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GOVERNMENT OF ORISSA,
GENERAL ADMINISTRATION DEPARTMENT.

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No. SC/6-71/97(pt) - 39937 /Gen

From:

Shri Priyabrata Patnaik, I.A.S.,
Special Secretary to Government.

To

All Departments of Government
All Heads of Departments
All Collectors

Sub:

Bhubaneswar, dated the 30th November, 1998
Amendment to Orissa Civil Service (Rehabilitation Assistance) Rules, 1990-Clarification thereof.

The undersigned is directed to say that consequent upon amendment of Orissa Civil Service (Rehabilitation Assistance) Rules, 1990 vide General Administration Department Notification No. 28761/Gen., dated 7.10.1998 read with Resolution No. 29686 dated 14.10.98, a number of references have been received from different quarters seeking clarification regarding interpretation of Rule-10 of the Orissa Civil Service (Rehabilitation Assistance) Amendment Rules, 1998 with regard to the action to be taken in respect of cases of disabled Govt. employees which are pending prior to dt. 8.10.98 and with regard to inclusion of pension and T.I. while assessing the annual income of the family of the deceased employee.

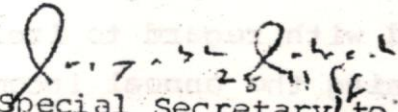
After careful consideration of the references received it is clarified that:

- (1) The Orissa Civil Service (Rehabilitation Assistance) Amendment Rules, 1998 came into force with effect from 8.10.98 i.e. the date on which they have been published in the extraordinary issue of the Orissa Gazette and hence these Amendment Rules have no retrospective effect. Therefore, cases already disposed of either affirmatively or negatively prior to dt. 8.10.98 shall not be reopened.

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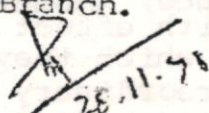
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- (ii) Cases which have already been initiated as per the provisions laid down in Orissa Civil Service (Rehabilitation Assistance) Rules, 1990 prior to 8.10.98 and are still pending shall be examined and disposed of as per the provisions contained in the rules as they stood before the amendments i.e. prior to 8.10.98.
 - (iii) In Part IV of the prescribed Application form appended to the Orissa Civil Service (Rehabilitation Assistance) Amendment Rules, 1998, the words "including pension and T.I" shall be read as "excluding pension and T.I".
 - (iv) Distress certificates may be issued in old forms in favour of the family of disabled/deceased employees, whose applications are pending prior to commencement of the Orissa Civil Service (Rehabilitation Assistance) Amendment Rules, 1998.

These clarifications should be brought to the notice of the all the subordinate offices under their control for their information and future guidance.


Special Secretary to Government.

Memo No. 39938 /Gen., Dated. 30.11.98.

Copy forwarded to all Branches of the General Admn. Department/Guard file of the S.C. Branch.


28.11.98
Deputy Secretary to Government.