

GOVERNMENT OF ORISSA

GENERAL ADMINISTRATION DEPARTMENT

RESOLUTION

The 30th June 1999

SUBJECT—Guideline relating to Engagement of Retired Government Functionaries

There was a time when the number of persons having professional expertise, especially in the scientific technical and paratechnical spheres, was limited in the country in general and in Orissa in particular. In view of such acute scarcity, there was then a need on certain occasions to engage some retired persons of professional excellence in Government assignments by way of (a) extension of service or (b) re-employment or (c) contractual appointment for specified periods, ordinarily not beyond the age of sixty years of age.

2. The situation has now undergone a drastic change because of the following facts:—

(a) There are numerous functionaries available at different levels in various hierarchies of Government organisations who are equally equipped to handle any technical or administrative matter and who can with equal dexterity handle the intended function. It would be unfair to them if they are denied the opportunity to shoulder the higher responsibility by due elevation.

(b) The current age is a time of explosion of multidisciplinary knowledge. There is continual acquisition and updating of skills in managerial and technological spheres. Yesterday's expertise is today's obsolescence. It is, therefore, in the public interest to induct fresh talents rather than to rehire antiquated hands.

(c) Nothing prevents a retired but public spirited expert of renown to offer his council and positive suggestions for the consideration of Government even if he is not given a formal extension or re-employment or contractual appointment. He can also contribute to the society by getting associated with voluntary organisations committed for socio-economic welfare of the people at large.

(d) The inclination to seek such continuance in an assignment on the part of a Government functionary towards the fag-end of his service and the tendency to recommend such propositions on the part of the superior authority sometimes lead to situations which are not desirable.

3. Considering the matter from all angles, the State Government have decided, in supersession of all earlier instructions, that no proposal for re-engagement of any retiring/retired functionary shall hereafter be considered in any circumstances, except in the situations specified hereunder:—

(a) Appointments of retiring/retired Government officers made as per the provisions contained in the Constitution of India or Central/State Statutes (such as Chairman/Members of Public Service Commission, Tribunals, etc), or

(b) Honorary appointments of retiring/retired Government officers as Directors of Boards of Directors of public Enterprises or Presidents/Vice-Presidents of State Academies (for specified terms), provided that no such appointments shall continue beyond the age of sixty-five years, or

(c) Membership of retired Government functionaries in any Advisory body or a Committee on honorary basis for specified periods.

4. The only exception that may be allowed relates to the appointment of a special Secretary/Officer-on-Special Duty (in lieu of one post of Private Secretary) to a Minister/Minister of State/Deputy Minister. In case a Member of the Council of Ministers wishes to engage a retired Government officer for the said purpose in consideration of his usefulness because of similar past experiences, such a retired officer may be engaged with the prior approval of the Chief Minister, subject to the following terms and conditions:—

(1) The appointment shall be on contract basis and shall be coterminous with the appointment of the Member of the Council of Ministers. It shall also be terminable on one month's notice, on either side, even during the period of incumbency of the Member of the Council of Ministers.

(2) The rank of the retired officer must not have been less than that of an Under-Secretary to Government at the time of retirement. He may be designated as Officer-on-Special Duty, ordinarily. If, however, he held a position of or above the rank of Additional Secretary to Government, he may be designated as Special Secretary.

(3) He must not have been punished in any Departmental Proceedings during his service career, nor must he have been a member of any political party after his retirement.

(4) A retired officer against whom a Vigilance case or criminal prosecution or disciplinary proceeding is pending shall not be eligible for such engagement.

4.2. The proposal for such appointment shall be placed for the consideration of the Chief Minister after obtaining the clearance of the Vigilance Organisation and the concurrence of the General Administration Department and Finance Department.

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4.3. (a) [The appointee shall be entitled to get a consolidated pay as determined by the Parliamentary Affairs Department on the advice of the Finance Department. The said amount shall in no case exceed forty per cent of his basic pay admissible at the time of his retirement.]

(b) The appointee shall not be eligible to get Dearness Allowance or any other Special Pay or Allowances over and above the said consolidated pay.

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(c) [During the period of the contract appointment, the appointee may be accommodated in a Government Quarters, subject to the availability, provided he pays the standard rent for the said accommodation.]

(d) During the period of the contract appointment, the appointee shall also be entitled to get (i) Travelling Allowance for approved tours at the rate he was eligible for at the time of his retirement and (ii) the benefit of reimbursement of the cost of medicines as applicable to Government servants.

(e) The period of the contract appointment shall not be counted as Government service for the purpose of pension or any other retirement benefits.

5. With immediate effect the engagement of all retired Government functionaries by way of extension of extension of service/reappointment/contract appointment (which are contrary to the guidelines) shall stand terminated.

6. This Resolution shall come into force with immediate effect.

ORDER—Ordered that the Resolution be published in the *Orissa Gazette* and copies thereof be forwarded to all concerned.

By order of the Governor

RAJENDRA KISHORE PANDA

Special Secretary to Government