GOVERNMENT OF ODISHA
FINANCE DEPARTMENT
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NOTIFICATION

No. FIN-CS3-PEN-0017-2022/26635 /F, dated 22th September, 2023

In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor of Odisha is pleased to make the following rules further to amend the Odisha Civil Services (Pension) Rules, 1992, namely:-

1. (1) These rules may be called the Odisha Civil Services (Pension) Second Amendment Rules, 2023.

(2) They shall come into force from the date of their publication in the Odisha Gazette.

2. In the Odisha Civil Service (Pension) Rules, 1992, in rule 65;

(a) in sub-rule (1), for clause (ii), the following clause shall be substituted, namely:-

"(ii) ask the retiring Government servant six months in advance before the date of retirement to furnish a written statement on plain paper stating the total length of qualifying service including details of emoluments last drawn excluding the break or other non-qualifying periods of service with such other documents as required for sanction of final pension.";

(b) in sub- rule (4), in clause (a), for sub-clause (ii), the following sub-clause shall be substituted, namely:-

"(ii) 100 per cent of the payable amount of gratuity towards provisional gratuity as determined under sub-rule (3) withholding ten per cent of such gratuity.";

(c) in sub- rule (4), in clause (a), after sub-clause (ii), the following sub-clause shall be inserted, namely:-

"(iii) If a Government servant is or was an allottee of Government accommodation fifty per cent of such gratuity shall be withheld pending receipt of No Demand Certificate from Authority in charge of Government accommodation.";

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(d) in sub-rule (6), for clause (a), the following clause shall be substituted, namely:-

"(a) The payment of provisional pension shall not continue beyond the period of six months from the date of retirement of the Government servant or from the date of submission of the online Pension Application through the pensioners Portal (https://www.odishatreasury.gov.in/PensionPortal) by the Government servant, whichever is later, and if the amount of final pension and the amount of final gratuity had been determined by the Pension Sanctioning Authority before the expiry of the said period of six months, he shall intimate the same to the Accountant-General, Odisha. While submitting final pension papers to the Accountant General, Odisha, the pension sanctioning authority shall send a detailed information showing sanction and drawal particulars of Provisional Pension, Commuted Value of Pension and Provisional Gratuity. Where no such sanction has been made the fact of non-sanction or non-drawal shall also be intimated to the Accountant General. On receipt of the report the Accountant General, Odisha shall -

(i) issue the pension payment order and direct the Treasury Officer to draw and disburse the difference between the final amount of pension and the amount of provisional pension paid under sub-clause (ii) of clause (b) of sub-rule (4); and

(ii) direct the Treasury Officer to draw and disburse the difference between the final amount of gratuity and the amount of provisional gratuity paid under sub-clause (ii) of clause (b) of sub-rule (4) after adjusting the Government dues, if any, which may have come to the notice after payment of provisional gratuity:

Provided that provisional pension shall not be discontinued, if, for any reason, Pension Payment Order for regular pension could not be issued by the Accounts Officer after the expiry of the aforesaid period of six months.

(e) in sub-rule (6), after clause (c), the following clauses shall be inserted, namely: -

"(d) If the final amount of pension or gratuity has not been determined by the Pension Sanctioning Authority within a period of six months from the date of retirement of the Government servant or from the date of submission of pension forms duly filled in, by the Government servant referred to in clause (a)

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of sub-rule (6) for the reason other than the departmental or judicial proceedings as laid down under rule 66, he shall treat the provisional pension or gratuity as final and forward the same to the Accountant General, Odisha for issue of the pension payment order or gratuity payment order immediately on the expiry of the period of six months, failing which the Pension Sanctioning Authority or Head of Office shall be liable for disciplinary action; and

(e) Nothing contained in clause (a) and (d) shall be applied in case of following categories of employees:-

(i) A Government servant who retires from service while on foreign service as mentioned in sub-rule (2) of rule 67;

(ii) A Government servant who disappears just after his retirement;

(iii) A Government servant who was initially engaged as a workman in work charged establishment or job contract worker in survey, settlement and map publication work or consolidation operation of the State and brought over to regular pensionable service in subsequent period;

(iv) Employees of privately managed aided educational institutions or institutions governed by the local bodies/ autonomous bodies/ autonomous organisations, turned into Government servants on taking over the management of the institution by the State Government;

(v) An employee who gets provisional pension by virtue of order passed by the Court of Law; and

(vi) Any other case after concurrence of Finance Department and approval of Government".

By order of the Governor

Principal Secretary to Government

P.T.O

Memo No. 26636 /F., Date: 22.09.2023

Copy forwarded to All Departments of Government/All Heads of Departments / All Collectors / All District and Sessions Judges / Deputy Accountant General, Odisha, Puri / Secretary to Governor / Principal Secretary to Chief Minister/ Secretary to Odisha Legislative Assembly / Principal, Odisha Secretariat Training Institute, Bhubaneswar / Director General, Gopabandhu Academy of Administration, Bhubaneswar / Director, Madhusudan Das Regional Academy of Financial Management, Bhubaneswar / Manager, Reserve Bank of India, Public Accounts Department, Bhubaneswar for information.

PKMishra 22/9/23

Joint Secretary to Government

Memo No 26637 /F., Date: 22.09.2023

Copy forwarded to the Principal Accountant General (A&E), Odisha, Bhubaneswar/ the Controller of Accounts, Odisha, Bhubaneswar for information and immediate necessary action.

PKMishra 22/9/23

Joint Secretary to Government

Memo No. 26638 /F., Date: 22.09.2023

Copy forwarded to All Treasury Officers of District Treasuries and Special Treasuries/ Sub-Treasuries for information and immediate necessary action.

PKMishra 22/9/23

Joint Secretary to Government

Memo No. 26639 /F., Date: 22.09.2023

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

PKMishra 22/9/23

Joint Secretary to Government

P.T.O

Memo No. 26640 /F., Date: 22.09.2023

Copy forwarded to the Secretaries to Finance Department in all State Government / Union Territories in India with a request to circulate this Office Memorandum among the Pension Disbursing Authorities functioning within the jurisdiction of the concerned State for prompt payment to the Odisha State Pensioners.

PK Mishra 22/9/23

Joint Secretary to Government

Memo No. 26641 /F., Date: 22.09.2023

Copy forwarded to the Director, Printing, Stationery and Publication, Odisha, Cuttack with a request to publish the Notification in the next issue of Odisha Gazette and supply 50 copies of the Gazette Notification to the Finance Department.

PK Mishra 22/9/23

Joint Secretary to Government

Memo No. 26642 /F., Date: 22.09.2023

Copy forwarded to all Officers and all Branches of Finance Department / Deputy Examiner, Local Fund Audit, Finance Department / Efficiency Audit Organisation, Finance Department for information.

PK Mishra 22/9/23

Joint Secretary to Government

Memo No. 26643 /F., Date: 22.09.2023

Copy forwarded to Sri Tapan Kumar Pattanaik, Sub-Nodal Officer (E-Gazette), FID, Finance Department for information and necessary action.

He is requested to hoist this Notification regarding amendment of the OCS (Pension) Rules, 1992 in the Official Website (https:finance.odisha.gov.in) of Finance Department for General Information.

PK Mishra 22/9/23

Joint Secretary to Government