Rule 7	Whether due to retire within 10 years from[1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.]mention date of retirement on the basis of entriesmade in Service Book.	Total benefit occurring as a result of increasein Pay and Dearness Allowance on Account of fixation of pay underRule.	Whether completed 12 years Service on[1-9-1968] [Substituted by Rajasthan Gazette Part IV-C, dated 12-8-1982/781, page 81.]mention the date of entry in service.
13	14	15	16
Amount of next annual increment in the New PayScale.		Pay as fixed under Rules 11 (if admissible) inNew Pay Scales	
17		18	19

Local Self Government Department Order Jaipur, July 19, 1982 G.S.R. 33.- In supersession of this Department Order No. 8290/F. 25 (b) LSG/60, dated 28-6-60 and all other instructions in this behalf, the State Government is pleased to issue the following instructions regarding the concessions to be given to the employees of the Municipalities, who are deputed for the training for Local Government Service Course (L.G.S.C.), the Local Self Government Diploma (L.S.G.D.), Sanitary Inspectors Course (S.I.) and other short term courses held by the Indian Institute of Public Administration, New Delhi, H.C.M. Institute of Public Administration or Rajasthan Local Self Government, Institute, Jaipur and other similar recognised institutions :- (i) The period of deputation for training may be treated as "Duty". (ii) Fees for the course may be paid by the respective Municipalities. (iii) Travelling expenses may be borne by Municipalities. (iv) (a) Such of the non technical Subordinate Municipal Employees for whom the Diploma are not essential qualification for the post they held may be allowed to draw two extra increments after getting either of the Diplomas. (b) Subject to the provisions of Clause (a) above, an employee who has already passed the Local Self Government Diploma and got two advance increments may be given only one additional increment for passing the Local Government Service Diploma Examination. (c) An employee, who has already passed the Local Government Diploma Examination will not be entitled to get any additional increments for passing subsequently the Local Self Government Diploma Examination. (v) Besides travelling allowances, the employee may be paid a stipend at the rate of Rs. 12/- per day for the period of training in Bombay and Rs. 10/- in other places. The employee will not be entitled to any Daily Allowance in addition to the stipend. (vi) A bond should be got executed binding the trainee to serve the Local Body for at least 4 years after the completion of training. (vii) If a Municipal servant who does not have less than 3 years more to serve, passes his Local Self Government Diploma or Local Government Service Diploma Examination, after such a stage in the service that he either already reached the maximum of his scale or is due to get only one increment before he reaches his maximum, he may in the former case be granted an amount equal to the sum of two increments last drawn by him before he reached the maximum as special pay or in the latter case the increment next due plus a special pay equal to the amount of that increment.



**2. These concessions, except concessions No. (i) and (v) should also be applicable to the ordinary Local Self Government Diploma Course and Sanitary Inspector's Course.**

**3. Besides the Local Government Service, Local Self Government Diploma Course and Sanitary Inspectors Course, the All India Institute of L.S.G., Bombay, the Rajasthan Institute of Local Self Government, Jaipur, the Harish Chandra Mathur State Institute of Public Administration, Jaipur also holds from time to time short term courses of about 2 or 3 weeks. Similar short term courses are also held at the Indian Institute of Public Administration, New Delhi. When Municipal Employees are sent for training for such courses not exceeding 4 weeks, they may be given the following concessions :-**

(i) Their period of training may be treated as "Duty". (ii) They may be paid Travelling Allowance and Daily Allowance as per rules. (iii) They should not be given any additional increments after attending such courses.

**4. The Rajasthan Institute of Local Self Government and the Harish Chandra Mathur State Institute of Public Administration also holds at times seminars or conferences. For this Municipalities may depute not more than one officer and one office bearer, for each seminar or conference.**