

GOVERNMENT OF ORISSA  
FINANCE DEPARTMENT

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NOTIFICATION

Bhubaneswar, Dated 23.07.2011

No. Pen-59/11 32745 /F. In exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Orissa is pleased to make the following rules, further to amend the Orissa Civil Services (Pension) Rules, 1992, namely :-

1. (1) These rules may be called the Orissa Civil Services (Pension) Amendment Rules, 2011.

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

2. In the Orissa Civil Services (Pension) Rules, 1992, (hereinafter referred to as the said rules), in rule 2, in sub-rule (1), in clause (b), after sub-clause (ii) the following sub-clause shall be inserted, namely :-

“ (iii) in case of unmarried /widowed/ divorced/ disabled widowed/ disabled divorced daughter even after attaining the age of twenty five years, until she gets married/re-married or starts earning her livelihood as prescribed in rule 56 or till her death whichever is earlier, ”

3. In the said rules, in rule 49, in sub-rule (6), for clause (v), the following clause shall be substituted, namely :-

“ (v) widowed/divorced/ disabled widowed/disabled divorced daughters including step-daughters and adopted daughters, ”

4. In the said rules, in rule 56,

(i) in sub-rule (5),

(a) after clause (c), the following clause shall be inserted, namely :-

“ (d) in the case of an unmarried daughter even after attaining the age of twenty five years till her marriage or death whichever is earlier subject to the condition that the monthly income of such daughter shall not exceed rupees four thousand four hundred and forty per month from employment in Government, semi-Government, statutory bodies, corporation, private sector, self-employment Salary/income certificate shall be obtained from the employer

in case when the incumbent is under the employment in Government, semi-Government, corporation and private sector. In case she is self-employed or is in receipt of income from known sources other than employment, the statutory authority issuing the Income Certificate shall be the competent authority to issue such certificate after causing due inquiry and calling for any records or reference to be satisfied enough to issue such Certificate.

N.B - The above benefit shall be admissible to such daughter beyond the age of twenty five years in order of their date of birth and the younger of them will not be eligible for family pension unless the next above her has become ineligible for grant of family pension. The family pension to unmarried daughters above the age of twenty five years shall be payable only after the other eligible children below the age of twenty five years cease to be eligible to receive family pension and that there is no other disabled son and disabled unmarried daughter to receive the family pension”; and

(b) after clause (d) so inserted, the following further clause shall be inserted namely : -

“(e) in the case of widowed/divorced/disabled widowed/disabled divorced daughters even after attaining the age of twenty five years till their re-marriage or death whichever is earlier subject to the condition that in case of divorced daughter/disabled divorced daughter, the divorce is valid in law and in the case of widowed / disabled widowed daughter, the family pension for life from the date of death of her husband and there is no other eligible unmarried daughter beyond the age of twenty five years and disabled son/disabled unmarried daughter to receive the family pension. The benefit of family pension for life shall be admissible to the widowed/divorced daughter only after cessation of the claim of disabled widowed/disabled divorced daughter. The other conditions governing grant of family pension to the unmarried daughters as specified in clause (d) shall also be applicable in the case of widowed/disabled widowed/disabled divorced daughters for grant of family pension in their favour.”

(c) the existing proviso to clause (c) shall be deleted; and

(d) after clause (e) so inserted, the following proviso shall be added, namely : -

“Provided that if the son or unmarried daughter including widowed/divorced daughter of a Government servant is suffering from any disorder or disabled of mind or is physically crippled or disabled so as to render him or her, unable to earn a living even after attaining the age of twenty five years, the family pension shall be paid to such son or unmarried daughter for life subject to the following conditions namely : -

(i) if such son or unmarried daughter is one among two or more children of the Government servant/pensioner, the family pension shall be initially payable to the children in the order set out in clause (c) of sub-rule (7) hereinafter until the last child attains the age of twenty five years and thereafter the family pension shall be resumed in favour of the son or unmarried daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life. The said benefit shall also be admissible in the case of disabled widowed/disabled divorced daughter of a Government servant/ pensioner in case there is no other disabled son/disabled unmarried daughter and eligible unmarried daughter.

