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GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ADMINISTRATIVE REFORMS
CIVIL SECRETARIAT : 4TH FLOOR : BLOCK NO.4
ITANAGAR

NOTIFICATION

The 14th March, 2015

No. AR-108/2011. — In exercise of powers conferred by section 27 (1) read with section 16(2) and (5)(b) of the Right to Information Act, 2005 (No.22 of 2005), the Governor of Arunachal Pradesh is pleased to make the following Rules, namely :

CHAPTER - I

1. **Short title and commencement** : (1) These Rules may be called "The State Information Commissioner, Arunachal Pradesh, (Pension) Rules, 2014"

(2) They shall be deemed to have come into effect from 13th October, 2006.

2. **Definition** : In these Rules, unless the context otherwise requires :

- (a) 'Governor' means Governor of Arunachal Pradesh;
- (b) 'Government' means the Government of Arunachal Pradesh;
- (c) 'Information Commissioner' means the State Information Commissioner, Arunachal Pradesh appointed under sub-section (3) of Section 15 of the RTI Act, 2005;
- (d) 'Chief Secretary' means the Chief Secretary to the Government of Arunachal Pradesh;
- (e) 'Emoluments' means basic pay as defined in Rule, 9 (21)(a)(i) of the Fundamental Rules which a Government servant was receiving immediately before his/her retirement or on the date of his/her death;
- (f) 'Average emoluments' shall be determined with reference to the emoluments drawn by a Government servant during the last ten months of his service;
- (g) 'New Pension Scheme' means New Defined Contributory Pension Scheme notified by the Government of Arunachal Pradesh vide Notification No.DAP/PEN/11/2011 dated 18th June, 2009;
- (h) 'Head of Department' means the Registrar, Arunachal Pradesh Information Commission;
- (i) 'Head of Office' means a Gazetted Officer declared as such under Rule 14 of Delegation of Financial Powers Rules, 1978 and includes such other authority or person whom the Competent Authority may by order, specify as Head of Office.
- (j) 'Service' means service under the Government and paid by that Government from the Consolidated Fund of India or a Local Fund administered by that Government but does not include service in a non-pensionable establishment unless such service is treated as qualifying service by the Government.

CHAPTER - II

3. (i) The admissibility of salary and allowances of the Information Commissioner (s) is at par with the State Chief Secretary as per Rule 16 5(b) of the Right to Information Act, 2005.
 - (ii) The State Information Commissioner shall be paid salary and allowances including other terms and conditions the same as that of the Chief Secretary to the State Government.
 - (iii) The salary and allowances and other conditions of Service of the State Information Commissioner shall not be varied to their disadvantage after their appointment.
4. (i) The Pensionary benefits under Central Civil Service (Pension) Rule, 1972 is extended only to the All India Service Officers and Central Government employees who were appointed up to 31st December, 2003.

(ii) The Pension of the All India Service Officers and the Central Government employees appointed on or after 1st January, 2004 is regulated by the New Defined Contributory Pension Scheme known as (New Pension Scheme) notified by the Ministry of Finance (Department of Economic Affairs) Government of India vide their Office Memorandum No. 5/7/2003-ECB-2PR dated 22nd December, 2003 which was adopted by the Government of Arunachal Pradesh to the employees who are appointed on or after 1st January, 2008 vide No. DAP/PEN/11/2011 dated 17th November, 2007 and OM No. DAP/PEN/11/2004 dated 18th June, 2009 respectively.

5. The minimum qualifying service for entitlement of Pension is 3 (Three) completed years of service as State Information Commissioner.

6. The State Information Commissioner, Arunachal Pradesh, who at the date of his/her appointment, was in the pensionable service of Government of India, or of State local body, or any other body wholly or substantially owned or controlled by the Government, his/her subsequent service in Arunachal Pradesh Information Commission shall be reckoned as continuing approved service for counting as qualifying services for the purpose of calculation pension in service to which he/she belonged.

7. (i) The Information Commissioners who were appointed prior to 1st January, 2008 and those who attained minimum qualifying service of 3 years shall be entitled to pro-rata pension for the completed years of service as Information Commissioner in the State Information Commission. For the purpose of computing eligible period of service for pension, fraction of a year equal to three months and above shall be treated as a completed half year and 6 months and above shall be treated as a complete year and reckoned as qualifying service.

