

No. 26472—Psn-12/91-F.

FINANCE DEPARTMENT

OFFICE MEMORANDUM

The 20th July 1991

Subject :—Family Pension Scheme for State Government employees who die before completion of one year of continuous service.

The undersigned is directed to refer to the Finance Department Office Memorandum No. 27151 dated the 29th May 1979 which provides that family pension shall apply to Government servant who dies before completion of one year of continuous service provided, the deceased Government servant concerned had been medically examined and found fit for appointment under the Government. This order was effective from the 29th May 1979.

Representations have been received from various quarters for grant of family (pension) to the widows of those Government servants who died before 29th May 1979 without completion of one year continuous service. Since the Government of India have extended such facility to their employees, the matter has been considered carefully and the Governor is pleased to decide that the benefits of Family Pension Scheme, 1964 be extended to the families of those Government servants who died before completion of one year continuous service prior to 29th May 1979 but who had been examined by the appropriate medical authority and declared fit by that authority for Government service.

These orders shall take effect from the date of issue of this office Memorandum and no arrears shall be admissible.

S. K. RATH

Joint Secretary to Government

No. 31740—Pen.-44/91-F.

FINANCE DEPARTMENT

OFFICE MEMORANDUM

The 27th August 1991

Subject :— Recovery of dues arising out of non-settlement of audit objections

While taking up pension cases in the Pension Adalat for finalisation, it has come to the notice that in some cases D. C. R. Gratuity etc., have been held up pending settlement of audit objections. It has to be borne in mind that the findings in an audit report / Para. do not impose any liability on the Government servant concerned unless the same is established in a Departmental proceedings initiated against him under the Orissa Civil Service (classification, control and Appeal) Rules, 1962. Such liability does not come under the purview of Government dues. It is mandatory that Government dues are required to be cleared by the retiring Government servant before the date of his retirement. The existing provisions of Rule 157 and 158 of the O. P. R. 1977 do not define the term of Government dues. The expression "Government dues" includes only arrears of rent and other charges pertaining to occupation of Government accommodation, balance of house building or conveyance advance, over-payment of pay and allowances or leave salary and arrears of Income-Tax deductible at source under the Income-Tax Act, 1961.

As such the amount arising out of Audit report/para which has not been termed as "Government dues" can not be recovered from D. C. R. Gratuity. Such dues can, however, be realised provided the responsibility is fixed by following the appropriate procedure.

S. K. RATH

Joint Secretary to Government

No. 33993—Pen.-26/90-F.

FINANCE DEPARTMENT

OFFICE MEMORANDUM

The 7th September 1991

Subject:—Grant of *ad hoc* relief to Pensioners retiring prior to 11-6-1974.

Consequent up on the decision of the Orissa High Court taken on the 15th October, 1990 O. J. C. No. 2404, of 1984 (Sudarsan Prasad Das, Vrs. -State), the Pensioners who retired prior to 11th June, 1974 and have not availed the benefit of Dearness Pay will be entitled to the *ad hoc* relief at the rates indicated in Finance Department Resolution No. 2848/F., dated the 20th January 1984, with effect from the 1st November, 1981. This will not however be admissible to such pensioners who have availed the benefit of Dearness Pay.

The above *ad hoc* relief shall be added to the original pension and on the basis of total figures the temporary increase in pension granted from time to time shall be allowed.

S. K. RATH

Joint Secretary to Government

No. 42523—Pen.-18/91-F.,

FINANCE DEPARTMENT

RESOLUTION

The 16th November, 1991

Subject:—Equal distribution of the lapsed share of family pension among the surviving family members.

According to the existing provision contained in Rule 91 of O. P. R. 1977 where there are more than one widows the family pension of the deceased Government servant is payable to all these widows in equal shares and on the death of one of such widow, her share for family pension is payable to her eligible child. If the widow of a deceased Government servant is not survived by any child, her share of the family pension ceases to become payable. But the Government of India have provided that the share of such family pension will not lapse but will be payable to the other widow/widows or child/children in equal rates and if there is only one widow or child, in full, to such widow or child.