

The Rajasthan Municipalities (Class IV Service) (Revised Pay Scales) Rules, 1971

RAJASTHAN

India

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Rule

THE-RAJASTHAN-MUNICIPALITIES-CLASS-IV-SERVICE-REVISED-PAY-SCALES-RULES-1971

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The Rajasthan Municipalities (Class IV Service) (Revised Pay Scales) Rules, 1971 Published vide Notification GSR 19, dated 16-4-1971 Published in Rajasthan Gazette, Extra-ordinary, Part 4 (Ga)(I), dated 28-8-71, page 48 In exercise of the power 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, the State Government hereby makes the following Rules, namely:-

1. Short title and commencement.

- (i) These Rules may be called the Rajasthan Municipalities (Class IV Service) (Revised Pay Scale) Rules, 1971. (ii) They shall come into force after one month from the date of their publication in the Official Gazette.

2. Definitions.

- In these Rules, unless there is anything repugnant in the subject or context, -(i) 'Appointed date' means 2-12-1963 or such other subsequent date from which the Board decided to pay the revised pay scales to the members; Explanation. - Where a member opts the revised pay scales from any date subsequent to the appointed date, then such date shall be appointed date in respect of such member. (ii) 'Basic Pay' means the pay as defined in clause (i) of sub-rule (24) of Rule 7 of the Rajasthan Service Rules : Provided that in respect of such boards where dearness pay, personal pay or special pay not provided with scales was payable along with the pay on the appointed date to its servants, the basic pay will also include such dearness pay, personal pay or special pay; (iii) 'Board'

means the Municipal Board and includes a Municipal Council;(iii-A) 'Chairman' means the Chairman of a Board and includes a President of a Municipal Council;(iv)'Director' means the Director of Local Bodies, Rajasthan;(v)'Examiner' means the Examiner, Local Fund Audit Department, Rajasthan;(vi)'Executive Officer' means the Executive Officer of a Board and includes a Commissioner of a Municipal Council;(vii)'Existing pay scale' means scale of pay in force on or before the appointed date for the post held by a member;(viii)'Form' means the form appended to these Rules;(ix)'Member' means member of the service;(x)'Present emoluments' means basic pay of member in the existing pay scales together with dearness allowance admissible thereon;(xi)'Revised dearness allowance' means dearness allowance applicable on the appointed date;(xii)'Revised Pay Scale' means scale of pay as prescribed in this Department Notification No. F. 2(36) LSG/58-70/1, dated 16-4-71;(xiii)'Schedule' means schedule appended to these Rules;(xiv)'Service' means Rajasthan Municipalities (Class IV) Service as constituted under the Rajasthan Municipalities (Class IV Service) Rules, 1964.

3. Scope of Rules.

(1)The Revised Pay Scales shall be payable to such member who exercises his option for the Revised Pay Scale in accordance with the provisions contained in rule 5 below :Provided that the Revised Pay Scales shall not be applicable in the following cases :-(i)Who are paid from the contingency, or(ii)Who have been retrenched, discharged, or terminated from the Municipal Service, or(iii)Who have been especially excluded wholly or partly by the Government from the operation of these Rules, or(iv)Who are appointed on contract or on fixed pay, and(v)Who are holding part-time appointment.(2)Every Board shall, before deciding to apply the Revised Pay Scales from the appointed date, ensure and satisfy itself that its financial resources are sufficient to meet the additional burden arising on account of payment of the Revised Pay Scales.

4. Repeal.

- On the application of the Revised Pay Scales and opted for them by a member, in such cases the scales of pay as prescribed in the Schedule to the Rajasthan Municipalities (Class IV) Service Rules, 1964 shall stand superseded from the appointed date.

5. Exercise of option.

- (i) Any member who is eligible for the Revised Pay Scale under Rule 3 above may elect to continue to draw pay in his existing pay scale till the date on which he earns his next or subsequent increment in his existing pay scale or until he vacates his post or ceases to draw his pay in his existing pay scale :Provided that if any Board resolves to make the Revised Pay scales applicable from a date after 2-5-1964, the member shall continue to draw pay in the scales of pay prescribed in the Schedule to the Rajasthan Municipalities (Class IV) Service Rules, 1964 as amended from time to time till the appointed date and the fixation of his pay will be done with reference to basic pay after adding due increments in the pay scale in force before 2nd May, 1964.(ii)The option under sub-rule (i) shall be exercised in writing in Form 1 and submitted to the Executive Officer within a period of two months from the coming into force of these rules or the appointed date whichever is later ;Provided

that-(a)In case any member is on leave, under suspension, training or on foreign service during the said period of two months, the option shall be exercised by him within two months from the date of his return to regular duty in the service;(b)In case option is not received from any member within the time specified above he shall be deemed to have elected the Revised Pay scale from the appointed date.(c)Where any member has already expired or expires before, exercising his option within the prescribed period he may be deemed to have exercised his option in favour of the revised pay scale or the existing pay scale whichever is advantageous to him and his pay shall be fixed accordingly.(iii)The option once exercised shall be final.