(ii) Pension shall be calculated based on the following formula:-

$$\text{Pension} = \frac{\text{Average basic pay} \times \text{Eligible service (in years)}}{2 \times 30}$$

(iii) Average basic pay shall be determined reckoning the Basic Pay (Pay in the Pay Band and Grade Pay) drawn for the last 10 months of Qualifying Service immediately before retiring from his/her service.

8. In the case of those who have prior pensionable service and drawing pension, they shall be eligible for additional pension for the separated service rendered by them as the State Information Commissioners and will get an amount of ₹ 16000.00 (Rupees Sixteen thousand) only per annum for each completed year of service.

Provided that the total of two pensions (pension for the previous service and the Information Commissioner) shall not exceed the ceiling of ₹.5, 40,000.00 per annum.

9. Person who joined as State Information Commissioner without previous Government Service are also entitled to get pro-rata pension as per rule 7 (ii) subject to fulfillment of the condition prescribed under Rule 5.

10. No family pension shall be admissible for the pension/additional pension that are given as State Information Commissioners.

11. State Information Commissioners who resigned / were remove or dismissed shall not be eligible for Pensionary benefits including DCRG/terminal gratuity.

12. Dearness relief shall be allowed at the prevailing rates of the State Government.

13. No commutation of Pension shall be admissible under this scheme.

14. Information Commissioner, who has completed 3 years qualifying service and has become eligible for service gratuity or pension shall, on his retirement, be granted [retirement gratuity] equal to one-fourth of his emoluments for each completed six months period of qualifying service.

15. If a State Information Commissioner dies while in service, the death gratuity shall be paid to his family in the manner indicated in sub rule (1) of Rules 51 of CCS (Pension) Rule, 1972 at the rates given in the Table below, namely :-

Length of Service	Rate of death gratuity
(i) Less than 1 (one) year	2 (two) times of the emoluments.
(ii) one year or more but less than 5 years	6 (six) times emoluments
(iii) 5 years or more	12 (twelve) times of emoluments.

16. Terminal gratuity @ one month of Basic Pay and DA for each completed year shall be paid to those who are not eligible for pension i.e. less than 3 years of service. Fraction of Six months and above will be reckoned as one year for calculation of terminal gratuity. The basic pay and DA for calculation of terminal gratuity shall be immediately last drawn pay of the Commissioner.

17. The pension of the Information Commissioner appointed on or after 1st January, 2008 shall be regulated by the New Pension System implemented by the Government of Arunachal Pradesh to its employees vide Office Memorandum No.DAP/PEN/11/2011 dated 17th November, 2007 and Office Memorandum No. DAP/PEN/11/2004 dated 18th June, 2009. The modalities and operation of NPS shall be the same as prescribed under aforesaid NPS guidelines and rules as amended from time to time.
18. The Commissioners will make a contribution of 10% of his/her Basic pay (Pay in the Pay Band and Grade Pay) plus DA, which will be deducted from his/her salary bill by the DDO. The State Government will also make an equal matching contribution. The amount so contributed shall be remitted by the DDOs to the Director of Accounts & Treasuries in the forms of Bank draft/Banker's cheque along with deposit schedule.
19. On exit from the scheme on completion of their service, they shall deposit at least 80% of the accumulated Pension wealth for mandatory purchase of an annuity (from an IRDA regulated Life Insurance Company) which will be provided in the form of pension to the State Information Commissioners. 20% of the accumulated pension wealth shall be paid to the pensioner at time of exit of service.
20. Upon death, the entire accumulated pension wealth (100%) would be paid to the nominee/legal heir of the subscriber.
21. In the event of exit from service prior to completion of qualifying service of three years, the entire accumulated employee's share shall be paid to the subscriber on the date of exit.
22. If any doubt arises about interpretation of any of these rules, the interpretation of the Government of Arunachal Pradesh shall be final and binding.

By order in the name of Governor of Arunachal Pradesh.

Ramesh Negi
Chief Secretary to the
Government of Arunachal Pradesh,
Itanagar.