

POLICE CIRCULAR ORDER No. 63

Memo. No. 9691 (22)-A., dated the 27th August 1952, by the Joint Secretary to the Government of Orissa, Home department to all Departments of Government.

Fixation of
pay of
officers re-
employed
after super-
annuation.

The undersigned is directed to invite a reference to para. 3 of Government Resolution No. 761(8)-A,(C), dated the 26th April 1942, which states that the pay of an officer on re-employment should be fixed in such a manner that the pay fix together with the pension whether drawn in full or held wholly or partly in abeyance, will not exceed the substantive pay which the officer was drawing at the time of retirement, subject to the provision that if an officer was drawing pay on the selection grade, his pay should be fixed in such a manner that the pay so fixed together with his pension, whether drawn in full or held wholly or partly in abeyance will not exceed the highest point of the ordinary time scale of pay applicable to the officer. Under the liberalised pension rules issued by Government in the Finance Department Resolution No. 13795-F., dated the 19th September 1951, a retirement gratuity is sanctioned in lieu of a portion of the pension admissible under the old rules. Since the new pension scheme was not intended to liberalism the provisions relating to the fixation of pay of pensioners of re-employment as contained in the Government Resolution of the 26th April 1942, referred to above, or in Article 521 of the C. S. R. There can be no doubt that the pension equivalent of the gratuity which an officer receives on retirement under new pension scheme should be taken into account for the purpose of determining his pay during re-employment. In view of this Government have decide that the existing procedure for fixation of pay on re-employment of a retired officer as laid down in para. 3 of the Government Resolution No. 761 (8) A-(c), dated the 26th April 1942, should be modified so that except in case of persons, who have exercised option under para. 8(b) of the new pension scheme to continue under the old rules applicable them before the introduction of the new pension scheme, the pay of an officer, on re-employment after retire should be fixed in such a manner that pay so fixed together with the pension whether drawn in full or held wholly or partly in abeyance and the pension equivalent of the gratuity received by him on retirement under the new pension scheme will not exceed his substantive pay or the highest point of the ordinary time-scale if he was drawing pay in the selection grade at the time of retirement. It has also been decided that the pension equivalent of the gratuity which an officer receives on retirement under the new pension scheme should be determined by applying the current table of commutation of pension (copy enclosed) the age of the person concerned being taken as the next birthday after retirement from Government service.

(Previous Police Circular Order No. 13 of 1952)