

No. Pen-07/2009 50072 /F

**GOVERNMENT OF ORISSA  
FINANCE DEPARTMENT**

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**OFFICE MEMORANDUM**

Bhubaneswar, dated 13.10.09.

**Sub : Fixation of pay of re-employed pensioners under the Orissa Revised Scales of Pay Rules - 2008.**

The State Government have revised the pay scales of their employees w.e.f. 1.1.2006 in Finance Department Notification No.55244/PCC (F) dated 24.12.2008 by introducing O.R.S.P. Rules, 2008 on the basis of the recommendations of the Fitment Committee constituted by the State Government for implementation of the recommendations of the Sixth Central Pay Commission.

2. Government of India, Ministry of Personnel, Public Grievances and Pension, Department of Personnel & Training in their Office Memorandum No.3/13/2008-Estt. (pay-II) dated 11.11.2008 have extended the benefit of revised pay to the persons re-employed in Government service after their retirement. But, similar benefit has not been extended to the persons re-employed in the State Government service in terms of rule 2(2)(ii) of the O.R.S.P. Rules, 2008.

3. The question of extending similar benefit to the re-employed persons who have retired from Government service and the procedure to be followed for fixing of their pay in the light of the orders issued by the Government of India was under consideration of the Government for some time past. After careful consideration, the Government have been pleased to decide as follows :-

- i) Where the pension is fully ignored or the Government servant retired without receiving pension, gratuity or any other retirement benefits, the initial pay of re-employed person who elects or is deemed to have elected to be governed by the revised pay scales w.e.f. 1.1.2006 shall be fixed according to the provisions of rule 7 of the O.R.S.P. Rules, 2008.

- ii) In case where the entire pension and pensionary benefits are not ignored for fixation of pay, the initial pay of re-employed person who elects or deemed to have elected to be governed by the revised scales of pay from the 1<sup>st</sup> day of January, 2006 shall be fixed in accordance with the provisions contained in rule 7 of the O.R.S.P. Rules, 2008. An amount equivalent to the revised pensions (excluding the ignorable portion of pension wherever permissible) effective from 01.01.2006 or after, shall be deducted from the pay so fixed.
- iii) In addition to the pay so fixed the re-employed persons shall be permitted to draw separately his/her pension/revised pension and to retain any other form of retirement benefits.
- iv) Once the initial pay of a re-employed person has been fixed in the manner indicated above, he may be allowed to draw normal increment in the manner laid down in rule 9 of O.R.S.P. Rules, 2008 on the entire amount of pay as if pension had not been deducted.

The re-employed persons who are eligible and elect to be governed by the revised scale in accordance with these orders **shall exercise their option in the manner laid down in rule 6 of the O.R.S.P. Rules, 2008 within three months from the date of issue of these orders.** The option once exercised shall be final.

- v) Where a re-employed person elects to draw his pay in the existing scale and is brought over to revised scales from a date later than the 1<sup>st</sup> day of January, 2006, his pay from the later date in the revised scale shall be fixed in accordance with the provisions of rule 11 of the O.R.S.P. Rules, 2008.
- vi) The upper limit for drawal of pay and gross pension/other forms of retirement benefit taken together on re-employment as prescribed under rule 90 of O.C.S. (Pension) Rules, 1992 was enhanced to Rs.20,450/- w.e.f. 01.01.1996 as per Finance Department Office Memorandum No.54468/F, dated 06.11.2001. Now it is decided that the upper limit for

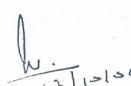
drawal of pay and gross pension/other forms of retirement benefit on re-employment shall be enhanced to Rs.76,000/- including grade pay w.e.f. 01.01.2006. Accordingly, the provision of rule 90 of O.C.S. (Pension) Rules, 1992 shall stand modified.

vii) In case of commissioned service officers and civil officers holding group 'A' post who retired before attaining the age of 55 years, the ignorable part of pension as provided in rule 89(d) of O.C.S. (Pension) Rules, 1992 was enhanced to Rs.1500/- w.e.f. 01.01.1996 as per Finance Department Office Memorandum No.50885/F dated 11.12.1998. Now, it is decided that in case of pensioners retiring before attaining the age of 55 years, the pension as indicated below may be ignored in fixing up their pay on re-employment w.e.f. 01.01.2006.

- a) in the case of officers drawing pension not exceeding Rs.4000/- p.m. - the actual pension.
- b) In other cases - the first Rs.4000/- of the pension.  
Accordingly, rule 89(d) of O.C.S. (Pension) Rules, 1992 shall stand modified.
- c) the pension for the purpose of these orders means gross pension.

The existing limit of Civil and Military pension to be ignored on fixing the pay of re-employed persons will, therefore, cease to be applicable in the case of such persons re-employed on or after 01.01.2006.

The aforesaid decisions will cover all Government servants re-employed under the State Government other than those employed on contract basis whether they have retired with or without a pension and/or gratuity or any other retirement benefits from a civil post or from the Armed Forces.

  
(J.K. Mohapatra)  
Principal Secretary to Government

Memo No. 50073 (460) /F, Dated 13.10.09

Copy forwarded to all Departments of Government/All Heads of Department/All R.D.Cs/All Collectors/Principal Secretary to Governor/ Principal Secretary to Chief Minister/Secretary to O.P.S.C., Cuttack/ Secretary to Rajya Sainik Board, Orissa, Bhubaneswar/Director, Madhusudan Das Regional Academy of Financial Management, Bhubaneswar/ Director General, Gopabandhu Academy of Administration, Bhubaneswar/ Secretary to Orissa Legislative Assembly, Bhubaneswar/All District and Session Judges/All Treasury Officers of District Treasuries and Special Treasuries/All Sub-Treasury Officers/A.G. (A&E), Orissa, Bhubaneswar/ Senior D.A.G., Orissa, Puri/ Manager, Reserve Bank of India, Bhubaneswar for information.

Memo No. 50074 (2) /F, Dated 13.10.09 Deputy Secretary to Government

Copy forwarded to the Deputy Secretary to Government of India, Ministry of Personnel, P.G. & Pension, Department of Pension and Pensioners Welfare, New-Delhi/Deputy Chief Accountant, Reserve Bank of India, Department of Government and Bank Accounts, Central Office, 4<sup>th</sup> Floor, Byculla Office Building, Opposite Mumbai Central Station, Byculla, Mumbai-400008 for information and necessary action.

Memo No. 50075 (120) /F, Dated 13.10.09 Deputy Secretary to Government

Copy forwarded to All Officers of Finance Department/All Branches of Finance Department for information.

Memo No. 50076 /F, Dated 13.10.09 Deputy Secretary to Government

Copy forwarded to the Head of Portal Group, I.T.. Centre, Secretariat, Orissa for information and necessary action.

He / She is requested to lunch this Office Memorandum on fixation of pay of re-employed pensioners under the Orissa Revised Sales of Pay, 2008 in the Website ([www.orissa.gov.nic.in/finance/index.htm](http://www.orissa.gov.nic.in/finance/index.htm)) of Finance Department for General Information.

13.10.2009  
Deputy Secretary to Government

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1910 Head of Portal Group I.T. Center.