6. Declaration by the member.

- For the safeguard of the recovery of over or excess payment made on account of some error in the fixation of pay in the Revised Pay scale, each member opting the Revised Pay scale shall give a declaration in Form II that in the event of over payment to him, recovery shall be effected from his pay.

7. Preparation of fixation statement.

- On receipt of option under rule 5 and the declaration under rule 6 of these rules, the Executive Officer shall prepare a fixation statement in quadruplicate in Form 3 and shall furnish the same with service record to the chairman or any other officer nominated by the Director. The Chairman or any other officer nominated by the Director shall examine such fixation statement and if the same is found in order, convey his approval. A copy of such approved fixation statement shall be forward to the Examiner of audit purposes.

8. Fixation of pay.

- Subject to the instructions contained in Schedule I and II and unless in any case the Government by special order otherwise directs, the pay of a member who elects or is deemed to have elected the Revised Pay Scale under rule 5 shall be fixed in the following manner:-
(a)The pay in the Revised Pay Scales shall be fixed at a stage to which the addition of revised dearness allowance, if any make total equal to the present emoluments :Provided that if there are two stages in the Revised Pay scales to which the addition of the revised dearness allowance, if any, makes the total equal to the present emoluments, the pay in the revised pay scale shall be fixed at the higher stage.
(b)If there is no stage or stages as indicated in clause (a) above the pay shall be fixed at a stage or which the addition of revised dearness allowance, if any, results in minimum increase in, present emoluments :Provided that if there are two stages to which the addition of revised dearness allowance, if any, results in the minimum increase in the present emoluments, the pay shall be fixed at the higher stage.
(c)When the basic pay in the existing scale plus the amount of dearness allowance, appropriate to the basic pay is less than minimum pay of the Revised Pay Scale, the pay shall be fixed at the minimum of the revised pay scale.
(d)Where the basic pay in the existing pay scale plus the amount of dearness allowance appropriate to the basic pay is more than the maximum pay of the Revised Pay scale such difference shall be allowed as personal pay of the member.
(e)Where the fixation of the pay in the Revised Pay Scale carries the pay beyond the stage of efficiency bar, it shall be deemed to have been

crossed.

9. Date of increment.

- Subject to the instructions contained in Schedule I and Schedule II the next increment of a member whose pay has been fixed in the Revised Pay Scale in accordance with rule 8 above shall be granted on the date on which he would have drawn his increment had he continued in the existing pay scale :Provided that where the pay is fixed at the minimum of the Revised Pay Scale and on such fixation the revised emoluments exceed the present emoluments by the amount of first increment or more in the Revised Pay Scale, the next increment shall be granted after completing the full incremental period countable under rule 31 of the Rajasthan Service Rules.

10. Liability of payment.

- Pay, dearness allowance and other allowances of a member shall be paid out of the funds of the concerned Municipality where he had served or serves from time to time as the case may be.

11. Relaxation of Rules.

- If the Government is satisfied that the operation of any of these rules causes undue hardship in any particular case it may by order relax the requirement of that rule to such extent and subject to such conditions that it may consider necessary for dealing with a case in just and equitable manner.

12. Power of interpretation.

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

I

Instructions(See Rule 8)(1)The rate of revised dearness allowance admissible to members with effect from the appointed date shall be Rs. 10/- p.m.(2)The above revised rate of dearness allowance shall be in supersession of previous or existing dearness allowance in force on or before the 2nd December, 1963.(3)This dearness allowance shall be applicable to the employees of that Board which resolves to adopt the Revised Pay Scales during the period from 2-12-1963 to 1-5-1964 or from the date these Revised Pay Scales are adopted by the Board.(4)No portion of this revised dearness allowance will be treated as part of pay for any purpose.(5)If a Board do not adopt the Revised Pay Scales or the employees do not elect the Revised Pay Scales shall continue to draw dearness allowance at the rate in force on or before 2-12- 1963 so long as they continue to draw pay in existing pay scales.(6)Any increase in the rate of dearness allowance will also be drawn with such conditions and to the extent of the rates prescribed by the State Government, for its employees provided the financial position of the Boards permits to do so.(7)On election of Revised Pay Scales the portion of existing dearness allowance, other than retained as revised dearness allowance shall

be merged into pay subject to the condition that rate of such amount of dearness allowance is not more than that the amount of dearness allowance appropriate to the rate of basic pay drawn on or prior to 2nd December, 1963.

