

Government of Orissa,
General Administration Department.

No. SC/3-1/94. 16552 /Gen.,Dt. 4-8-94

(Spec To

All Departments of Government.

All Heads of Departments.

All Collectors.

Sub:- Retirement of Government servant on superannuation while under suspension.

References are being received from various quarters seeking clarification as to whether a Government employee can superannuate during suspension period or it is necessary that he should be reinstated before superannuation.

2. After careful consideration, it is clarified that Rule 91(1) of the Orissa Service Code clearly envisages retirement on superannuation of a Govt. servant while under suspension. Reinstatement of the suspended employee solely for the purpose of retirement and determination of pensionary benefits is not warranted by the service and pension rules in force.

Rule 7(2)(b) and Rule 66(1) of the Orissa Civil Services(Pension) Rules, 1992 provide for payment as also the mode of calculation of provisional pension to a Govt. servant against whom any departmental or judicial proceeding is pending on the date of his retirement. Further, a departmental proceeding initiated while the Govt. servant was in service may be continued even after his retirement on superannuation, as provided by Rule 7(2)(a) of Orissa Civil Services(Pension) Rules, 1992.

The Subordinate offices may be informed accordingly.

P. G. Kar
3/8/94
Special Secretary to Government.

Memo No. 16553 /Gen.,Dt. 4-8-94
Copy forwarded to all Branches of G.A. Department for information and guidance.

W. S. Das
3/8/94
O.S.D. to Chief Secretary & ex-officio
Joint Secretary to Government.

MJ.