

FINANCE DEPARTMENT

OFFICE MEMORANDUM

No. 9279—Pen. 20/90-F.

The 15th March 1991

Subject—Grant of Family Pension for life time to Children of deceased Government employees suffering from disorder/disability of mind or are physically crippled/disabled.

The question of granting family pension for the life time to a son or daughter of a Government employee suffering from disorder or disability of mind was under consideration of Government for some time past on the representations received from various quarters. The State Government have now decided that if the son or daughter of a Government servant is suffering from disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a livelihood even after attaining the age of 25 years, such a case shall be considered individually on merits and family pension shall be granted to such a son or daughter for the life time subject to the following conditions.

(i) If such son or daughter is one among two or more children of the Government servant, the family pension shall be initially payable to the minor children in the order set out as per Rule 92 (c) of O. P. R. readwith F. D. O. M. No. 51573-F., dated 13th October 1987 until the last minor child attains the age of 25 years and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life.

(ii) If there are more than one such children suffering from disorder or disability of mind or who are physically crippled or disabled, the family pension shall be paid in the order of their birth and the younger of them will get family pension only after the elder next above him/her ceases to be eligible provided that where the family pension is payable to such twin children it shall be paid to such children in equal shares. Moreover, when one such child ceases to be eligible his/her share shall revert to the other child and when both of them cease to be eligible the family pension shall be payable to the next eligible single child/twin children.

(iii) The family pension shall be paid to such son or daughter through the guardian as if he or she were minor ;

(iv) Before allowing the family pension for life to any such son or daughter, the pension sanctioning authority shall satisfy that the handicap is of such a nature so as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a Medical Officer not below the rank of a C. D. M. O. (Civil Surgeon) setting out, as far as possible the exact mental or physical condition of the child.

(v) The person receiving the family pension as guardian of such son or daughter shall produce every three years a certificate from a Medical Officer not below the rank of a C. D. M. O. (Civil Surgeon) to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

EXPLANATIONS

(a) The benefit under this order will be admissible to the eligible disabled children born (i) before or after retirement, from the marriage that took place before retirement of the Government servants (ii) before death of the Government servants including posthumous child.

(b) A daughter shall become ineligible for family pension under this order from the date she gets married.

(c) The family pension payable to such a son or daughter shall be stopped if he or she starts earning his/her livelihood.

(d) In such cases, it shall be the duty of the guardian to furnish a certificate to the Treasury or Bank, as the case may be, every month that (i) he or she has not started earning his/her livelihood; (ii) in case of daughter, that she has not yet married.

The benefits under these orders shall take effect from the date of issue of this order irrespective of the date of death or retirement as the case may be. No financial benefit will however accrue prior to the issue of this order. Necessary amendment to the Orissa Pension Rule is being made separately.

S. K. RATH

Joint Secretary to Government

GENERAL ADMINISTRATION DEPARTMENT

No. 6340—SC/6-33/90(pt.)-*Gen.

The 8th March 1991

To

All Departments of Government

All Heads of Departments

All Collectors

SUBJECT—Orissa Civil Service (Rehabilitation Assistance) Rules, 1990

The undersigned is directed to say that according to Rule-2(a) (ii) of the Orissa Civil Service (Rehabilitation Assistance) Rules, 1990 rehabilitation assistance is admissible when there is existence of indigent conditions in the family after the death or invalid retirement of the employee. Rule-2(a) (iii) of the above rules stipulates that when any member of the family is already in employment in Government/Public or private sector or is carrying on an independent business within an earning up to Rs. 12,000 a year, the family will not be eligible to rehabilitation assistance. References have been received in this Department whether family pension admissible to the family of the deceased Government servant and pension of the disabled Government servant will count towards income of the family under Rule-2(a) (iii) of the above said Rules. It is, therefore, clarified that family pension allowed to the members of deceased Government servant and pension allowed to disabled Government servant will not count towards an earning under Rule-2(a) (iii) of the above said rules. But family pension/pension allowed to disabled Government servant has to be certainly taken into account under Rule-2(a) (ii) of the above said rules while determining that there is existence of indigent conditions in the family after the death or invalid retirement of the employee.

The Sub-ordinate Offices under their control may be intimated accordingly

[ILLEGIBLE]

Deputy Secretary to Government

FINANCE DEPARTMENT

Memo No. 10158(120)-Pen-4/91-F.

The 19th March 1991.

Copy forwarded to all Officers and All Branches of Finance Department for information

K. PATNAIK

Under-Secretary to Government