II

(See Rule 8)

containing instructions regarding initial pay, qualifications and regulating of pay of the existing members

Scale-45-1-70(1)The washing allowance, if any being paid to Class IV staff including sweepers and scavengers shall stand abolished with effect from the appointed date and the members drawing such allowance shall be granted advance increments on fixation of his pay in the Revised Pay Scale to the extent of the amount he is drawing such washing allowance :Provided where the pay of the member is fixed at Rs. 70/- or more in the Revised Pay Scale of Rs. 50-1-70-2-76-EB-2-80, he shall be allowed a personal pay of Rs. 1/- instead of advance increment. The personal pay shall merge in future increase in pay.(2)An existing member whose Pay in the Revised Pay Scale is fixed at Rs. 59/- or less shall have his pay subsequent to reaching the stage of Rs. 59/- refixed at Rs. 65/- (instead of Rs. 60/-).Scale-50-1-70-2-76-EB-2-80.(1)Advance increments equal to Rs. 5/- shall be admissible to a person who is middle school passed at the time of his initial appointment or who acquires the qualification while in service :Provided where the addition of Rs. 5/- to the pay of a person who acquires the qualifications while in service, does not correspond to any stage in the Revised Scales of pay shall be fixed at the next lower stage and difference allowed as personal pay to be absorbed in future increments.(2)A member whose pay in the Revised Pay Scale is fixed at Rs. 59/- or less shall have his pay subsequent to reaching the stage of Rs. 59/- refixed at Rs. 65/- (instead of Rs. 60/-).Scale-75-3-90-4-110-5-130-EB-5-160.(1)Initial pay shall be admissible as follows :-(a)Rs. 75/- to a person who has skill and experience of the trade considered sufficient by the appointing authority but has no educational or technical qualifications.(b)Rs. 90/- (i) either a matriculate person who has skill experience of the trade considered sufficient by the appointing authority, or (ii) a non-matriculate person who has a crafts- man's certificate issued by the National Council of Vocational Trades. In jobs for which no such certificate is issued in Rajasthan the Government shall prescribe the type of certificate required.(3)Initial pay of Rs. 102/- shall be admissible to a person who is a matriculate and has also a certificate mentioned as above.(4)In the case of existing personal who do not possess the qualifications mentioned in paras (2) and (3) and whose pay on fixation in the Revised Pay Scale comes to less than Rs. 90/- or Rs. 102/- the higher initial pay prescribed in paras (2) and (3) above shall be admissible on their subsequently acquiring the respective qualifications.(5)In the case of the existing personal who already have the qualifications prescribed in paras (2) and (3) and whose pay on fixation in Revised Pay Scales come to by then Rs. 90/-or Rs. 102/- as the case may be, the prescribed initial pay shall be admissible.(6)A person whose pay in the Revised Pay Scale is fixed at 83/-or less shall have his pay subsequent to reaching the stage of Rs. 84/- refixed at Rs. 90/- (instead of Rs. 87/-).(7)A person drawing pay in the existing pay scale of Rs. 60-4-80-5-130 or 80-5-125 or 75-4-95-5-140 whose pay in the Revised Pay Scale is fixed at Rs. 120/- less shall have his pay subsequent to reaching the stage of Rs. 120/- refixed at Rs. 130/- (instead of Rs. 125/-).(8)A person whose pay in the existing pay scale is less than Rs. 74/- on fixation at or

reaching the stage of Rs. 102/- in the Revised Pay Scale be entitled to draw his next increment only on the second anniversary of the normal date of increment.(9)A person whose pay in the existing scales of Rs. 60-4-80-5-130 or 75-4-95-140 is less than Rs. 126/- shall on the fixation or reaching the stage of Rs. 150/- in the Revised Pay Scale be entitled to draw his next increment only on the second anniversary of the normal date of increment. Form No. 1(See Rule 5)Option(1)I hereby elect the Revised Pay Scales with effect from..... appointed date i.e.....(2)I hereby elect to continue my pay in the existing pay scale as mentioned below until.-(a)[the date of my next increment which falls on.....] [To be scored out, if not applicable.](b)the date of my subsequent increment raising my pay to Rs.....on.....(c)I vacate or cease to draw the pay in the existing pay scale.Existing Pay Scale.....Signature.....Date.....Place.....Name.....Designation.....Section..... Officer.Date.....Form No. 2(See Rule 6)DeclarationI, Shri designation..... do hereby declare and undertake to refund any amount that may be overdrawn as a result of incorrect pay fixation in the Revised Pay Scale.

Signature.....

Name

Witness : Designation

(1)..... Section.....

(Designation) Date.....

(2).....

(Designation)

Attested Commissioner/Executive Officer, Municipal Board/Council. Form No. 3(See Rule 7)Statement of Fixation of Pay

S. No. Name of the employee Designation Qualification at the initial appointment

1	2	3	4
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Date of option Date of confirmation Existing Pay Scale Basic pay

5	6	7	8
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Date of next increment D.A. Total Revised Pay Scale

9	10	11	12
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Pay fixed in the Revised Pay Amount of D.A. Total Date of next increment Remarks

13	14	15	16	17
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Certified that-(a)Option of the employee for fixation of pay in the Revised Pay Scales have been received and pasted in the service roll.(b)Declaration have been obtained from the employee for the repayment of any overpayment made to him as a result of incorrect fixation of pay of the employee.(c)The entries made in this statement are on the basis of the service record of the employee and are correct.

Date Station Signature of Commissioner/Executive Officer,
Municipal Council/ Board
Approved Chairman