(ii) if there are more than one such son or unmarried daughter suffering from disorder or disability of mind or who are physically crippled or disabled, the family pension shall be paid in order of their birth and the younger of them will get the family pension only after the elder next above him/her ceases to be eligible.

Explanation - The similar principle shall also be adopted in case of disabled widowed/ disabled divorced daughter subject to the condition that there is no other disabled son or disabled unmarried daughter of the deceased Government servant/pensioner.

(b) after sub para (ii) so substituted, the following sub para shall be inserted, namely : -

“ (iii) unmarried / widowed / divorced daughters even after attaining the age of twenty five years.”

By order of the Governor

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23/7/11

Principal Secretary to Government

Memo No. 32746(20) /F. Dated 23.07.2011

Copy forwarded to all Departments of Government/All Heads of Departments/All Collectors/All District and Sessions Judges/All Sub-Collectors/All Revenue Divisional Commissioners/Secretary, Member, Board of Revenue, Orissa, Cuttack/ Secretary to the Governor/Principal Secretary to Chief Minister/Secretary, O.L.A./ A.G. (A&E) Orissa, Bhubaneswar/D.A.G, Puri/Director General, Gopabandhu Academy of Administration, Bhubaneswar/Director, Madhusudan Das Regional Academy of Financial Management, Bhubaneswar/All Treasury Officers of District Treasury and Special Treasury/All Sub-Treasury Officers/Principal, Secretariat Training Institute, Bhubaneswar/ Principal Shorthand & Typewriting Institute, Bhubaneswar for information.

Memo No. 32747 /F. Dated 23.07.2011

Deputy Secretary to Government

Copy forwarded to the Director, Printing, Stationeries and Publications, Orissa Cuttack with a request to publish the Notification in the next issue of Orissa Gazette and supply 100 (one hundred) printed copies to Finance Department. The Notification is statutory and will bear S.R.O. number.

Memo No. 32748(20) /F. Dated 23.07.2011

Deputy Secretary to Government

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.

Memo No. 32749 /F., Dated 23.07.2011

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 launch this Notification in the Website ([www.orissagov.ocac.in/finance/index.htm](http://www.orissagov.ocac.in/finance/index.htm)) of Finance Department for general information.

Deputy Secretary to Government

(ii) in sub-rule (17), in clause (b), for sub-clause (ii) below the NOTE, the following sub-clause shall be substituted, namely : -

“(ii) (a) son/unmarried daughter who has not attained the age of twenty five years including such son and unmarried daughter adopted legally.

(b) unmarried / widowed / divorced / disabled widowed / disabled divorced daughters even after attaining the age of twenty five years including such daughter adopted legally.”

5. In the said rules, in rule 72, in sub-rule (3), after clause (b), the following clause shall be inserted, namely : -

“ (c) where the deceased Government servant is survived by unmarried/widowed/divorced daughters who have attained the age of eighteen years, such daughter may herself submit a claim in Form 14 to the Head of Office. But, in the case of disabled widowed/disabled divorced daughter, the guardian of such daughter or daughters may submit a claim in Form 14 to the Head of Office.”

6. In the said rules, in rule 80, in sub-rule 2, in clause (B) after sub-clause (ii), the following sub-clause shall be inserted, namely : -

“ (iii) where the deceased pensioner is survived by unmarried/widowed/divorced daughters who have attained the age of eighteen years such daughter may herself submit a claim in Form 14 to the Pension Disbursing Authority. But, in the case of disabled widowed/disabled divorced daughter, the guardian of such daughter or daughters may submit a claim in Form 14 to the Pension Disbursing Authority.”

7. In the said rules in Form 14, in para 1,

(a) for sub-para (ii), the following sub-para shall be substituted, namely : -

“ (ii) Guardian, if the deceased person is survived by child or children including disabled son/disabled daughter/disabled widowed/disabled divorced daughters,” and